

**SENATE AMENDMENT 6,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2003 SENATE BILL 197**

June 24, 2003 – Offered by Senator HANSEN.

1           At the locations indicated, amend the substitute amendment as follows:

- 2           **1.** Page 1, line 7: before “single” insert “requiring state agencies, political  
3 subdivisions, and housing, redevelopment, and community development  
4 authorities, as well as subsidy recipients, to report on subsidies provided to  
5 businesses; requiring certain disclosures by business subsidy applicants; prohibiting  
6 business subsidies under certain circumstances; requiring the Legislative Audit  
7 Bureau to publish a report on business subsidies and to evaluate their effectiveness;  
8 defining a full-time job for purposes of development zone tax credits; altering  
9 eligibility requirements for development zone and technology zone tax credits;”.
- 10           **2.** Page 1, line 9: delete “and granting” and substitute “; granting”.
- 11           **3.** Page 1, line 9: after “authority” insert “; and providing a penalty”.
- 12           **4.** Page 1, line 10: before that line insert:

1           “**SECTION 1c.** 13.94 (12) of the statutes is created to read:

2           **13.94 (12) BUSINESS SUBSIDIES REPORT; COMPILATION AND SUMMARY.** (a) In this  
3 subsection:

4           1. “Business” has the meaning given in s. 20.926 (2).

5           2. “Business subsidy” has the meaning given in s. 20.926 (3).

6           3. “Grantor” has the meaning given in s. 20.926 (4).

7           (b) Annually, by August 1, the legislative audit bureau shall publish a report  
8 that summarizes the business subsidies provided in the preceding year. The report  
9 shall include any information and analysis that the legislative audit bureau  
10 determines is relevant and will assist the legislature in evaluating the cost,  
11 effectiveness, and equity of investing public moneys in businesses and economic  
12 development. The report may include any information and data that is available to  
13 the legislative audit bureau and shall include the reports filed under s. 20.9265 (4)  
14 (b) and (c) and a compilation and summary of the reports filed under s. 20.9265 (4)  
15 (a). In each year after the year in which the legislative audit bureau receives the  
16 report under s. 66.1105 (13), the legislative audit bureau shall include a summary  
17 of that report in the report under this subsection.

18           (c) The portion of the report under this subsection that is the compilation and  
19 summary of the reports under s. 20.9265 (4) (a) shall include at least all of the  
20 following information:

21           1. The total amount of business subsidies awarded in each county of the state.

22           2. Distribution of business subsidies, categorized by subsidy amounts.

23           3. Distribution of business subsidy amounts, categorized by the length of time  
24 over which the subsidy is provided.

1           4. Distribution of business subsidies, categorized by type of subsidy, amount of  
2           subsidy, and public purpose.

3           5. The percentage and number of recipients that reached their goals by the  
4           times specified in their subsidy agreements under s. 20.9265 (2) (a) 6.

5           6. The percentage and number of recipients that reached their interim goals,  
6           if any.

7           7. The percentage and number of recipients that did not reach their goals by  
8           the times specified in their subsidy agreements under s. 20.9265 (2) (a) 6.

9           8. The total dollar amount of business subsidies provided to recipients that did  
10          not reach their goals by the times specified in their subsidy agreements under s.  
11          20.9265 (2) (a) 6.

12          9. The number of jobs created as a result of business subsidies, shown in  
13          separate wage bands, as defined in s. 20.926 (10).

14          10. Fringe benefits paid or otherwise provided as a result of business subsidies,  
15          shown in separate wage bands, as defined in s. 20.926 (10).

16          (d) The compilation and summary of the reports under s. 20.9265 (4) (a) shall  
17          be presented in a manner that allows for comparisons across time periods and among  
18          grantors and, in addition, shall include sufficient information to enable comparisons  
19          between wages paid and fringe benefits provided by new jobs created as a result of  
20          business subsidies and wages paid and fringe benefits provided by comparable jobs  
21          in each area in which the new jobs are created.

22          (e) In addition to summarizing and compiling the reports specified in par. (b),  
23          the legislative audit bureau shall include in the report under this subsection a  
24          comparison and evaluation of the effectiveness of each business subsidy, or program  
25          under which business subsidies are provided, in achieving a public purpose and

1 recommendations for improving the programs. The legislative audit bureau is not  
2 required to compare and evaluate under this paragraph the programs included in the  
3 reports filed under s. 20.9265 (4) (b) and (c).

