

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

2 452.07 (1m) The ~~department~~ board shall promulgate rules that specify the
3 supervisory duties of brokers under s. 452.12 (3).

4 **SECTION 3238.** 452.07 (2) to (7) of the statutes are repealed.

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

6 452.09 (1) FORM OF APPLICATION. (intro.) Any person desiring to act as a broker
7 or salesperson shall submit to the ~~department~~ board an application for a license. The
8 application shall be in such form as the ~~department~~ board prescribes and shall
9 include the following:

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

11 452.09 (1) (e) Any other information ~~which~~ that the ~~department~~ board may
12 reasonably require to enable it to determine the competency of each applicant,
13 including each business representative of the business entity, to transact the
14 business of a broker or salesperson in a manner ~~which~~ that safeguards the interests
15 of the public.

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

17 452.09 (2) (a) Except as provided in a reciprocal agreement under s. 452.05 (3),
18 each applicant for a salesperson's license shall submit to the ~~department~~ board
19 evidence satisfactory to the ~~department~~ board of successful completion of
20 educational programs approved for this purpose under s. 452.05 (1) (c). The
21 ~~department~~ board may waive the requirement under this paragraph upon proof that
22 the applicant has received 10 academic credits in real estate or real estate related
23 law courses from an accredited institution of higher education.

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

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

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

7 452.09 (2) (d) The ~~department~~ board may waive the requirements under par.
8 (c) upon proof that the applicant has received 20 academic credits in real estate or
9 real estate related law courses from an accredited institution of higher education or
10 that the applicant is licensed to practice law in this state.

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

12 452.09 (3) (a) In determining competency, the ~~department~~ board shall require
13 proof that the applicant for a broker's or salesperson's license has a fair knowledge
14 of the English language; a fair understanding of the general purposes and general
15 legal effect of deeds, mortgages, land contracts of sale, leases, bills of sale, chattel
16 mortgages, and conditional sales contracts; and a general and fair understanding
17 of the obligations between principal and agent, as well as of this chapter. ~~An~~ The
18 board shall deny a license to an applicant receiving a failing grade, as established by
19 rules of the ~~department~~ board, on any examination given under this section shall be
20 ~~denied a license~~, but any applicant may review his or her examination results in a
21 manner established by rules of the ~~department~~ board.

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

23 452.09 (3) (b) The ~~department~~ board shall determine competency under par.
24 (a) by means of only an oral examination for any applicant who is unable to write
25 because of a physical handicap.

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

2 452.09 (3) (d) Except as provided in a reciprocal agreement under s. 452.05 (3),
3 the ~~department~~ board may not grant a broker's license to an applicant who does not
4 hold a salesperson's license unless the applicant passes the salesperson's
5 examination and the broker's examination.

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

7 452.09 (5) APPRENTICESHIPS. Any person who is a resident of this state and 18
8 years of age or over may, upon application filed in accordance with sub. (1), be
9 indentured to a licensed resident broker in accordance with rules promulgated by the
10 ~~department~~ board. These rules shall be promulgated so as to protect the public and
11 may limit the real estate sales and brokerage activity of the apprentice. The
12 ~~department~~ board may require an apprentice to take a preliminary examination
13 covering general knowledge and may prescribe the character and extent of his or her
14 work during apprenticeship. The ~~department~~ board may issue a temporary
15 salesperson's permit to the individual for a period not to exceed one year upon
16 payment of the fee under s. 440.05 (6). The temporary permit is not renewable.

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

18 452.10 (2) (b) Unless an application is withdrawn in writing before the
19 ~~department~~ board has made any investigation, no part of the fee shall be returned.

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

21 452.10 (4) (a) Any licensed salesperson or broker may transfer to the
22 employment of a licensed broker by first paying the transfer fee specified in s. 440.05
23 (7) and filing a transfer form with the ~~department~~ board.

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

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

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

5 452.11 (3) Every nonresident applicant, and every resident licensee who
6 becomes a nonresident, shall file with the ~~department~~ board an irrevocable consent
7 that actions may be commenced against the applicant or licensee in the proper court
8 of any county of the state in which a cause of action arises or in which the plaintiff
9 resides, by the service of any process or pleading authorized by the laws of this state
10 on the ~~department~~ board or any duly authorized employee. The consent shall
11 stipulate and agree that such service is valid and binding as due service upon the
12 applicant or licensee in all courts in this state. The consent shall be duly
13 acknowledged and, if made by a corporation, shall be authenticated by the corporate
14 seal.

