

tion card, take a digital photograph including facial image capture of the applicant to comply with sub. (3). Misrepresentations in violation of s. 343.14 (5) are punishable as provided in s. 343.14 (9).

**SECTION 3179.** 343.50 (4g) of the statutes is created to read:

**343.50 (4g) PHOTOGRAPH REQUIREMENT: EXCEPTION.** An application for an identification card may be processed and the identification card issued or renewed without a photograph being taken of the applicant if the applicant provides to the department an affidavit stating that the applicant has a sincerely held religious belief against being photographed; identifying the religion to which he or she belongs or the tenets of which he or she adheres to; and stating that the tenets of the religion prohibit him or her from being photographed.

**SECTION 3180.** 343.50 (4g) of the statutes, as created by 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

**343.50 (4g) PHOTOGRAPH REQUIREMENT: EXCEPTION.** If the application for an identification card is processed under the exception specified in s. 343.165 (7), the application may be processed and the identification card issued or renewed without a photograph being taken of the applicant if the applicant provides to the department an affidavit stating that the applicant has a sincerely held religious belief against being photographed; identifying the religion to which he or she belongs or the tenets of which he or she adheres to; and stating that the tenets of the religion prohibit him or her from being photographed.

**SECTION 3181.** 343.50 (6) of the statutes is amended to read:

**343.50 (6) RENEWAL.** At least 30 days prior to the expiration of the an identification card, the department shall mail a renewal application to the provide to the card holder notice of renewal of the card either by mail at the card holder's last-known address of each identification card holder or, if desired by the card holder, by any electronic means offered by the department. The department shall include with the application notice information, as developed by all organ procurement organizations in cooperation with the department, that promotes anatomical donations and which relates to the anatomical donation opportunity available under s. 343.175. The fee for a renewal identification card shall be \$18, which card shall be valid for 8 years, except that a card that is issued to a person who is not a United States citizen and who provides documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United States is no longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does not state the date that the person's legal presence in the United States is no longer authorized, then the card shall be valid for 8 years. The department may renew an identification card by mail or by any electronic means available to the department, but the

department may not make consecutive renewals by mail or electronic means.

**SECTION 3182.** 343.50 (6) of the statutes, as affected by 2007 Wisconsin Act 20, section 3383, and 2011 Wisconsin Act .... (this act), is repealed and recreated to read:

**343.50 (6) RENEWAL NOTICE.** At least 30 days prior to the expiration of an identification card, the department shall provide to the card holder notice of renewal of the card either by mail at the card holder's last-known address or, if desired by the card holder, by any electronic means offered by the department. If the card was issued or last renewed based upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the notice shall inform the card holder of the requirement under s. 343.165 (4) (c). The department shall include with the notice information, as developed by all organ procurement organizations in cooperation with the department, that promotes anatomical donations and which relates to the anatomical donation opportunity available under s. 343.175. The department may renew an identification card by mail or by any electronic means available to the department, but the department may not make consecutive renewals by mail or electronic means.

**SECTION 3182g.** 345.05 (1) (ag) of the statutes is repealed.

**SECTION 3182r.** 345.05 (2) of the statutes is amended to read:

**345.05 (2)** A person suffering any damage proximately resulting from the negligent operation of a motor vehicle owned and operated by a municipality ~~or authority~~, which damage was occasioned by the operation of the motor vehicle in the course of its business, may file a claim for damages against the municipality ~~or authority~~ concerned and the governing body of the municipality, ~~or the board of directors of the authority~~, may allow, compromise, settle and pay the claim. In this subsection, a motor vehicle is deemed owned and operated by a municipality ~~or authority~~ if the vehicle is either being rented or leased, or is being purchased under a contract whereby the municipality ~~or authority~~ will acquire title.

**SECTION 3186.** 346.503 (1m) (g) of the statutes is amended to read:

**346.503 (1m) (g)** This subsection does not affect the authority under s. 101.13 of the department of ~~commerce~~ safety and professional services to require by rule the reservation of parking spaces for use by a motor vehicle used by a physically disabled person.

**SECTION 3187.** 346.503 (4) of the statutes is amended to read:

**346.503 (4)** The department, after consulting with the department of ~~commerce~~ safety and professional services, shall promulgate rules governing the design, size and installation of the official traffic signs required under sub. (2) or (2m).

**SECTION 3188.** 348.27 (11m) (d) of the statutes is amended to read:

348.27 (11m) (d) The secretary of transportation may limit the application of permits issued under this subsection to specific areas of the state or to specific highways. A permit authorized under this subsection takes effect upon the mailing or delivery of a complete application and the required fee to the department. A permit authorized under this subsection is valid for up to 90 days, as determined by the secretary of transportation.

**SECTION 3193.** 350.12 (4) (bg) 2. of the statutes is amended to read:

350.12 (4) (bg) 2. For fiscal year ~~2001-02~~ 2011-12, and for each fiscal year thereafter, the department shall calculate an amount equal to the number of trail use stickers issued under sub. (3j) in the previous fiscal year multiplied by ~~\$15~~ \$32 and shall credit this amount to the appropriation account under s. 20.370 (5) (cw). From the appropriation account under s. 20.370 (5) (cw), the department shall make payments to the department or a county for the purposes specified in par. (b). The department shall make payments under par. (bm) for trail maintenance costs that were incurred in the previous fiscal year and that exceed the maximum specified under par. (b) 1. before making payments for any of the other purposes specified in par. (b).

**SECTION 3194.** 425.2065 (1) of the statutes is amended to read:

425.2065 (1) In this section, "law enforcement agency" means the police department, combined protective services department under s. ~~60.553~~, 61.66, or 62.13 (2e), or sheriff, that has primary responsibility for providing police protection services in the city, village, or town in which a repossession is expected to occur.

**SECTION 3194m.** 428.211 of the statutes is amended to read:

**428.211 Parity Exemption for federally insured depository institutions.** This subchapter does not apply to any state chartered or federally chartered bank, trust company, savings and loan association, savings bank, or credit union, or to any subsidiary of such a state chartered bank, trust company, savings and loan association, savings bank, or credit union, ~~to the extent that federal law preempts or prohibits the application of the provisions of this subchapter to a federally chartered bank, trust company, savings and loan association, savings bank, or credit union of the same type.~~

**SECTION 3195.** Chapter 440 (title) of the statutes is amended to read:

**CHAPTER 440**  
**DEPARTMENT OF REGULATION AND**  
**LICENSING SAFETY AND**  
**PROFESSIONAL SERVICES**

**SECTION 3196.** 440.01 (1) (aj) of the statutes is amended to read:

440.01 (1) (aj) "Department" means the department of ~~regulation and licensing~~ safety and professional services.

**SECTION 3197.** 440.01 (1) (g) of the statutes is amended to read:

440.01 (1) (g) "Secretary" means the secretary of ~~regulation and licensing~~ safety and professional services.

**SECTION 3198.** 440.01 (2) (cs) of the statutes is amended to read:

440.01 (2) (cs) "Minority group member" has the meaning given in s. ~~560.036~~ 16.287 (1) (f).

**SECTION 3199.** 440.03 (1) of the statutes is amended to read:

440.03 (1) The department may promulgate rules defining uniform procedures to be used by the department, ~~the real estate board~~, the real estate appraisers board, and all examining boards and affiliated credentialing boards attached to the department or an examining board, for receiving, filing and investigating complaints, for commencing disciplinary proceedings and for conducting hearings.

**SECTION 3200.** 440.03 (1m) of the statutes is amended to read:

440.03 (1m) The department may promulgate rules specifying the number of business days within which the department or any examining board or affiliated credentialing board in the department must review and make a determination on an application for a permit, as defined in s. ~~560.41(2)~~ 227.116(1g), that is issued under chs. 440 to 480.

**SECTION 3201.** 440.03 (3q) of the statutes is amended to read:

440.03 (3q) Notwithstanding sub. (3m), the department of ~~regulation and licensing~~ safety and professional services shall investigate any report that it receives under s. 146.40 (4r) (em).

**SECTION 3202.** 440.03 (11m) (b) of the statutes is amended to read:

440.03 (11m) (b) ~~The department~~ real estate examining board shall deny an application for an initial credential or deny an application for credential renewal or for reinstatement of an inactive license under s. 452.12 (6) (e) if any information required under par. (a) is not included in the application form or, in the case of an applicant who is an individual and who does not have a social security number, if the statement required under par. (am) is not included with the application form.

**SECTION 3203.** 440.03 (11m) (c) of the statutes is amended to read:

440.03 (11m) (c) The department of ~~regulation and licensing~~ safety and professional services may not disclose a social security number obtained under par. (a) to any person except the coordinated licensure information system under s. 441.50 (7); the department of children and families for purposes of administering s. 49.22; and, for a social security number obtained under par. (a) 1., the department of revenue for the purpose of requesting certifications under s. 73.0301 and administering state taxes.

**SECTION 3204.** 440.03 (12m) of the statutes is amended to read:

440.03 (12m) The department of ~~regulation and licensing safety and professional services~~ shall cooperate with the departments of justice, children and families, and health services in developing and maintaining a computer linkup to provide access to information regarding the current status of a credential issued to any person by the department of ~~regulation and licensing safety and professional services~~, including whether that credential has been restricted in any way.

**SECTION 3205m.** 440.04 (3) of the statutes is amended to read:

440.04 (3) Control the allocation, disbursement, and budgeting of the funds received by the examining boards and affiliated credentialing boards in connection with their credentialing and regulation, including the reimbursement of board members for actual and necessary expenses, including travel expenses, incurred in the performance of their duties.

**SECTION 3205p.** 440.08 (2) (a) 15g. of the statutes is created to read:

440.08 (2) (a) 15g. Bail bond surety corporation: December 1 of each year.

**SECTION 3205r.** 440.08 (2) (a) 15r. of the statutes is created to read:

440.08 (2) (a) 15r. Bail bond surety agent: June 1 of each year.

**SECTION 3206.** 440.13 (1) (b) of the statutes is amended to read:

440.13 (1) (b) "Memorandum of understanding" means a memorandum of understanding entered into by the department of ~~regulation and licensing safety and professional services~~ and the department of children and families under s. 49.857.

**SECTION 3207.** 440.13 (2) (a) of the statutes is amended to read:

440.13 (2) (a) With respect to a credential granted by the department, the department shall restrict, limit, or suspend a credential or deny an application for an initial credential ~~or for reinstatement of an inactive license under s. 452.12 (6) (e)~~ if the credential holder or applicant is delinquent in paying support or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to support or paternity proceedings.

**SECTION 3208.** 440.13 (2) (c) of the statutes is amended to read:

440.13 (2) (c) With respect to a credential granted by a credentialing board, a credentialing board shall restrict, limit or suspend a credential held by a person or deny an application for an initial credential or for reinstatement of an inactive license under s. 452.12 (6) (e) when directed to do so by the department.

**SECTION 3209.** 440.22 (2) of the statutes is amended to read:

440.22 (2) In any disciplinary proceeding against a holder of a credential in which the department or an examining board, affiliated credentialing board or board in the department orders suspension, limitation or revocation of the credential or reprimands the holder, the department, examining board, affiliated credentialing board or board may, in addition to imposing discipline, assess all or part of the costs of the proceeding against the holder. Costs assessed under this subsection are payable to the department. Interest shall accrue on costs assessed under this subsection at a rate of 12% per year beginning on the date that payment of the costs are due as ordered by the department, examining board, affiliated credentialing board or board. Upon the request of the department of ~~regulation and licensing safety and professional services~~, the department of justice may commence an action to recover costs assessed under this subsection and any accrued interest.

**SECTION 3210.** 440.905 (1) of the statutes is amended to read:

440.905 (1) In addition to the other duties and powers of the board under this subchapter, the board shall advise the secretary of ~~regulation and licensing safety and professional services~~ on matters relating to cemeteries, to this chapter, or to the board.

**SECTION 3211.** 440.92 (2) (d) of the statutes is amended to read:

440.92 (2) (d) A preneed seller may not sell any undeveloped space unless the plans for the construction of the mausoleum have been submitted to the department of ~~commerce safety and professional services~~ for approval under s. 157.12 (2) (a) and the preneed sales contract includes the following language in not less than 10-point boldface type: "THE PLANS FOR CONSTRUCTING THE MAUSOLEUM SPACE HAVE BEEN SUBMITTED TO THE DEPARTMENT OF ~~COMMERCE SAFETY AND PROFESSIONAL SERVICES~~ FOR APPROVAL. THE SELLER IS RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN APPROVAL OF THE PLANS BY THE DEPARTMENT OF ~~COMMERCE SAFETY AND PROFESSIONAL SERVICES~~, COMPLETE THE CONSTRUCTION, AND OBTAIN CERTIFICATION OF THE CONSTRUCTION BY THE DEPARTMENT OF ~~COMMERCE SAFETY AND PROFESSIONAL SERVICES~~."

**SECTION 3212.** 440.945 (5) (b) of the statutes is amended to read:

440.945 (5) (b) The department of justice or any district attorney, upon informing the department of justice, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this section. The court may, prior to entry of final judgment, make such orders or judgments as may

be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, if proof of such loss is submitted to the satisfaction of the court. The department of justice may subpoena persons and require the production of books and other documents, and may request the department of ~~regulation and licensing~~ safety and professional services to exercise its authority under par. (a) to aid in the investigation of alleged violations of this section.

**SECTION 3212m.** Subchapter XV of Chapter 440 [precedes 440.9991] of the statutes is created to read:

**CHAPTER 440**

**SUBCHAPTER XV**

**BAIL BOND SURETIES**

**440.9991 Definitions.** In this subchapter:

(1) "Licensed bail bond surety agent" or "bail bond surety agent" means a person licensed under s. 440.9993 (2).

(2) "Licensed bail bond surety corporation" or "bail bond surety corporation" means a person licensed under s. 440.9993 (1).

**440.9992 License required.** No person may be compensated to act as a surety for a bond under ch. 969 unless the person is a licensed bail bond surety corporation or agent. A licensed bail bond surety corporation or agent shall be compensated at the rate established under s. 969.12 (2).

**440.9993 Licensure.** (1) BAIL BOND SURETY CORPORATIONS. The department shall grant a license as a bail bond surety corporation to a business entity, as defined in s. 13.62 (5), if all of the following apply:

(a) The business submits an application to the department on a form provided by the department.

(b) The business pays the initial credential fee of \$1,000.

(c) The business submits, in addition to any other information required by the department, evidence satisfactory to the department, including financial information, that the business is qualified to act as a surety for others in this state, except that the business is not required to be organized under the laws of this state.

(2) BAIL BOND SURETY AGENTS. The department shall grant a license as a bail bond surety agent to a person if all of the following apply:

(a) The person submits an application to the department on a form provided by the department.

(b) The person pays the initial credential fee of \$1,000.

(c) The person submits, in addition to any other information required by the department, evidence satisfactory to the department that the person is an agent of a licensed bail bond surety corporation.

(3) LIST OF BAIL BOND SURETY CORPORATIONS AND AGENTS. Annually, the department shall provide a list of all licensed bail bond surety corporations and agents to the clerk of circuit court in each county.

**440.9994 Renewal.** (1) RENEWAL DATES. The renewal dates for licenses granted under this subchapter are specified in s. 440.08 (2) (a) 15g. and 15r. Renewal applications shall be submitted to the department on a form provided by the department and shall include an annual renewal fee of \$1,000.

(2) LICENSURE RENEWAL FOR BAIL BOND SURETY CORPORATIONS. In addition to any other information required by the department, a licensed bail bond surety corporation shall submit with its renewal application evidence satisfactory to the department, including financial information, that the bail bond surety corporation continues to be, at the time the surety corporation applies for renewal, a business that is qualified to act as a surety for others in this state.

(3) LICENSURE RENEWAL FOR BAIL BOND SURETY AGENTS. In addition to any other information required by the department, a licensed bail bond surety agent shall submit with its renewal application evidence satisfactory to the department that the bail bond surety agent, at the time the surety agent applies for renewal, is an agent of a licensed bail bond surety corporation in good standing with the department.

**440.9995 Rules.** The department shall promulgate rules necessary to administer this subchapter, including rules of conduct by bail bond surety corporations and agents.

**440.9996 Disciplinary proceedings and actions.**

(1) INVESTIGATIONS AND HEARINGS. Subject to the rules promulgated under s. 440.03 (1), the department may conduct investigations and hearings to determine whether a violation of this subchapter, any rule promulgated under this subchapter, or any other law applicable to bail bond surety corporations or agents, including ch. 969, has occurred.

(2) PENALTIES. (a) Subject to the rules promulgated under s. 440.03 (1), the department may reprimand a bail bond surety corporation or agent or deny, limit, suspend, or revoke a license granted under this subchapter if the department finds that an applicant for licensure under this subchapter, a licensed bail bond surety corporation, or a licensed bail bond surety agent, has done any of the following:

1. Intentionally made a material misstatement in an application for a license or for renewal of a license.

2. Advertised in a manner that is false or misleading.

3. In the course of acting as a bail bond surety corporation or agent, made a substantial misrepresentation that was relied upon by another person.

4. Obtained or attempted to obtain compensation through fraud or deceit.

5. Violated any law of this state or federal law that substantially relates to acting as a surety for others or acting as a bail bond surety corporation or agent, violated this subchapter, or violated any rule promulgated under this subchapter.

6. Engaged in unprofessional conduct.

(b) In addition to or in lieu of a reprimand or other action under par. (a), the department may by rule establish other penalties, including forfeiture, for violations under par. (a).

**SECTION 3212o.** 446.02 (3) (a) of the statutes is amended to read:

446.02 (3) (a) As Beginning on January 1, 2012, an examination administered by the examining board under this paragraph. The examination shall be in the subjects usually taught in such reputable schools of chiropractic, and shall be conducted at least twice a year at such times and places as the examining board determines. The examination shall include a practical examination of the applicant as prescribed by the examining board. The examining board shall charge an examination fee to each applicant for licensure under sub. (2) to cover the cost of developing and administering the examination required under this paragraph.

**SECTION 3212p.** 446.02 (3) (c) of the statutes is created to read:

446.02 (3) (c) An examination approved by the examining board that tests the applicant's knowledge of the laws of this state relating to the practice of chiropractic, including the provisions of this chapter and any rules promulgated by the examining board under this section.

**SECTION 3212q.** 450.035 (2) of the statutes is amended to read:

450.035 (2) A pharmacist may not administer a vaccine unless he or she has successfully completed 12 hours in a course of study and training, approved by the American Council on Pharmaceutical Education or the board, in vaccination storage, protocols, administration technique, emergency procedures and record keeping and has satisfied the requirements specified in sub. (2t). A pharmacist may not administer a vaccine under this subsection to a person who is under the age of 18 ~~6~~.

**SECTION 3217.** 452.01 (1s) of the statutes is amended to read:

452.01 (1s) "Board" means real estate examining board.

**SECTION 3218.** 452.025 (1) (a) of the statutes is amended to read:

452.025 (1) (a) A person desiring to act as a time-share salesperson shall submit to the department board an application for a certificate of registration.

**SECTION 3219.** 452.025 (1) (b) (intro.) of the statutes is amended to read:

452.025 (1) (b) The application for registration as a time-share salesperson shall be in the form prescribed by the department board and shall include all of the following:

**SECTION 3220.** 452.025 (1) (b) 4. of the statutes is amended to read:

452.025 (1) (b) 4. Any other information which that the department board reasonably requires to enable it to

determine the competency of the person to transact business as a time-share salesperson in a manner ~~which that~~ safeguards the interests of the public.

**SECTION 3221.** 452.025 (3) (b) 2. (intro.) of the statutes is amended to read:

452.025 (3) (b) 2. A time-share salesperson registered under this section may complete a form purchase agreement or offer to purchase, if the form purchase agreement or offer to purchase has been approved by the department board and includes only the following:

**SECTION 3222.** 452.025 (4) of the statutes is amended to read:

452.025 (4) A time-share salesperson registered under this section may apply at any time to transfer employment to another licensed broker by submitting to the department board an application in the form prescribed by the department board and the transfer fee specified in s. 440.05 (7).

**SECTION 3223.** 452.025 (5) (a) of the statutes is amended to read:

452.025 (5) (a) The renewal date for certificates of registration granted by the department board under this section is specified under s. 440.08 (2) (a).

**SECTION 3224.** 452.03 of the statutes is amended to read:

**452.03 Brokers and salespersons licensed.** No person may engage in or follow the business or occupation of, or advertise or hold himself or herself out as, or act temporarily or otherwise as a broker or salesperson without a license. ~~Licenses shall be granted~~ The board may grant a license only to ~~persons~~ a person who ~~are~~ is competent to transact such businesses in a manner ~~which that~~ safeguards the interests of the public, and only after satisfactory proof of the person's competence has been presented to the department board.

**SECTION 3225.** 452.04 of the statutes is repealed.

**SECTION 3226.** 452.05 (title) and (1) (intro.) of the statutes are amended to read:

**452.05 (title) Duties and powers of department board.** (1) (intro.) In addition to the other duties and responsibilities of the department board under this chapter, the department board shall advise the secretary on matters relating to real estate practice and shall:

**SECTION 3227.** 452.05 (1) (b) of the statutes is amended to read:

452.05 (1) (b) Approve forms for use in real estate practice. The board may conduct public hearings on matters relating to the approval of forms used in real estate practice.

**SECTION 3228.** 452.05 (1) (c) of the statutes is amended to read:

452.05 (1) (c) After consultation with the council on real estate curriculum and examinations ~~and subject to the procedure under s. 452.07,~~ promulgate rules establishing criteria for the approval of educational programs and training sessions under s. 452.09 (2) and approve

such programs and sessions in accordance with the established criteria.

**SECTION 3229.** 452.05 (1) (d) of the statutes is amended to read:

452.05 (1) (d) After consultation with the council on real estate curriculum and examinations, ~~the board~~, brokers and salespersons licensed under this chapter, and interested members of the public, establish criteria for the approval of continuing educational programs and courses in real estate related subjects required for renewal under s. 452.12 (5) (c) †.

**SECTION 3229e.** 452.05 (1) (e) of the statutes is repealed.

**SECTION 3229h.** 452.05 (1) (g) of the statutes is amended to read:

452.05 (1) (g) Approve continuing educational programs and courses in accordance with the criteria established under par. (d). In order to be approved, a continuing educational program or course must require brokers and salespersons to pass an examination on the information presented at the program or course in order to successfully complete and receive continuing education credit for the program or course under s. 452.12 (5) (c) †.

**SECTION 3230.** 452.05 (1m) (b) of the statutes is amended to read:

452.05 (1m) (b) In preparing the form for the offer to purchase commercial real property under sub. (1) (b), the ~~department board~~ shall include a statement that the seller represents to the buyer that the seller has no notice or knowledge that the commercial real property is a historic building.

**SECTION 3231.** 452.05 (2) of the statutes is amended to read:

452.05 (2) The ~~department board~~ may prepare letters and bulletins and conduct clinics disseminating information to its licensees.

**SECTION 3232.** 452.05 (3) of the statutes is amended to read:

452.05 (3) The ~~department board~~ may, ~~after consultation with the board~~, enter into reciprocal agreements with officials of other states or territories of the United States for licensing brokers and salespersons and grant licenses to applicants who are licensed as brokers or salespersons in those states or territories according to the terms of the reciprocal agreements.

**SECTION 3233e.** 452.06 (1) of the statutes is amended to read:

452.06 (1) The ~~secretary board~~ shall create ~~a council~~ one or more councils on forms ~~under s. 15.04 (1) (e)~~ which shall meet on a regular basis, be chaired by a member of the board, and report to the board ~~and the secretary~~. Any proposed change in a form relating to real estate practice shall be referred to the appropriate council on forms for review before the form is approved.

**SECTION 3234m.** 452.06 (2) (a) of the statutes is amended to read:

452.06 (2) (a) Advise the ~~secretary on the promulgation of rules under s. 452.05 (1) (e) and board~~ on establishing continuing education requirements under s. 452.05 (1) (d).

**SECTION 3234r.** 452.06 (2) (b) of the statutes is amended to read:

452.06 (2) (b) ~~Periodically, but not~~ Not less than annually, review subjects covered on examinations for licensure under this chapter and the qualifications for instructors of and performance evaluations for educational and continuing educational programs, training sessions, and courses approved under this chapter.

**SECTION 3234t.** 452.06 (3) of the statutes is amended to read:

452.06 (3) If the secretary creates any councils or committees under s. 15.04 (1) (c) to provide advice to the department or board on matters relating to real estate practice ~~other than the council under sub. (1)~~, such councils or committees shall be chaired by a member of the board, if available, and shall report to the board and the secretary.

**SECTION 3235.** 452.07 (title) of the statutes is amended to read:

**452.07 (title) Rules; review of rules.**

**SECTION 3236.** 452.07 (1) of the statutes is amended to read:

452.07 (1) The ~~department board~~ shall promulgate rules for the guidance of the real estate profession and define professional conduct and unethical practice.

**SECTION 3237.** 452.07 (1m) of the statutes is amended to read:

452.07 (1m) The ~~department board~~ shall promulgate rules that specify the supervisory duties of brokers under s. 452.12 (3).

**SECTION 3238.** 452.07 (2) to (7) of the statutes are repealed.

**SECTION 3239.** 452.09 (1) (intro.) of the statutes is amended to read:

452.09 (1) FORM OF APPLICATION. (intro.) Any person desiring to act as a broker or salesperson shall submit to the ~~department board~~ an application for a license. The application shall be in such form as the ~~department board~~ prescribes and shall include the following:

**SECTION 3240.** 452.09 (1) (e) of the statutes is amended to read:

452.09 (1) (e) Any other information ~~which that~~ the ~~department board~~ may reasonably require to enable it to determine the competency of each applicant, including each business representative of the business entity, to transact the business of a broker or salesperson in a manner ~~which that~~ safeguards the interests of the public.

**SECTION 3241.** 452.09 (2) (a) of the statutes is amended to read:

452.09 (2) (a) Except as provided in a reciprocal agreement under s. 452.05 (3), each applicant for a salesperson's license shall submit to the ~~department board~~ evidence satisfactory to the ~~department board~~ of successful completion of educational programs approved for this purpose under s. 452.05 (1) (c). The ~~department board~~ may waive the requirement under this paragraph upon proof that the applicant has received 10 academic credits in real estate or real estate related law courses from an accredited institution of higher education.

**SECTION 3242.** 452.09 (2) (c) 2. of the statutes is amended to read:

452.09 (2) (c) 2. Submit to the ~~department board~~ evidence satisfactory to the ~~department board~~ of successful completion of educational programs in business management approved for this purpose under s. 452.05 (1) (c). No educational programs applied to satisfy the requirement under subd. 1. may be applied to satisfy the requirement under this subdivision.