4 (f) The legislative audit bureau may develop a report form for the manual or  
5 electronic submission of the report required under s. 20.9265 (4) (a) to ensure that  
6 the appropriate data is collected to enable the legislative audit bureau to satisfy the  
7 requirements under this subsection.

8 (g) The report under this subsection is open to public inspection.

9 **SECTION 1e.** 20.001 (intro.) of the statutes is amended to read:

10 **20.001 Definitions and abbreviations.** (intro.) ~~In~~ Except as otherwise  
11 provided, in this chapter terms and abbreviations have the following meanings:

12 **SECTION 1g.** 20.926 of the statutes is created to read:

13 **20.926 Definitions for business subsidy awards and reports.** In this  
14 section and s. 20.9265:

15 **(1)** “Agency” means a state agency or a local government agency.

16 **(2)** “Business” means any of the following:

17 (a) A person engaged in a business enterprise for profit in this state.

18 (b) An organization or enterprise operating not for profit in this state that has  
19 at least 100 full-time positions with a ratio of highest-paid to lowest-paid employee  
20 that exceeds 10 to one, determined on the basis of full-time equivalent positions.

21 **(3)** (a) Except as provided in par. (b), “business subsidy” means any of the  
22 following:

23 1. Public improvements that cost at least \$25,000, that are made to buildings  
24 or lands owned by the state or a political subdivision, and that exclusively benefit a  
25 single business at the time that the improvements are made.

- 1           2. Any of the following that has a cost to an agency or the state of at least  
2           \$25,000 and that is given to a business by an agency:
- 3           a. A grant.
- 4           b. A contribution of personal or real property or infrastructure.
- 5           2m. Any transfer of property to a business by an agency for at least \$25,000  
6           below the property's acquisition cost or fair market value at the time of the transfer,  
7           whichever is greater.
- 8           3. A loan of at least \$75,000 that is given to a business by an agency.
- 9           (b) "Business subsidy" does not include any of the following:
- 10          1. Assistance for the sole purpose of providing job readiness and training  
11          services.
- 12          2. Housing assistance.
- 13          3. Energy conservation assistance.
- 14          4. A reduction or deferral of any tax or fee, including tax credits under ch. 71,  
15          general tax reductions, and tax reductions resulting from conformity with federal  
16          law.
- 17          5. General changes in the tax incremental financing laws and other general tax  
18          law changes.
- 19          6. Worker's compensation and unemployment compensation.
- 20          7. Payment to a person from an agency for the purchase of goods or services.
- 21          7m. Payments made under ch. 32.
- 22          8. Funds from bonds issued for the benefit of any institution, facility, or  
23          organization described in section 501 (c) (3) of the Internal Revenue Code that is  
24          exempt from federal taxation under section 501 (a) of the Internal Revenue Code.
- 25          9. Assistance for a consortium, as defined in s. 560.60 (3).

1           10. Any assistance provided by the University of Wisconsin System.

2           11. Assistance provided by the department of transportation, except for  
3 assistance provided under s. 84.185 or any similar programs.

4           12. Federal loan funds provided through the U.S. economic development  
5 administration.

6           13. Assistance provided by an agency under a statutory provision that  
7 identifies the specific recipient or the specific amount.

8           14. Loans and investments made by the investment board.

9           **(3m)** “Development zone” means a development zone under ss. 560.71 to  
10 560.78, a development opportunity zone under s. 560.795, or an enterprise  
11 development zone under s. 560.797.

12           **(4)** “Grantor” means an agency that awards or provides a business subsidy.

13           **(5)** “Local government agency” means any political subdivision, housing  
14 authority created under ss. 66.1201 to 66.1211, redevelopment authority created  
15 under s. 66.1333, or community development authority created under s. 66.1335, or  
16 any entity created or authorized by any of them.

17           **(6)** “Political subdivision” means a city, village, town, or county.

18           **(7)** “Recipient” means a business that is benefited by a business subsidy under  
19 sub. (3) (a) 1. or that receives a business subsidy under sub. (3) (a) 2., 2m., or 3.