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

16 452.11 (4) Any process or pleading under this section shall be served in
17 duplicate upon the ~~department~~ board or its duly authorized employee. One copy
18 shall be filed with the ~~department~~ board and the other immediately forwarded by
19 certified mail to the nonresident licensee against whom the process or pleading is
20 directed at the last address provided to the ~~department~~ board by the nonresident
21 licensee. No default in any such proceeding or action may be taken unless it appears
22 by affidavit of the ~~secretary~~ chairperson of the board or any duly authorized
23 employee that a copy of the process or pleading was mailed to the nonresident
24 licensee as required in this subsection. No judgment by default may be taken in any

1 action or proceeding within 20 days after the date of mailing the process or pleading
2 to the nonresident licensee.

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

4 452.12 (1) EXPIRATION. A license granted by the ~~department~~ board entitles the
5 holder to act as a broker or salesperson, as the case may be, until the applicable
6 renewal date specified under s. 440.08 (2) (a).

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

8 452.12 (2) (c) Application for a business entity license shall be made on forms
9 prescribed by the ~~department~~ board, listing the names and addresses of all business
10 representatives, and shall be accompanied by the initial credential fee determined
11 by the department under s. 440.03 (9) (a). If there is a change in any of the business
12 representatives, the change shall be reported to the ~~department~~ board, on the same
13 form, within 30 days after the effective date of the change.

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

15 452.12 (4) REGISTER OF BROKERS AND SALESPERSONS. ~~The department shall~~
16 ~~maintain the register required by s. 440.035 (4).~~ The board shall include in the
17 register the board maintains under s. 440.035 (4) the names of all brokers and
18 salespersons whose licenses have been were revoked at any time within the past 2
19 years prior to the issuance thereof shall be included in the register. The register shall
20 be available for purchase at cost.

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

22 452.12 (5) (a) Renewal applications for all licenses shall be submitted with the
23 applicable renewal fee determined by the department under s. 440.03 (9) (a) on or
24 before the applicable renewal date specified under s. 440.08 (2) (a). The department
25 shall pay \$10 of each renewal fee received under this paragraph to the Board of

1 Regents of the University of Wisconsin System for research and educational, public
2 outreach, and grant activities under s. 36.25 (34).

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

4 452.12 (5) (b) If an application for renewal is not filed with the ~~department~~
5 board on or before the renewal date, the applicant may not engage in any of the
6 activities covered by the license until the license is renewed or a new license is issued.

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

9 452.12 (5) (c) At the time of renewal, each broker or salesperson shall submit
10 proof of attendance at and successful completion of continuing education programs
11 or courses approved under s. 452.05 (1) (g), ~~except as provided in subd. 2.~~

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

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

14 452.12 (6) (b) Unless an applicant's license has been revoked or suspended
15 under s. 452.14 (3), the ~~department~~ board may register the applicant under par. (a)
16 as an inactive licensee upon payment of a \$15 fee.

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

18 452.12 (6) (d) If an inactive licensee files an application for reinstatement
19 before January 1, 1996, the ~~department~~ board shall reinstate the inactive licensee's
20 original license in accordance with the requirements for late renewal under s. 440.08
21 (3).

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

23 452.12 (6) (e) (intro.) Except as provided in ss. 440.03 (11m) (b), 440.12 and
24 440.13 (2) (a) (c), the ~~department~~ board shall reinstate an inactive licensee's original
25 license as follows:

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

2 452.12 (6) (e) 1. If a person has registered as an inactive licensee before
3 November 1, 1990, the ~~department~~ board shall reinstate the person's original license
4 if that person applies to the ~~department~~ board for reinstatement of his or her original
5 license, pays the fee specified under s. 440.05 (1), passes an examination under s.
6 452.09 (3), and completes the education requirements established by the ~~department~~
7 board under par. (f).

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

9 452.12 (6) (e) 2. If a person has registered as an inactive licensee on or after
10 November 1, 1990, the ~~department~~ board shall reinstate the person's original license
11 if that person applies to the ~~department~~ board for reinstatement of his or her original
12 license, pays the renewal fee determined by the department under s. 440.03 (9) (a)
13 for the original license and completes ~~12 hours of the~~ the continuing education as
14 requirements established by the ~~department~~ board under par. (f). A person who is
15 eligible for reinstatement of his or her original license under this subdivision shall
16 complete the requirements for reinstatement under this subdivision before January
17 1, 1996, or within 5 years after the date on which the person registered as an inactive
18 licensee, whichever is later.