**SECTION 3243.** 452.09 (2) (d) of the statutes is amended to read:

452.09 (2) (d) The ~~department board~~ may waive the requirements under par. (c) upon proof that the applicant has received 20 academic credits in real estate or real estate related law courses from an accredited institution of higher education or that the applicant is licensed to practice law in this state.

**SECTION 3244.** 452.09 (3) (a) of the statutes is amended to read:

452.09 (3) (a) In determining competency, the ~~department board~~ shall require proof that the applicant for a broker's or salesperson's license has a fair knowledge of the English language; a fair understanding of the general purposes and general legal effect of deeds, mortgages, land contracts of sale, leases, bills of sale, chattel mortgages, and conditional sales contracts; and a general and fair understanding of the obligations between principal and agent, as well as of this chapter. ~~As~~ The board shall deny a license to an applicant receiving a failing grade, as established by rules of the ~~department board~~, on any examination given under this section ~~shall be denied a license~~, but any applicant may review his or her examination results in a manner established by rules of the ~~department board~~.

**SECTION 3245.** 452.09 (3) (b) of the statutes is amended to read:

452.09 (3) (b) The ~~department board~~ shall determine competency under par. (a) by means of only an oral examination for any applicant who is unable to write because of a physical handicap.

**SECTION 3246.** 452.09 (3) (d) of the statutes is amended to read:

452.09 (3) (d) Except as provided in a reciprocal agreement under s. 452.05 (3), the ~~department board~~ may not grant a broker's license to an applicant who does not hold a salesperson's license unless the applicant passes

the salesperson's examination and the broker's examination.

**SECTION 3247.** 452.09 (5) of the statutes is amended to read:

452.09 (5) APPRENTICESHIPS. Any person who is a resident of this state and 18 years of age or over may, upon application filed in accordance with sub. (1), be indentured to a licensed resident broker in accordance with rules promulgated by the ~~department board~~. These rules shall be promulgated so as to protect the public and may limit the real estate sales and brokerage activity of the apprentice. The ~~department board~~ may require an apprentice to take a preliminary examination covering general knowledge and may prescribe the character and extent of his or her work during apprenticeship. The ~~department board~~ may issue a temporary salesperson's permit to the individual for a period not to exceed one year upon payment of the fee under s. 440.05 (6). The temporary permit is not renewable.

**SECTION 3248.** 452.10 (2) (b) of the statutes is amended to read:

452.10 (2) (b) Unless an application is withdrawn in writing before the ~~department board~~ has made any investigation, no part of the fee shall be returned.

**SECTION 3249.** 452.10 (4) (a) of the statutes is amended to read:

452.10 (4) (a) Any licensed salesperson or broker may transfer to the employment of a licensed broker by first paying the transfer fee specified in s. 440.05 (7) and filing a transfer form with the ~~department board~~.

**SECTION 3250.** 452.10 (6) of the statutes is amended to read:

452.10 (6) In the case of applications for renewals of licenses the ~~department board~~ may dispense with such matters contained in s. 452.09 (1) as it deems unnecessary in view of prior applications.

**SECTION 3251.** 452.11 (3) of the statutes is amended to read:

452.11 (3) Every nonresident applicant, and every resident licensee who becomes a nonresident, shall file with the ~~department board~~ an irrevocable consent that actions may be commenced against the applicant or licensee in the proper court of any county of the state in which a cause of action arises or in which the plaintiff resides, by the service of any process or pleading authorized by the laws of this state on the ~~department board~~ or any duly authorized employee. The consent shall stipulate and agree that such service is valid and binding as due service upon the applicant or licensee in all courts in this state. The consent shall be duly acknowledged and, if made by a corporation, shall be authenticated by the corporate seal.

**SECTION 3252.** 452.11 (4) of the statutes is amended to read:

452.11 (4) Any process or pleading under this section shall be served in duplicate upon the ~~department board~~ or

its duly authorized employee. One copy shall be filed with the ~~department board~~ and the other immediately forwarded by certified mail to the nonresident licensee against whom the process or pleading is directed at the last address provided to the ~~department board~~ by the nonresident licensee. No default in any such proceeding or action may be taken unless it appears by affidavit of the secretary chairperson of the board or any duly authorized employee that a copy of the process or pleading was mailed to the nonresident licensee as required in this subsection. No judgment by default may be taken in any action or proceeding within 20 days after the date of mailing the process or pleading to the nonresident licensee.

**SECTION 3253.** 452.12 (1) of the statutes is amended to read:

452.12 (1) EXPIRATION. A license granted by the ~~department board~~ entitles the holder to act as a broker or salesperson, as the case may be, until the applicable renewal date specified under s. 440.08 (2) (a).

**SECTION 3254.** 452.12 (2) (c) of the statutes is amended to read:

452.12 (2) (c) Application for a business entity license shall be made on forms prescribed by the ~~department board~~, listing the names and addresses of all business representatives, and shall be accompanied by the initial credential fee determined by the department under s. 440.03 (9) (a). If there is a change in any of the business representatives, the change shall be reported to the ~~department board~~, on the same form, within 30 days after the effective date of the change.

**SECTION 3255.** 452.12 (4) of the statutes is amended to read:

452.12 (4) REGISTER OF BROKERS AND SALESPERSONS. ~~The department shall maintain the register required by s. 440.035 (4). The board shall include in the register the board maintains under s. 440.035 (4) the names of all brokers and salespersons whose licenses have been were revoked at any time within the past 2 years prior to the issuance thereof shall be included in the register.~~ The register shall be available for purchase at cost.

**SECTION 3255m.** 452.12 (5) (a) of the statutes is amended to read:

452.12 (5) (a) Renewal applications for all licenses shall be submitted with the applicable renewal fee determined by the department under s. 440.03 (9) (a) on or before the applicable renewal date specified under s. 440.08 (2) (a). The department shall pay \$10 of each renewal fee received under this paragraph to the Board of Regents of the University of Wisconsin System for research and educational, public outreach, and grant activities under s. 36.25 (34).

**SECTION 3256.** 452.12 (5) (b) of the statutes is amended to read:

452.12 (5) (b) If an application for renewal is not filed with the ~~department board~~ on or before the renewal date, the applicant may not engage in any of the activities cov-

ered by the license until the license is renewed or a new license is issued.

**SECTION 3256m.** 452.12 (5) (c) 1. of the statutes is renumbered 452.12 (5) (c) and amended to read:

452.12 (5) (c) At the time of renewal, each broker or salesperson shall submit proof of attendance at and successful completion of continuing education programs or courses approved under s. 452.05 (1) (g), ~~except as provided in subd. 2.~~

**SECTION 3257j.** 452.12 (5) (c) 2. of the statutes is repealed.

**SECTION 3259.** 452.12 (6) (b) of the statutes is amended to read:

452.12 (6) (b) Unless an applicant's license has been revoked or suspended under s. 452.14 (3), the ~~department board~~ may register the applicant under par. (a) as an inactive licensee upon payment of a \$15 fee.

**SECTION 3260.** 452.12 (6) (d) of the statutes is amended to read:

452.12 (6) (d) If an inactive licensee files an application for reinstatement before January 1, 1996, the ~~department board~~ shall reinstate the inactive licensee's original license in accordance with the requirements for late renewal under s. 440.08 (3).

**SECTION 3261.** 452.12 (6) (e) (intro.) of the statutes is amended to read:

452.12 (6) (e) (intro.) Except as provided in ss. 440.03 (11m) (b), 440.12 and 440.13 (2) ~~(a) (c)~~, the ~~department board~~ shall reinstate an inactive licensee's original license as follows:

**SECTION 3262.** 452.12 (6) (e) 1. of the statutes is amended to read:

452.12 (6) (e) 1. If a person has registered as an inactive licensee before November 1, 1990, the ~~department board~~ shall reinstate the person's original license if that person applies to the ~~department board~~ for reinstatement of his or her original license, pays the fee specified under s. 440.05 (1), passes an examination under s. 452.09 (3), and completes the education requirements established by the ~~department board~~ under par. (f).

**SECTION 3263.** 452.12 (6) (e) 2. of the statutes is amended to read:

452.12 (6) (e) 2. If a person has registered as an inactive licensee on or after November 1, 1990, the ~~department board~~ shall reinstate the person's original license if that person applies to the ~~department board~~ for reinstatement of his or her original license, pays the renewal fee determined by the department under s. 440.03 (9) (a) for the original license and completes ~~12 hours of the~~ continuing education as requirements established by the ~~department board~~ under par. (f). A person who is eligible for reinstatement of his or her original license under this subdivision shall complete the requirements for reinstatement under this subdivision before January 1, 1996, or within 5 years after the date on which the person registered as an inactive licensee, whichever is later.

**SECTION 3264.** 452.12 (6) (e) 3. of the statutes is amended to read:

452.12 (6) (e) 3. If a person who is eligible for reinstatement of his or her original license under subd. 2. does not complete the requirements for reinstatement within the time specified under subd. 2., the ~~department board~~ shall reinstate the original license of that person if he or she meets the requirements specified under subd. 1.

**SECTION 3265.** 452.12 (6) (f) of the statutes is amended to read:

452.12 (6) (f) The ~~department board~~ shall promulgate rules establishing the education requirements that applicants for reinstatement of original licenses under par. (e) must satisfy.

**SECTION 3266.** 452.13 (2) (b) 1. of the statutes is amended to read:

452.13 (2) (b) 1. Register with the department of ~~regulation and licensing safety and professional services~~ the name and address of the depository institution and the number of the interest-bearing common trust account.

**SECTION 3267.** 452.13 (2) (b) 2. of the statutes is amended to read:

452.13 (2) (b) 2. Notify the department of ~~regulation and licensing safety and professional services~~ when any of the information required under subd. 1. is changed.

**SECTION 3268.** 452.13 (2) (b) 3. of the statutes is amended to read:

452.13 (2) (b) 3. Furnish the department of ~~regulation and licensing safety and professional services~~ with a letter authorizing the department of ~~regulation and licensing safety and professional services~~ and the department of ~~commerce administration~~ to examine and audit the interest-bearing common trust account whenever the department of ~~regulation and licensing safety and professional services~~ or the department of ~~commerce administration~~ considers it necessary.

**SECTION 3269.** 452.13 (2) (bm) of the statutes is amended to read:

452.13 (2) (bm) The department of ~~regulation and licensing safety and professional services~~ shall forward to the department of ~~commerce administration~~ the information and documents furnished under par. (b).

**SECTION 3270.** 452.13 (2) (d) of the statutes is amended to read:

452.13 (2) (d) The department of ~~commerce administration~~ is the beneficial owner of the interest accruing to the interest-bearing common trust account, minus any service charges or fees.

**SECTION 3271.** 452.13 (2) (e) 1. of the statutes is amended to read:

452.13 (2) (e) 1. Annually, before February 1, remit to the department of ~~commerce administration~~ the total interest or dividends, minus service charges or fees, earned on the average daily balance in the interest-bearing common trust account during the 12 months ending on the previous December 31. A depository institution

is not required to remit any amount if the total interest or dividends for that period is less than \$10 before any deduction for service charges or fees.

**SECTION 3272.** 452.13 (2) (e) 2. of the statutes is amended to read:

452.13 (2) (e) 2. When the interest remittance is sent, furnish to the department of ~~commerce administration~~ and to the broker maintaining the interest-bearing common trust account a statement that includes the name of the broker for whose account the remittance is made, the rate of interest applied, the amount of service charges or fees deducted, if any, and the account balance for the period that the statement covers.

**SECTION 3273.** 452.13 (2) (f) 2. of the statutes is amended to read:

452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing common trust account against the department of ~~commerce administration~~.

**SECTION 3274.** 452.13 (2) (f) 3. of the statutes is amended to read:

452.13 (2) (f) 3. May deduct a service charge or fee from the interest earned by an interest-bearing common trust account, and if a balance remains, may deduct the remaining charge or fee from the interest earned on any other interest-bearing common trust account maintained in that depository institution, before remitting interest to the department of ~~commerce administration~~.

**SECTION 3274m.** 452.13 (5) of the statutes is amended to read:

452.13 (5) RULES. In consultation with the department of ~~regulation and licensing safety and professional services~~, the department of ~~commerce administration~~ shall promulgate rules necessary to administer this section.

**SECTION 3276.** 452.14 (1) of the statutes is amended to read:

452.14 (1) The ~~department board~~ shall, upon motion of the ~~board secretary or his or her designee~~ or upon its own determination, conduct investigations and, as appropriate, may hold hearings and make findings, if the ~~board or the~~ department receives credible information that a broker, salesperson, or time-share salesperson has violated this chapter or any rule promulgated under this chapter.

**SECTION 3277.** 452.14 (2) of the statutes is amended to read:

452.14 (2) ~~The department shall present the findings of any investigation of a licensee or registrant to the board for its consideration. The department shall upon motion of the board, and board may, upon its own determination, commence disciplinary proceedings on any matter under investigation concerning a licensee or registrant. No investigation of a licensee or registrant may be closed without motion of the board.~~

**SECTION 3278.** 452.14 (3) (L) of the statutes is amended to read:

452.14 (3) (L) Violated any provision of this chapter or any rule promulgated under this chapter;

**SECTION 3279.** 452.17 (2) of the statutes is amended to read:

452.17 (2) Any person who engages in or follows the business or occupation of, or advertises or holds himself or herself out as or acts temporarily or otherwise as, a time-share salesperson in this state without being registered with the ~~department board~~ shall be prosecuted by the district attorney in the county where the violation occurs and may be fined not less than \$25 nor more than \$200 or imprisoned not less than 10 days nor more than 6 months or both.

**SECTION 3280.** 452.22 (2) of the statutes is amended to read:

452.22 (2) The certificate of the ~~secretary chairperson of the board~~ or his or her designee to the effect that a specified individual or business entity is not or was not on a specified date the holder of a broker's, salesperson's, or time-share salesperson's license or registration, or that a specified license or registration was not in effect on a date specified, or as to the issuance, limitation, suspension, or revocation of any license or registration or the reprimand of any license or registration holder thereof, the filing or withdrawal of any application or its existence or nonexistence, is prima facie evidence of the facts ~~therein~~ stated in the certificate for all purposes in any action or proceedings.

**SECTION 3281.** 462.01 (3) of the statutes is amended to read:

462.01 (3) "Department" means the department of ~~regulation and licensing safety and professional services.~~

**SECTION 3283.** 551.403 (2) (a) 2. of the statutes is amended to read:

551.403 (2) (a) 2. Institutional investors, except any institutional investor described in s. 551.102 (11) (k), (m), or (o).

**SECTION 3284.** 551.403 (2) (a) 2m. of the statutes is amended to read:

551.403 (2) (a) 2m. Accredited investors as defined in Rule 501 (a) (1), ~~(2), or (3), (7) or (8)~~ adopted under the Securities Act of 1933.

**SECTION 3285.** Chapter 560 (title) of the statutes is repealed.

**SECTION 3286.** Subchapter I (title) of chapter 560 [precedes 560.001] of the statutes is repealed.

**SECTION 3287.** 560.001 of the statutes is repealed.

**SECTION 3288.** 560.01 (title), (1) and (2) of the statutes are repealed.

**SECTION 3289.** 560.01 (3) of the statutes is renumbered 238.04 (14) and amended to read:

238.04 (14) ~~FOREIGN OFFICE AGREEMENTS. The department may enter~~ Enter into agreements regarding compensation, space, and other administrative matters as are necessary to operate ~~departmental~~ offices in other

states and foreign countries. Such agreements shall be subject to the approval of the secretary of administration.

**SECTION 3290.** 560.02 of the statutes is repealed.

**SECTION 3291.** 560.03 (title) of the statutes is repealed.

**SECTION 3292.** 560.03 (intro.) of the statutes is repealed.

**SECTION 3293.** 560.03 (1) of the statutes is repealed.

**SECTION 3294.** 560.03 (2) of the statutes is repealed.

**SECTION 3295.** 560.03 (3) of the statutes is repealed.

**SECTION 3296.** 560.03 (4) of the statutes is repealed.

**SECTION 3297.** 560.03 (4m) of the statutes is repealed.

**SECTION 3298.** 560.03 (5) of the statutes is repealed.

**SECTION 3299.** 560.03 (6) of the statutes is repealed.

**SECTION 3299m.** 560.03 (7) of the statutes is repealed.

**SECTION 3300.** 560.03 (8) of the statutes is repealed.

**SECTION 3301.** 560.03 (9) of the statutes is repealed.

**SECTION 3302.** 560.03 (10) of the statutes is repealed.

**SECTION 3303.** 560.03 (11) of the statutes is repealed.

**SECTION 3304.** 560.03 (16) of the statutes is repealed.

**SECTION 3305.** 560.03 (17) of the statutes is renumbered 238.25 and amended to read:

**238.25 Assistance to loan recipients.** Assist The corporation shall assist new businesses and small businesses receiving economic development loans under s. 234.65 (1) (a) or the assistance of the Wisconsin Housing and Economic Development Authority in locating sources of venture capital and in obtaining the state and federal licenses and permits necessary for business operations.

**SECTION 3306.** 560.03 (18) of the statutes is repealed.

**SECTION 3307.** 560.03 (19) of the statutes is repealed.

**SECTION 3308.** 560.03 (20) of the statutes is repealed.

**SECTION 3309.** 560.03 (21) of the statutes is repealed.

**SECTION 3310.** 560.03 (22) of the statutes is repealed.

**SECTION 3311.** 560.03 (23) of the statutes is repealed.

**SECTION 3312.** 560.03 (25) of the statutes is repealed.

**SECTION 3313.** 560.03 (26) of the statutes is repealed.

**SECTION 3314.** 560.031 of the statutes is repealed.

**SECTION 3315.** 560.032 of the statutes is renumbered 238.10 and amended to read:

**238.10 Allocation of volume cap on tax-exempt bonds.** (1) ALLOCATION. ~~The department, by rule, corporation~~ shall establish under 26 USC 146 and administer a system for the allocation of the volume cap on the issuance of private activity bonds, as defined under 26 USC 141 (a), among all municipalities, as defined in s. 67.01 (5), and any corporation formed on behalf of those municipalities, and among this state, the Wisconsin Health and Educational Facilities Authority, the Wisconsin Aerospace Authority, and the Wisconsin Housing and Economic Development Authority.

(2) AMENDMENT TO ALLOCATION. At any time prior to December 31 in any year, the department corporation may ~~promulgate~~ adopt rules to revise the allocation system established for that year under sub. (1), except that any revision under this subsection does not apply to any allocation under which the recipient of that allocation has adopted a resolution authorizing the issuance of a private activity bond, as defined in 26 USC 141 (a).

(3) CONDITIONS. The department corporation may establish, ~~by rule,~~ any procedure for, and place any condition upon, the granting of an allocation under this section which the department corporation deems to be in the best interest of the state including, ~~but not limited to,~~ a requirement that a cash deposit, at a rate established by the ~~department in the rules~~ corporation, be a condition for an allocation.

(4) CERTIFICATION. If the secretary corporation receives notice of the issuance of a bond under an allocation under subs. (1) to (3), the secretary corporation shall certify that that bond meets the requirements of 26 USC 146.

**SECTION 3316.** 560.033 of the statutes is repealed.

**SECTION 3317.** 560.0335 of the statutes is renumbered 16.283.

**SECTION 3318.** 560.034 of the statutes is renumbered 238.11, and 238.11 (1), (2), (3) and (5) (intro.), as renumbered, are amended to read:

238.11 (1) The department corporation shall prescribe the notice forms to be used under ss. 66.1103 (4m) (a) 1. and 234.65 (3) (a). The department corporation shall include on the forms a requirement for information on the number of jobs the person submitting the notice expects to be eliminated, created, or maintained on the project site and elsewhere in this state by the project which is the subject of the notice. The department corporation shall prescribe the forms to be used under ss. 66.1103 (4m) (b) and 234.65 (3r).

(2) If the department corporation receives a notice under s. 66.1103 (4m) (a), the department corporation shall estimate, no later than 20 days after receipt of the notice, whether the project ~~which that~~ is the subject of the notice is expected to eliminate, create, or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created, or maintained as a result of the project.

(3) If the department corporation receives a notice under s. 234.65 (3) (a), the department corporation shall estimate, no later than 20 days after receipt of the notice, whether the project which is the subject of the notice is expected to eliminate, create, or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created, or maintained as a result of the project.

(5) (intro.) The department corporation shall issue an estimate made:

**SECTION 3319.** 560.035 of the statutes is renumbered 16.285.

**SECTION 3320.** 560.036 of the statutes is renumbered 16.287.

**SECTION 3321m.** 560.037 of the statutes is repealed.

**SECTION 3322.** 560.04 of the statutes is repealed.

**SECTION 3323.** 560.045 of the statutes is repealed.

**SECTION 3324.** 560.047 of the statutes is repealed.

**SECTION 3325.** 560.05 of the statutes is repealed.

**SECTION 3326.** 560.07 of the statutes is repealed.

**SECTION 3327.** 560.075 of the statutes is renumbered 238.12, and 238.12 (2), as renumbered, is amended to read:

238.12 (2) The department corporation may not award a grant or loan under this chapter to a person or certify a person to receive tax benefits unless the department corporation enters into an agreement with the person that requires the person to repay the grant, loan, or tax benefits if, within 5 years after receiving the grant or loan or being certified to receive tax benefits, the person ceases to conduct in this state the economic activity for which the person received the grant or loan or for which the person was certified to receive tax benefits and commences substantially the same economic activity outside this state.

**SECTION 3328.** 560.08 (1), (2) (intro.), (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) of the statutes are repealed.

**SECTION 3329.** 560.08 (2) (m) of the statutes is renumbered 238.26 and amended to read:

**238.26 Report to investment board.** No later than September 30 of each even-numbered year, the corporation shall submit to the investment board a report describing the types of investments in businesses in this state ~~which that~~ will have the greatest likelihood of enhancing economic development in this state.

**SECTION 3330c.** 560.081 (1) and (2) (intro.) and (a) of the statutes are renumbered 238.127 (2) (intro.) and (a), and 238.127 (2) (intro.), as renumbered, is amended to read:

238.127 (2) (intro.) The department corporation shall establish and administer a state main street program to coordinate state and local participation in programs offered by the national main street center, created by the national trust for historic preservation, to assist municipalities in planning, managing and implementing programs for the revitalization of business areas. The department corporation shall do all of the following:

**SECTION 3330g.** 560.081 (2) (b) of the statutes is repealed.

**SECTION 3330m.** 560.081 (2) (c) to (h) of the statutes are renumbered 238.127 (2) (c) to (h), and 238.127 (2) (c) (intro.), (e), (f) 4. and (h), as renumbered, are amended to read:

238.127 (2) (c) (intro.) With help from ~~the council on main street programs and from~~ interested individuals and organizations, develop a plan describing the objectives of

the state main street program and the methods by which the department corporation shall:

(e) Annually select, upon application, up to 5 municipalities to participate in the state main street program. The program for each municipality shall conclude after 3 years, except that the program for each municipality selected after July 29, 1995, shall conclude after 5 years. The department corporation shall select program participants representing various geographical regions and populations. A municipality may apply to participate, and the department corporation may select a municipality for participation, more than one time. In selecting a municipality, however, the department corporation may give priority to those municipalities that have not previously participated.

(f) 4. Local assistance in paying for the services of a design consultant ~~recommended by the council on main street programs.~~

(h) Provide training, technical assistance and information on the revitalization of business areas to municipalities which do not participate in the state main street program. The department corporation may charge reasonable fees for the services and information provided under this paragraph. ~~The department shall deposit all fees collected under this paragraph in the appropriation account under s. 20.143 (1) (g).~~

**SECTION 3330s.** 560.081 (2) (i) of the statutes is repealed.

**SECTION 3331.** 560.082 of the statutes is repealed.

**SECTION 3332.** 560.09 of the statutes is repealed.

**SECTION 3333.** 560.097 of the statutes is renumbered 238.125 and amended to read:

**238.125 Notification of position openings; compliance.** The department corporation shall monitor compliance with the position-opening notification requirements under ss. 66.1103 (6m) and 106.16.

**SECTION 3334b.** 560.11 of the statutes is renumbered 285.795, and 285.795 (1) (a) and (2), as renumbered, are amended to read:

285.795 (1) (a) Advise the department of ~~natural resources~~ concerning the effectiveness of the small business stationary source technical and environmental compliance assistance program under s. 285.79, difficulties encountered by small business stationary sources, as defined in s. 285.79 (1), in complying with s. 299.15 and ch. 285 and the degree and severity of enforcement of s. 299.15 and ch. 285 against small business stationary sources.

(2) The employees of the ~~department of commerce who staff the small business ombudsman clearinghouse under s. 560.03 (9) and the employees of the department of natural resources who staff the small business stationary source technical and environmental compliance assistance program under s. 285.79~~ shall provide the small business environmental council with the assistance necessary to comply with sub. (1).

**SECTION 3335.** 560.125 (title) and (1) to (3) of the statutes are renumbered 101.45 (title) and (1) to (3).

**SECTION 3336.** 560.125 (4) (a) to (e) of the statutes are renumbered 101.45 (4) (a) to (e), and 101.45 (4) (d), as renumbered, is amended to read:

101.45 (4) (d) In any fiscal year, the department may not pay to any one applicant more than 20 percent of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (sm) for the fiscal year.

**SECTION 3337.** 560.125 (4) (f) and (g) of the statutes are repealed.

**SECTION 3338.** 560.125 (5) to (6) of the statutes are renumbered 101.45 (5) to (6).

**SECTION 3339.** 560.126 of the statutes is repealed.

**SECTION 3340.** 560.128 of the statutes is repealed.

**SECTION 3341.** 560.13 (1), (2), (3), (5) and (6m) of the statutes are renumbered 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2) (a) (intro.) and (b) 1., (3) (intro.) and (f) and (5), as renumbered, are amended to read:

238.13 (2) (a) (intro.) ~~Subject to subs. (4) and (5), from the appropriation under s. 20.143 (1) (qm) the department~~ The corporation may make a grant to a person if all of the following apply:

(b) 1. The contribution required under par. (a) 3. may be in cash or in-kind. Cash contributions may be of private or public funds, ~~excluding funds obtained under the program under s. 560.17 or under any program under subch. II or V of this chapter.~~ In-kind contributions shall be limited to actual remediation services.

(3) (intro.) The department corporation may consider the following criteria in making awards under this section:

(f) Any other factors considered by the department corporation to be relevant to assessing the viability and feasibility of the project.

(5) Before the department corporation awards a grant under this section, the department corporation shall consider the recommendations of the department of administration and the department of natural resources.