20           **(8)** “State agency” means any office, department, agency, institution of higher  
21 education, association, society, or other body in state government that is created or  
22 authorized to be created by the constitution or any law, including any authority  
23 created under ch. 231, 233, 234, or 237 but not including the legislature or the courts.

24           **(9)** “Technology zone” means a technology zone under s. 560.96.

1           **(10)** “Wage bands” means ranges of wages, with the lowest range beginning  
2 with the federal minimum wage and ending with the wage reflected by rounding the  
3 federal minimum wage up to the nearest whole dollar and subtracting one cent, and  
4 with each subsequent range beginning with the nearest whole dollar that is greater  
5 than the highest wage included within the previous range and ending with the wage  
6 reflected by adding 99 cents to that whole dollar.

7           **SECTION 1j.** 20.9265 of the statutes is created to read:

8           **20.9265 Business subsidies; awarding and reporting requirements. (1)**

9           DEVELOPING CRITERIA; APPLICATION REQUIREMENTS; PUBLIC HEARINGS; PROHIBITIONS. (a)  
10          Every grantor shall develop criteria for awarding business subsidies. The criteria  
11 shall set minimum requirements that a business must meet to be eligible for a  
12 business subsidy. The criteria shall provide that, if the public purpose for the subsidy  
13 is job creation, all jobs created as a result of the subsidy must provide compensation  
14 that is equal to at least 200% of the federal poverty line, as defined under 42 USC  
15 9902 (2), for a family of 2 persons. Compensation may include health insurance  
16 premiums paid by the employer on behalf of the employee, for purposes of  
17 determining whether this requirement is met.

18          (b) No grantor may award a business subsidy until the grantor has developed  
19 the criteria required under par. (a).

20          (c) A copy of the criteria developed under par. (a) shall be submitted along with  
21 the first annual report filed by the grantor under sub. (4). A copy of any changes to  
22 the original set of criteria developed under par. (a) shall be submitted along with the  
23 first annual report that is filed by the grantor after the changes are made. If in  
24 awarding a business subsidy a grantor deviates from the criteria developed under  
25 par. (a), the grantor shall document the reason for the deviation in writing and

1 submit a copy of that documentation along with the first annual report that is filed  
2 by the grantor after the deviation occurs.

3 (cm) 1. Every applicant for a business subsidy shall reveal in the application  
4 whether, in the preceding 5 years, the applicant has been determined by an  
5 administrative proceeding, civil action, criminal action, or other legal proceeding to  
6 have violated any federal or state environmental or labor law. For purposes of this  
7 paragraph, issuance of an order or acceptance of an agreement requiring corrective  
8 action or a stipulated fine, forfeiture, or other penalty is considered a determination  
9 of a violation, regardless of whether there is a finding or admission of liability.

10 2. For a violation described in subd. 1. that resulted in a finding, the applicant  
11 shall describe the finding and the penalty assessed and shall specify the entity that  
12 made the finding and the location of the public records relating to the matter.

13 3. For a violation described in subd. 1. that resulted in an agreement for  
14 corrective action or a stipulated fine, forfeiture, or other penalty, the applicant shall  
15 provide a summary description of the violation that led to the agreement or  
16 stipulation and, if the agreement or stipulation is a public record, a summary  
17 description of the agreement or stipulation and the location of the agreement or  
18 stipulation as a public record.

19 (d) 1. Except as provided in subds. 2. and 3., before awarding a business subsidy  
20 in the amount of \$500,000 or greater to a subsidy applicant, a grantor shall hold at  
21 least one public meeting in the political subdivision in which the applicant proposes  
22 to conduct the project for which the subsidy will be used. The public meeting must  
23 be held at least 30 days before the final decision is made on whether to award the  
24 business subsidy to the applicant for the purpose of providing information, and  
25 receiving public comment, about the subsidy. The grantor shall give notice of the



1 meeting in a manner that is likely to give notice in the political subdivision in which  
2 the applicant proposes to conduct the project for which the subsidy will be used.

3 2. The requirement under subd. 1. does not apply if, under another process that  
4 is separate and distinct from the process under this section, at least one public  
5 hearing has been held with respect to the project for which the subsidy will be used.