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

20 452.12 (6) (e) 3. If a person who is eligible for reinstatement of his or her
21 original license under subd. 2. does not complete the requirements for reinstatement
22 within the time specified under subd. 2., the ~~department~~ board shall reinstate the
23 original license of that person if he or she meets the requirements specified under
24 subd. 1.

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

1 452.12 **(6)** (f) The ~~department~~ board shall promulgate rules establishing the
2 education requirements that applicants for reinstatement of original licenses under
3 par. (e) must satisfy.

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

5 452.13 **(2)** (b) 1. Register with the department of ~~regulation and licensing~~
6 safety and professional services the name and address of the depository institution
7 and the number of the interest-bearing common trust account.

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

9 452.13 **(2)** (b) 2. Notify the department of ~~regulation and licensing~~ safety and
10 professional services when any of the information required under subd. 1. is
11 changed.

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

13 452.13 **(2)** (b) 3. Furnish the department of ~~regulation and licensing~~ safety and
14 professional services with a letter authorizing the department of ~~regulation and~~
15 ~~licensing~~ safety and professional services and the department of ~~commerce~~
16 administration to examine and audit the interest-bearing common trust account
17 whenever the department of ~~regulation and licensing~~ safety and professional
18 services or the department of ~~commerce~~ administration considers it necessary.

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

20 452.13 **(2)** (bm) The department of ~~regulation and licensing~~ safety and
21 professional services shall forward to the department of ~~commerce~~ administration
22 the information and documents furnished under par. (b).

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

1 452.13 (2) (d) The department of ~~commerce~~ administration is the beneficial
2 owner of the interest accruing to the interest-bearing common trust account, minus
3 any service charges or fees.

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

5 452.13 (2) (e) 1. Annually, before February 1, remit to the department of
6 ~~commerce~~ administration the total interest or dividends, minus service charges or
7 fees, earned on the average daily balance in the interest-bearing common trust
8 account during the 12 months ending on the previous December 31. A depository
9 institution is not required to remit any amount if the total interest or dividends for
10 that period is less than \$10 before any deduction for service charges or fees.

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

12 452.13 (2) (e) 2. When the interest remittance is sent, furnish to the
13 department of ~~commerce~~ administration and to the broker maintaining the
14 interest-bearing common trust account a statement that includes the name of the
15 broker for whose account the remittance is made, the rate of interest applied, the
16 amount of service charges or fees deducted, if any, and the account balance for the
17 period that the statement covers.

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

19 452.13 (2) (f) 2. May not assess a service charge or fee for an interest-bearing
20 common trust account against the department of ~~commerce~~ administration.

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

22 452.13 (2) (f) 3. May deduct a service charge or fee from the interest earned by
23 an interest-bearing common trust account, and if a balance remains, may deduct the
24 remaining charge or fee from the interest earned on any other interest-bearing

1 common trust account maintained in that depository institution, before remitting
2 interest to the department of ~~commerce~~ administration.

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

4 452.13 (5) RULES. In consultation with the department of ~~regulation and~~
5 ~~licensing safety and professional services~~, the department of ~~commerce~~
6 administration shall promulgate rules necessary to administer this section.

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

8 452.14 (1) The department board shall, upon motion of the board secretary or
9 his or her designee or upon its own determination, conduct investigations and, as
10 appropriate, may hold hearings and make findings, if the board or the department
11 receives credible information that a broker, salesperson, or time-share salesperson
12 has violated this chapter or any rule promulgated under this chapter.

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

14 452.14 (2) The department ~~shall present the findings of any investigation of~~
15 ~~a licensee or registrant to the board for its consideration.~~ The department shall upon
16 ~~motion of the board, and~~ board may, ~~upon its own determination,~~ commence
17 disciplinary proceedings on any matter under investigation concerning a licensee or
18 registrant. ~~No investigation of a licensee or registrant may be closed without motion~~
19 ~~of the board.~~

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

21 452.14 (3) (L) Violated any provision of this chapter or any rule promulgated
22 under this chapter;

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

24 452.17 (2) Any person who engages in or follows the business or occupation of,
25 or advertises or holds himself or herself out as or acts temporarily or otherwise as,

1 a time-share salesperson in this state without being registered with the ~~department~~
2 board shall be prosecuted by the district attorney in the county where the violation
3 occurs and may be fined not less than \$25 nor more than \$200 or imprisoned not less
4 than 10 days nor more than 6 months or both.