**SECTION 3342.** 560.13 (4) of the statutes is repealed.

**SECTION 3343.** 560.13 (6) of the statutes is repealed.

**SECTION 3344.** 560.138 of the statutes is repealed.

**SECTION 3345.** 560.139 of the statutes is repealed.

**SECTION 3346.** 560.145 of the statutes is repealed.

**SECTION 3347.** 560.15 of the statutes is repealed.

**SECTION 3348.** 560.155 of the statutes is repealed.

**SECTION 3349.** 560.157 of the statutes is repealed.

**SECTION 3350.** 560.165 of the statutes is repealed.

**SECTION 3351.** 560.167 of the statutes is repealed.

**SECTION 3352.** 560.17 of the statutes is repealed.

**SECTION 3353.** 560.19 of the statutes is repealed.

**SECTION 3354.** 560.203 of the statutes is repealed.

**SECTION 3355g.** 560.204 (title), (1), (2) and (4) of the statutes are renumbered 73.15 (title), (1), (2) and (3), and 73.15 (1), (2) and (3), as renumbered, are amended to read:

73.15 (1) The department of revenue shall implement a program to certify health care providers as eligible for the electronic medical records credit under ss. 71.07 (5i), 71.28 (5i), and 71.47 (5i).

(2) If the department of revenue certifies a health care provider under sub. (1), the department shall determine the amount of credits to allocate to the health care provider. The total amount of electronic medical records credits allocated to health care providers in any year may not exceed \$10,000,000.

(3) The ~~department, in consultation with the~~ department of revenue, shall promulgate rules to administer this section.

**SECTION 3355m.** 560.204 (3) of the statutes is repealed.

**SECTION 3356.** 560.205 of the statutes is renumbered 238.15, and 238.15 (1) (intro.), (2) and (3) (a), (b), (d) (intro.), 1., 2. a. and b. and (e), as renumbered, are amended to read:

238.15 (1) ANGEL INVESTMENT TAX CREDITS. (intro.) The ~~department~~ corporation shall implement a program to certify businesses for purposes of s. 71.07 (5d). A business desiring certification shall submit an application to the ~~department~~ corporation in each taxable year for which the business desires certification. The business shall specify in its application the investment amount it wishes to raise and the ~~department~~ corporation may certify the business and determine the amount that qualifies for purposes of s. 71.07 (5d). ~~Unless otherwise provided under the rules of the department, a~~ A business may be certified under this subsection, and may maintain such certification, only if the business satisfies all of the following conditions:

(2) EARLY STAGE SEED INVESTMENT TAX CREDITS. The ~~department~~ corporation shall implement a program to certify investment fund managers for purposes of ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638. An investment fund manager desiring certification shall submit an application to the ~~department~~ corporation. The investment fund manager shall specify in the application the investment amount that the manager wishes to raise and the ~~department~~ corporation may certify the manager and determine the amount that qualifies for purposes of ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638. In determining whether to certify an investment fund manager, the ~~department~~ corporation shall consider the investment fund manager's experience in managing venture capital funds, the past performance of investment funds managed by the applicant, the expected level of investment in the investment fund to be managed by the applicant, and any other relevant factors. The ~~department~~ corporation may certify only investment fund managers that commit to consider placing investments in businesses certified under sub. (1).

(3) (a) *List of certified businesses and investment fund managers.* The ~~department~~ corporation shall main-

tain a list of businesses certified under sub. (1) and investment fund managers certified under sub. (2) and shall permit public access to the lists through the ~~department's~~ corporation's Internet Web site.

(b) *Notification of department of revenue.* The ~~department of commerce~~ corporation shall notify the department of revenue of every certification issued under ~~sub. subs.~~ (1) and (2) and the date on which any such certification is revoked or expires.

(d) *Rules.* (intro.) The ~~department of commerce~~ corporation, in consultation with the department of revenue, shall ~~promulgate~~ adopt rules to administer this section. The rules shall further define "bona fide angel investment" for purposes of s. 71.07 (5d) (a) 1. The rules shall limit the aggregate amount of tax credits under s. 71.07 (5d) that may be claimed for investments in businesses certified under sub. (1) at \$3,000,000 per calendar year for calendar years beginning after December 31, 2004, and before January 1, 2008, \$5,500,000 per calendar year for calendar years beginning after December 31, 2007, and before January 1, 2010, \$6,500,000 for calendar year 2010, and \$20,000,000 per calendar year for calendar years beginning after December 31, 2010, plus, for taxable years beginning after December 31, 2010, an additional \$250,000 for tax credits that may be claimed for investments in nanotechnology businesses certified under sub. (1). The rules shall also limit the aggregate amount of the tax credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638 that may be claimed for investments paid to fund managers certified under sub. (2) at \$3,500,000 per calendar year for calendar years beginning after December 31, 2004, and before January 1, 2008, \$6,000,000 per calendar year for calendar years beginning after December 31, 2007, and before January 1, 2010, \$8,000,000 for calendar year 2010, and \$20,500,000 per calendar year for calendar years beginning after December 31, 2010, plus, for taxable years beginning after December 31, 2010, an additional \$250,000 for tax credits that may be claimed for investments in nanotechnology businesses certified under sub. (1). The rules shall also provide that, for calendar years beginning after December 31, 2007, no person may receive a credit under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47 (5b), or 76.638 unless the person's investment is kept in a certified business, or with a certified fund manager, for no less than 3 years. The rules shall permit the ~~department~~ corporation to reallocate credits under this section that are unused in any calendar year to a person eligible for tax benefits, as defined under s. ~~560.2055~~ 238.16 (1) (d), if all of the following apply:

1. The ~~department~~ corporation notifies the joint committee on finance in writing of its proposed reallocation.

2. a. The cochairpersons of the joint committee on finance fail to notify the ~~department~~ corporation, within 14 working days after the date of the ~~department's~~ corporation's notification under subd. 1., that the committee

has scheduled a meeting for the purpose of reviewing the proposed reallocation.

b. The cochairpersons of the joint committee on finance notify the department corporation that the committee has approved the proposed reallocation.

(e) *Transfer.* A person who is eligible to claim a credit under s. 71.07 (5b), 71.28 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to another person who is subject to the taxes or fees imposed under s. 71.02, 71.23, 71.47, or subch. III of ch. 76, if the person receives prior authorization from the investment fund manager and the manager then notifies the department of commerce corporation and the department of revenue of the transfer and submits with the notification a copy of the transfer documents. No person may sell or otherwise transfer a credit as provided in this paragraph more than once in a 12-month period. The department corporation may charge any person selling or otherwise transferring a credit under this paragraph a fee equal to 1 percent of the credit amount sold or transferred. ~~The department shall deposit all fees collected under this paragraph in the appropriation account under s. 20.143 (1) (gm).~~

**SECTION 3357.** 560.2055 (title) and (1) of the statutes are renumbered 238.16 (title) and (1).

**SECTION 3358.** 560.2055 (2) of the statutes is renumbered 238.16 (2), and 238.16 (2) (intro.) and (b), as renumbered, are amended to read:

238.16 (2) (intro.) The department corporation may certify a person to receive tax benefits under this section if all of the following apply:

(b) The person applies under this section and enters into a contract with the department corporation.

**SECTION 3359m.** 560.2055 (3) of the statutes is renumbered 238.16 (3), and 238.16 (3) (intro.), (a) and (b) of the statutes, as renumbered, are amended to read:

238.16 (3) ELIGIBILITY FOR TAX BENEFITS. (intro.) A person certified under sub. (2) may receive tax benefits under this section if, in each year for which the person claims tax benefits under this section, the person increases net employment in the person's business, and one of the following ~~apply~~ applies:

(a) In a tier I county or municipality, an eligible employee for whom the person claims a tax credit will earn at least \$20,000 ~~but not more than \$100,000~~ in wages from the person in the year for which the credit is claimed.

(b) In a tier II county or municipality, an eligible employee for whom the person claims a tax credit will earn at least \$30,000 ~~but not more than \$100,000~~ in wages from the person in the year for which the credit is claimed.

**SECTION 3362.** 560.2055 (4) (title) and (a) of the statutes are renumbered 238.16 (4) (title) and (a).

**SECTION 3363m.** 560.2055 (4) (b) 1. of the statutes is renumbered 238.16 (4) (b) 1. and amended to read:

238.16 (4) (b) 1. The department corporation may award to a person certified under sub. (2) tax benefits for each eligible employee in an amount equal to ~~up to~~ 10 percent of the wages paid by the person to that employee or \$10,000, whichever is less, if that employee earned wages in the year for which the tax benefit is claimed equal to one of the following:

a. In a tier I county or municipality, at least \$20,000 ~~but not more than \$100,000~~.

b. In a tier II county or municipality, at least \$30,000 ~~but not more than \$100,000~~.

**SECTION 3365.** 560.2055 (4) (b) 2. and (c) of the statutes are renumbered 238.16 (4) (b) 2. and (c) and amended to read:

238.16 (4) (b) 2. The department corporation may award to a person certified under sub. (2) tax benefits in an amount to be determined by the department by rule corporation for costs incurred by the person to undertake the training activities described in sub. (3) (c).

(c) Subject to a reallocation by the department corporation pursuant to rules ~~promulgated~~ adopted under s. 560.205 238.215 (3) (d), the department corporation may allocate up to \$5,000,000 in tax benefits under this section in any calendar year.

**SECTION 3366.** 560.2055 (5) of the statutes is renumbered 238.16 (5), and 238.16 (5) (title), (a), (b), (c), (d), (e) and (f) (intro.) and 1. (intro.), as renumbered, are amended to read:

238.16 (5) (title) DUTIES OF THE DEPARTMENT CORPORATION. (a) The department of commerce corporation shall notify the department of revenue when the ~~department of commerce corporation~~ department of commerce corporation certifies a person to receive tax benefits.

(b) The ~~department of commerce corporation~~ department of commerce corporation shall notify the department of revenue within 30 days of revoking a certification made under sub. (2).

(c) The department corporation may require a person to repay any tax benefits the person claims for a year in which the person failed to maintain employment required by an agreement under sub. (2) (b).

(d) The department corporation shall determine the maximum amount of the tax credits under ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q) that a certified business may claim and shall notify the department of revenue of this amount.

(e) The department corporation shall annually verify the information submitted to the department corporation by the person claiming tax benefits under ss. 71.07 (3q), 71.28 (3q), and 71.47 (3q).

(f) (intro.) The department corporation shall ~~promulgate~~ adopt rules for the implementation and operation of this section, including rules relating to the following:

1. (intro.) The definitions of a tier I county or municipality and a tier II county or municipality. The ~~department corporation~~ department corporation may consider all of the following infor-

mation when establishing the definitions required under this subdivision:

**SECTION 3367.** 560.2056 of the statutes is renumbered 93.54 and amended to read:

**93.54 Food processing plant and food warehouse investment credit.** (1) The department of ~~commerce~~ shall implement a program to certify taxpayers as eligible for the food processing plant and food warehouse investment credit under ss. 71.07 (3rn), 71.28 (3rn), and 71.47 (3rn).

(2) If the department of ~~commerce~~ certifies a taxpayer under sub. (1), the department of ~~commerce~~ shall determine the amount of credits to allocate to that taxpayer. The total amount of food processing plant and food warehouse investment credits allocated to taxpayers in fiscal year 2009–10 may not exceed \$600,000 and the total amount of food processing plant and food warehouse investment credits allocated to taxpayers in fiscal year 2010–11, and in each fiscal year thereafter, may not exceed \$700,000.

(3) The department of ~~commerce~~ shall inform the department of revenue of every taxpayer certified under sub. (1) and the amount of credits allocated to the taxpayer.

(4) The department of ~~commerce~~, in consultation with the department of revenue, shall promulgate rules to administer this section.

**SECTION 3368.** 560.206 of the statutes is renumbered 41.155, and 41.155 (4), as renumbered, is amended to read:

41.155 (4) The department of ~~commerce~~ tourism, in consultation with the department of revenue, shall promulgate rules to administer this section.

**SECTION 3369.** 560.207 of the statutes is renumbered 93.535 and amended to read:

**93.535 Dairy manufacturing facility investment credit.** (1) The department of ~~commerce~~ shall implement a program to certify taxpayers, including taxpayers who are members of dairy cooperatives, as eligible for the dairy manufacturing facility investment credit under ss. 71.07 (3p), 71.28 (3p), and 71.47 (3p).

(2) If the department of ~~commerce~~ certifies a taxpayer under sub. (1), the department of ~~commerce~~ shall determine the amount of credits to allocate to that taxpayer. The total amount of dairy manufacturing facility investment credits allocated to taxpayers in fiscal year 2007–08 may not exceed \$600,000 and the total amount of dairy manufacturing facility investment credits allocated to taxpayers who are not members of dairy cooperatives in fiscal year 2008–09, and in each fiscal year thereafter, may not exceed \$700,000. The total amount of dairy manufacturing facility investment credits allocated to taxpayers who are members of dairy cooperatives in fiscal year 2009–10 may not exceed \$600,000 and the total amount of dairy manufacturing facility investment credits allocated to taxpayers who are mem-

bers of dairy cooperatives in fiscal year 2010–11, and in each fiscal year thereafter, may not exceed \$700,000.

(3) The department of ~~commerce~~ shall inform the department of revenue of every taxpayer certified under sub. (1) and the amount of credits allocated to the taxpayer.

(4) The department of ~~commerce~~, in consultation with the department of revenue, shall promulgate rules to administer this section.

**SECTION 3370.** 560.208 of the statutes is renumbered 93.545 and amended to read:

**93.545 Meat processing facility investment credit.**

(1) The department of ~~commerce~~ shall implement a program to certify taxpayers as eligible for the meat processing facility investment credit under ss. 71.07 (3r), 71.28 (3r), and 71.47 (3r).

(2) If the department of ~~commerce~~ certifies a taxpayer under sub. (1), the department of ~~commerce~~ shall determine the amount of credits to allocate to that taxpayer. The total amount of meat processing facility investment credits allocated to taxpayers in fiscal year 2009–10 may not exceed \$300,000 and the total amount of meat processing facility investment credits allocated to taxpayers in fiscal year 2010–11, and in each fiscal year thereafter, may not exceed \$700,000.

(3) The department of ~~commerce~~ shall inform the department of revenue of every taxpayer certified under sub. (1) and the amount of credits allocated to the taxpayer.

(4) The department of ~~commerce~~, in consultation with the department of revenue, shall promulgate rules to administer this section.

**SECTION 3371.** 560.2085 of the statutes is renumbered 238.20, and 238.20 (1) (intro.), (2) and (3), as renumbered, are amended to read:

238.20 (1) (intro.) The ~~department~~ corporation shall implement a program to certify qualified new business ventures for purposes of s. 71.05 (24). A business desiring certification shall submit an application to the ~~department~~ corporation in each taxable year for which the business desires certification. Subject to sub. (2), a business may be certified under this subsection, and may maintain such certification, only if the business is engaged in one of the following:

(2) The ~~department~~ corporation may not certify a business under sub. (1) if the business is engaged in real estate development, insurance, banking, lending, lobbying, political consultation, professional services provided by attorneys, accountants, business consultants, physicians, or health care consultants, wholesale or retail sales, leisure, hospitality, transportation, or construction.

(3) (a) The ~~department~~ corporation shall maintain a list of businesses certified under sub. (1) and shall permit public access to the lists through the ~~department's~~ corporation's Internet Web site.

(b) The ~~department of commerce~~ corporation shall notify the department of revenue of every certification issued under sub. (1) and the date on which a certification under sub. (1) is revoked or expires.

**SECTION 3372.** 560.209 of the statutes is renumbered 93.547 and amended to read:

**93.547 Woody biomass harvesting and processing credit.** (1) The ~~department of commerce~~ shall implement a program to certify taxpayers as eligible for the woody biomass harvesting and processing credit under ss. 71.07 (3rm), 71.28 (3rm), and 71.47 (3rm).

(2) If the ~~department of commerce~~ certifies a taxpayer under sub. (1), the ~~department of commerce~~ shall determine the amount of credits to allocate to that taxpayer. The total amount of woody biomass harvesting and processing credits allocated to taxpayers in any fiscal year may not exceed \$900,000. In each fiscal year, the ~~department of commerce~~ shall allocate \$450,000 in tax credits to businesses that, individually, have no more than \$5,000,000 in gross receipts from doing business in this state for the taxable year in which the credit is claimed.

(3) The ~~department of commerce~~ shall inform the department of revenue of every taxpayer certified under sub. (1) and the amount of credits allocated to the taxpayer.

(4) The ~~department of commerce~~, in consultation with the department of revenue, shall promulgate rules to administer this section.

**SECTION 3373.** 560.21 of the statutes is repealed.

**SECTION 3374.** 560.25 of the statutes is repealed.

**SECTION 3375.** 560.255 of the statutes is repealed.

**SECTION 3376.** 560.27 of the statutes is repealed.

**SECTION 3377.** 560.275 of the statutes is repealed.

**SECTION 3378.** 560.276 of the statutes is repealed.

**SECTION 3379.** 560.277 of the statutes is repealed.

**SECTION 3380.** 560.28 of the statutes is repealed.

**SECTION 3380m.** 560.285 (title) of the statutes is renumbered 101.934 (title).

**SECTION 3381.** 560.285 (1) of the statutes is repealed.

**SECTION 3381c.** 560.285 (2) of the statutes is renumbered 101.934 (2).

**SECTION 3381f.** 560.285 (3) of the statutes is renumbered 101.934 (3) and amended to read:

101.934 (3) ADMINISTRATION. The department shall contract with one or more entities that are exempt from taxation under section 501 (a) of the Internal Revenue Code and that employ individuals with technical expertise concerning manufactured housing for the administration of the grant program under this section. The department shall promulgate rules to establish the grant program under this section. To the extent feasible, the department shall coordinate the program under this section with the state housing strategy plan under s. ~~560.9802~~ 16.302.

**SECTION 3382.** 560.29 of the statutes is repealed.

**SECTION 3383.** Subchapter II (title) of chapter 560 [precedes 560.30] of the statutes is repealed.

**SECTION 3384.** 560.30 of the statutes is repealed.

**SECTION 3385.** 560.301 of the statutes is repealed.

**SECTION 3386.** 560.302 of the statutes is repealed.

**SECTION 3387.** 560.303 of the statutes is repealed.

**SECTION 3388.** 560.304 of the statutes is repealed.

**SECTION 3389.** 560.305 of the statutes is repealed.

**SECTION 3390.** Subchapter III (title) of chapter 560 [precedes 560.41] of the statutes is repealed.

**SECTION 3391.** 560.41 of the statutes is repealed.

**SECTION 3392.** 560.42 of the statutes is repealed.

**SECTION 3393.** 560.43 of the statutes is repealed.

**SECTION 3394.** 560.44 of the statutes is repealed.

**SECTION 3395m.** 560.45 of the statutes is repealed.

**SECTION 3396.** Subchapter IV (title) of chapter 560 [precedes 560.51] of the statutes is repealed.

**SECTION 3397.** 560.51 of the statutes is repealed.

**SECTION 3398.** 560.53 of the statutes is repealed.

**SECTION 3399.** 560.54 of the statutes is repealed.

**SECTION 3400.** Subchapter V (title) of chapter 560 [precedes 560.60] of the statutes is repealed.

**SECTION 3401.** 560.60 of the statutes is repealed.

**SECTION 3402.** 560.602 of the statutes is repealed.

**SECTION 3403.** 560.605 of the statutes is repealed.

**SECTION 3404.** 560.607 of the statutes is repealed.

**SECTION 3405.** 560.61 of the statutes is repealed.

**SECTION 3406.** 560.68 of the statutes is repealed.

**SECTION 3407.** Subchapter VI (title) of chapter 560 [precedes 560.70] of the statutes is repealed.

**SECTION 3408.** 560.70 (intro.), (2), (2g), (2m), (3), (4), (4m), (5), (6) and (7) of the statutes are renumbered 238.30 (intro.), (2), (2g), (2m), (3), (4), (4m), (5), (6) and (7), and 238.30 (intro.), (2g), (2m) (b), (4) and (7) (b) 1. and 2., (c) and (d), as renumbered, are amended to read:

**238.30 Definitions.** (intro.) In this section and ss. ~~560.71 to 560.795~~ 238.31 to 238.395:

(2g) "Eligible activity" means an activity described under s. ~~560.702~~ 238.302.

(2m) (b) The ~~department may by rule specify~~ corporation may adopt a rule specifying circumstances under which the ~~department~~ corporation may grant exceptions to the requirement under par. (a) that a full-time job means a job in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, but under no circumstances may a full-time job mean a job in which an individual, as a condition of employment, is required to work less than 37.5 hours per week.

(4) "Local governing body" means the governing body of one or more cities, villages, towns, or counties or the elected governing body of a federally recognized American Indian tribe or band in this state.

(7) (b) 1. Except as provided in subd. 2., in s. ~~560.795~~ 238.395, "tax benefits" means the development zones

investment credit under ss. 71.07 (2di), 71.28 (1di), and 71.47 (1di) and the development zones credit under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636. With respect to the development opportunity zones under s. ~~560.795~~ 238.395 (1) (e) and (f), "tax benefits" also means the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

2. With respect to the development opportunity zones under s. ~~560.795~~ 238.395 (1) (g) and (h), "tax benefits" means the development zone credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

(c) In s. ~~560.798~~ 238.398, "tax benefits" means the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the development zones credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636.

(d) In ss. ~~560.701 to 560.706~~ 238.301 to 238.306, "tax benefits" means the economic development tax credit under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637.

**SECTION 3409.** 560.70 (1) of the statutes is repealed.

**SECTION 3410.** 560.701 of the statutes is renumbered 238.301, and 238.301 (1) (intro.) and (e), (2) (a) and (b) and (3) (intro.), (b), (c), (d) and (f), as renumbered, are amended to read:

238.301 (1) APPLICATION. (intro.) Any person may apply to the department corporation on a form prepared by the department corporation for certification under this section. The application shall include all of the following:

(e) Other information required by the department corporation or the department of revenue.

(2) (a) The department corporation may certify a person who submits an application under sub. (1) if, after conducting an investigation, the department corporation determines that the person is conducting or intends to conduct at least one eligible activity.

(b) The department corporation shall provide a person certified under this section and the department of revenue with a copy of the certification.

(3) CONTRACT. (intro.) A person certified under this section shall enter into a written contract with the department corporation. The contract shall include provisions that detail all of the following:

(b) Whether any of the eligible activities will occur in an economically distressed area, as designated by the department corporation under s. ~~560.704~~ 238.304 (1).

(c) Whether any of the eligible activities will benefit members of a targeted group, as determined by the department corporation under s. ~~560.704~~ 238.304 (2).

(d) A compliance schedule that includes a sequence of anticipated actions to be taken or goals to be achieved by the person before the person may receive tax benefits under s. ~~560.703~~ 238.303.

(f) If feasible, a determination of the tax benefits the person will be authorized to claim under s. ~~560.703~~ 238.303 (2) if the person fulfills the terms of the contract.

**SECTION 3411.** 560.702 of the statutes is renumbered 238.302, and 238.302 (intro.), (1), (2) and (3), as renumbered, are amended to read:

**238.302 Eligible activities.** (intro.) A person who conducts or proposes to conduct any of the following may be certified under s. ~~560.704~~ 238.301 (2):

(1) JOB CREATION PROJECT. A project that creates and maintains for a period of time established by the department corporation by rule full-time jobs in addition to any existing full-time jobs provided by the person.

(2) CAPITAL INVESTMENT PROJECT. A project that involves a significant investment of capital, as defined by the department corporation by rule under s. ~~560.706~~ 238.306 (2) (b), by the person in new equipment, machinery, real property, or depreciable personal property.

(3) EMPLOYEE TRAINING PROJECT. A project that involves significant investments in the training or reeducation of employees, as defined by the department corporation by rule under s. ~~560.706~~ 238.306 (2) (c), by the person for the purpose of improving the productivity or competitiveness of the business of the person.

**SECTION 3412.** 560.703 (title) of the statutes is renumbered 238.303 (title).

**SECTION 3413.** 560.703 (1) (a) of the statutes, as affected by 2011 Wisconsin Act 4, is renumbered 238.303 (1) (a) and amended to read:

238.303 (1) (a) Except as provided in pars. (am) and (b), and subject to a reallocation by the department corporation pursuant to rules ~~promulgated~~ adopted under s. ~~560.205~~ 238.15 (3) (d), the total tax benefits available to be allocated by the department corporation under ss. ~~560.701 to 560.706~~ 238.301 to 238.306 may not exceed the sum of the tax benefits remaining to be allocated under ss. s. 560.71 to 560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798, 2009 stats., s. 560.7995, 2009 stats., and s. 560.96, 2009 stats., on March 6, 2009, plus \$25,000,000.

**SECTION 3414.** 560.703 (1) (am) of the statutes, as created by 2011 Wisconsin Act 4, is renumbered 238.303 (1) (am) and amended to read:

238.303 (1) (am) Before the department corporation allocates the additional \$25,000,000 in tax benefits specified in par. (a), the department corporation shall submit its plan for such allocation to the joint committee on finance. If the cochairpersons of the committee do not notify the department corporation within 14 working days after the date of the department's corporation's submittal that the committee has scheduled a meeting for the purpose of reviewing the plan, the plan may be implemented and the additional amount may be allocated as proposed by the department corporation. If, within 14 working days after the date of the department's corporation's submittal, the cochairpersons of the committee

notify the ~~department corporation~~ that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the plan may be implemented and the additional amount allocated only upon approval of the committee.

**SECTION 3415.** 560.703 (1) (b), (2) and (3) of the statutes are renumbered 238.303 (1) (b), (2) and (3) and amended to read:

238.303 (1) (b) The ~~department corporation~~ may submit to the joint committee on finance a request in writing to exceed the total tax benefits specified in par. (a). The ~~department corporation~~ shall submit with its request a justification for seeking an increase under this paragraph. The joint committee on finance, following its review, may approve or disapprove an increase in the total tax benefits available to be allocated under ss. ~~560.701 to 560.706~~ 238.301 to 238.306.

(2) **AUTHORITY TO CLAIM TAX BENEFITS.** The ~~department corporation~~ may authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim tax benefits only after the person has submitted a report to the ~~department corporation~~ that documents to the satisfaction of the ~~department corporation~~ that the person has complied with the terms of the contract under s. ~~560.701~~ 238.301 (3) and the requirements of any applicable rules ~~promulgated adopted~~ under s. ~~560.706~~ 238.306 (2).

(3) **NOTICE OF ELIGIBILITY.** The ~~department corporation~~ shall provide to the person and to the department of revenue a notice of eligibility to receive tax benefits that reports the amount of tax benefits for which the person is eligible.