6 3. The requirement under subd. 1. does not apply if the secretary of  
7 administration grants a waiver of the requirement because there is insufficient time  
8 to hold a public meeting.

9 (e) A grantor may not award to a business subsidy applicant a business subsidy  
10 in the form of a grant, a loan, or a contribution of personal or real property if any of  
11 the following applies:

12 1. The business subsidy will be used to subsidize any portion of the cost of  
13 moving the applicant's business operations from one political subdivision in this  
14 state to another political subdivision in this state. This subdivision does not apply  
15 if the governing body of the political subdivision from which the applicant intends  
16 to move consents to the move in writing, which may be by resolution.

17 2. The business subsidy will be used to subsidize any portion of the cost of  
18 moving the applicant's business operations to this state from a state with which this  
19 state has entered into an agreement or compact related to businesses moving from  
20 one state to another, except as allowed under the terms of the agreement or compact.

21 (f) 1. Except as provided in subd. 2., a recipient may not apply for another  
22 business subsidy, and a grantor may not award another business subsidy to a  
23 recipient, if the recipient fails to submit a report required under sub. (3) (a) within  
24 6 months of the time required for submitting such report under sub. (3) (b).

1           2. A recipient that submits a report more than 6 months after the time required  
2 under sub. (3) (b) may apply for, and may be awarded, another business subsidy only  
3 upon the approval of the secretary of administration.

4           **(2) SUBSIDY AGREEMENT.** (a) Whenever a grantor provides a business subsidy,  
5 the recipient shall enter into a subsidy agreement with the grantor. The subsidy  
6 agreement shall include all of the following:

7           1. A description of the subsidy, including the amount, or fair market value, and  
8 type of subsidy.

9           2. A description of a public purpose for the subsidy, other than expanding the  
10 property tax base.

11           3. A statement of why the subsidy is needed.

12           4. Specific measurable goals for the subsidy.

13           4m. If the public purpose for the subsidy is the creation or retention of jobs,  
14 specific measurable goals for the number of jobs to be created or retained and wage  
15 goals for the jobs to be created or retained.

16           5. If the public purpose for the subsidy is the retention of jobs, the total number  
17 of jobs currently provided by the recipient and identification of the jobs that would  
18 be lost without the subsidy.

19           6. The time by which the goals specified in subd. 4. and, if applicable, in subd.  
20 4m. are to be achieved.

21           7. A commitment to continue operations at the location where the subsidy is  
22 to be used for at least 5 years from the date of receiving the full amount of the subsidy.

23           8. A description of any financial or other obligation of the recipient if the goals  
24 under subd. 4. or, if applicable, under subd. 4m. are not met by the time specified

1 under subd. 6. or if the recipient ceases operations at the location before the time  
2 specified in subd. 7.

3 9. The name and address of the recipient's parent corporation, if any.

4 10. A list, by amount and provider, of all other public financial assistance for  
5 the project for which the subsidy will be used.

6 11. A commitment to ensure that, unless otherwise authorized by the grantor,  
7 any depreciable tangible personal property purchased with money obtained through  
8 the subsidy will remain in Wisconsin for at least 5 years or, if the property is mobile,  
9 the property's base of operations for at least 50% of its use will be at a location in  
10 Wisconsin for at least 5 years.

11 (b) A subsidy agreement under par. (a) shall be in writing and signed by both  
12 the recipient and the grantor. If the grantor is a local government agency that is not  
13 a political subdivision, the governing body of the political subdivision within which  
14 the local government agency operates must approve the agreement.

15 **(3) REPORTS OF RECIPIENTS.** (a) Each recipient shall submit to its grantor, by  
16 the time required under par. (b), a report in a format specified by the grantor that  
17 provides the following information:

18 1. The type, public purpose, and amount of the subsidy.

19 2. The hourly wage of each job created or retained as a result of the subsidy,  
20 shown in separate wage bands.

21 3. The sum of the hourly wages and cost of health insurance premiums paid by  
22 the recipient, shown in separate wage bands.

23 4. A statement of the goals identified in the subsidy agreement under sub. (2)

24 (a) 4. and a statement of the progress toward meeting those goals.