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

6 452.22 (2) The certificate of the secretary chairperson of the board or his or her
7 designee to the effect that a specified individual or business entity is not or was not
8 on a specified date the holder of a broker's, salesperson's, or time-share salesperson's
9 license or registration, or that a specified license or registration was not in effect on
10 a date specified, or as to the issuance, limitation, suspension, or revocation of any
11 license or registration or the reprimand of any license or registration holder ~~thereof~~,
12 the filing or withdrawal of any application or its existence or nonexistence, is prima
13 facie evidence of the facts ~~therein~~ stated in the certificate for all purposes in any
14 action or proceedings.

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

16 462.01 (3) "Department" means the department of regulation and licensing
17 safety and professional services.

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

19 551.403 (2) (a) 2. Institutional investors, except any institutional investor
20 described in s. 551.102 (11) (k), (m), or (o).

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

22 551.403 (2) (a) 2m. Accredited investors as defined in Rule 501 (a) (1), ~~(2)~~, or
23 ~~(3), (7) or (8)~~ adopted under the Securities Act of 1933.

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

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

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

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

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

7 238.04 (14) ~~FOREIGN OFFICE AGREEMENTS. The department may enter~~ Enter into
8 agreements regarding compensation, space, and other administrative matters as are
9 necessary to operate ~~departmental~~ offices in other states and foreign countries. Such
10 agreements shall be subject to the approval of the secretary of administration.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 **238.25 Assistance to loan recipients.** Assist The corporation shall assist
5 new businesses and small businesses receiving economic development loans under
6 s. 234.65 (1) (a) or the assistance of the Wisconsin Housing and Economic
7 Development Authority in locating sources of venture capital and in obtaining the
8 state and federal licenses and permits necessary for business operations.

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

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

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

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

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

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

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

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

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

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

20 **238.10 Allocation of volume cap on tax-exempt bonds. (1) ALLOCATION.**
21 The ~~department, by rule,~~ corporation shall establish under 26 USC 146 and
22 administer a system for the allocation of the volume cap on the issuance of private
23 activity bonds, as defined under 26 USC 141 (a), among all municipalities, as defined
24 in s. 67.01 (5), and any corporation formed on behalf of those municipalities, and
25 among this state, the Wisconsin Health and Educational Facilities Authority, the

1 Wisconsin Aerospace Authority, and the Wisconsin Housing and Economic
2 Development Authority.

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

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

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

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

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

19 **SECTION 3318.** 560.034 of the statutes is renumbered 238.11, and 238.11 (1),
20 (2), (3) and (5) (intro.), as renumbered, are amended to read:

21 238.11 (1) The ~~department~~ corporation shall prescribe the notice forms to be
22 used under ss. 66.1103 (4m) (a) 1. and 234.65 (3) (a). The ~~department~~ corporation
23 shall include on the forms a requirement for information on the number of jobs the
24 person submitting the notice expects to be eliminated, created, or maintained on the
25 project site and elsewhere in this state by the project which is the subject of the

1 notice. The ~~department~~ corporation shall prescribe the forms to be used under ss.
2 66.1103 (4m) (b) and 234.65 (3r).

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

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

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

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

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

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

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

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

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

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

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

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

1 238.12 (2) The ~~department~~ corporation may not award a grant or loan under
2 this chapter to a person or certify a person to receive tax benefits unless the
3 ~~department~~ corporation enters into an agreement with the person that requires the
4 person to repay the grant, loan, or tax benefits if, within 5 years after receiving the
5 grant or loan or being certified to receive tax benefits, the person ceases to conduct
6 in this state the economic activity for which the person received the grant or loan or
7 for which the person was certified to receive tax benefits and commences
8 substantially the same economic activity outside this state.

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

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

13 **238.26 Report to investment board.** No later than September 30 of each
14 even-numbered year, the corporation shall submit to the investment board a report
15 describing the types of investments in businesses in this state ~~which~~ that will have
16 the greatest likelihood of enhancing economic development in this state.

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

20 238.127 (2) (intro.) The ~~department~~ corporation shall establish and administer
21 a state main street program to coordinate state and local participation in programs
22 offered by the national main street center, created by the national trust for historic
23 preservation, to assist municipalities in planning, managing and implementing
24 programs for the revitalization of business areas. The ~~department~~ corporation shall
25 do all of the following:

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

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

5 238.127 (2) (c) (intro.) With help from ~~the council on main street programs and~~
6 ~~from~~ interested individuals and organizations, develop a plan describing the
7 objectives of the state main street program and the methods by which the
8 department corporation shall:

9 (e) Annually select, upon application, up to 5 municipalities to participate in
10 the state main street program. The program for each municipality shall conclude
11 after 3 years, except that the program for each municipality selected after July 29,
12 1995, shall conclude after 5 years. The department corporation shall select program
13 participants representing various geographical regions and populations. A
14 municipality may apply to participate, and the department corporation may select
15 a municipality for participation, more than one time. In selecting a municipality,
16 however, the department corporation may give priority to those municipalities that
17 have not previously participated.