**SECTION 3416.** 560.704 of the statutes is renumbered 238.304, and 238.304 (intro.) and (1), as renumbered, are amended to read:

**238.304 Eligible activities in economically distressed areas and benefiting members of targeted groups.** (intro.) The ~~department corporation~~ may authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim additional tax benefits under s. ~~560.703~~ 238.303 if, after conducting an investigation, the ~~department corporation~~ determines any of the following:

(1) The person conducts at least one eligible activity in an area designated by the ~~department corporation~~ as economically distressed. In designating an area as economically distressed under this subsection, the ~~department corporation~~ shall follow the methodology established by rule under s. ~~560.706~~ 238.306 (2) (e).

**SECTION 3417.** 560.705 of the statutes is renumbered 238.305, and 238.305 (intro.), (1) and (2), as renumbered, are amended to read:

**238.305 Revocation of certification.** (intro.) The ~~department corporation~~ shall revoke the certification of a person who does any of the following:

(1) Supplies false or misleading information to obtain certification under s. ~~560.701~~ 238.301 (2).

(2) Supplies false or misleading information to obtain tax benefits under s. ~~560.703~~ 238.303.

**SECTION 3418.** 560.706 of the statutes is renumbered 238.306, and 238.306 (intro.), (1) (a) and (b), (2) (a), (b), (c), (d), (e) (intro.), (f), (g), (h), (i) and (k) and (3), as renumbered, are amended to read:

**238.306 Responsibilities of the department corporation.** (intro.) The ~~department corporation~~ shall do all of the following:

(1) (a) Annually verify information submitted to the department of revenue under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637 by persons certified under s. ~~560.701~~ 238.301 (2) and eligible to receive tax benefits under s. ~~560.703~~ 238.303.

(b) Notify and obtain written approval from the ~~secretary~~ chief executive officer of the corporation for any certification under sub. (2) (j).

(2) (a) A schedule of hourly wage ranges to be paid, and health insurance benefits to be provided, to an employee by a person certified under s. ~~560.701~~ 238.301 (2) and the corresponding per employee tax benefit for which a person certified under s. ~~560.701~~ 238.301 (2) may be eligible.

(b) A definition of "significant investment of capital" for purposes of s. ~~560.702~~ 238.302 (2), together with a corresponding schedule of tax benefits for which a person who is certified under s. ~~560.701~~ 238.301 (2) and who conducts a project described in s. ~~560.702~~ 238.302 (2) may be eligible. The ~~department corporation~~ shall include in the definition required under this paragraph a schedule of investments that takes into consideration the size or nature of the business.

(c) A definition of "significant investments in the training or reeducation of employees" for purposes of s. ~~560.702~~ 238.302 (3), together with a corresponding schedule of tax benefits for which a person who is certified under s. ~~560.701~~ 238.301 (2) and who conducts a project under s. ~~560.702~~ 238.302 (3) may be eligible.

(d) A schedule of tax benefits for which a person who is certified under s. ~~560.701~~ 238.301 (2) and who conducts a project that will result in the location or retention of a person's corporate headquarters in Wisconsin may be eligible.

(e) (intro.) The methodology for designating an area as economically distressed under s. ~~560.704~~ 238.304 (1). The methodology under this paragraph shall require the ~~department corporation~~ to consider the most current data available for the area and for the state on the following indicators:

(f) A schedule of additional tax benefits for which a person who is certified under s. ~~560.701~~ 238.301 (2) and who conducts an eligible activity described under s. ~~560.704~~ 238.304 may be eligible.

(g) Reporting requirements, minimum benchmarks, and outcomes expected of a person certified under s.

~~560.701 238.301~~ (2) before that person may receive tax benefits under s. ~~560.703 238.303~~.

(h) Policies, criteria, and methodology for allocating a portion of the tax benefits available under s. ~~560.703 238.303~~ to rural areas.

(i) Policies, criteria, and methodology for allocating a portion of the tax benefits available under s. ~~560.703 238.303~~ to small businesses.

(k) Procedures for implementing ss. ~~560.701 to 560.706 238.301 to 238.306~~.

(3) REPORTING. Annually, 6 months after the report has been submitted under s. ~~560.01-(2)-(am) 238.07 (2)~~, submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing the program under ss. ~~560.701 to 560.706 238.301 to 238.306~~. The report under this subsection shall update the applicable information provided in the report under s. ~~560.01-(2)-(am) 238.07 (2)~~.

**SECTION 3419.** 560.71 of the statutes is renumbered 238.31, and 238.31 (1) (intro.), (ac), (am), (b), (d) and (e) (intro.), 3. and 4. a., c. and d., (1m) (intro.), (a) and (h), (2) and (3) (intro.), as renumbered, are amended to read:

238.31 (1) (intro.) The department corporation may designate an area as a development zone if all of the following apply:

(ac) The department corporation has invited a local governing body to nominate the area under s. ~~560.715 238.315~~.

(am) A local governing body nominates the area as described in s. ~~560.72 238.32~~.

(b) The department corporation has evaluated the local governing body's application as described in s. ~~560.725 238.325~~.

(d) The area meets the applicable requirements under s. ~~560.735 or 560.737 238.335~~.

(e) (intro.) The department corporation determines all of the following:

3. That economic development in the area is not likely to occur or continue without the department's corporation's designation of the area as a development zone.

4. a. The unemployment rate in the area is higher than the state average for the 18 months immediately preceding the date on which the application under s. ~~560.72 238.32~~ (2) or (3) was submitted to the department corporation.

c. The percentage of households in the area receiving unemployment insurance under ch. 108, relief funded by a relief block grant under ch. 49, or aid to families with dependent children under s. 49.19 is higher than the state average.

d. In the 36 months immediately preceding the date on which the application under s. ~~560.72 238.32~~ (2) or (3) was submitted to the department corporation, a number of workers in the area were permanently laid off by their

employer or became unemployed as a result of a business action subject to s. 109.07 (1m).

(1m) (intro.) In making a determination under sub. (1) (e), the department corporation shall consider all of the following:

(a) The extent of poverty, unemployment, or other factors contributing to general economic hardship in the area.

(h) Any other factors that the department corporation considers relevant.

(2) In determining whether an area meets the requirements under sub. (1) (e) or s. ~~560.735 238.335~~, the department corporation may rely on any data provided by the local governing body which that the department corporation determines is relevant.

(3) (intro.) The department corporation shall do all of the following:

**SECTION 3420.** 560.715 of the statutes is renumbered 238.315 and amended to read:

**238.315 Invitation to nominate area.** If the department corporation determines that an area has experienced or is about to experience economic distress, the department corporation may invite local governing bodies in the area to nominate the area as a development zone.

**SECTION 3421.** 560.72 of the statutes is renumbered 238.32, and 238.32 (1) (intro.), (2) (intro.), (c), (d), (f) and (i), (3) and (5), as renumbered, are amended to read:

238.32 (1) (intro.) A local governing body may nominate an area as a development zone, if the department corporation has invited the governing body to nominate the area under s. ~~560.715 238.315~~ and if the governing body does all of the following:

(2) (intro.) A local governing body may nominate the area as a development zone by submitting an application to the department corporation in a form prescribed by the department corporation. The application shall include all of the following:

(c) Evidence that the area meets at least 3 of the criteria under s. ~~560.71 238.31~~ (1) (e) 4.

(d) Evidence that the area meets the applicable requirements of s. ~~560.735 238.335~~.

(f) A description of past and present economic development activities in the area under local, state, or federal programs.

(i) Any other information required by the department corporation.

(3) Two or more local governing bodies may submit a joint application nominating an area as a development zone, subject to s. ~~560.735 238.335~~ (2), if each local governing body complies with subs. (1) and (2).

(5) The department corporation may permit a local governing body to revise an application that the department corporation determines is inadequate or incomplete.

**SECTION 3422.** 560.725 of the statutes is renumbered 238.325 and amended to read:

**238.325 Evaluation by department corporation.**

(1) The department corporation shall evaluate applications received under s. ~~560.72~~ 238.32 (2) and (3).

(2) Subject to s. ~~560.735~~ 238.335 (5), the department corporation may reduce the size of an area nominated as a development zone, if the department corporation determines the boundaries as proposed by the local governing body in an application under s. ~~560.72~~ 238.32 (2) or (3) are inconsistent with the purpose of the development zone program. Any nominated area which is reduced under this subsection need not comply with s. ~~560.735~~ 238.335 (1) and (4).

(3) After evaluating an application submitted under s. ~~560.72~~ 238.32 (2) or (3), the department corporation may approve the application, subject to any reduction in the size of the nominated area under sub. (2). If the department corporation approves the application, the department corporation shall designate the area as a development zone, subject to s. ~~560.74~~ 238.31, and notify the local governing body.

**SECTION 3423.** 560.735 of the statutes is renumbered 238.335, and 238.335 (1) (a) and (c), (2), (5) (a) and (b), (6) (a) 1. and 2. and (c), (6r) and (7), as renumbered, are amended to read:

238.335 (1) (a) The area contains less than 10% of the valuation of the property of the city, village, or town, as determined under s. 70.57, in which the area is located.

(c) If the area is located within a village, town, or city other than a 1st class city, the population of the area is not less than 1,000 nor more than 10,000, as estimated under s. 16.96.

(2) If an area is located within the boundaries of 2 or more cities, villages, or towns, the property value of the cities, villages, or towns under sub. (1) (a) shall be combined for the purposes of sub. (1).

(5) (a) The area has a continuous border following natural or man-made boundaries such as streets, highways, rivers, municipal limits, or limits of a reservation.

(b) The area consists of contiguous blocks, census blocks, or similar units.

(6) (a) 1. Each of the areas has a continuous border following natural or man-made boundaries and consists of contiguous blocks, census blocks, or similar units.

2. Each area meets at least 3 of the criteria listed in s. ~~560.74~~ 238.31 (1) (e) 4.

(c) If an application is submitted by the governing body of a county under s. ~~560.72~~ 238.32 (2) or (3), up to 4 separate areas may be nominated or designated as one development zone, if par. (a) 1. to 3. applies.

(6r) Subject to the population limit under sub. (6m), if an area that is nominated or designated as a development zone is comprised of one or more entire counties and a city, village, or town is partially located in the area and partially located outside of the area, the entire city,

village, or town shall be part of the nominated or designated area.

(7) The department corporation may waive the requirements of this section in a particular case, if the department corporation determines that application of the requirement is impractical with respect to a particular development zone.

**SECTION 3424.** 560.737 of the statutes is repealed.

**SECTION 3425.** 560.74 of the statutes is renumbered 238.34, and 238.34 (1), (2), (3) (intro.) and (a), (4), (5) and (6), as renumbered, are amended to read:

238.34 (1) Except as provided under sub. (6), at any time after a development zone is designated by the department corporation, a local governing body may submit an application to change the boundaries of the development zone. If the boundary change reduces the size of a development zone, the local governing body shall explain why the area excluded should no longer be in a development zone. The department corporation may require the local governing body to submit additional information.

(2) The department corporation may approve an application for a boundary change if the development zone, as affected by the boundary changes, meets the applicable requirements of s. ~~560.735~~ 238.335 and 3 of the criteria under s. ~~560.74~~ 238.31 (1) (e) 4.

(3) (intro.) If the department corporation approves an application for a boundary change under sub. (2), it shall do all of the following:

(a) Redetermine the limit on the tax benefits for the development zone established under s. ~~560.745~~ 238.345 (2) (a).

(4) The change in the boundaries or tax benefits limit of a development zone shall be effective on the day the department corporation notifies the local governing body under sub. (3) (b).

(5) No change in the boundaries of a development zone may affect the duration of an area as a development zone under s. ~~560.745~~ 238.345 (1) (a). The department corporation may consider a change in the boundary of a development zone when evaluating an application for an extension of the designation of an area as a development zone under s. ~~560.745~~ 238.345 (1) (b).

(6) The department corporation may not accept any applications under sub. (1) to change the boundaries of a development zone designated under s. ~~560.74~~ 238.31 on or after March 6, 2009.

**SECTION 3426.** 560.745 of the statutes is renumbered 238.345, and 238.345 (1) (a) and (b), (2) (a), (am), (b), (c) 1. and 2. and (d) and (3), as renumbered, are amended to read:

238.345 (1) (a) The designation of an area as a development zone shall be effective for 240 months, beginning on the day the department notifies the local governing body under s. ~~560.725~~ 238.325 (3) of the designation.

(b) The local governing body may apply to the ~~department corporation~~ for one 60-month extension of the designation. The ~~department corporation~~ shall ~~promulgate~~ adopt rules establishing criteria for approving an extension of a designation of an area as a development zone under this subsection. No applications may be accepted by the ~~department corporation~~ under this paragraph on or after March 6, 2009.

(2) (a) When the ~~department corporation~~ designates a development zone under s. ~~560.74 238.31~~, it shall establish a limit for tax benefits for the development zone determined by allocating to the development zone a portion of \$38,155,000.

(am) Notwithstanding par. (a), the ~~department corporation~~ may increase the established limit for tax benefits for a development zone. The ~~department corporation~~ may not increase the limit for tax benefits established for any development zone designated under s. ~~560.74 238.31~~ on or after March 6, 2009.

(b) Annually the ~~department corporation~~ shall estimate the amount of forgone state revenue because of tax benefits claimed by persons in each development zone.

(c) 1. Ninety days after the day on which the ~~department corporation~~ determines that the forgone tax revenues under par. (b) will equal or exceed the limit for the development zone established under par. (a) or (am).

2. The day that the ~~department corporation~~ withdraws its designation of an area as a development zone under sub. (3).

(d) The ~~department corporation~~ shall immediately notify the local governing body of a change in the expiration date of the development zone under par. (c).

(3) The ~~department corporation~~ may withdraw the designation of an area as a development zone if any of the following apply applies:

(a) No person is certified as eligible to receive tax benefits under s. ~~560.765 238.365~~ (3) during the 12-month period beginning on the day the area is designated as a development zone and the ~~department corporation~~ determines that the local governing body that nominated the zone is not in compliance with s. ~~560.763 238.363~~.

(b) No person is certified as eligible to receive tax benefits under s. ~~560.765 238.365~~ (3) during the 24-month period beginning on the day the area is designated a development zone.

**SECTION 3427.** 560.75 of the statutes is renumbered 238.35, and 238.35 (intro.), (6), (7), (8) and (10), as renumbered, are amended to read:

**238.35 Additional duties of the department corporation.** (intro.) The ~~department corporation~~ shall do all of the following:

(6) Notify University of Wisconsin small business development centers, the Wisconsin housing and development centers, the central administration of all Univer-

sity of Wisconsin campuses and regional planning commissions about the development zone program and encourage those entities to provide advice to the ~~department corporation~~ or local governing bodies on ways to improve the development zone program.

(7) Prepare forms for the certification described under s. ~~560.765 238.365~~ (5).

(8) Annually verify information submitted to the ~~department corporation~~ under s. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), or 76.636.

(10) Enter into an agreement with the local governing body of a 1st class city where a development zone is designated under s. ~~560.74 238.31~~ (3) (c) 1. to provide efficient administration of the development zone program within the development zone.

**SECTION 3428.** 560.763 of the statutes is renumbered 238.363, and 238.363 (1) (intro.) and (c) and (4), as renumbered, are amended to read:

238.363 (1) (intro.) If an area nominated by a local governing body is designated as a development zone under s. ~~560.74 238.31~~, the local governing body shall do all of the following:

(c) Assist the ~~department corporation~~ in the administration of the development zone program.

(4) The local governing body of a 1st class city where a development zone is designated under s. ~~560.74 238.31~~ (3) (c) 1. shall enter into an agreement with the ~~department corporation~~ to provide efficient administration of the development zone program within the development zone.

**SECTION 3429.** 560.765 of the statutes is renumbered 238.365, and 238.365 (intro.), (2), (3) (intro.), (b), (c), (e) and (j) and (5) (e), (g) and (h), as renumbered, are amended to read:

**238.365 Certification for tax benefits.** (intro.) The ~~department corporation~~ shall do all of the following:

(2) Determine whether a person applying for tax benefits engages or will engage in economic activity ~~which that~~ violates s. ~~560.78 238.38~~ (1).

(3) (intro.) Subject to s. ~~560.78 238.38~~, certify persons who are eligible to claim tax benefits while an area is designated as a development zone, according to the following criteria:

(b) The person's commitment not to engage in economic activity that violates s. ~~560.78 238.38~~ (1).

(c) The number of full-time jobs that will be created, retained, or substantially upgraded as a result of the person's economic activity in relation to the amount of tax benefits estimated for the person under sub. (4).

(e) The amount the person proposes to invest in a business, or spend on the construction, rehabilitation, repair, or remodeling of a building, located within the development zone.

(j) Any other criteria established under rules ~~promulgated~~ adopted by the ~~department corporation~~.

(5) (e) The estimated number of full-time jobs that will be created, retained, or significantly upgraded in the development zone because of the person's business.

(g) The limit under s. ~~560.768~~ 238.368 on tax benefits the person may claim while an area is designated as a development zone.

(h) Other information required by the ~~department~~ corporation or the department of revenue.

**SECTION 3430.** 560.768 of the statutes is renumbered 238.368, and 238.368 (1) (a) and (b), (2) (intro.) and (b) and (3) (a) (intro.) and 1. and (b), as renumbered, are amended to read:

238.368 (1) (a) The ~~department~~ corporation shall establish a limit on the maximum amount of tax benefits a person certified under s. ~~560.765~~ 238.365 (3) may claim while an area is designated as a development zone.

(b) When establishing a limit on tax benefits under par. (a), the ~~department~~ corporation shall do all of the following:

1. Consider all of the criteria described in s. ~~560.765~~ 238.365 (3) (a) to (e).

2. Establish a limit which does not greatly exceed a recommended limit, established under rules ~~promulgated~~ adopted by the ~~department~~ corporation based on the cost, number and types of full-time jobs that will be created, retained, or upgraded, including full-time jobs available to members of the targeted population, as a result of the economic activity of the person certified under s. ~~560.765~~ 238.365 (3).

(2) (intro.) The ~~department~~ corporation may, upon request, increase a limit on tax benefits established under sub. (1) if the ~~department~~ corporation does all of the following:

(b) Revises the certification required under s. ~~560.765~~ 238.365 (5) and provides a copy of the revised form to the department of revenue and the person whose limit is increased under this subsection.

(3) (a) (intro.) The ~~department~~ corporation may reduce a limit established under sub. (1) or (2) if the ~~department~~ corporation determines that any of the following applies:

1. The limit is not consistent with the criteria listed under s. ~~560.765~~ 238.365 (3) (a) to (e).

(b) The ~~department~~ corporation shall notify the department of revenue and the person whose limit on tax benefits is reduced under par. (a) and provide a written explanation to the person of the reasons for reducing the limit.

**SECTION 3431.** 560.77 of the statutes is renumbered 238.37, and 238.37 (1) (intro.) and (b) and (2), as renumbered, are amended to read:

238.37 (1) (intro.) The ~~department~~ corporation shall revoke the certification of a person certified under s. ~~560.765~~ 238.365 (3) if the person does any of the following:

(b) Becomes subject to revocation under s. ~~560.78~~ 238.38 (1).

(2) The ~~department~~ corporation shall notify the department of revenue within 30 days of revoking a certification under sub. (1).

**SECTION 3432.** 560.78 of the statutes is renumbered 238.38, and 238.38 (1) (intro.), (1m), (2) (intro.) and (a) and (3) (a) and (b), as renumbered, are amended to read:

238.38 (1) (intro.) Except as provided in subs. (2) and (3), no person may be certified under s. ~~560.765~~ 238.365 (3), or a person's certification may be revoked under s. ~~560.77~~ 238.37, if the proposed new business, expansion of an existing business, or other proposed economic activity in a development zone would do or does any of the following:

(1m) No person may be certified under s. ~~560.765~~ 238.365 (3) on or after March 6, 2009.

(2) (intro.) Subsection (1) does not apply if, after a hearing, the ~~department~~ corporation, or the local governing body under sub. (3) (a), determines that any of the following applies:

(a) The total number of full-time jobs provided by the person in this state would be reduced if the person were not certified under s. ~~560.765~~ 238.365 (3) or if the person's certification were revoked.

(3) (a) Except as provided in pars. (b) and (c), if the economic activity for which a person is seeking certification under s. ~~560.765~~ 238.365 (3) is the relocation of a business into a development zone from a location that is outside the development zone but within the limits of a city, village, town, or federally recognized American Indian reservation in which that development zone is located, the local governing body that nominated that area as a development zone under s. ~~560.72~~ 238.32 shall determine whether sub. (2) (a) or (b) applies.

(b) Only the ~~department~~ corporation may determine whether sub. (2) (a) or (b) applies to a business relocation described in par. (a) if the business relocation would likely result in the loss of full-time jobs at or transfer of employees from a business location that is in this state but outside the limits of any city, village, town, or federally recognized American Indian reservation in which the development zone is located.

**SECTION 3433.** 560.785 of the statutes is renumbered 238.385, and 238.385 (1) (intro.), (b), (bm) and (c) (intro.) and (2) (intro.), (b) and (c), as renumbered, are amended to read:

238.385 (1) (intro.) For the development zone program under ss. ~~560.70 and 560.71 to 560.78~~ 238.30 and 238.31 to 238.38, the development opportunity zone program under s. ~~560.795~~ 238.395, and the enterprise development zone program under s. ~~560.797~~ 238.397, the ~~department~~ corporation shall ~~promulgate~~ adopt rules that further define a person's eligibility for tax benefits. The rules shall do at least all of the following:

(b) Allow a person to claim up to \$8,000 in tax benefits during the time that an area is designated as a development zone, as a development opportunity zone, or as an enterprise development zone for creating a full-time job that is filled by a member of the target population.

(bm) Allow a person to claim up to \$8,000 in tax benefits during the time that an area is designated as an enterprise development zone for retaining a full-time job if the department corporation determines that the person made a significant capital investment to retain the full-time job.

(c) (intro.) Allow a person to claim up to \$6,000 in tax benefits during the time that an area is designated as a development zone, as a development opportunity zone, or as an enterprise development zone for any of the following:

(2) (intro.) The department corporation may by rule specify circumstances under which the department corporation may grant exceptions to any of the following:

(b) The requirement under ss. ~~560.70~~ 238.30 (2m) and ~~560.797~~ 238.397 (1) (am) that an individual's pay must equal at least 150% of the federal minimum wage.

(c) The requirement under ss. ~~560.70~~ 238.30 (2m) and ~~560.797~~ 238.397 (1) (am) that an individual's position must be regular, nonseasonal, and full-time and that the individual must be required to work at least 2,080 hours per year, including paid leave and holidays.

**SECTION 3434.** 560.795 of the statutes is renumbered 238.395, and 238.395 (1) (a), (b), (c), (d), (e), (f), (g) and (h), (2) (c), (d) and (e), (3) (a), (b) 1., 2., 3., 4., 5., 6., 7., 8. and 9., (c) and (d), (4) (a) (intro.) and (b) and (5) (a) (intro.), 2. and 3., (b), (c), (d), (e) (intro.) and 3. and (f), as renumbered, are amended to read:

238.395 (1) (a) An area in the city of Beloit, the legal description of which is provided to the department corporation by the local governing body of the city of Beloit.

(b) An area in the city of West Allis, the legal description of which is provided to the department corporation by the local governing body of the city of West Allis.

(c) An area in the city of Eau Claire, the legal description of which is provided to the department corporation by the local governing body of the city of Eau Claire.

(d) An area in the city of Kenosha, the legal description of which is provided to the department corporation by the local governing body of the city of Kenosha.

(e) An area in the city of Milwaukee, the legal description of which is provided to the department corporation by the local governing body of the city of Milwaukee.

(f) For the Gateway Project, an area in the city of Beloit, the legal description of which is provided to the department corporation by the local governing body of the city of Beloit.

(g) An area in the city of Janesville, the legal description of which is provided to the department corporation by the local governing body of the city of Janesville.

(h) An area in the city of Kenosha, the legal description of which is provided to the department corporation by the local governing body of the city of Kenosha.

(2) (c) Annually, the department corporation shall estimate the amount of forgone state revenue because of tax benefits claimed by ~~corporations or~~ persons in each development opportunity zone.

(d) 1. Notwithstanding pars. (a) and (e), the designation of an area as a development opportunity zone shall expire 90 days after the day on which the department corporation determines that the forgone tax revenues under par. (c) will equal or exceed the limit for the development opportunity zone.

2. The department corporation shall immediately notify the local governing body of the city in which the development opportunity zone is located of a change in the expiration date of the development opportunity zone under this paragraph.

(e) 1. The department corporation may extend the designation of an area under sub. (1) (g) as a development opportunity zone for an additional 60 months if the department corporation determines that an extension under this subdivision would support economic development within the city. If the department corporation extends the designation of the area as a development opportunity zone, the limit for tax benefits for the development opportunity zone under sub. (1) (g) is increased by \$5,000,000.

2. The department corporation may extend the designation of an area under sub. (1) (h) as a development opportunity zone for an additional 60 months if the department corporation determines that an extension under this subdivision would support economic development within the city. If the department corporation extends the designation of the area as a development opportunity zone, the limit for tax benefits for the development opportunity zone under sub. (1) (h) is increased by \$5,000,000.

(3) (a) 1. Any ~~corporation~~ person that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (a) or (b) and that, in conjunction with the local governing body of the city in which the development opportunity zone is located, submits a project plan as described in par. (b) to the department corporation no later than 6 months after April 23, 1994, shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.

2. Any ~~corporation~~ person that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (c) and that, in conjunction with the local governing body of the city in which the development opportunity zone is located, submits a project plan as described in par. (b) to the department corporation no later than 6 months after April 28, 1995, shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.

3. Any ~~corporation~~ person that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (d) and that, in conjunction with the local governing body of the city in which the development opportunity zone is located, submits a project plan as described in par. (b) to the ~~department corporation~~ corporation no later than July 1, 2000, shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.

4. Any person that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (e), (f), (g), or (h) and that, in conjunction with the local governing body of the city in which the development opportunity zone is located, submits a project plan as described in par. (b) to the ~~department corporation~~ corporation shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.

(b) 1. The name and address of the ~~corporation's~~ person's business for which tax benefits will be claimed.

2. The appropriate federal tax identification number of the ~~corporation~~ person.

3. The names and addresses of other locations outside of the development opportunity zone where the ~~corporation~~ person conducts business and a description of the business activities conducted at those locations.

4. The amount that the ~~corporation~~ person proposes to invest in a business, or spend on the construction, rehabilitation, repair, or remodeling of a building, located within the development opportunity zone.

5. The estimated total investment of the ~~corporation~~ person in the development opportunity zone.

6. The number of full-time jobs that will be created, retained, or substantially upgraded as a result of the ~~corporation's~~ person's economic activity in relation to the amount of tax benefits estimated for the ~~corporation~~ person.

7. The ~~corporation's~~ person's plans to make reasonable attempts to hire employees from the targeted population.

8. A description of the commitment of the local governing body of the city in which the development opportunity zone is located to the ~~corporation's~~ person's project.