1           4m. If the public purpose for the subsidy is the creation or retention jobs, a  
2 statement of the goals identified in the subsidy agreement under sub. (2) (a) 4m. and  
3 a statement of the progress toward meeting the job and wage goals or the date on  
4 which the job and wage goals were or are expected to be achieved.

5           5. If the public purpose for the subsidy is the retention of jobs, the total number  
6 of jobs currently provided by the recipient, shown in separate wage bands, and the  
7 status of the jobs identified under sub. (2) (a) 5.

8           5m. If the public purpose for the subsidy is the creation of jobs, the total number  
9 of jobs currently provided by the recipient that satisfy the requirements under sub.  
10 (1) (a) compared to the average number of jobs provided by the recipient in the 12  
11 months preceding the period covered by this report that satisfied those  
12 requirements.

13           6. A statement of any financial or other obligation of the recipient under sub.  
14 (2) (a) 8. and a statement of the progress toward meeting the obligation or the date  
15 on which the obligation was or will be met.

16           7. The location of the recipient before receiving the business subsidy.

17           8. The name and address of the recipient's parent corporation, if any.

18           9. A list, by amount and provider, of all other public financial assistance for the  
19 project.

20           10. Any other information requested by the grantor.

21           (b) The recipient shall submit a report, as required under par. (a), as required  
22 by the grantor, but not more than 24 months after the subsidy is first provided.  
23 Annually thereafter, until the time specified in the subsidy agreement under sub. (2)  
24 (a) 6., the recipient shall submit a report, as required under par. (a), for the period  
25 since the previous report was submitted.

1 (c) If a recipient fails to submit a report by the time the report is due, the grantor  
2 shall within 30 days after the due date notify the recipient that the report is overdue.  
3 If the report remains delinquent for 6 months after the due date, the grantor shall  
4 notify the department of administration and commence any action or proceedings to  
5 recover the subsidy that are specified in the subsidy agreement, and the recipient  
6 shall be ineligible for any other business subsidies, as provided in sub. (1) (f).

7 (d) For each recipient, a grantor shall keep a centrally located and easily  
8 accessible file containing the recipient's application, all documents related to the  
9 application, the subsidy agreement entered into under sub. (2), and all reports  
10 submitted under this subsection. A grantor may satisfy this paragraph by posting  
11 the contents of the file on the grantor's public website.

12 **(4) REPORTS OF GRANTORS AND THE DEPARTMENT OF COMMERCE.** (a) Annually, no  
13 later than April 1, every grantor shall manually or electronically file with the  
14 legislative audit bureau a report that summarizes the information submitted to the  
15 grantor during the previous calendar year in the reports under sub. (3). If the  
16 grantor electronically files the report, it shall do so in a form and format acceptable  
17 to the legislative audit bureau. If the legislative audit bureau develops a report form  
18 under s. 13.94 (12) (f), a grantor shall use that form for submitting the information  
19 required under this subsection.

20 (b) Notwithstanding s. 20.926 (3) (b) 13., an agency that provides assistance to  
21 a business under a statutory provision that identifies the specific recipient or the  
22 specific amount shall annually, no later than April 1, file with the legislative audit  
23 bureau a report on that assistance provided in the preceding calendar year. The  
24 report shall include all of the following information:

- 25 1. The identity of the recipients of the assistance.

1           2. The amount of assistance provided to each recipient.

2           3. The statutory authority under which the assistance was provided.

3           (c) In addition to filing any report that is required under par. (a) or (b), the  
4 department of commerce shall annually, no later than June 1, file with the legislative  
5 audit bureau a report on the development zone programs under subch. VI of ch. 560  
6 and the technology zone program under s. 560.96 that includes all of the following  
7 information:

8           1. Identification of all development zones and technology zones in effect and the  
9 total amount of tax credits that may be claimed in each of those zones.

10          2. The total tax credits claimed, both in the previous calendar year and since  
11 the zone was designated, in each development zone or technology zone in effect.

12          3. A listing of every person in each development zone or technology zone in  
13 effect that has been awarded tax credits, together with an itemization of the total  
14 amount of such tax credits certified for each person, the total amount of such tax  
15 credits claimed by each person in the year of the report, and the aggregate total of  
16 all such tax credits claimed by each person.