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

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

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

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

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

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

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

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

11 285.795 (1) (a) Advise the department ~~of natural resources~~ concerning the
12 effectiveness of the small business stationary source technical and environmental
13 compliance assistance program under s. 285.79, difficulties encountered by small
14 business stationary sources, as defined in s. 285.79 (1), in complying with s. 299.15
15 and ch. 285 and the degree and severity of enforcement of s. 299.15 and ch. 285
16 against small business stationary sources.

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

23 **SECTION 3335.** 560.125 (title) and (1) to (3) of the statutes are renumbered
24 101.45 (title) and (1) to (3).

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

3 101.45 (4) (d) In any fiscal year, the department may not pay to any one
4 applicant more than 20 percent of the amount appropriated under s. ~~20.143 (3)~~
5 20.165 (2) (sm) for the fiscal year.

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

7 **SECTION 3338.** 560.125 (5) to (6) of the statutes are renumbered 101.45 (5) to
8 (6).

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

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

11 **SECTION 3341.** 560.13 (1), (2), (3), (5) and (6m) of the statutes are renumbered
12 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2) (a) (intro.) and (b) 1., (3) (intro.) and
13 (f) and (5), as renumbered, are amended to read:

14 238.13 (2) (a) (intro.) ~~Subject to subs. (4) and (5), from the appropriation under~~
15 ~~s. 20.143 (1) (qm) the department~~ The corporation may make a grant to a person if
16 all of the following apply:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 **SECTION 3355g.** 560.204 (title), (1), (2) and (4) of the statutes are renumbered
18 73.15 (title), (1), (2) and (3), and 73.15 (1), (2) and (3), as renumbered, are amended
19 to read:

20 73.15 (1) The department of revenue shall implement a program to certify
21 health care providers as eligible for the electronic medical records credit under ss.
22 71.07 (5i), 71.28 (5i), and 71.47 (5i).

23 (2) If the department of revenue certifies a health care provider under sub. (1),
24 the department shall determine the amount of credits to allocate to the health care

1 provider. The total amount of electronic medical records credits allocated to health
2 care providers in any year may not exceed \$10,000,000.

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

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

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

9 238.15 (1) ANGEL INVESTMENT TAX CREDITS. (intro.) The ~~department~~ corporation
10 shall implement a program to certify businesses for purposes of s. 71.07 (5d). A
11 business desiring certification shall submit an application to the ~~department~~
12 corporation in each taxable year for which the business desires certification. The
13 business shall specify in its application the investment amount it wishes to raise and
14 the ~~department~~ corporation may certify the business and determine the amount that
15 qualifies for purposes of s. 71.07 (5d). ~~Unless otherwise provided under the rules of~~
16 ~~the department, a~~ A business may be certified under this subsection, and may
17 maintain such certification, only if the business satisfies all of the following
18 conditions:

19 (2) EARLY STAGE SEED INVESTMENT TAX CREDITS. The ~~department~~ corporation
20 shall implement a program to certify investment fund managers for purposes of ss.
21 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638. An investment fund manager desiring
22 certification shall submit an application to the ~~department~~ corporation. The
23 investment fund manager shall specify in the application the investment amount
24 that the manager wishes to raise and the ~~department~~ corporation may certify the
25 manager and determine the amount that qualifies for purposes of ss. 71.07 (5b),

1 71.28 (5b), 71.47 (5b), and 76.638. In determining whether to certify an investment
2 fund manager, the ~~department~~ corporation shall consider the investment fund
3 manager's experience in managing venture capital funds, the past performance of
4 investment funds managed by the applicant, the expected level of investment in the
5 investment fund to be managed by the applicant, and any other relevant factors. The
6 ~~department~~ corporation may certify only investment fund managers that commit to
7 consider placing investments in businesses certified under sub. (1).

8 (3) (a) *List of certified businesses and investment fund managers.* The
9 ~~department~~ corporation shall maintain a list of businesses certified under sub. (1)
10 and investment fund managers certified under sub. (2) and shall permit public access
11 to the lists through the ~~department's~~ corporation's Internet Web site.