9. Other information required by the ~~department corporation~~ corporation or the department of revenue.

(c) The ~~department corporation~~ corporation shall notify the department of revenue of all ~~corporations~~ persons entitled to claim tax benefits under this subsection.

(d) The ~~department corporation~~ corporation annually shall verify information submitted to the ~~department corporation~~ corporation under s. 71.07 (2di), (2dm), or (2dx), 71.28 (1di), (1dm), or (1dx), 71.47 (1di), (1dm), or (1dx), or 76.636.

(4) (a) (intro.) The ~~department corporation~~ corporation shall revoke the entitlement of a ~~corporation~~ person to claim tax benefits under sub. (3) if the ~~corporation~~ person does any of the following:

(b) The ~~department corporation~~ corporation shall notify the department of revenue within 30 days after revoking an entitlement under par. (a).

(5) (a) (intro.) The ~~department corporation~~ corporation may certify for tax benefits a person that is conducting economic activity in the development opportunity zone under sub. (1) (e) or (f) and that is not otherwise entitled to claim tax benefits if all of the following apply:

2. The ~~department corporation~~ corporation determines that the economic activity of the other person under subd. 1. would not have occurred but for the involvement of the person to be certified for tax benefits under this subsection.

3. The person to be certified for tax benefits under this subsection will pass the benefits through to the other person conducting the economic activity under subd. 1., as determined by the ~~department corporation~~ corporation.

(b) A person intending to claim tax benefits under this subsection shall submit to the ~~department corporation~~ corporation an application, in the form required by the ~~department corporation~~ corporation, containing information required by the ~~department corporation~~ corporation and by the department of revenue.

(c) The ~~department corporation~~ corporation shall notify the department of revenue of all persons certified to claim tax benefits under this subsection.

(d) The ~~department corporation~~ corporation annually shall verify information submitted to the ~~department corporation~~ corporation under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), 71.47 (1dm) or (1dx), or 76.636.

(e) (intro.) The ~~department corporation~~ corporation shall revoke the entitlement of a person to claim tax benefits under this subsection if the person does any of the following:

3. Does not pass the benefits through to the other person conducting the economic activity under par. (a) 1., as determined by the ~~department corporation~~ corporation.

(f) The ~~department corporation~~ corporation shall notify the department of revenue within 30 days after revoking an entitlement under par. (e).

**SECTION 3435.** 560.797 of the statutes is renumbered 238.397, and 238.397 (1) (am), (c) and (d), (2) (a) (intro.), 3. and 4. a. and d. and (b) (intro.), 1. and 8., (bg) (intro.) and 2., (br) (intro.), (c), (d) and (e), (3) (a), (b) 4., 6. and 11. and (c), (4) (a), (c), (d), (f) and (g), (5) (a), (b), (c) and (d) 1. and 2. and (6) (a) (intro.) and (b), as renumbered, are amended to read:

238.397 (1) (am) "Full-time job" has the meaning given in s. ~~560.70~~ 238.30 (2m).

(c) "Target population" has the meaning given in s. ~~560.70~~ 238.30 (6).

(d) "Tax benefits" has the meaning given in s. ~~560.70~~ 238.30 (7).

(2) (a) (intro.) Subject to pars. (c), (d), and (e), the ~~department corporation~~ corporation may designate an area as an enterprise development zone for a project if the ~~department corporation~~ corporation determines all of the following:

3. That the project is not likely to occur or continue without the ~~department's corporation's~~ designation of the area as an enterprise development zone.

4. a. The unemployment rate in the area is higher than the state average for the 18 months immediately preceding the date on which the application under sub. (3) was submitted to the ~~department corporation~~.

d. In the 36 months immediately preceding the date on which the application under sub. (3) was submitted to the ~~department corporation~~, a number of workers in the area were permanently laid off by their employer or became unemployed as a result of a business action subject to s. 109.07 (1m).

(b) (intro.) In making a determination under par. (a), the ~~department corporation~~ shall consider all of the following:

1. The extent of poverty, unemployment, or other factors contributing to general economic hardship in the area.

8. Any other factors that the ~~department corporation~~ considers relevant.

(bg) (intro.) Notwithstanding par. (a) and subject to pars. (c), (d), and (e), the ~~department corporation~~ may designate an area as an enterprise development zone for a project if the ~~department corporation~~ determines all of the following:

2. That the project is not likely to occur or continue without the ~~department's corporation's~~ designation of the area as an enterprise development zone.

(br) (intro.) In making a determination under par. (bg), the ~~department corporation~~ shall consider all of the following:

(c) The ~~department corporation~~ may not designate as an enterprise development zone, or as any part of an enterprise development zone, an area that is located within the boundaries of an area that is designated as a development opportunity zone under s. ~~560.795~~ 238.395, the designation of which is in effect.

(d) The ~~department corporation~~ may not designate more than 98 enterprise development zones unless the ~~department corporation~~ obtains the approval of the joint committee on finance to do so. Of the enterprise development zones that the ~~department corporation~~ designates, at least 10 shall be designated under par. (bg).

(e) The ~~department corporation~~ may not designate any area as an enterprise development zone on or after March 6, 2009.

(3) (a) A person that conducts or that intends to conduct a project and that desires to have the area in which the project is or is to be conducted designated as an enterprise development zone for the purpose of claiming tax benefits may submit to the ~~department corporation~~ an application and a project plan.

(b) 4. The amount that the person proposes to invest in a business; to spend on the construction, rehabilitation, repair, or remodeling of a building; or to spend on the

removal or containment of, or the restoration of soil or groundwater affected by, environmental pollution; in the area proposed to be designated as an enterprise development zone.

6. The estimated number of full-time jobs that will be created, retained, or substantially upgraded as a result of the person's project in relation to the amount of tax benefits estimated for the person.

11. Any other information required by the ~~department corporation~~ or the department of revenue.

(c) The ~~department corporation~~ may not accept or approve any applications or project plans submitted under par. (a) on or after March 6, 2009.

(4) (a) Except as provided in par. (h), if the ~~department corporation~~ approves a project plan under sub. (3) and designates the area in which the person submitting the project plan conducts or intends to conduct the project as an enterprise development zone under the criteria under sub. (2), the ~~department corporation~~ shall certify the person as eligible for tax benefits.

(c) When the ~~department corporation~~ designates an area as an enterprise development zone for a project, the ~~department corporation~~ shall notify the governing body of any city, village, town, or federally recognized American Indian tribe or band in which the area is located of the area's designation.

(d) The ~~department corporation~~ shall notify the department of revenue of all persons entitled to claim tax benefits under this section, except that the ~~department corporation~~ shall notify the office of the commissioner of insurance of all persons entitled to claim the credit under s. 76.636.

(f) The tax benefits for which a person is certified as eligible under this subsection are not transferable to another person, business, or location, except to the extent permitted under section 383 of the internal revenue code.

(g) The ~~department corporation~~ annually shall verify information submitted to the ~~department corporation~~ under s. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), or 76.636.

(5) (a) When the ~~department corporation~~ designates an area as an enterprise development zone under this section, the ~~department corporation~~ shall specify the length of time, not to exceed 84 months, that the designation is effective, subject to par. (d) and sub. (6).

(b) When the ~~department corporation~~ designates an area as an enterprise development zone under this section, the ~~department corporation~~ shall establish a limit, not to exceed \$3,000,000, for tax benefits for the enterprise development zone.

(c) Annually, the ~~department corporation~~ shall estimate the amount of forgone state revenue because of tax benefits claimed by persons in each enterprise development zone.

(d) 1. Notwithstanding the length of time specified by the ~~department corporation~~ under par. (a), the designation of an area as an enterprise development zone shall

expire 90 days after the day on which the department corporation determines that the forgone tax revenues under par. (c) will equal or exceed the limit established for the enterprise development zone.

2. The department corporation shall immediately notify the department of revenue and the governing body of any city, village, town, or federally recognized American Indian tribe or band in which the enterprise development zone is located of a change in the expiration date of the enterprise development zone under this paragraph.

(6) (a) (intro.) The department corporation shall revoke the entitlement of a person to claim tax benefits under this section, and the designation of the area as an enterprise development zone shall expire, if the person does any of the following:

(b) The department corporation shall notify the department of revenue within 30 days after revoking an entitlement under par. (a).

**SECTION 3436.** 560.798 of the statutes is renumbered 238.398, and 238.398 (2) (a) and (b), (3) (a) and (b), (4) (a) (intro.) and (b) and (5) (intro.) and (e), as renumbered, are amended to read:

238.398 (2) (a) Except as provided under par. (c), the department corporation may designate one area in the state as an agricultural development zone. The area must be located in a rural municipality. An agricultural business that is located in an agricultural development zone and that is certified by the department corporation under sub. (3) is eligible for tax benefits as provided in sub. (3).

(b) The designation of an area as an agricultural development zone shall be in effect for 10 years from the time that the department corporation first designates the area. Not more than \$5,000,000 in tax benefits may be claimed in an agricultural development zone, except that the department corporation may allocate the amount of unallocated airport development zone tax credits, as provided under s. ~~560.7995~~ 238.3995 (3) (b), to agricultural development zones for which the \$5,000,000 maximum allocation is insufficient. The department corporation may change the boundaries of an agricultural development zone during the time that its designation is in effect. A change in the boundaries of an agricultural development zone does not affect the duration of the designation of the area or the maximum tax benefit amount that may be claimed in the agricultural development zone.

(3) (a) Except as provided under par. (c), the department corporation may certify for tax benefits in an agricultural development zone a new or expanding agricultural business that is located in the agricultural development zone. In determining whether to certify a business under this subsection, the department corporation shall consider, among other things, the number of jobs that will be created or retained by the business.

(b) When the department corporation certifies an agricultural business under this subsection, the department corporation shall establish a limit on the amount of

tax benefits that the business may claim. The department corporation shall enter into an agreement with the business that specifies the limit on the amount of tax benefits that the business may claim and reporting requirements with which the business must comply.

(4) (a) (intro.) The department of commerce corporation shall notify the department of revenue of all the following:

(b) The department corporation shall annually verify information submitted to the department corporation under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), 71.47 (1dm) or (1dx), or 76.636.

(5) (intro.) The department corporation shall promulgate adopt rules for the operation of this section, including rules related to all the following:

(e) The exchange of information between the department of commerce corporation and the department of revenue.

**SECTION 3437.** 560.799 of the statutes is renumbered 238.399, and 238.399 (1) (am) 2., (3) (a), (b) (intro.), (bm) and (c), (5) (intro.), (b), (c) 1. a. and b., 2. b. and c., (d) 1. and (e), (5m) and (6) (a), (b) (intro.), (c), (d), (e), (f) and (g) (intro.) and 1. (intro.), as renumbered, are amended to read:

238.399 (1) (am) 2. The department corporation may by rule specify circumstances under which the department corporation may grant exceptions to the requirement under subd. 1. that a full-time employee means an individual who, as a condition of employment, is required to work at least 2,080 hours per year, but under no circumstances may a full-time employee mean an individual who, as a condition of employment, is required to work less than 37.5 hours per week.

(3) DESIGNATION OF ENTERPRISE ZONES; CRITERIA. (a) The department corporation may designate not more than 12 enterprise zones.

(b) (intro.) In determining whether to designate an area under par. (a), the department corporation shall consider all of the following:

(bm) The department corporation shall specify whether an enterprise zone designated under par. (a) is located in a tier I county or municipality or a tier II county or municipality.

(c) The department corporation shall, to the extent possible, give preference to the greatest economic need.

(5) CERTIFICATION. (intro.) The department corporation may certify for tax benefits any of the following:

(b) A business that relocates to an enterprise zone from outside this state, if the business offers compensation and benefits to its employees working in the zone for the same type of work that are at least as favorable as those offered to its employees working outside the zone, as determined by the department corporation.

(c) 1. a. The business enters into an agreement with the department corporation to claim tax benefits only for

years during which the business maintains the increased level of personnel.

b. The business offers compensation and benefits for the same type of work to its employees working in the enterprise zone that are at least as favorable as those offered to its employees working in this state but outside the zone, as determined by the department corporation.

2. b. The business enters into an agreement with the department corporation to claim tax benefits only for years during which the business maintains the capital investment.

c. The business offers compensation and benefits for the same type of work to its employees working in the zone that are at least as favorable as those offered to its employees working in this state but outside the zone, as determined by the department corporation.

(d) 1. The business is an original equipment manufacturer with a significant supply chain in the state, as determined by the department corporation by rule.

(e) A business located in an enterprise zone if the business purchases tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from Wisconsin vendors, as determined by the department corporation.

(5m) ADDITIONAL TAX BENEFITS FOR SIGNIFICANT CAPITAL EXPENDITURES. If the department corporation determines that a business certified under sub. (5) makes a significant capital expenditure in the enterprise zone, the department corporation may certify the business to receive additional tax benefits in an amount to be determined by the department corporation, but not exceeding 10 percent of the business' capital expenditures. The department corporation shall, in a manner determined by the department corporation, allocate the tax benefits a business is certified to receive under this subsection over the remainder of the time limit of the enterprise zone under sub. (4).

(6) (a) The ~~department of commerce corporation~~ shall notify the department of revenue when the ~~department of commerce corporation~~ certifies a business to receive tax benefits.

(b) (intro.) The department corporation shall revoke a certification under sub. (5) if the business does any of the following:

(c) The ~~department of commerce corporation~~ shall notify the department of revenue within 30 days of a revocation under par. (b).

(d) The department corporation may require a business to repay any tax benefits the business claims for a year in which the business failed to maintain employment or capital investment levels required by an agreement under sub. (5) (c).

(e) The department corporation shall determine the maximum amount of the tax credits under ss. 71.07 (3w), 71.28 (3w), and 71.47 (3w) that a certified business may

claim and shall notify the department of revenue of this amount.

(f) The department corporation shall annually verify the information submitted to the department corporation under ss. 71.07 (3w), 71.28 (3w), or 71.47 (3w).

(g) (intro.) The department corporation shall ~~promulgate adopt rules specifying all of~~ the following by rule:

1. (intro.) The definitions of a tier I county or municipality and a tier II county or municipality. The department corporation may consider all of the following information when establishing the definitions required under this subdivision:

**SECTION 3438.** 560.7995 of the statutes is renumbered 238.3995, and 238.3995 (1) (b) and (c), (2) (a) (intro.) and 4., (b) (intro.) and 8., (c) 1. and 2. and (d), (3) (a), (b), (c) and (d) 1. and 2., (4) (a) (intro.) and 10., (am), (ar), (b) 1., (c) (intro.) and (d) and (5), as renumbered, are amended to read:

238.3995 (1) (b) "Full-time job" has the meaning given in s. ~~560.70 238.30~~ (2m).

(c) "Target population" has the meaning given in s. ~~560.70 238.30~~ (6).

(2) (a) (intro.) Subject to pars. (c) and (e), the department corporation may designate an area as an airport development zone if the department corporation determines all of the following:

4. That the airport development project is not likely to occur or continue without the department's corporation designation of the area as an airport development zone.

(b) (intro.) In making a determination under par. (a), the department corporation shall consider all of the following:

8. Any other factors that the department corporation considers relevant.

(c) 1. The department corporation may not designate as an airport development zone, or as any part of an airport development zone, an area that is located within the boundaries of an area that is designated as a development zone under s. ~~560.71 238.31~~, as a development opportunity zone under s. ~~560.795 238.395~~, or as an enterprise development zone under s. ~~560.797 238.397~~.

2. The department corporation shall give the department of transportation the opportunity to review and comment on any proposed designation under this subsection and the department of transportation may deny any such designation if the department of transportation determines that the designation would compromise the airport's safety or utility. The department of transportation may also review and comment on any land use or compatibility issues related to any proposed designation under this subsection.

(d) Notwithstanding pars. (a) to (c), and except as provided in par. (e), the department corporation shall designate as an airport development zone the area within the

boundaries of Adams, Fond du Lac, Green Lake, Juneau, Langlade, Lincoln, Marathon, Marquette, Menominee, Oneida, Portage, Price, Shawano, Taylor, Waupaca, Waushara, Winnebago, Wood, and Vilas counties.

(3) (a) When the department corporation designates an area as an airport development zone, the department corporation shall specify the length of time, not to exceed 84 months, that the designation is effective, subject to par. (d). The department corporation shall notify each person certified for tax benefits in an airport development zone, the department of revenue, the department of transportation, the Wisconsin Housing and Economic Development Authority, and the governing body of each county, city, village, town, and federally recognized American Indian tribe or band in which territory of the airport development zone is located of the designation of and expiration date of the airport development zone.

(b) When the department corporation designates an area as an airport development zone, the department corporation shall establish a limit, not to exceed \$3,000,000, for tax benefits applicable to the airport development zone, except that the department corporation shall limit the amount of tax benefits applicable to the airport development zone designated under sub. (2) (d) to \$750,000. The total tax benefits applicable to all airport development zones may not exceed \$9,000,000, less any amount allocated to technology zones under s. ~~560.96~~ 238.23 (2) (b) and to agricultural development zones under s. ~~560.798~~ 238.398 (2) (b), and except that the total amount allocated to all technology zones under s. ~~560.96~~ 238.23 (2) (b) and to all agricultural development zones under s. ~~560.798~~ 238.398 (2) (b), may not exceed \$6,000,000. The department corporation may not reallocate amounts as provided under this paragraph on or after January 1, 2010, except that the department corporation may, after 48 months from the month of any designation under this section, evaluate the area designated as an airport development zone and reallocate the amount of available tax benefits.

(c) Annually, the department corporation shall estimate the amount of forgone state revenue because of tax benefits claimed by persons in each airport development zone.

(d) 1. Notwithstanding the length of time specified by the department corporation under par. (a), the designation of an area as an airport development zone shall expire 90 days after the day on which the department corporation determines that the forgone tax revenues estimated under par. (c) will equal or exceed the limit established for the airport development zone.

2. The department corporation shall immediately notify each person certified for tax benefits in an airport development zone, the department of revenue, the department of transportation, the Wisconsin Housing and Economic Development Authority, and the governing body of each county, city, village, town, and federally

recognized American Indian tribe or band in which territory of the airport development zone is located of a change in the expiration date of the airport development zone under this paragraph.

(4) (a) (intro.) A person that intends to operate a place of business in an airport development zone may submit to the department corporation an application and a business plan. The business plan shall include all of the following:

10. Any other information required by the department corporation or the department of revenue.

(am) A person that intends to operate a business in the airport development zone designated under sub. (2) (d) may submit to the department corporation an application and a business plan that includes all of the information required under par. (a). In approving business plans submitted under this paragraph, the department corporation shall give higher priority to airport development projects located or proposed to be located in ~~a distressed area, as defined in s. 560.605 (7) (b)~~ areas that have a low median household income, as determined by the corporation.

(ar) The department corporation may not accept or approve any applications or business plans submitted under par. (a) on or after March 6, 2009.

(b) 1. Except as provided in subd. 2., if the department corporation approves a business plan under par. (a) or (am), the department corporation shall certify the person as eligible for tax benefits. The department corporation shall notify the department of revenue within 30 days of certifying a person under this paragraph.

(c) (intro.) The department corporation shall revoke a person's certification under par. (b) when the designation of the applicable airport development zone expires or if the person does any of the following:

(d) The department corporation shall notify the department of revenue within 30 days after revoking a certification under par. (c).

(5) VERIFICATION OF INFORMATION. The department corporation annually shall verify information submitted to the department corporation under ss. 71.07 (2dm) and (2dx), 71.28 (1dm) and (1dx), and 71.47 (1dm) and (1dx) as it relates to airport development zones.

**SECTION 3439.** Subchapter VIII (title) of chapter 560 [precedes 560.86] of the statutes is repealed.

**SECTION 3440.** 560.86 of the statutes is repealed.

**SECTION 3441.** 560.87 of the statutes is repealed.

**SECTION 3442m.** 560.875 of the statutes is renumbered 16.29, and 16.29 (1), as renumbered, is amended to read:

16.29 (1) Annually, the department shall grant to the Great Lakes inter-tribal council the amount appropriated under s. ~~20.143~~ 20.505 (1) ~~(k)~~ (kx) to partially fund a program to provide technical assistance for economic development on Indian reservations if the conditions under subs. (2) and (3) are satisfied.

**SECTION 3443.** Subchapter IX (title) of chapter 560 [precedes 560.90] of the statutes is repealed.

**SECTION 3444.** 560.90 of the statutes is repealed.

**SECTION 3445.** 560.905 of the statutes is repealed.

**SECTION 3446.** 560.92 of the statutes is repealed.

**SECTION 3447.** 560.93 of the statutes is repealed.

**SECTION 3448.** 560.96 of the statutes is renumbered 238.23, and 238.23 (2) (a) and (b), (3) (a) (intro.), (b) (intro.), (c) and (d), (4) (a) (intro.) and (b) and (5) (intro.), (e) and (g), as renumbered, are amended to read:

238.23 (2) (a) Except as provided in par. (c), the department corporation may designate up to 8 areas in the state as technology zones. A business that is located in a technology zone and that is certified by the department corporation under sub. (3) is eligible for a tax credit as provided in sub. (3).

(b) The designation of an area as a technology zone shall be in effect for 10 years from the time that the department corporation first designates the area. Not more than \$5,000,000 in tax credits may be claimed in a technology zone, except that the department corporation may allocate the amount of unallocated airport development zone tax credits, as provided under s. ~~560.7995~~ 238.3995 (3) (b), to technology zones for which the \$5,000,000 maximum allocation is insufficient. The department corporation may change the boundaries of a technology zone during the time that its designation is in effect. A change in the boundaries of a technology zone does not affect the duration of the designation of the area or the maximum tax credit amount that may be claimed in the technology zone.

(3) (a) (intro.) Except as provided in par. (e), the department corporation may certify for tax credits in a technology zone a business that satisfies all of the following requirements:

(b) (intro.) In determining whether to certify a business under this subsection, the department corporation shall consider all of the following:

(c) When the department corporation certifies a business under this subsection, the department corporation shall establish a limit on the amount of tax credits that the business may claim. Unless its certification is revoked, and subject to the limit on the tax credit amount established by the department corporation under this paragraph, a business that is certified may claim a tax credit for 3 years, except that a business that experiences growth, as determined for that business by the department corporation under par. (d) and sub. (5) (e), may claim a tax credit for up to 5 years.

(d) The department corporation shall enter into an agreement with a business that is certified under this subsection. The agreement shall specify the limit on the amount of tax credits that the business may claim, the extent and type of growth, which shall be specific to the business, that the business must experience to extend its eligibility for a tax credit, the business' baseline against

which that growth will be measured, any other conditions that the business must satisfy to extend its eligibility for a tax credit, and reporting requirements with which the business must comply.

(4) (a) (intro.) The department of commerce corporation shall notify the department of revenue of all the following:

(b) The department corporation shall annually verify information submitted to the department corporation under ss. 71.07 (2di), (2dm), (2dx), and (3g), 71.28 (1di), (1dm), (1dx), and (3g), and 71.47 (1di), (1dm), (1dx), and (3g).

(5) (intro.) The department corporation shall ~~promulgate~~ adopt rules for the operation of this section, including rules related to all the following:

(c) Standards for extending a business's certification, including what measures, in addition to job creation, the department corporation will use to determine the growth of a specific business and how the department corporation will establish baselines against which to measure growth.

(g) The exchange of information between the ~~department of commerce corporation~~ department of revenue and the department of revenue.

**SECTION 3449.** Subchapter X (title) of chapter 560 [precedes 560.9801] of the statutes is repealed.

**SECTION 3450m.** 560.9801 of the statutes is renumbered 16.301.

**SECTION 3451m.** 560.9802 of the statutes is renumbered 16.302.

**SECTION 3452m.** 560.9803 of the statutes is renumbered 16.303, and 16.303 (1) (a) and (3) (a), as renumbered, are amended to read:

16.303 (1) (a) Subject to sub. (2), make grants or loans, directly or through agents designated under s. ~~560.9804~~ 16.304, from the appropriation under s. ~~20.143~~ (2) 20.505 (7) (b) to persons or families of low or moderate income to defray housing costs of the person or family.

(3) (a) The department may make grants or loans under sub. (1) (a) directly or through agents designated under s. ~~560.9804~~ 16.304.

**SECTION 3453m.** 560.9804 of the statutes is renumbered 16.304, and 16.304 (1) (a) and (c), as renumbered, are amended to read:

16.304 (1) (a) Award grants and loans under s. ~~560.9803~~ 16.303 (1) and (2) subject to the approval of the department.

(c) On terms approved by the department, administer and disburse funds from a grant or loan under s. ~~560.9803~~ 16.303 on behalf of the recipient of the grant or loan.

**SECTION 3454m.** 560.9805 of the statutes is renumbered 16.305, and 16.305 (1) (intro.) and (c) (intro.) and (4), as renumbered, are amended to read:

16.305 (1) (intro.) The department may make grants to a community-based organization, organization oper-

ated for profit, or housing authority to improve the ability of the community-based organization, organization operated for profit, or housing authority to provide housing opportunities, including housing-related counseling services, for persons or families of low or moderate income. The grants may be used to partially defray any of the following:

(c) (intro.) The department determines that the grant to the particular community-based organization, organization operated for profit, or housing authority is appropriate because of any of the following:

(4) To ensure the development of housing opportunities, the department shall coordinate the use of grants provided under this section with projects undertaken by housing authorities, organizations operated for profit, and community-based organizations.

**SECTION 3455m.** 560.9806 (1), (2) and (3) of the statutes are renumbered 16.306 (1), (2) and (3), and 16.306 (2) (a), as renumbered, is amended to read:

16.306 (2) (a) From the appropriation under s. ~~20.143 (2)~~ 20.505 (7) (fm), the department may award a grant to an eligible applicant for the purpose of providing transitional housing and associated supportive services to homeless individuals and families if the conditions under par. (b) are satisfied. The department shall ensure that the funds for the grants are reasonably balanced among geographic areas of the state, consistent with the quality of applications submitted.

**SECTION 3456m.** 560.9806 (4) of the statutes is repealed.

**SECTION 3457m.** 560.9807 of the statutes is renumbered 16.307, and 16.307 (1), as renumbered, is amended to read:

16.307 (1) GRANTS. From moneys available under s. ~~20.143 (2)~~ 20.505 (7) (h), the department shall make grants to organizations, including organizations operated for profit, that provide shelter or services to homeless individuals or families.

**SECTION 3458m.** 560.9808 of the statutes is renumbered 16.308, and 16.308 (2) (a) and (b) (intro.) and (3) (b), as renumbered, are amended to read:

16.308 (2) (a) From the appropriations under s. ~~20.143 (2)~~ 20.505 (7) (fm) and (h), the department shall award grants to eligible applicants for the purpose of supplementing the operating budgets of agencies and shelter facilities that have or anticipate a need for additional funding because of the renovation or expansion of an existing shelter facility, the development of an existing building into a shelter facility, the expansion of shelter services for homeless persons, or an inability to obtain adequate funding to continue the provision of an existing level of services.