17          4. A public purpose, other than expanding the property tax base, for which each  
18 person listed in subd. 3. was certified for tax credits.

19          5. The progress each person listed in subd. 3. has made in achieving the public  
20 purpose specified in subd. 4.

21          6. The criteria used to measure the progress made in achieving the public  
22 purpose specified in subd. 4.

23          7. The total number of jobs that have been created, both in the previous  
24 calendar year and since the zone was designated, in each development zone or  
25 technology zone in effect, shown in separate wage bands.

1           8. The total number of jobs that have been retained, both in the previous  
2 calendar year and since the zone was designated, in each development zone or  
3 technology zone in effect, shown in separate wage bands.

4           **(5) PUBLIC RECORD REQUIREMENT.** Business subsidy applications, all documents  
5 related to business subsidy applications, recipient reports under sub. (3), and  
6 grantor reports under sub. (4) are open to public inspection.

7           **(6) RESPONSIBILITY FOR COMPLIANCE AND RELATION TO OTHER REQUIREMENTS.** (a)  
8 If the agency that awards a business subsidy is different from the agency that  
9 provides the business subsidy, the agency that provides the business subsidy shall  
10 determine how the requirements under this section for the grantor of the business  
11 subsidy will be met, and may delegate the responsibility for any such requirement  
12 to the agency that awards the business subsidy.

13           (b) A state agency that administers an economic development program under  
14 which a local government agency is the grantor of state funds shall ensure that the  
15 local government agency complies with this section.

16           (c) The legislative audit bureau shall determine whether this section applies  
17 to an agency with respect to assistance provided by the agency in the event that there  
18 is disagreement or uncertainty over whether this section applies.

19           (d) Except as provided in sub. (1) (d) 2., the requirements under this section  
20 related to awarding or providing a business subsidy, including the awarding criteria  
21 developed under sub. (1) (a), the subsidy agreement under sub. (2), and the recipient  
22 reporting requirements under sub. (3), are in addition to any other requirements  
23 with which an agency or recipient must comply with respect to the business subsidy.  
24 If a conflict exists between a requirement under this section and any other

1 requirement with respect to a business subsidy, the requirement under this section  
2 controls.

3 (e) The department of administration shall annually notify all agencies of their  
4 responsibilities under this section.

5 **SECTION 1m.** 66.1105 (13) of the statutes is amended to read:

6 66.1105 (13) The department of commerce, in cooperation with other state  
7 agencies and local governments, shall make a comprehensive report to the governor  
8 and the chief clerk of each house of the legislature, for distribution to the legislature  
9 under s. 13.172 (2), at the beginning of each biennium, beginning with the 1977  
10 biennium, as to the effects and impact of tax incremental financing projects socially,  
11 economically, and financially. Beginning with the 2003 biennium, the department  
12 of commerce shall also provide a copy of the report to the legislative audit bureau for  
13 purposes of the report requirement under s. 13.94 (12).”

14 **5.** Page 1, line 10: delete “**SECTION 1**” and substitute “**SECTION 1v**”.

15 **6.** Page 7, line 2: after that line insert:

16 “**SECTION 13m.** 71.07 (2dx) (a) 4. of the statutes is amended to read:

17 71.07 (2dx) (a) 4. “Full-time job” means a regular, nonseasonal full-time  
18 position in which an individual, as a condition of employment, is required to work at  
19 least 2,080 hours per year, including paid leave and holidays, and for which the  
20 individual receives pay compensation that is equal to at least 150% of the federal  
21 ~~minimum wage and receives benefits that are not required by federal or state law~~  
22 200% of the federal poverty line, as defined under 42 USC 9902 (2), for a family of  
23 2 persons. Compensation may include health insurance premiums paid by the  
24 employer on behalf of the employee, for purposes of determining whether the



1 compensation requirement is met. “Full-time job” does not include initial training  
2 before an employment position begins.”.