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

16 (d) *Rules.* (intro.) The ~~department of commerce~~ corporation, in consultation
17 with the department of revenue, shall ~~promulgate~~ adopt rules to administer this
18 section. The rules shall further define "bona fide angel investment" for purposes of
19 s. 71.07 (5d) (a) 1. The rules shall limit the aggregate amount of tax credits under
20 s. 71.07 (5d) that may be claimed for investments in businesses certified under sub.
21 (1) at \$3,000,000 per calendar year for calendar years beginning after December 31,
22 2004, and before January 1, 2008, \$5,500,000 per calendar year for calendar years
23 beginning after December 31, 2007, and before January 1, 2010, \$6,500,000 for
24 calendar year 2010, and \$20,000,000 per calendar year for calendar years beginning
25 after December 31, 2010, plus, for taxable years beginning after December 31, 2010,

1 an additional \$250,000 for tax credits that may be claimed for investments in
2 nanotechnology businesses certified under sub. (1). The rules shall also limit the
3 aggregate amount of the tax credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and
4 76.638 that may be claimed for investments paid to fund managers certified under
5 sub. (2) at \$3,500,000 per calendar year for calendar years beginning after December
6 31, 2004, and before January 1, 2008, \$6,000,000 per calendar year for calendar
7 years beginning after December 31, 2007, and before January 1, 2010, \$8,000,000 for
8 calendar year 2010, and \$20,500,000 per calendar year for calendar years beginning
9 after December 31, 2010, plus, for taxable years beginning after December 31, 2010,
10 an additional \$250,000 for tax credits that may be claimed for investments in
11 nanotechnology businesses certified under sub. (1). The rules shall also provide that,
12 for calendar years beginning after December 31, 2007, no person may receive a credit
13 under ss. 71.07 (5b) and (5d), 71.28 (5b), 71.47 (5b), or 76.638 unless the person's
14 investment is kept in a certified business, or with a certified fund manager, for no less
15 than 3 years. The rules shall permit the department corporation to reallocate credits
16 under this section that are unused in any calendar year to a person eligible for tax
17 benefits, as defined under s. ~~560.2055~~ 238.16 (1) (d), if all of the following apply:

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

20 2. a. The cochairpersons of the joint committee on finance fail to notify the
21 department corporation, within 14 working days after the date of the department's
22 corporation's notification under subd. 1., that the committee has scheduled a meeting
23 for the purpose of reviewing the proposed reallocation.

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

1 (e) *Transfer*. A person who is eligible to claim a credit under s. 71.07 (5b), 71.28
2 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to another person
3 who is subject to the taxes or fees imposed under s. 71.02, 71.23, 71.47, or subch. III
4 of ch. 76, if the person receives prior authorization from the investment fund
5 manager and the manager then notifies the ~~department of commerce~~ corporation
6 and the department of revenue of the transfer and submits with the notification a
7 copy of the transfer documents. No person may sell or otherwise transfer a credit as
8 provided in this paragraph more than once in a 12-month period. The ~~department~~
9 corporation may charge any person selling or otherwise transferring a credit under
10 this paragraph a fee equal to 1 percent of the credit amount sold or transferred. The
11 ~~department shall deposit all fees collected under this paragraph in the appropriation~~
12 ~~account under s. 20.143 (1) (gm).~~

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

15 **SECTION 3358.** 560.2055 (2) of the statutes is renumbered 238.16 (2), and
16 238.16 (2) (intro.) and (b), as renumbered, are amended to read:

17 238.16 (2) (intro.) The ~~department~~ corporation may certify a person to receive
18 tax benefits under this section if all of the following apply:

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

21 **SECTION 3359m.** 560.2055 (3) of the statutes is renumbered 238.16 (3), and
22 238.16 (3) (intro.), (a) and (b) of the statutes, as renumbered, are amended to read:

23 238.16 (3) ELIGIBILITY FOR TAX BENEFITS. (intro.) A person certified under sub.
24 (2) may receive tax benefits under this section if, in each year for which the person

1 claims tax benefits under this section, the person increases net employment in the
2 person's business, and one of the following ~~apply~~ applies:

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

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

9 **SECTION 3362.** 560.2055 (4) (title) and (a) of the statutes are renumbered
10 238.16 (4) (title) and (a).

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

13 238.16 (4) (b) 1. The department corporation may award to a person certified
14 under sub. (2) tax benefits for each eligible employee in an amount equal to up to 10
15 percent of the wages paid by the person to that employee or \$10,000, whichever is
16 less, if that employee earned wages in the year for which the tax benefit is claimed
17 equal to one of the following:

18 a. In a tier I county or municipality, at least \$20,000 ~~but not more than~~
19 \$100,000.

20 b. In a tier II county or municipality, at least \$30,000 ~~but not more than~~
21 \$100,000.