(b) (intro.) The department shall allocate funds from the appropriations under s. ~~20.143 (2)~~ 20.505 (7) (fm) and (h) for temporary shelter for homeless individuals and families as follows:

(3) (b) Applications shall be submitted in the form required by the department and shall be accompanied by the current or proposed operating budget or both, as required by the department, of each shelter facility or agency which ~~that~~ will, directly or indirectly, receive any of the grant money, and an explanation of why the shelter facility or agency has or anticipates a need for additional funding.

**SECTION 3459m.** 560.9809 of the statutes is renumbered 16.309.

**SECTION 3460m.** 560.9810 of the statutes is renumbered 16.310.

**SECTION 3461m.** 560.9811 of the statutes is renumbered 16.311, and 16.311 (2), as renumbered, is amended to read:

16.311 (2) From the appropriation under s. ~~20.143 (2)~~ 20.505 (7) (fr), the department may not award more than \$45,000 in each fiscal year to applying public or non-profit private entities for the costs of providing certain mental health services to homeless individuals with serious and persistent mental illness. Entities that receive funds awarded by the department under this subsection shall provide the mental health services required under 42 USC 290cc-24. The amount that the department awards to an applying entity may not exceed 50% of the amount of matching funds required under 42 USC 290cc-23.

**SECTION 3462m.** 560.9815 of the statutes is renumbered 16.315.

**SECTION 3463.** 563.03 (1) of the statutes is amended to read:

563.03 (1) "Adult family home" has the meaning given in s. 50.01 (1) ~~(a) or (b)~~.

**SECTION 3464.** 563.05 (3) of the statutes is amended to read:

563.05 (3) The department may promulgate rules specifying the number of business days within which the department must review and make a determination on an application for a permit, as defined in s. ~~560.41 (2)~~ 227.116 (1g), that is issued under this chapter.

**SECTION 3465.** 565.01 (4d) of the statutes is amended to read:

565.01 (4d) "Minority business" means a business certified by the department of ~~commerce~~ administration under s. ~~560.036~~ 16.287 (2).

**SECTION 3466.** 565.01 (4e) of the statutes is amended to read:

565.01 (4e) "Minority group member" has the meaning given in s. ~~560.036~~ 16.287 (1) (f).

**SECTION 3466r.** 601.45 (3) of the statutes is amended to read:

601.45 (3) DEPOSIT. The commissioner may require any examinee, before or from time to time during an examination, to deposit with the secretary of administration such deposits as the commissioner deems necessary to pay the costs of the examination. Any deposit and any

payment made under subs. (1) and (2) shall be credited to the appropriation account under s. 20.145 (1) (g) 1. ~~in the percentage specified in that subdivision.~~

**SECTION 3467.** 601.93 (2) of the statutes is amended to read:

601.93 (2) Every insurer doing a fire insurance business in this state shall, before March 1 in each year, file with the commissioner a statement, showing the amount of premiums upon fire insurance due for the preceding calendar year. Return premiums may be deducted in determining the premium on which the fire department dues are computed. Payments of quarterly installments of the total estimated payment for the then current calendar year under this subsection are due on or before April 15, June 15, September 15 and December 15. On March 1 the insurer shall pay any additional amounts due for the preceding calendar year. Overpayments will be credited on the amount due April 15. The commissioner shall, prior to May 1 each year, report to the department of ~~commerce~~ safety and professional services the amount of dues paid under this subsection and to be paid under s. 101.573 (1).

**SECTION 3471.** 610.70 (1) (a) of the statutes is amended to read:

610.70 (1) (a) "Health care provider" means any person licensed, registered, permitted or certified by the department of health services or the department of ~~regulation and licensing~~ safety and professional services to provide health care services, items or supplies in this state.

**SECTION 3471m.** 611.11 (4) (a) of the statutes is amended to read:

611.11 (4) (a) In this subsection, "municipality" has the meaning given in s. 345.05 (1) (c), ~~but also includes any transit authority created under s. 66.1039.~~

**SECTION 3472.** 632.10 (1) of the statutes is amended to read:

632.10 (1) "Building and safety standards" means the requirements of chs. 101 and 145 and of any rule promulgated by the department of ~~commerce~~ safety and professional services under ch. 101 or 145, and standards of a 1st class city relating to the health and safety of occupants of buildings.

**SECTION 3472ac.** 632.797 (1) (d) of the statutes is created to read:

632.797 (1) (d) Except for charging a fee under par. (c), an insurer may not change the rating methodology between community rating and experience rating or otherwise penalize a policyholder or employer for requesting the information under par. (a).

**SECTION 3472b.** 632.885 (1) (a) of the statutes is repealed.

**SECTION 3472c.** 632.885 (1) (af) of the statutes is created to read:

632.885 (1) (af) "Eligible employer-sponsored plan" has the meaning given in 26 USC 5000A (f) (2).

**SECTION 3472d.** 632.885 (1) (ar) of the statutes is created to read:

632.885 (1) (ar) "Grandfathered health plan" has the meaning given under section 1251 of the Patient Protection and Affordable Care Act (P.L. 111-148).

**SECTION 3472e.** 632.885 (1) (at) of the statutes is created to read:

632.885 (1) (at) "Health insurance coverage" has the meaning given in 42 USC 300gg-91 (b) (1).

**SECTION 3472f.** 632.885 (2) (a) (intro.) of the statutes is renumbered 632.885 (2) (a) and amended to read:

632.885 (2) (a) Subject to ss. 632.88 and 632.895 (5), ~~and except as provided in pars. (b) and (c), every insurer that issues a disability insurance policy offers health insurance coverage that provides dependent coverage of children, and every self-insured health plan that provides dependent coverage of children, shall offer and, if so requested by an applicant or an insured, provide coverage for an adult any child of the an applicant or insured as a dependent of the applicant or insured if the child satisfies all of the following criteria: is under the age of 26.~~

**SECTION 3472g.** 632.885 (2) (a) 1. of the statutes is repealed.

**SECTION 3472h.** 632.885 (2) (a) 2. of the statutes is repealed.

**SECTION 3472i.** 632.885 (2) (a) 3. of the statutes is repealed.

**SECTION 3472j.** 632.885 (2) (b) (intro.) of the statutes is amended to read:

632.885 (2) (b) (intro.) ~~Notwithstanding par. (a) 1., the~~ Except as provided in par. (c), the coverage requirement under this section applies to an adult child who satisfies all of the following criteria:

**SECTION 3472k.** 632.885 (2) (b) 2. of the statutes is repealed.

**SECTION 3472L.** 632.885 (2) (c) of the statutes is created to read:

632.885 (2) (c) For any policy year or plan year beginning before January 1, 2014, health insurance coverage or a self-insured health plan described in par. (a) that is a grandfathered health plan is required to provide dependent coverage for an adult child described in par. (a) or (b) only if the child is not eligible for coverage under an eligible employer-sponsored plan other than the health insurance coverage or self-insured health plan.

**SECTION 3472m.** 632.885 (3) of the statutes is repealed.

**SECTION 3472n.** 632.885 (3m) of the statutes is created to read:

632.885 (3m) **DEFINING DEPENDENT: UNIFORM TERMS.** An insurer or self-insured health plan described in sub. (2) may not do any of the following:

(a) Define "dependent" for purposes of eligibility for dependent coverage of children other than in terms of the relationship between a child and an applicant or insured.

(b) Vary the terms of coverage under the health insurance coverage or self-insured health plan on the basis of age except for children 26 years of age or older.

**SECTION 3472p.** 632.885 (4) of the statutes is repealed.

**SECTION 3474.** 704.05 (5) (a) 2. of the statutes is amended to read:

704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail addressed to the tenant's last-known address, of the landlord's intent to dispose of the personal property by sale or other appropriate means if the property is not repossessed by the tenant. If the tenant fails to repossess the property within 30 days after the date of personal service or the date of the mailing of the notice,

**SECTION 3475.** 709.03 (form) C. 8. of the statutes is amended to read:

**709.03** (form)

C. 8. I am aware of underground or aboveground fuel storage tanks on the property. (If "yes", the owner, by law, may have to register the tanks with the department of ~~commerce~~ safety and professional services at P.O. Box 7970, Madison, Wisconsin, 53707, whether the tanks are in use or not. Regulations of the department of ~~commerce~~ safety and professional services may require the closure or removal of unused tanks. ....

**SECTION 3475g.** 751.20 of the statutes is created to read:

**751.20 Transfer authority.** Notwithstanding s. 20.680 (2) (a) to (ke) and (4) (a) to (h), the supreme court may transfer money from the appropriations under 20.680 (2) (a) to (ke) and (4) (a) to (h) to the appropriation under s. 20.670 (1) (k) for the purposes of the judicial council under s. 758.13.

**SECTION 3477.** 758.19 (8) (a) (intro.) of the statutes is amended to read:

758.19 (8) (a) (intro.) From the ~~appropriation~~ appropriations under s. 20.625 (1) (c) and (k), the director of state courts shall reimburse counties up to 4 times each year for the actual expenses paid for interpreters required by circuit courts to assist persons with limited English proficiency under s. 885.38 (8) (a) 1. The amount of the maximum hourly reimbursement for court interpreters shall be as follows:

**SECTION 3478.** 767.215 (5) (a) (intro.) of the statutes is amended to read:

767.215 (5) (a) (intro.) ~~When~~ Except as provided in par. (am), when the petition under this section is filed with the court, the party filing the petition shall submit a separate form, furnished by the court, containing all of the following:

**SECTION 3479.** 767.215 (5) (a) 2. of the statutes is amended to read:

767.215 (5) (a) 2. The name, date of birth, and social security number of each minor child of the parties and of each child who was born to the wife during the marriage and who is a minor.

the landlord may dispose of the property by private or public sale or any other appropriate means. The landlord may deduct from the proceeds of sale any costs of sale and any storage charges if the landlord has first stored the personalty under subd. 1. If the proceeds minus the costs of sale and minus any storage charges are not claimed within 60 days after the date of the sale of the personalty, the landlord is not accountable to the tenant for any of the proceeds of the sale or the value of the property. The landlord shall send the proceeds of the sale minus the costs of the sale and minus any storage charges to the department of administration for deposit in the appropriation under s. ~~20.143 (2)~~ 20.505 (7) (h).

**SECTION 3474m.** 704.35 of the statutes is repealed.

**SECTION 3480.** 767.215 (5) (am) of the statutes is created to read:

767.215 (5) (am) In an action to determine the paternity of a child, the party who filed the petition shall submit the form under par. (a) within 5 days after paternity is adjudicated.

**SECTION 3481.** 767.215 (5) (b) of the statutes is amended to read:

767.215 (5) (b) A form submitted under this subsection shall be maintained with the confidential information required under s. ~~767.54~~ 767.127 or maintained separately from the case file. The form may be disclosed only to the parties and their attorneys, a county child support enforcement agency, and any other person authorized by law or court order to have access to the information on the form.

**SECTION 3482.** 767.511 (6) (intro.) of the statutes is amended to read:

767.511 (6) **INTEREST ON ARREARAGE.** (intro.) A party ordered to pay child support under this section shall pay simple interest at the rate of 1% per month on any amount in arrears that is equal to or greater than the amount of child support due in one month. If the party no longer has a current obligation to pay child support, interest at the rate of 1% per month shall accrue on the total amount of child support in arrears, if any. Interest under this subsection is in lieu of interest computed under s. 807.01 (4), 814.04 (4), or 815.05 (8) and is paid to the department or its designee under s. 767.57. Except as provided in s. 767.57 (1m) and except as required under federal statutes or regulations, the department or its

designee shall apply all payments received for child support as follows:

**SECTION 3484k.** 799.01 (1) (c) of the statutes is amended to read:

799.01 (1) (c) *Replevins.* Actions for replevin under ss. 810.01 to 810.13 where the value of the property claimed does not exceed ~~\$5,000~~ \$10,000.

**SECTION 3484m.** 799.01 (1) (cr) of the statutes is created to read:

799.01 (1) (cr) *Third-party complaints, personal injury claims, and tort claims.* Third-party complaints, personal injury claims, and actions based in tort, where the amount claimed is \$5,000 or less.

**SECTION 3484n.** 799.01 (1) (d) (intro.) of the statutes is amended to read:

799.01 (1) (d) (intro.) Other civil actions where the amount claimed is ~~\$5,000~~ \$10,000 or less, if the actions or proceedings are:

**SECTION 3484q.** 799.01 (2) of the statutes is amended to read:

799.01 (2) **PERMISSIVE USE OF SMALL CLAIMS PROCEDURE.** A taxing authority may use the procedure in this chapter in an action to recover a tax from a person liable for that tax where the amount claimed, including interest and penalties, is ~~\$5,000~~ \$10,000 or less. This chapter is not the exclusive procedure for those actions.

**SECTION 3490g.** 814.63 (3m) of the statutes is created to read:

814.63 (3m) (a) Except as provided in par. (d), if a defendant is required to appear in court, in addition to any forfeiture, costs, fees, or surcharges it imposes, the court shall impose and collect from the defendant any costs charged to or paid by a law enforcement agency for the withdrawal of the defendant's blood if the court finds that the defendant violated s. 23.33 (4c), 30.681, 346.63, or 350.101, or a local ordinance in conformity therewith.

(b) Except as provided in par. (d), if at the time the court finds that the defendant committed the violation, the law enforcement agency has not paid or been charged with the costs of withdrawing the defendant's blood, the court shall impose and collect the costs the law enforcement agency reasonably expects to be charged for the withdrawal, based on the current charges for this procedure.

(c) The court shall disburse the amounts it collects under this subsection to the law enforcement agency that requested the blood withdrawal.

(d) The court may not impose on the defendant any cost for an alternative test provided free of charge as described in s. 343.305 (4).

**SECTION 3490r.** 814.65 (4m) of the statutes is created to read:

814.65 (4m) **BLOOD TEST FEE.** (a) Except as provided in par. (d), if a defendant is required to appear in municipal court, in addition to any forfeiture, costs, fees, or surcharges it imposes, the municipal court shall impose and

collect from the defendant any costs charged to or paid by a law enforcement agency for the withdrawal of the defendant's blood if the court finds that the defendant violated a local ordinance in conformity with s. 23.33 (4c), 30.681, 346.63, or 350.101.

(b) Except as provided in par. (d), if at the time the court finds that the defendant committed the violation, the law enforcement agency has not paid or been charged with the costs of withdrawing the defendant's blood, the court shall impose and collect the costs the law enforcement agency reasonably expects to be charged for the withdrawal, based on the current charges for this procedure.

(c) The court shall disburse the amounts it collects under this subsection to the law enforcement agency that requested the blood withdrawal.

(d) The court may not impose on the defendant any cost for an alternative test provided free of charge as described in s. 343.305 (4).

**SECTION 3491.** 815.18 (3) (o) of the statutes is amended to read:

815.18 (3) (o) *Tuition units.* Tuition units purchased under s. ~~44.63~~ 16.64.

**SECTION 3492.** 815.18 (3) (p) of the statutes is amended to read:

815.18 (3) (p) *College savings accounts.* An interest in a college savings account under s. ~~44.64~~ 16.641.

**SECTION 3492m.** 846.35 of the statutes is repealed.

**SECTION 3492r.** 885.60 (2) (a) of the statutes is amended to read:

885.60 (2) (a) Except as may otherwise be provided by law, a defendant in a criminal case and a respondent in a matter listed in sub. (1) is entitled to be physically present in the courtroom at all ~~critical stages of the proceedings, including evidentiary hearings, trials or fact-finding hearings, plea hearings at which a plea of guilty or no contest, or an admission, will be offered,~~ and sentencing or dispositional hearings.

**SECTION 3492w.** 885.60 (2) (d) of the statutes is amended to read:

885.60 (2) (d) If an objection is made by the defendant or respondent in a matter listed in sub. (1), regarding any proceeding where he or she is entitled to be physically present in the courtroom, the court shall sustain the objection. For all other proceedings in a matter listed in sub. (1), the court shall determine the objection in the exercise of its discretion under the criteria set forth in s. 885.56.

**SECTION 3495.** 891.45 (1) (b) of the statutes is amended to read:

891.45 (1) (b) "Municipal fire fighter" includes any person designated as primarily a fire fighter under s. ~~60.553 (2), 61.66 (2), or 62.13 (2e) (b)~~ and any person under s. ~~60.553, 61.66, or 62.13 (2e)~~ whose duties as a fire fighter during the 5-year qualifying period took up at least two-thirds of his or her working hours.

**SECTION 3496.** 891.453 (1) (c) of the statutes is amended to read:

891.453 (1) (c) "Fire fighter" means a state, county, or municipal fire fighter who is covered under s. 891.45 and any person under s. 60.553, 61.66, or 62.13 (2e) whose duties as a fire fighter took up at least two-thirds of his or her working hours.

**SECTION 3497.** 891.453 (1) (d) of the statutes is amended to read:

891.453 (1) (d) "Law enforcement officer" means any person employed by the state or by a county or a municipality for the purpose of detecting and preventing crime and enforcing laws or ordinances, who is authorized to make arrests for violations of the laws or ordinances which he or she is employed to enforce. "Law enforcement officer" includes a person under s. 60.553, 61.66, or 62.13 (2e) whose duties as a police officer took up at least two-thirds of his or her working hours.

**SECTION 3498.** 891.455 (1) of the statutes is amended to read:

891.455 (1) In this section, "state, county, or municipal fire fighter" means a fire fighter who is covered under s. 891.45 and any person under s. 60.553, 61.66, or 62.13 (2e) whose duties as a fire fighter during the 10-year qualifying period specified in sub. (2) took up at least two-thirds of his or her working hours.

**SECTION 3500.** 893.82 (9) of the statutes is created to read:

893.82 (9) For purposes of this section, any employee of the state of Minnesota performing services for this state pursuant to a valid agreement between this state and the state of Minnesota providing for interchange of employees or services is considered to have the same status as an employee of this state performing the same services for this state, and any employee of this state who performs services for the state of Minnesota pursuant to such an agreement is considered to have the same status as when performing the same services for this state in any action brought under the laws of this state.

**SECTION 3501.** 893.925 (2) (a) of the statutes is amended to read:

893.925 (2) (a) An action to recover damages for mining-related injuries under s. 107.32 shall be brought within 3 years of the date on which the death or injury occurs unless the department of ~~commerce~~ safety and professional services gives written notice within the time specified in this subsection that a claim has been filed with it under sub. (1), in which case an action based on the claim may be brought against the person to whom the notice is given within one year after the final resolution, including any appeal, of the claim or within the time specified in this subsection, whichever is longer.

**SECTION 3502.** 895.07 (13) of the statutes is amended to read:

895.07 (13) **BROCHURE.** The department of ~~commerce~~ safety and professional services shall prepare a

brochure explaining the process under this section and shall provide that brochure to contractors.

**SECTION 3503.** 895.441 (5) of the statutes is amended to read:

895.441 (5) **SILENCE AGREEMENTS.** Any provision in a contract or agreement relating to the settlement of any claim by a patient against a therapist that limits or eliminates the right of the patient to disclose sexual contact by the therapist to a subsequent therapist, the department of ~~regulation and licensing~~ safety and professional services, the department of health services, the injured patients and families compensation fund peer review council, or a district attorney is void.

**SECTION 3503g.** 895.453 of the statutes is created to read:

**895.453 Payments of chiropractic services from attorney contingency fees.** (1) In this section:

(a) "Chiropractor" means a person licensed under ch. 446.

(b) "Motor vehicle" means a vehicle, including a combination of 2 or more vehicles or an articulated vehicle, which is self-propelled, except a vehicle operated exclusively on a rail.

(2) Notwithstanding s. 803.03, if all of the following conditions exist, fees for chiropractic services provided to an injured person shall be paid out of the amount of fees due to his or her attorney under the contingency fee arrangement made between the person and the attorney:

(a) The person is injured as the result of a motor vehicle accident.

(b) The services were provided by a chiropractor because of the injuries arising from the motor vehicle accident.

(c) The person is represented by an attorney under a contingency fee arrangement.

(d) The person receives an amount under a settlement agreement that is less than his or her damages.

(e) Prior to the person's acceptance of the settlement agreement, the chiropractor has not been paid for his or her services and has provided written notification to the person's attorney of the services that were provided to the person.

(3) Except as provided in sub. (4), if the conditions under sub. (2) are met, the distribution of the amount due under the contingency fee arrangement shall be allocated on a pro rata basis between the person's attorney and each chiropractor who provided services, based on the percentage obtained by comparing the outstanding fees owed to the attorney and each chiropractor to the aggregate outstanding attorney and chiropractic fees.

(4) This section does not apply if any of the following exist:

(a) The chiropractor is eligible for payment for the services provided to the person under any health insurance contract or self-insured health plan.

(b) The chiropractor is eligible for payment for the services provided to the person under any governmental health plan or program, including Medicaid or Medicare.

**SECTION 3504.** 895.46 (10) of the statutes is created to read:

895.46 (10) Any employee of the state of Minnesota who is named as a defendant and who is found liable as a result of performing services for this state under a valid agreement between this state and the state of Minnesota providing for interchange of employees or services shall be indemnified by this state to the same extent as an employee of this state performing the same services for this state pursuant to this section.

**SECTION 3508v.** 904.085 (2) (a) of the statutes is amended to read:

904.085 (2) (a) "Mediation" means mediation under s. 93.50 (3), conciliation under s. 111.54, mediation under s. 111.11, 111.70 (4) (cg) or (cm) 3. or 111.87, mediation under s. 115.797, negotiation under s. 289.33 (9), mediation under ch. 655 or s. 767.405, or any similar statutory, contractual or court-referred process facilitating the voluntary resolution of disputes. "Mediation" does not include binding arbitration or appraisal.

**SECTION 3509.** 908.03 (6m) (c) 3. of the statutes is amended to read:

908.03 (6m) (c) 3. If upon a properly authorized request of an attorney, the health care provider refuses, fails, or neglects to supply within 2 business days a legible certified duplicate of its records for the fees under s. 146.83 (1f) (e) or (d) or (1h) (b) or (e) or (3f), whichever are applicable.

**SECTION 3512.** 938.02 (14m) of the statutes is repealed.

**SECTION 3515.** 938.245 (2) (a) 4. of the statutes is amended to read:

938.245 (2) (a) 4. 'Alcohol and other drug abuse treatment and education.' That the juvenile participate in an alcohol and other drug abuse outpatient treatment program, a court-approved pupil assistance program provided by the juvenile's school board, or a court-approved alcohol or other drug abuse education program, if an alcohol and other drug abuse assessment under subd. 3. recommends outpatient treatment, intervention, or education. The juvenile's participation in a court-approved pupil assistance program is subject to the approval of the juvenile's school board.

**SECTION 3516.** 938.295 (1g) of the statutes is amended to read:

938.295 (1g) REPORT OF RESULTS AND RECOMMENDATIONS. If the court orders an alcohol or other drug abuse assessment under sub. (1), the approved treatment facility shall, within 14 days after the order, report the results of the assessment to the court, except that, if requested by the facility and if the juvenile is not held in secure or non-secure custody, the court may extend the period for assessment for not more than 20 additional working days.

The report shall include a recommendation as to whether the juvenile is in need of treatment, intervention, or education relating to the use or abuse of alcohol beverages, controlled substances, or controlled substance analogs and, if so, shall recommend a service plan and appropriate treatment from an approved treatment facility, ~~intervention from a court-approved pupil assistance program~~, or education from a court-approved alcohol or other drug abuse education program.

**SECTION 3517.** 938.32 (1g) (b) of the statutes is amended to read:

938.32 (1g) (b) That the juvenile participate in a court-approved pupil assistance program provided by the juvenile's school board or a court-approved alcohol or other drug abuse education program. The juvenile's participation in a court-approved pupil assistance program is subject to the approval of the juvenile's school board.

**SECTION 3517g.** 938.34 (3) (f) 1. of the statutes is amended to read:

938.34 (3) (f) 1. The placement may be for any combination of single or consecutive days totalling not more than ~~30~~ 180, including any placement under pars. (a) to (e). The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this paragraph for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed.

**SECTION 3517r.** 938.34 (3) (f) 4. of the statutes is created to read:

938.34 (3) (f) 4. If a juvenile's placement under this paragraph exceeds 30 days, whether or not consecutive, the county department shall offer the juvenile alcohol or other drug abuse treatment, counseling, and education services under par. (6r). The payment for those services shall be in accordance with s. 938.361.

**SECTION 3519.** 938.34 (14s) (b) 3. of the statutes is amended to read:

938.34 (14s) (b) 3. Participate in a court-approved pupil assistance program provided by the juvenile's school board or an alcohol or other drug abuse education program. The juvenile's participation in a court-approved pupil assistance program under this subdivision is subject to the approval of the juvenile's school board.

**SECTION 3520.** 938.34 (14s) (d) of the statutes is amended to read:

938.34 (14s) (d) If the juvenile completes the alcohol or other drug abuse treatment program, ~~court-approved pupil assistance program~~ or court-approved alcohol or other drug abuse education program, the approved treatment facility, ~~court-approved pupil assistance program~~ or court-approved alcohol or other drug abuse education program shall, with the written informed consent of the juvenile or, if the juvenile has not attained the age of 12, the written informed consent of the juvenile's parent, notify the agency primarily responsible for providing

services to the juvenile that the juvenile has complied with the order and the court shall notify the juvenile of whether or not the original dispositional order will be reinstated.

**SECTION 3521.** 938.34 (14s) (e) of the statutes is amended to read:

938.34 (14s) (e) If an approved treatment facility, ~~court-approved pupil assistance program~~ or court-approved alcohol or other drug abuse education program, with the written informed consent of the juvenile or, if the juvenile has not attained the age of 12, the written informed consent of the juvenile's parent, notifies the agency primarily responsible for providing services to the juvenile that a juvenile is not participating in, or has not satisfactorily completed, a recommended alcohol or other drug abuse treatment program, ~~a court-approved pupil assistance program~~ or a court-approved alcohol or other drug abuse education program, the court shall impose the original disposition under par. (a) or (am).