3 **7.** Page 12, line 3: after that line insert:

4 **“SECTION 26m.** 71.28 (1dx) (a) 4. of the statutes is amended to read:

5 71.28 **(1dx)** (a) 4. “Full-time job” means a regular, nonseasonal full-time  
6 position in which an individual, as a condition of employment, is required to work at  
7 least 2,080 hours per year, including paid leave and holidays, and for which the  
8 individual receives pay compensation that is equal to at least 150% of the federal  
9 ~~minimum wage and receives benefits that are not required by federal or state law~~  
10 200% of the federal poverty line, as defined under 42 USC 9902 (2), for a family of  
11 2 persons. Compensation may include health insurance premiums paid by the  
12 employer on behalf of the employee, for purposes of determining whether the  
13 compensation requirement is met. “Full-time job” does not include initial training  
14 before an employment position begins.”.

15 **8.** Page 16, line 2: after that line insert:

16 **“SECTION 32f.** 71.47 (1dx) (a) 4. of the statutes is amended to read:

17 71.47 **(1dx)** (a) 4. “Full-time job” means a regular, nonseasonal full-time  
18 position in which an individual, as a condition of employment, is required to work at  
19 least 2,080 hours per year, including paid leave and holidays, and for which the  
20 individual receives pay compensation that is equal to at least 150% of the federal  
21 ~~minimum wage and receives benefits that are not required by federal or state law~~  
22 200% of the federal poverty line, as defined under 42 USC 9902 (2), for a family of  
23 2 persons. Compensation may include health insurance premiums paid by the  
24 employer on behalf of the employee, for purposes of determining whether the

1 compensation requirement is met. “Full-time job” does not include initial training  
2 before an employment position begins.

3 **SECTION 32h.** 560.70 (2m) of the statutes is amended to read:

4 560.70 (2m) “Full-time job” means a regular, nonseasonal full-time position  
5 in which an individual, as a condition of employment, is required to work at least  
6 2,080 hours per year, including paid leave and holidays, and for which the individual  
7 receives pay compensation that is equal to at least 150% ~~of the federal minimum~~  
8 ~~wage and benefits that are not required by federal or state law~~ 200% of the federal  
9 poverty line, as defined under 42 USC 9902 (2), for a family of 2 persons.  
10 Compensation may include health insurance premiums paid by the employer on  
11 behalf of the employee, for purposes of determining whether the compensation  
12 requirement is met. “Full-time job” does not include initial training before an  
13 employment position begins.

14 **SECTION 32j.** 560.765 (3) (br) of the statutes is created to read:

15 560.765 (3) (br) The person’s commitment to ensure that, unless otherwise  
16 authorized by the department, any depreciable tangible personal property for which  
17 tax benefits are claimed will remain in Wisconsin for at least 5 years or, if the  
18 property is mobile, the property’s base of operations for at least 50% of its use will  
19 be at a location in Wisconsin for at least 5 years.

20 **SECTION 32m.** 560.785 (2) (b) of the statutes is amended to read:

21 560.785 (2) (b) The requirement under ss. 560.70 (2m) and 560.797 (1) (am)  
22 that an individual’s pay compensation must equal at least 150% 200% of the federal  
23 minimum wage poverty line, as defined under 42 USC 9902 (2), for a family of 2  
24 persons.

25 **SECTION 32p.** 560.96 (3) (a) 4. of the statutes is created to read:

1           560.96 **(3)** (a) 4. The business commits to ensure that, unless otherwise  
2 authorized by the department, any depreciable tangible personal property for which  
3 tax credits are claimed will remain in Wisconsin for at least 5 years or, if the property  
4 is mobile, the property's base of operations for at least 50% of its use will be at a  
5 location in Wisconsin for at least 5 years.”.

6           **9.** Page 16, line 11: delete lines 11 to 13 and substitute:

7           “(1x) BUSINESS SUBSIDIES. The treatment of sections 13.94 (12), 20.926, and  
8 20.9265 of the statutes first applies to business subsidies, as defined in section  
9 20.926 (3) of the statutes, as created by this act, that are awarded on the first day of  
10 the 10th month beginning after publication.

11           (2z) TAX CHANGES. The treatment of sections 71.07 (2dx) (a) 4., 71.28 (1dx) (a)  
12 4., 71.45 (3) (intro.), (a), and (b) and (3m), 71.47 (1dx) (a) 4., 560.70 (2m), 560.765 (3)  
13 (br), 560.785 (2) (b), and 560.96 (3) (a) 4. of the statutes first applies to taxable years  
14 beginning on January 1, 2005.”.

15   **(END)**