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

24 238.16 (4) (b) 2. The department corporation may award to a person certified
25 under sub. (2) tax benefits in an amount to be determined by the ~~department by rule~~

1 corporation for costs incurred by the person to undertake the training activities
2 described in sub. (3) (c).

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

6 **SECTION 3366.** 560.2055 (5) of the statutes is renumbered 238.16 (5), and
7 238.16 (5) (title), (a), (b), (c), (d), (e) and (f) (intro.) and 1. (intro.), as renumbered, are
8 amended to read:

9 238.16 (5) (title) DUTIES OF THE ~~DEPARTMENT~~ CORPORATION. (a) The ~~department~~
10 ~~of commerce~~ corporation shall notify the department of revenue when the
11 ~~department of commerce~~ corporation certifies a person to receive tax benefits.

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

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

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

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

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

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

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

6 **93.54 Food processing plant and food warehouse investment credit.**

7 **(1)** The department of ~~commerce~~ shall implement a program to certify taxpayers as
8 eligible for the food processing plant and food warehouse investment credit under ss.
9 71.07 (3rn), 71.28 (3rn), and 71.47 (3rn).

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

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

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

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

24 41.155 **(4)** The department of ~~commerce~~ tourism, in consultation with the
25 department of revenue, shall promulgate rules to administer this section.

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

3 **93.535 Dairy manufacturing facility investment credit.** (1) The
4 department of ~~commerce~~ shall implement a program to certify taxpayers, including
5 taxpayers who are members of dairy cooperatives, as eligible for the dairy
6 manufacturing facility investment credit under ss. 71.07 (3p), 71.28 (3p), and 71.47
7 (3p).

8 (2) If the department of ~~commerce~~ certifies a taxpayer under sub. (1), the
9 department of ~~commerce~~ shall determine the amount of credits to allocate to that
10 taxpayer. The total amount of dairy manufacturing facility investment credits
11 allocated to taxpayers in fiscal year 2007-08 may not exceed \$600,000 and the total
12 amount of dairy manufacturing facility investment credits allocated to taxpayers
13 who are not members of dairy cooperatives in fiscal year 2008-09, and in each fiscal
14 year thereafter, may not exceed \$700,000. The total amount of dairy manufacturing
15 facility investment credits allocated to taxpayers who are members of dairy
16 cooperatives in fiscal year 2009-10 may not exceed \$600,000 and the total amount
17 of dairy manufacturing facility investment credits allocated to taxpayers who are
18 members of dairy cooperatives in fiscal year 2010-11, and in each fiscal year
19 thereafter, may not exceed \$700,000.

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

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

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

3 **93.545 Meat processing facility investment credit.** (1) The department
4 of ~~commerce~~ shall implement a program to certify taxpayers as eligible for the meat
5 processing facility investment credit under ss. 71.07 (3r), 71.28 (3r), and 71.47 (3r).

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

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

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

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

19 238.20 (1) (intro.) The ~~department~~ corporation shall implement a program to
20 certify qualified new business ventures for purposes of s. 71.05 (24). A business
21 desiring certification shall submit an application to the ~~department~~ corporation in
22 each taxable year for which the business desires certification. Subject to sub. (2), a
23 business may be certified under this subsection, and may maintain such
24 certification, only if the business is engaged in one of the following:

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

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

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

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

14 **93.547 Woody biomass harvesting and processing credit.** (1) The
15 ~~department of commerce~~ shall implement a program to certify taxpayers as eligible
16 for the woody biomass harvesting and processing credit under ss. 71.07 (3rm), 71.28
17 (3rm), and 71.47 (3rm).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 101.934 **(3) ADMINISTRATION.** The department shall contract with one or more
20 entities that are exempt from taxation under section 501 (a) of the Internal Revenue
21 Code and that employ individuals with technical expertise concerning manufactured
22 housing for the administration of the grant program under this section. The
23 department shall promulgate rules to establish the grant program under this
24 section. To the extent feasible, the department shall coordinate the program under
25 this section with the state housing strategy plan under s. ~~560.9802~~ 16.302.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 **238.30 Definitions.** (intro.) In this section and ss. ~~560.71 to 560.795~~ 238.31
12 to 238.395:

13 **(2g)** “Eligible activity” means an activity described under s. ~~560.702~~ 238.302.

14 **(2m)** (b) The ~~department may by rule specify~~ corporation may adopt a rule
15 specifying circumstances under which the ~~department~~ corporation may grant
16 exceptions to the requirement under par. (a) that a full-time job means a job in which
17 an individual, as a condition of employment, is required to work at least 2,080 hours
18 per year, but under no circumstances may a full-time job mean a job in which an
19 individual, as a condition of employment, is required to work less than 37.5 hours per
20 week.