**SECTION 3522.** 938.343 (10) (c) of the statutes is amended to read:

938.343 (10) (c) Participate in ~~a court-approved pupil assistance program provided by the juvenile's school board or in a court-approved alcohol or other drug abuse education program. The juvenile's participation in a court-approved pupil assistance program under this paragraph is subject to the approval of the juvenile's school board.~~

**SECTION 3523.** 938.344 (2g) (a) 3. of the statutes is amended to read:

938.344 (2g) (a) 3. Participate in ~~a court-approved pupil assistance program provided by the juvenile's school board or in a court-approved alcohol or other drug abuse education program. The juvenile's participation in a court-approved pupil assistance program under this subdivision is subject to the approval of the juvenile's school board.~~

**SECTION 3524.** 938.344 (2g) (c) of the statutes is amended to read:

938.344 (2g) (c) If the juvenile completes the alcohol or other drug abuse treatment program, ~~court-approved pupil assistance program~~ or court-approved alcohol or other drug abuse education program, the approved treatment facility, ~~court-approved pupil assistance program~~ or court-approved alcohol or other drug abuse education program shall, with the written informed consent of the juvenile or, if the juvenile has not attained the age of 12, the written informed consent of the juvenile's parent, notify the agency primarily responsible for providing services to the juvenile that the juvenile has complied with the order and the court shall notify the juvenile of whether or not the penalty will be reinstated.

**SECTION 3525.** 938.344 (2g) (d) of the statutes is amended to read:

938.344 (2g) (d) If an approved treatment facility, ~~court-approved pupil assistance program~~, or court-ap-

proved alcohol or other drug abuse education program, with the written informed consent of the juvenile or, if the juvenile has not attained the age of 12, the written informed consent of the juvenile's parent, notifies the agency primarily responsible for providing services to the juvenile that a juvenile is not participating, or has not satisfactorily completed, a recommended alcohol or other drug abuse treatment program, ~~a court-approved pupil assistance program~~, or a court-approved alcohol or other drug abuse education program, the court shall hold a hearing to determine whether to impose the penalties under sub. (2), (2b), (2d), or (2e).

**SECTION 3526g.** 938.361 (1) (a) 3. of the statutes is amended to read:

938.361 (1) (a) 3. Any alcohol or other drug abuse treatment or education ordered by a court under s. 938.32 (1g) or 938.34 (6) (a) or (am), (6r), or (14s) (b) 1. or 2. or made available to a juvenile under 938.34 (3) (f) 4.

**SECTION 3526gh.** 938.361 (2) (a) 1. of the statutes is amended to read:

938.361 (2) (a) 1. If a juvenile's parent neglects, refuses or is unable to provide ~~court-ordered~~ alcohol and other drug abuse services for the juvenile through his or her health insurance or other 3rd-party payments, notwithstanding s. 938.36 (3) the court assigned to exercise jurisdiction under this chapter and ch. 48 or municipal court may order the parent to pay for the alcohol and drug abuse services. If the parent consents to provide alcohol and other drug abuse services for a juvenile through his or her health insurance or other 3rd-party payments but the health insurance provider or other 3rd-party payer refuses to provide the alcohol and other drug abuse services the court assigned to exercise jurisdiction under this chapter and ch. 48 or municipal court may order the health insurance provider or 3rd-party payer to pay for the alcohol and other drug abuse services in accordance with the terms of the parent's health insurance policy or other 3rd-party payment plan.

**SECTION 3526gk.** 938.363 (1) (b) of the statutes is amended to read:

938.363 (1) (b) If a hearing is held, at least 3 days before the hearing the court shall notify the juvenile, the juvenile's parent, guardian, and legal custodian, all parties bound by the dispositional order, the juvenile's foster parent or other physical custodian described in s. 48.62 (2), and the district attorney or corporation counsel in the county in which the dispositional order was entered. If the juvenile is an Indian juvenile who is in need of protection or services under s. 938.13 (4), (6), (6m), or (7), the court shall also notify the Indian juvenile's Indian custodian and, if that juvenile is placed outside the home of his or her parent or Indian custodian, the Indian juvenile's tribe. A copy of the request or proposal shall be attached to the notice. If all parties consent, the court may proceed immediately with the hearing. No revision may extend the effective period of the original order, or revise an

original order under s. 938.34 (3) (f) or (6) (am) to impose more than a total of 30 days, or under s. 938.34 (3) (f) to impose more than a total of 180 days, of detention, nonsecure custody, or inpatient treatment on a juvenile.

**SECTION 3526gm.** 938.38 (2) (f) of the statutes is amended to read:

938.38 (2) (f) The juvenile's care would be paid for under s. 49.19 but for s. 49.19 (20), except that this paragraph does not apply to a juvenile whose care is being paid for under s. 48.623 (1).

**SECTION 3526h.** 938.38 (4) (j) of the statutes is created to read:

938.38 (4) (j) If the juvenile is placed in the home of a relative or other person described in s. 48.623 (1) (b) 1. who will be receiving subsidized guardianship payments, a description of all of the following:

1. The steps the agency has taken to determine that it is not appropriate for the juvenile to be returned to his or her home or to be adopted.

2. If a decision has been made not to place the juvenile and his or her siblings, as defined in par. (br) 1., in a joint placement, the reasons for separating the juvenile and his or her siblings during the placement.

3. The reasons why a permanent placement with a fit and willing relative or other person described in s. 48.623 (1) (b) 1. through a subsidized guardianship arrangement is in the best interests of the juvenile. In the case of an Indian juvenile, the best interests of the Indian juvenile shall be determined in accordance with s. 938.01 (3).

4. The ways in which the juvenile and the relative or other person described in s. 48.623 (1) (b) 1. meet the eligibility requirements specified in s. 48.623 (1) for the receipt of subsidized guardianship payments.

5. The efforts the agency has made to discuss adoption of the juvenile by the relative or other person described in s. 48.623 (1) (b) 1. as a more permanent alternative to guardianship and, if that relative or other person has chosen not to pursue adoption, documentation of the reasons for not pursuing adoption.

6. The efforts the agency has made to discuss the subsidized guardianship arrangement with the juvenile's parents or, if those efforts were not made, documentation of the reasons for not making those efforts.

**SECTION 3526m.** 938.49 (2) (b) of the statutes is amended to read:

938.49 (2) (b) Notify the juvenile's last school district or, if the juvenile was last enrolled in a private school participating in the program under s. 118.60 or in the program under s. 119.23, the private school, in writing of its obligation under s. 118.125 (4).

**SECTION 3526q.** 938.57 (3) (a) 4. of the statutes is amended to read:

938.57 (3) (a) 4. Is living in a foster home, group home, residential care center for children and youth, or subsidized guardianship home under s. 48.62 (5).

**SECTION 3527.** 938.78 (2) (g) of the statutes is amended to read:

938.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing information about an individual in its care or legal custody on the written request of the department of ~~regulation and licensing~~ safety and professional services or of any interested examining board or affiliated credentialing board in that department for use in any investigation or proceeding relating to any alleged misconduct by any person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457. Unless authorized by an order of the court, the department of ~~regulation and licensing~~ safety and professional services and any examining board or affiliated credentialing board in that department shall keep confidential any information obtained under this paragraph and may not disclose the name of or any other identifying information about the individual who is the subject of the information disclosed, except to the extent that redisclosure of that information is necessary for the conduct of the investigation or proceeding for which that information was obtained.

**SECTION 3528.** 940.20 (7) (a) 3. of the statutes is amended to read:

940.20 (7) (a) 3. "Health care provider" means any person who is licensed, registered, permitted or certified by the department of health services or the department of ~~regulation and licensing~~ safety and professional services to provide health care services in this state.

**SECTION 3529.** 940.207 (title) of the statutes is amended to read:

**940.207 (title) Battery or threat to department of ~~commerce~~ safety and professional services or department of workforce development employee.**

**SECTION 3530.** 940.207 (2) (intro.) of the statutes is amended to read:

940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to cause bodily harm to the person or family member of any department of ~~commerce~~ safety and professional services or department of workforce development official, employee or agent under all of the following circumstances is guilty of a Class H felony:

**SECTION 3531.** 940.207 (2) (a) of the statutes is amended to read:

940.207 (2) (a) At the time of the act or threat, the actor knows or should have known that the victim is a department of ~~commerce~~ safety and professional services or department of workforce development official, employee or agent or a member of his or her family.

**SECTION 3532.** 940.22 (1) (a) of the statutes is amended to read:

940.22 (1) (a) "Department" means the department of ~~regulation and licensing~~ safety and professional services.

**SECTION 3534e.** 946.15 (title) of the statutes is amended to read:

**946.15 (title) Public and publicly funded construction contracts at less than full rate.**

**SECTION 3534em.** 946.15 (1) of the statutes is amended to read:

946.15 (1) Any employer, or any agent or employee of an employer, who induces any person who seeks to be or is employed pursuant to a public contract as defined in s. 66.0901 (1) (c) or who seeks to be or is employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 66.0903 (3), ~~66.0904 (4)~~, 103.49 (3), 103.50 (3), or 229.8275 (3) ~~or by a local governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6) or 66.0904 (6)~~ to give up, waive, or return any part of the compensation to which that person is entitled under his or her contract of employment or under the prevailing wage rate determination issued by the department ~~or local governmental unit~~, or who reduces the hourly basic rate of pay normally paid to an employee for work on a project on which a prevailing wage rate determination has not been issued under s. 66.0903 (3) ~~or (6)~~, ~~66.0904 (4) or (6)~~, 103.49 (3), 103.50 (3), or 229.8275 (3) during a week in which the employee works both on a project on which a prevailing wage rate determination has been issued and on a project on which a prevailing wage rate determination has not been issued, is guilty of a Class I felony.

**SECTION 3534f.** 946.15 (2) of the statutes is amended to read:

946.15 (2) Any person employed pursuant to a public contract as defined in s. 66.0901 (1) (c) or employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 66.0903 (3), ~~66.0904 (4)~~, 103.49 (3), 103.50 (3), or 229.8275 (3) ~~or by a local governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6) or 66.0904 (6)~~ who gives up, waives, or returns to the employer or agent of the employer any part of the compensation to which the employee is entitled under his or her contract of employment or under the prevailing wage rate determination issued by the department ~~or local governmental unit~~, or who gives up any part of the compensation to which he or she is normally entitled for work on a project on which a prevailing wage rate determination has not been issued under s. 66.0903 (3) ~~or (6)~~, ~~66.0904 (4) or (6)~~, 103.49 (3), 103.50 (3), or 229.8275 (3) during a week in which the person works part-time on a project on which a prevailing wage rate determination has been issued and part-time on a project on which a prevailing wage rate determination has not been issued, is guilty of a Class C misdemeanor.

**SECTION 3534g.** 946.15 (3) of the statutes is amended to read:

946.15 (3) Any employer or labor organization, or any agent or employee of an employer or labor organization, who induces any person who seeks to be or is employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 66.0903 (3), ~~66.0904 (4)~~, 103.49 (3), 103.50 (3), or 229.8275 (3) ~~or by a local governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6) or 66.0904 (6)~~ to permit any part of the wages to which that person is entitled under the prevailing wage rate determination issued by the department or local governmental unit to be deducted from the person's pay is guilty of a Class I felony, unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 3142.

**SECTION 3535h.** 946.15 (4) of the statutes is amended to read:

946.15 (4) Any person employed on a project on which a prevailing wage rate determination has been issued by the department of workforce development under s. 66.0903 (3), ~~66.0904 (4)~~, 103.49 (3), 103.50 (3), or 229.8275 (3) ~~or by a local governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6) or 66.0904 (6)~~ who permits any part of the wages to which that person is entitled under the prevailing wage rate determination issued by the department or local governmental unit to be deducted from his or her pay is guilty of a Class C misdemeanor, unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 3142.

**SECTION 3539.** 951.01 (3f) of the statutes is amended to read:

951.01 (3f) "Fire department" includes a volunteer fire department and a department under s. 60.553, 61.66, or 62.13 (2e).

**SECTION 3539g.** 951.015 (3) of the statutes is created to read:

951.015 (3) This chapter does not apply to:

(a) Teaching, research, or experimentation conducted pursuant to a protocol or procedure approved by an educational or research institution, and related incidental animal care activities, at facilities that are regulated under 7 USC 2131 to 2159 or 42 USC 289d.

(b) Bona fide scientific research involving species unregulated by federal law.

**SECTION 3539m.** 951.02 of the statutes is amended to read:

**951.02 Mistreating animals.** No person may treat any animal, whether belonging to the person or another, in a cruel manner. This section does not prohibit ~~bona fide experiments carried on for scientific research~~ or normal and accepted veterinary practices.

**SECTION 3539s.** 951.06 of the statutes is amended to read:

**951.06 Use of poisonous and controlled substances.** No person may expose any domestic animal owned by another to any known poisonous substance, any controlled substance included in schedule I, II, III, IV or V of ch. 961, or any controlled substance analog of a controlled substance included in schedule I or II of ch. 961, whether mixed with meat or other food or not, so that the substance is liable to be eaten by the animal and for the purpose of harming the animal. This section shall not apply to poison used on one's own premises and designed for the purpose of rodent or pest extermination nor to the use of a controlled substance in ~~bona fide experiments carried on for scientific research or in accepted veterinary practices.~~

**SECTION 3540.** 961.01 (20g) of the statutes is amended to read:

961.01 (20g) "Public housing project" means any housing project or development administered by a housing authority, as defined in s. ~~560.9804~~ 16.301 (2).

**SECTION 3541.** 961.36 (1m) of the statutes is amended to read:

961.36 (1m) At the request of the department of ~~regulation and licensing~~ safety and professional services or a board, examining board or affiliated credentialing board in the department of ~~regulation and licensing~~ safety and professional services, the controlled substances board shall provide advice and assistance in matters related to the controlled substances law to the department or to the board, examining board or affiliated credentialing board in the department making the request for advice or assistance.

**SECTION 3541g.** 969.12 (1) of the statutes is repealed.

**SECTION 3541r.** 969.12 (2) of the statutes is amended to read:

969.12 (2) A surety under this chapter shall be a natural person, ~~except who is a resident of this state,~~ a surety under s. 345.61, ~~or a surety corporation or its agent that is licensed under s. 440.9993.~~ No natural person or surety under this chapter under s. 345.61 may be compensated for acting as such a surety. A surety corporation or its agent that is licensed under s. 440.9993 shall be compensated at a rate of 10 percent of the amount of the bond set.

**SECTION 3547.** 973.045 (1r) (a) (intro.) of the statutes is amended to read:

973.045 (1r) (a) (intro.) The clerk shall record any crime victim and witness surcharge imposed under sub. (1) in 2 parts as follows:

**SECTION 3548.** 973.045 (1r) (a) 2. of the statutes is amended to read:

973.045 (1r) (a) 2. Part B equals ~~\$27~~ \$20 for each misdemeanor offense or count and ~~\$27~~ \$20 for each felony offense or count.

**SECTION 3549.** 973.045 (1r) (a) 3. of the statutes is created to read:

973.045 (1r) (a) 3. Part C equals \$7 for each misdemeanor offense or count and \$7 for each felony offense or count.

**SECTION 3550.** 973.045 (2m) of the statutes, as affected by 2009 Wisconsin Act 28, section 3391c, is amended to read:

973.045 (2m) (a) The secretary of administration shall credit to the appropriation account under s. 20.455 (5) (gc) ~~the first \$20 of part B of the crime victim and witness surcharge.~~

(b) The secretary of administration shall credit to the appropriation account under s. 20.455 (5) (g) ~~part A of the crime victim and witness surcharge and any part of part B C of the crime victim and witness surcharge that remains after the secretary of administration complies with par. (a).~~

**SECTION 3551.** 973.045 (3) (c) of the statutes is created to read:

973.045 (3) (c) The person paying the crime victim and witness surcharge shall pay all of the moneys due under part A and part B before he or she pays any of the moneys due under part C.

**SECTION 3552.** 973.05 (2m) (dg) of the statutes is created to read:

973.05 (2m) (dg) To payment of part C of the crime victim and witness assistance surcharge until paid in full.

**SECTION 3552m.** 973.06 (1) (j) of the statutes is created to read:

973.06 (1) (j) If the defendant violated s. 23.33 (4c), 30.681, 346.63, 350.101, 940.09 (1), or 940.25, any costs charged to or paid by a law enforcement agency for the withdrawal of the defendant's blood, except that the court may not impose on the defendant any cost for an alternative test provided free of charge as described in s. 343.305 (4). If at the time the court finds that the defendant committed the violation, the law enforcement agency has not paid or been charged with the costs of withdrawing the person's blood, the court shall impose and collect the costs the law enforcement agency reasonably expects to be charged for the withdrawal, based on the current charges for this procedure. Notwithstanding sub. (2), the court may not remit these costs.

**SECTION 3559d.** 977.02 (3) (b) of the statutes is amended to read:

977.02 (3) (b) Subject to par. (d), ~~consider assets in the manner described in s. 49.145 (3) (a) and treat assets as available to the person to pay the costs of legal representation if the assets exceed the resource limitations under s. 49.145 (3) (a), except that \$2,500 in combined equity value.~~ In determining the combined equity value of assets, the representative of the state public defender shall exclude only the equity value of vehicles up to a total equity value of \$10,000 and shall exclude the first

\$30,000 of the equity value of the home that serves as the individual's homestead.

**SECTION 3559h.** 977.02 (3) (c) of the statutes is amended to read:

977.02 (3) (c) Subject to par. (d), treat income as available to the person to pay the costs of legal representation only if the gross income exceeds ~~the income limitations in s. 49.145 (3) (b)~~ 115 percent of the federal poverty guideline, as defined in 42 USC 9902 (2) (2011). In calculating gross income under this paragraph, the representative of the state public defender shall include all earned and unearned income of the person, except any amount received under section 32 of the Internal Revenue Code, as defined in s. 71.01 (6), any amount received under s. 71.07 (9e), any payment made by an employer under section 3507 of the Internal Revenue Code, as defined in s. 71.01 (6), any student financial aid received under any federal or state program, any scholarship used for tuition and books, and any assistance received under s. 49.148. In determining the earned and unearned income of the individual, the representative of the state public defender may not include income earned by a dependent child of the person.

**SECTION 3561.** 978.05 (6) (b) of the statutes is amended to read:

978.05 (6) (b) Enforce the provisions of all general orders of the department of ~~commerce~~ safety and professional services relating to the sale, transportation and storage of explosives.

**SECTION 3562.** 990.01 (7g) of the statutes is amended to read:

990.01 (7g) FIRE CHIEF. "Fire chief" or "chief of a fire department" includes the chief of a department under s. 60.553, 61.66, or 62.13 (2e).

**SECTION 3563.** 990.01 (7m) of the statutes is amended to read:

990.01 (7m) FIRE DEPARTMENT. "Fire department" includes a department under s. 60.553, 61.66, or 62.13 (2e).

**SECTION 3564.** 990.01 (7r) of the statutes is amended to read:

990.01 (7r) FIRE FIGHTER. "Fire fighter" includes a person serving under s. 60.553, 61.66, or 62.13 (2e).

**SECTION 3565.** 990.01 (28g) of the statutes is amended to read:

990.01 (28g) POLICE CHIEF. "Police chief" or "chief of a police department" includes the chief of a department under s. 60.553, 61.66, or 62.13 (2e).

**SECTION 3566.** 990.01 (28m) of the statutes is amended to read:

990.01 (28m) POLICE DEPARTMENT. "Police department" includes a department under s. 60.553, 61.66, or 62.13 (2e).

**SECTION 3567.** 990.01 (28r) of the statutes is amended to read:

990.01 (28r) POLICE OFFICER. "Police officer" includes a person serving under s. 60.553, 61.66, or 62.13 (2e).

**SECTION 3567g.** 995.30 of the statutes is created to read:

**995.30 Ronald W. Reagan Day.** February 6 is designated as Ronald W. Reagan Day. Appropriate exercises and celebrations may be held on that day, his birthday, to honor him and remember him as the 40th President of the United States and a promoter of freedom and democracy throughout the world.

**SECTION 3567m.** 2009 Wisconsin Act 28, section 9150 (1) is repealed.

**SECTION 3567o.** 2005 Wisconsin Act 25, section 9101 (4) (b) and (c), as last amended by 2009 Wisconsin Act 28, section 3406, is repealed.

**SECTION 3567p.** 2009 Wisconsin Act 15, section 31 (1) (e) is repealed.

**SECTION 3568.** 2009 Wisconsin Act 333, section 20 (2) is amended to read:

[2009 Wisconsin Act 333] Section 20 (2) PUBLISH NOTICE IN THE WISCONSIN ADMINISTRATIVE REGISTER THAT FUNDING IS NOT AVAILABLE. If, after making the determination under subsection (1m), the department of children and families determines that federal moneys from the Temporary Assistance for Needy Families Emergency Fund under the American Recovery and Reinvestment Act of 2009 are no longer available to support an expansion of trial jobs under section 49.147 (3) of the statutes, as affected by this act, ~~and the project under section 49.162 of the statutes, as affected by this act,~~ the department shall publish a notice in the Wisconsin Administrative Register that states the date on which the federal moneys may no longer be obtained.

**SECTION 3569.** 2009 Wisconsin Act 333, section 20 (5) is amended to read:

[2009 Wisconsin Act 333] Section 20 (5) ADDITIONAL FUNDING FOR PROGRAMS. If any other federal funding becomes available for the ~~programs~~ program under ~~sections section 49.147 (3) and 49.162~~ of the statutes, as affected by this act, the department of children and families shall take any actions that may be necessary to obtain the funding and use it for ~~those programs~~ that program.

**SECTION 3570.** 2009 Wisconsin Act 333, section 22 (2) is amended to read:

[2009 Wisconsin Act 333] Section 22 (2) The repeal of ~~sections section 49.147 (3) (cm) and (dm) and 49.162 (3) (am) and (d)~~ of the statutes and the amendment of ~~sections section 49.147 (3) (a) (by SECTION 4) and 49.162 (3) (a) (by SECTION 10)~~ of the statutes take effect on the date stated in the notice published by the department of children and families under SECTION 20 (2) of this act.

**SECTION 3570f.** 2011 Wisconsin Act 10, section 9132 (1) (b) is amended to read:

[2011 Wisconsin Act 10] Section 9132 (1) (b) Each collective bargaining unit under subchapter IV of chapter 111 of the statutes, as affected by this act, containing general municipal employees who are subject to an extension of their collective bargaining agreement shall have their collective bargaining agreement terminated as soon as legally possible and shall vote to certify or decertify their representatives as provided in section 111.70 (4) (d) 3. b. of the statutes, as created by this act. Notwithstanding the date provided under section 111.70 (4) (d) 3. b. of the statutes, as created by this act, the vote shall be held in ~~April 2011~~ the 3rd month beginning after the effective date of the 2011-13 biennial budget act.

**SECTION 3570g.** 2011 Wisconsin Act 10, section 9135 is repealed.

**SECTION 3570h.** 2011 Wisconsin Act 10, section 9155 (1) (b) is amended to read:

[2011 Wisconsin Act 10] Section 9155 (1) (b) Each collective bargaining unit under subchapter V of chapter 111 of the statutes, as affected by this act, containing general employees shall vote to certify or decertify their representatives as provided in section 111.83 (3) (b) of the statutes, as created by this act. Notwithstanding the date provided under section 111.83 (3) (b) of the statutes, as created by this act, the vote shall be held in ~~April 2011~~ the 3rd month beginning after the effective date of the 2011-13 biennial budget act.

**SECTION 3570j.** 2011 Wisconsin Act 10, section 9315 (3) (a) is amended to read:

[2011 Wisconsin Act 10] Section 9315 (3) (a) Except as provided in paragraph (b), for elected officials, as defined in section 40.02 (24) of the statutes, and for any public officer holding a term of office subject to article IV, section 26 (2) of the constitution, who are participating employees in the Wisconsin retirement system, the treatment of section 40.23 (2m) (e) 2. of the statutes first applies to creditable service that is performed on the first day of a term of office that begins after the effective date of this paragraph.

**SECTION 9101. Nonstatutory provisions; Administration.**

(1) YOUTH DIVERSION GRANT REDUCTIONS.

(a) Notwithstanding the amount specified under section 16.964 (8) (a) of the statutes, the office of justice assistance in the department of administration shall reduce the amount of money allocated under section 16.964 (8) (a) of the statutes by \$85,900 in each of fiscal years 2011-12 and 2012-13.

(b) Notwithstanding the amount specified under section 16.964 (8) (b) of the statutes, the office of justice assistance in the department of administration shall reduce the amount of money distributed under section 16.964 (8) (b) of the statutes by \$18,400 in each of fiscal years 2011-12 and 2012-13.

(c) Notwithstanding the amounts specified under section 16.964 (8) (c) of the statutes, the office of justice

assistance in the department of administration shall reduce the amount of money allocated for each of the 4 contracts that are funded with moneys from the appropriation accounts under section 20.505 (6) (d) and (kj) of the statutes by \$25,650 in each of fiscal years 2011-12 and 2012-13 and shall reduce the amount of money allocated for the contract that is funded only with moneys from the appropriation account under section 20.505 (6) (kj) of the statutes by \$18,100 in each of fiscal years 2011-12 and 2012-13.

(1u) ENERGY EFFICIENCY STUDY OF STATE-OWNED BUILDINGS. The department of administration shall conduct a study concerning the feasibility of installing energy-efficient heating, ventilating, and air conditioning systems in state-owned buildings to conserve energy and save money. The department shall report its findings and recommendations to the members of the joint committee on finance no later than December 1, 2011.

(2) LITERACY INITIATIVE: GOVERNOR'S TASK FORCE. A task force created by the governor by executive order and charged with developing detailed recommendations for a program to assess and improve literacy in elementary school children may request the department of administration to release funding from the department's appropriation account under section 20.505 (4) (c) of the statutes, as created by this act, for use by the department to implement the recommendations of the task force after the governor has approved the detailed recommendations proposed by the task force.

(2u) COST-BENEFIT ANALYSIS FOR VETERANS HOME AT CHIPPEWA FALLS. Notwithstanding section 16.705 (1p) of the statutes, as created by this act, the department of administration shall conduct a cost-benefit analysis on the initial contract for the operation and staffing of the Veterans Home at Chippewa Falls as provided by section 45.50 (2m) (c) of the statutes, as created by this act. The analysis shall be a comprehensive study to identify and compare the total cost, quality, technical expertise, and timeliness of a service performed by state employees and resources with the total cost, quality, technical expertise, and timeliness of the same service obtained by means of a contract for contractual services. The department of administration shall submit the results of the cost-benefit analysis to the joint committee on finance by February 1, 2012, or before the department of veterans affairs enters into the initial contract for the operation and staffing of the home, whichever occurs first. The contract entered into must contain a performance guarantee requirement that states that, during the contract period, the Wisconsin Veterans Home at Chippewa Falls must maintain an overall star rating that is at least equal to four stars.

(3) ELIMINATION OF OFFICE OF THE WISCONSIN COVENANT SCHOLARS PROGRAM.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the office of the

Wisconsin Covenant Scholars Program shall become the assets and liabilities of the higher educational aids board.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the office of the Wisconsin Covenant Scholars Program is transferred to the higher educational aids board.

(c) *Contracts.* All contracts entered into by the office of the Wisconsin Covenant Scholars Program in effect on the effective date of this paragraph remain in effect and are transferred to the higher educational aids board. The higher educational aids board shall carry out any obligations under such a contract until the contract is modified or rescinded by the higher educational aids board to the extent allowed under the contract.

(d) *Rules and orders.* All rules promulgated by the office of the Wisconsin Covenant Scholars Program that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the higher educational aids board. All orders issued by the office of the Wisconsin Covenant Scholars Program that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the higher educational aids board.

(e) *Pending matters.* Any matter pending with the office of the Wisconsin Covenant Scholars Program on the effective date of this paragraph is transferred to the higher educational aids board and all materials submitted to or actions taken by the office of the Wisconsin Covenant Scholars Program with respect to the pending matter are considered as having been submitted to or taken by the higher educational aids board.

(3i) **COMMUNITY PARTNERSHIPS.** By January 10, 2012, the department of administration shall submit to the joint committee on finance for the approval of that committee under section 13.10 of the statutes a plan that includes all of the following:

(a) A plan prepared by the department of public instruction for providing funding to community-based nongovernmental organizations for the establishment of partnerships with local school districts that center on those organizations providing advocacy for students and serving as liaison between families and staff of those school districts with the goal of improving educational outcomes and promoting and teaching greater self-sufficiency.

(b) A plan prepared by the department of children and families for providing funding to community-based nongovernmental organizations for the establishment of partnerships with agencies that license foster homes that center on those organizations providing advocacy for children and serving as liaison between families and staff of those agencies with the goal of improving educational outcomes and promoting and teaching greater self-sufficiency.

(4j) **DRUG OFFENDER DIVERSION SURCHARGE FUND.**

The department of administration shall submit a plan to the joint committee on finance as to how the department will reduce state appropriations by \$1,917,900 over the 2011–2013 fiscal biennium and lapse the associated funding to the general fund to eliminate the deficit in the drug offender diversion surcharge fund.

(4q) **TRANSFER OF HUMAN RESOURCES POSITIONS.**

(a) The secretary of administration shall identify 2.0 FTE PR positions in the department of administration having responsibility for human resources functions. On the effective date of this subsection, one of the positions so identified, as determined by the secretary, is transferred to the state fair park board and the other of the positions so identified is transferred to the department of regulation and licensing and the incumbent employees in those positions are transferred to the state fair park board and the department of regulation and licensing, respectively.

(b) Employees transferred under paragraph (a) have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the state fair park board and the department of regulation and licensing that they enjoyed in the department of administration immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(5q) **STATE BUILDING AND LEASE BACK STUDY.** The department of administration shall study the feasibility of instituting a program for private construction of buildings for the purpose of leasing those buildings to the state. The department shall report its findings and recommendations to the members of the joint committee on finance no later than December 1, 2011.

**SECTION 9103. Nonstatutory provisions; Agriculture, Trade and Consumer Protection.**

(1i) **EVALUATION OF PURCHASE OF AGRICULTURAL CONSERVATION EASEMENT PROGRAM.** The department of agriculture, trade and consumer protection shall evaluate the program for the purchase of agricultural conservation easements under section 93.73 of the statutes, including the administration of the program, the source of funding for the program, state financial participation, and the amount of local matching funds required. The department shall include in its evaluation options for a replacement program that would be less costly and more efficient in preserving farmland. The department shall report its findings from the evaluation no later than June 30, 2012, to the joint committee on finance and to the standing committees in each house of the legislature with responsibility for agricultural matters.

(2i) **FARMLAND PRESERVATION CONVERSION FEES.** If a political subdivision collected conversion fees under section 91.48 (1) (b), 2009 stats., for land rezoned in 2011, the political subdivision shall retain the fees and use them

for farmland preservation planning, zoning, and compliance monitoring.

(2u) **CONDITION OF SEGREGATED FUNDS.** The department of agriculture, trade and consumer protection shall study and evaluate the condition of the agricultural chemical cleanup fund and of the agrichemical management fund and make recommendations to correct any structural imbalances that cause authorized expenditures to exceed annual revenues of the funds. The department shall submit its findings to the joint committee on finance no later than December 31, 2011.

(3q) **GRAIN INSPECTION PROGRAM REPORT.** No later than January 1, 2012, the department of agriculture, trade and consumer protection shall report to the joint committee on finance on specific actions taken or administrative efforts planned to ensure that expenditures for grain inspection under s. 93.06 (1m) do not exceed program revenues and to eliminate any amount by which accumulated expenses have exceeded accumulated program revenues.

**SECTION 9104. Nonstatutory provisions; Arts Board.**

(1) **ELIMINATION OF PERCENT FOR ART PROGRAM.** Notwithstanding the repeal of section 44.57 (4) and (5) (a) and (b) of the statutes by this act, any contract entered

into by the arts board under section 44.57 (4), 2009 stats., for the procurement of a work of art that is in effect on the day before the effective date of this subsection remains in effect. The arts board shall carry out any obligation under the contract, unless the contract is modified or rescinded as permitted under the contract, and shall ensure that the work of art procured under the contract is properly executed and installed as required under section 44.57 (5) (a) and (b), 2009 stats.

(2) **PLACEMENT OF ARTS BOARD IN DEPARTMENT OF TOURISM.**

(a) *Employee transfers.* The incumbent executive secretary of the arts board and all incumbent employees holding positions in the arts board that are primarily related to grants administration, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of tourism.

(b) *Employee status.* Employees transferred under paragraph (a) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of tourism that they enjoyed in the arts board immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

**SECTION 9106. Nonstatutory provisions; Building Commission.**

(1) **2011-13 AUTHORIZED STATE BUILDING PROGRAM.** For the fiscal years beginning on July 1, 2011, and ending on June 30, 2013, the Authorized State Building Program is as follows:

(a) **DEPARTMENT OF CORRECTIONS**

1. *Projects financed by general fund supported borrowing:*

Green Bay Correctional Institution — shower buildings	\$ 1,242,400
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(Total project all funding sources \$3,834,000)

Green Bay Correctional Institution — visiting building	3,812,000
Waupun Correctional Institution boiler conversion	7,000,000

2. *Projects financed by existing general fund supported borrowing authority:*

Green Bay Correctional Institution — shower buildings	2,591,600
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(Total project all funding sources \$3,834,000)

St. Croix Correctional Institution housing replacement	3,234,000
Waupun Correctional Institution food service renovation	6,026,000

3. *Agency totals:*

General fund supported borrowing	12,054,400
Existing general fund supported borrowing authority	<u>11,851,600</u>
Total — All sources of funds	\$ 23,906,000

(b) **EDUCATIONAL COMMUNICATIONS BOARD**

1. *Projects financed by general fund supported borrowing:*

WHSA-FM Tower replacement — Brule	\$ 521,700
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2. *Agency totals:*

General fund supported borrowing	<u>521,700</u>
Total — All sources of funds	\$ 521,700

(c) **DEPARTMENT OF HEALTH SERVICES**

1. *Projects financed by general fund supported borrowing:*

Mendota Mental Health Institute — patient skilled learning center	\$ 1,442,000
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Wisconsin Resource Center visitor and gatehouse modifications	2,003,700
<i>2. Agency totals:</i>	
General fund supported borrowing	<u>3,445,700</u>
Total — All sources of funds	\$ 3,445,700
(d) DEPARTMENT OF MILITARY AFFAIRS	
<i>1. Projects financed by existing general fund supported borrowing authority:</i>	
Motor vehicle storage building — Beloit	\$ 181,300
(Total project all funding sources \$725,000)	
Tactical Unmanned Aircraft System facility — Camp Williams	124,600
(Total project all funding sources \$8,092,600)	
Fusion center — Madison	3,720,200
(Total project all funding sources \$6,803,000)	
<i>2. Projects financed by federal funds:</i>	
Motor vehicle storage building — Beloit	543,700
(Total project all funding sources \$725,000)	
Tactical Unmanned Aircraft System facility — Camp Williams	7,968,000
(Total project all funding sources \$8,092,600)	
Fusion center — Madison	2,082,800
(Total project all funding sources \$6,803,000)	
<i>2m. Projects financed by moneys appropriated to the agency from any revenue source:</i>	
Fusion center — Madison	1,000,000
(Total project all funding sources \$6,803,000)	
<i>3. Agency totals:</i>	
Existing general fund supported borrowing authority	4,026,100
Moneys appropriated to the agency from any revenue source	1,000,000
Federal funds	<u>10,594,500</u>
Total — All sources of funds	\$ 15,620,600
(e) DEPARTMENT OF NATURAL RESOURCES	
<i>1. Projects financed by existing general fund supported borrowing authority — stewardship property development and local assistance funds:</i>	
Dam reconstruction — Montello	\$ 5,300,000
(Total project all funding sources \$9,000,000)	
Rib Mountain State Park park development — Phase II	686,100
Entrance and visitor station — Amnicon Falls State Park	643,600
Flambeau River State Forest improvements	2,000,000
(Total project all funding sources \$2,513,700)	
Buckhorn State Park — campground development	2,199,400
Straight Lake State Park park development — Phase I	1,258,100
Horicon Marsh International Education Center displays	925,000
(Total project all funding sources \$3,236,300)	
Old Abe State Trail resurfacing	425,000
(Total project all funding sources \$850,000)	
<i>2. Projects financed by segregated fund supported borrowing:</i>	
Dam reconstruction — Montello	2,500,000
(Total project all funding sources \$9,000,000)	
Fire control heavy-unit drive-thru vehicle storage garages — Bowler and Oconto Falls	2,525,900
Flambeau River State Forest improvements	513,700
(Total project all funding sources \$2,513,700)	

Horicon Marsh International Education Center displays	1,836,300
(Total project all funding sources \$3,236,700)	
Poynette state game farm — pheasant hatchery building	1,023,400
3. <i>Projects financed by gifts, grants, and other receipts:</i>	
Horicon Marsh International Education Center displays	400,000
(Total project all funding sources \$3,236,300)	
4. <i>Projects financed by federal funds:</i>	
Dam reconstruction — Montello	1,200,000
(Total project all funding sources \$9,000,000)	
Horicon Marsh International Education Center displays	75,000
(Total project all funding sources \$3,236,300)	
Old Abe State Trail resurfacing	425,000
(Total project all funding sources \$850,000)	
5. <i>Agency totals:</i>	
Existing general fund supported borrowing authority — stewardship property development and local assistance funds	13,437,200
Segregated fund supported borrowing	8,399,300
Gifts, grants, and other receipts	400,000
Federal funds	<u>1,700,000</u>
Total — All sources of funds	\$ 23,936,500
(f) DEPARTMENT OF PUBLIC INSTRUCTION	
1. <i>Projects financed by general fund supported borrowing:</i>	
Wisconsin School for the Deaf — Walker Hall replacement	\$ 4,982,900
2. <i>Agency totals:</i>	
General fund supported borrowing	<u>4,982,900</u>
Total — All sources of funds	\$ 4,982,900
(g) STATE HISTORICAL SOCIETY	
1. <i>Projects financed by general fund supported borrowing:</i>	
Joint museum	\$ 75,000,000
Preservation and storage facility capital equipment	4,350,000
2. <i>Projects financed by gifts, grants, and other receipts:</i>	
Stonefield Village storage facilities	4,300,000
3. <i>Agency totals:</i>	
General fund supported borrowing	79,350,000
Gifts, grants, and other receipts	<u>4,300,000</u>
Total — All sources of funds	\$ 83,650,000
(h) DEPARTMENT OF TRANSPORTATION	
1. <i>Projects financed by segregated fund supported revenue borrowing:</i>	
Division of State Patrol gap filler towers — statewide	\$ 2,956,500
2. <i>Agency totals:</i>	
Segregated fund supported revenue borrowing	<u>2,956,500</u>
Total — All sources of funds	\$ 2,956,500
(i) UNIVERSITY OF WISCONSIN SYSTEM	
1. <i>Projects financed by general fund supported borrowing:</i>	
Madison — School of Nursing	\$17,413,500
(Total project all funding sources \$52,240,000)	
Oshkosh, Platteville, Stout, and Superior — major facilities renovation	50,000,000
River Falls — Health and Human Performance building	50,491,000
(Total project all funding sources \$63,512,000)	
System — classroom renovation/instructional technology	5,000,000

<i>2. Projects financed by existing general fund supported borrowing authority:</i>	
Madison — School of Nursing	17,413,500
(Total project all funding sources \$52,240,000)	
Whitewater — Carlson Hall renovation	17,000,000
<i>3. Projects financed by program revenue supported borrowing:</i>	
La Crosse — parking ramp	7,131,000
(Total project all funding sources \$12,131,000)	
Madison — Badger Athletic Performance Center	49,200,000
(Total project all funding sources \$76,800,000)	
— west campus/hospital parking ramp addition	25,753,000
(Total project all funding sources \$26,253,000)	
— Carson Gully Commons renovation	5,000,000
(Total project all funding sources \$10,049,000)	
— utility improvements	3,124,000
Oshkosh — Lincoln School remodeling	4,476,000
Platteville — residence hall upgrades	12,179,000
River Falls — Health and Human Performance building	10,264,000
(Total project all funding sources \$63,512,000)	
Stevens Point — North Debot Residence Hall renovation	11,720,000
Stout — Fleming Residence Hall renovation	6,599,000
Superior — Ross and Hawkes halls renovation	15,276,000
Whitewater — Bigelow and Benson halls renovation	12,223,000
— Drumlin Dining Hall renovation	4,627,000
<i>4. Projects financed by existing program revenue supported borrowing authority:</i>	
Milwaukee — School of Public Health	12,250,000
<i>5. Projects financed by program revenue:</i>	
La Crosse — parking ramp	5,000,000
(Total project all funding sources \$12,131,000)	
— storage facility	1,092,000
Madison — Carson Gulley Commons renovation	5,049,000
(Total project all funding sources \$10,049,000)	
— Elizabeth Waters Hall renovation	7,100,000
— west campus/hospital parking ramp addition	500,000
(Total project all funding sources \$26,253,000)	
<i>6. Projects financed by gifts, grants, and other receipts:</i>	
Extension — Upham Woods Outdoor Learning Center — shower facility	971,000
Madison — Alumni Plaza	8,000,000
— Badger Athletic Performance Center	27,600,000
(Total project all funding sources \$76,800,000)	
— Birge Hall greenhouse addition	2,967,000
— library storage facility	1,500,000
— School of Nursing	17,413,000
(Total project all funding sources \$52,240,000)	
— University Ridge Golf Course — all-seasons practice facility	2,500,000
River Falls — Health and Human Performance building	2,056,000
(Total project all funding sources \$63,512,000)	
Whitewater — Young Auditorium addition	940,000
<i>7. Projects financed by building trust funds:</i>	

River Falls — Health and Human Performance building	701,000
(Total project all funding sources \$63,512,000)	
8. Agency totals:	
General fund supported borrowing	122,904,500
Existing general fund revenue supported borrowing authority	34,413,500
Program revenue supported borrowing	167,572,000
Existing program revenue supported borrowing authority	12,250,000
Program revenue	18,741,000
Gifts, grants, and other receipts	63,947,000
Building trust funds	<u>701,000</u>
Total — All sources of funds	\$ 420,529,000
(j) DEPARTMENT OF VETERANS AFFAIRS	
1. Projects financed by general fund supported borrowing:	
Preservation and storage facility capital equipment	\$ 4,070,700
2. Agency totals:	
General fund supported borrowing	<u>4,070,700</u>
Total — All sources of funds	\$ 4,070,700
(k) MARQUETTE UNIVERSITY	
1. Projects financed by general fund supported borrowing:	
Dental school addition	\$ 8,000,000
(Total project all funding sources \$16,000,000)	
2. Projects financed by gifts, grants, and other receipts:	
Dental school addition	8,000,000
(Total project all funding sources \$16,000,000)	
3. Agency totals:	
General fund supported borrowing	8,000,000
Gifts, grants, and other receipts	<u>8,000,000</u>
Total — All sources of funds	\$ 16,000,000
(L) LAC DU FLAMBEAU INDIAN TRIBAL CULTURAL CENTER	
1. Projects financed by general fund supported borrowing:	
Lac du Flambeau Indian Tribal Cultural Center	\$ 250,000
(Total project all funding sources \$1,623,000)	
2. Projects financed by gifts, grants, and other receipts:	
Lac du Flambeau Indian Tribal Cultural Center	1,373,000
(Total project all funding sources \$1,623,000)	
3. Agency totals:	
General fund supported borrowing	250,000
Gifts, grants, and other receipts	<u>1,373,000</u>
Total — All sources of funds	\$ 1,623,000
(n) ALL AGENCY PROJECT FUNDING	
1. Projects financed by general fund supported borrowing:	
Capital equipment acquisition	\$ 5,000,000
Facilities maintenance and repair	105,000,000
(Total program all funding sources \$164,108,600)	
Health, safety, and environmental protection	18,000,000
(Total program all funding sources \$18,770,300)	
Land and property acquisition	4,000,000
Preventive maintenance	2,000,000
Programmatic remodeling and renovation	5,000,000
(Total program all funding sources \$7,334,100)	
Utilities repair and renovation	46,000,000

(Total program all funding sources \$64,521,700)	
2. <i>Projects financed by existing general fund supported borrowing authority — stewardship property development and local assistance funds:</i>	
Facilities maintenance and repair	4,562,800
(Total program all funding sources \$164,108,600)	
3. <i>Projects financed by program revenue supported borrowing:</i>	
Energy conservation	100,000,000
(Total program all funding sources \$100,000,000)	
Facilities maintenance and repair	18,696,100
(Total program all funding sources \$164,108,600)	
Health, safety, and environmental protection	121,000
(Total program all funding sources \$18,770,300)	
Utilities repair and renovation	15,094,000
(Total program all funding sources \$64,521,700)	
4. <i>Projects financed by segregated fund supported borrowing:</i>	
Facilities maintenance and repair	1,639,900
(Total program all funding sources \$164,108,600)	
5. <i>Projects financed by segregated fund supported revenue borrowing</i>	
Facilities maintenance and repair	5,040,800
(Total program all funding sources \$166,108,600)	
6. <i>Projects financed by program revenue:</i>	
Facilities maintenance and repair	14,057,200
(Total program all funding sources \$164,108,600)	
Health, safety, and environmental protection	359,000
(Total program all funding sources \$18,770,300)	
Programmatic remodeling and renovation	218,000
(Total program all funding sources \$7,334,100)	
Utilities repair and renovation	214,700
(Total program all funding sources \$64,521,700)	
7. <i>Projects financed by federal funds:</i>	
Facilities maintenance and repair	13,877,000
(Total program all funding sources \$164,108,600)	
Health, safety, and environmental protection	290,300
(Total program all funding sources \$18,770,300)	
Programmatic remodeling and renovation	268,100
(Total program all funding sources \$7,334,100)	
Utilities repair and renovation	3,213,000
(Total program all funding sources \$64,521,700)	
8. <i>Projects finances by gifts, grants, and other receipts:</i>	
Facilities maintenance and repair	1,234,800
(Total program all funding sources \$164,108,600)	
Programmatic remodeling and renovation	1,848,000
(Total program all funding sources \$7,334,100)	
9. <i>All agency totals:</i>	
General fund supported borrowing	185,000,000
Existing general fund supported borrowing authority — stewardship property development and local assistance funds	4,562,800
Program revenue supported borrowing	133,911,100
Segregated fund supported borrowing	1,639,900

Segregated fund supported revenue borrowing	5,040,800
Program revenue	14,848,900
Building trust funds	0
Gifts, grants, and other receipts	3,082,800
Federal funds	<u>17,648,400</u>
Total — All sources of funds	\$ 365,734,700

## (o) SUMMARY

Total general fund supported borrowing	420,579,900
Total existing general fund supported borrowing authority	50,291,200
Total existing general fund supported borrowing authority — stewardship property development and local assistance funds	18,000,000
Total program revenue supported borrowing	301,483,100
Total existing program revenue supported borrowing authority	12,250,000
Total segregated fund supported borrowing	10,039,200
Total segregated fund supported revenue borrowing	7,997,300
Total program revenue	33,589,900
Total building trust funds	701,000
Total gifts, grants, and other receipts	81,102,800
Total moneys appropriated to state agencies from any revenue source	1,000,000
Total federal funds	29,942,900
Total — All sources of funds	\$ 966,977,300

## (2) 2009–11 AUTHORIZED STATE BUILDING PROGRAM DELETIONS.

(a) In 2009 Wisconsin Act 28, section 9106 (1) (c) 1., under projects financed by general fund supported borrowing, the 2009–11 Authorized State Building Program project identified as “Armory – Wisconsin Rapids” is deleted and the appropriate totals are decreased accordingly.

(b) In 2009 Wisconsin Act 28, section 9106 (1) (c) 3., under projects financed by federal funds, the 2009–11 Authorized State Building Program project identified as “Armory – Wisconsin Rapids” is deleted and the appropriate totals are decreased accordingly.

(c) In 2009 Wisconsin Act 28, section 9106 (1) (b) 3., under projects financed by program revenue supported borrowing, the 2009–11 Authorized State Building Program project identified as “Fox Lake Correctional Institution — methane digester” is deleted and the appropriate totals are decreased accordingly.

(3) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing authority enumerated in subsection (1), the building and financing authority enumerated in the previous state building program is continued in the 2011–13 fiscal biennium.

(4) LOANS. During the 2011–13 fiscal biennium, the building commission may make loans from general fund supported borrowing or the building trust fund to state agencies, as defined in section 20.001 (1) of the statutes, for projects that are to be utilized for programs not funded by general purpose revenue and that are authorized in subsection (1).

(5) SCHOOL OF NURSING PROJECT. Notwithstanding section 18.04 (1) and (2) of the statutes, of the public debt authorized for the School of Nursing project, as enumerated in subsection (1) (i) 1., \$17,413,500 in public debt may not be contracted until after June 30, 2013.

(6) HEALTH AND HUMAN PERFORMANCE BUILDING PROJECT. Notwithstanding section 18.04 (1) and (2) of the statutes, of the public debt authorized for the Health and Human Performance building project, as enumerated in subsection (1) (i) 1., \$50,491,000 in public debt may not be contracted until after June 30, 2013.

(7) LAC DU FLAMBEAU INDIAN TRIBAL CULTURAL CENTER. Notwithstanding section 13.48 (40m) (b) of the statutes, as created by this act, the building commission shall not make a grant to the Lac du Flambeau Band of Lake Superior Chippewa for construction of a tribal cultural center, as enumerated in subsection (1) (L), under section 13.48 (40m) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.

(9) FACILITIES MAINTENANCE AND REPAIR PROJECTS. Notwithstanding section 13.48 (10) (a) of the statutes, as affected by this act, of the amount provided under subsection (1) (n) 1. for facilities maintenance and repair, the secretary of administration may disburse up to \$5,000,000 for needed facilities maintenance and repair projects in the 2011–13 fiscal biennium without approval

of any projects under section 13.48 (10) (a) of the statutes, as affected by this act.

**SECTION 9108. Nonstatutory provisions; Children and Families.**

(1) CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC SUPPORT.

(a) *Positions and employees.* On the effective date of this paragraph, 3 positions and the incumbent employee or employees, if any, holding those positions in the department of children and families performing duties that are primarily related to automation security for the Client Assistance for Reemployment and Economic Support system, as determined by the secretary of administration, are transferred to the department of health services.

(b) *Employee status.* Any employee transferred under paragraph (a) has all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of health services that he or she enjoyed in the department of children and families immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(1u) SUBSIDIZED GUARDIANSHIPS.

(a) *Amendment of state plan.* The department of children and families shall submit to the federal secretary of health and human services an amendment to the state plan for foster care and adoption assistance under 42 USC 671 to provide for the department and county departments of human services or social services to enter into subsidized guardianship agreements under section 48.623 (2) of the statutes, as created by this act, under which the department and those county departments provide subsidized guardianship payments under section 48.623 (1) of the statutes, as created by this act.

(b) *Subsidized guardianship training.* The department of children and families shall include in the plan that under section 48.567 (2) of the statutes the department is required to submit to the secretary of administration by September 1, 2011, a proposal for a subsidized guardianship training curriculum and a statewide subsidized guardianship training program. That proposal shall include an estimate of the cost of providing that training program.

(1v) CHILD CARE AUTOMATED ATTENDANCE TRACKING SYSTEM.

(a) Of the amounts appropriated to the joint committee on finance under section 20.865 (4) (m) of the statutes, \$1,000,000 in each of fiscal years 2011-12 and 2012-13 is allocated to supplement the appropriation account under section 20.437 (2) (mc) of the statutes, as affected by this act, for the purpose specified in paragraph (b).

(b) By January 1, 2012, the department of children and families shall submit to the joint committee on

finance a request for that committee to supplement the appropriation account under section 20.437 (2) (mc) of the statutes, as affected by this act, for the purpose of implementing an automated attendance tracking system to electronically record and monitor child care attendance in licensed or certified child care facilities that receive reimbursement under the child care subsidy program under section 49.155 of the statutes, as affected by this act. That department shall include in the request a detailed plan explaining how the system would work and how the supplement, if released, would be spent. The joint committee on finance, from the appropriation account under section 20.865 (4) (m) of the statutes, may supplement the appropriation account under section 20.437 (2) (mc) of the statutes, as affected by this act, by an amount that is sufficient to implement the system, but not by more than \$1,000,000 in each of fiscal years 2011-12 and 2012-13. Notwithstanding section 13.101 (3) (a) of the statutes, the joint committee on finance is not required to find that an emergency exists. The joint committee on finance may use the process described in paragraph (c) to provide a supplement under this paragraph.

(c) If the cochairpersons of the joint committee on finance do not notify the department of children and families within 14 working days after the date of the submittal of the request under paragraph (b) that the committee has scheduled a meeting to review the request, the supplement is approved as requested. If the cochairpersons of the joint committee on finance notify the department of children and families within 14 working days after the date of that submittal that the committee has scheduled a meeting to review the request, the supplement may occur only as approved, or as modified and approved, by the committee.

(2c) RULES FOR WAIVER UNDER WISCONSIN SHARES. The department of children and families shall submit in proposed form the rules required under section 49.155 (3m) (d) 4. of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 4th month beginning after the effective date of this subsection.

(2i) DISTRIBUTION OF CHILD SUPPORT INCENTIVE PAYMENTS.

(a) *Review by joint committee on finance.* Notwithstanding section 49.24 (2) (a) of the statutes, the department of children and families shall develop, and submit to the joint committee on finance no later than August 31, 2011, a detailed plan for distributing child support incentive payments to counties under section 49.24 of the statutes during calendar years 2012 and 2013. The plan shall meet all of the following requirements:

1. 'Basis for distributions.' The plan shall describe the method the department used to calculate the distributions to counties under the plan.