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

24 **(7)** (b) 1. Except as provided in subd. 2., in s. ~~560.795~~ 238.395, “tax benefits”
25 means the development zones investment credit under ss. 71.07 (2di), 71.28 (1di),

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

5 2. With respect to the development opportunity zones under s. ~~560.795~~ 238.395
6 (1) (g) and (h), “tax benefits” means the development zone credits under ss. 71.07
7 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital
8 investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

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

12 (d) In ss. ~~560.701 to 560.706~~ 238.301 to 238.306, “tax benefits” means the
13 economic development tax credit under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and
14 76.637.

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

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

19 238.301 (1) APPLICATION. (intro.) Any person may apply to the department
20 corporation on a form prepared by the ~~department~~ corporation for certification under
21 this section. The application shall include all of the following:

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

24 (2) (a) The ~~department~~ corporation may certify a person who submits an
25 application under sub. (1) if, after conducting an investigation, the ~~department~~

1 corporation determines that the person is conducting or intends to conduct at least
2 one eligible activity.

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

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

8 (b) Whether any of the eligible activities will occur in an economically
9 distressed area, as designated by the ~~department~~ corporation under s. ~~560.704~~
10 238.304 (1).

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

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

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

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

20 **238.302 Eligible activities.** (intro.) A person who conducts or proposes to
21 conduct any of the following may be certified under s. ~~560.701~~ 238.301 (2):

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

1 **(2) CAPITAL INVESTMENT PROJECT.** A project that involves a significant
2 investment of capital, as defined by the ~~department~~ corporation by rule under s.
3 ~~560.706~~ 238.306 (2) (b), by the person in new equipment, machinery, real property,
4 or depreciable personal property.

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

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

10 **SECTION 3413.** 560.703 (1) (a) of the statutes, as affected by 2011 Wisconsin Act
11 4, is renumbered 238.303 (1) (a) and amended to read:

12 238.303 (1) (a) Except as provided in pars. (am) and (b), and subject to a
13 reallocation by the ~~department~~ corporation pursuant to rules promulgated ~~adopted~~
14 under s. ~~560.205~~ 238.15 (3) (d), the total tax benefits available to be allocated by the
15 ~~department~~ corporation under ss. ~~560.701 to 560.706~~ 238.301 to 238.306 may not
16 exceed the sum of the tax benefits remaining to be allocated under ss. ~~s. 560.71 to~~
17 ~~560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798, 2009 stats., s. 560.7995, 2009~~
18 ~~stats., and s. 560.96, 2009 stats.,~~ on March 6, 2009, plus \$25,000,000.

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

21 238.303 (1) (am) Before the ~~department~~ corporation allocates the additional
22 \$25,000,000 in tax benefits specified in par. (a), the ~~department~~ corporation shall
23 submit its plan for such allocation to the joint committee on finance. If the
24 cochairpersons of the committee do not notify the ~~department~~ corporation within 14
25 working days after the date of the ~~department's~~ corporation's submittal that the

1 committee has scheduled a meeting for the purpose of reviewing the plan, the plan
2 may be implemented and the additional amount may be allocated as proposed by the
3 ~~department~~ corporation. If, within 14 working days after the date of the
4 ~~department's~~ corporation's submittal, the cochairpersons of the committee notify the
5 ~~department~~ corporation that the committee has scheduled a meeting for the purpose
6 of reviewing the proposed plan, the plan may be implemented and the additional
7 amount allocated only upon approval of the committee.

8 **SECTION 3415.** 560.703 (1) (b), (2) and (3) of the statutes are renumbered
9 238.303 (1) (b), (2) and (3) and amended to read:

10 238.303 (1) (b) The ~~department~~ corporation may submit to the joint committee
11 on finance a request in writing to exceed the total tax benefits specified in par. (a).
12 The ~~department~~ corporation shall submit with its request a justification for seeking
13 an increase under this paragraph. The joint committee on finance, following its
14 review, may approve or disapprove an increase in the total tax benefits available to
15 be allocated under ss. ~~560.701 to 560.706~~ 238.301 to 238.306.

16 (2) AUTHORITY TO CLAIM TAX BENEFITS. The ~~department~~ corporation may
17 authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim tax benefits only
18 after the person has submitted a report to the ~~department~~ corporation that
19 documents to the satisfaction of the ~~department~~ corporation that the person has
20 complied with the terms of the contract under s. ~~560.701~~ 238.301 (3) and the
21 requirements of any applicable rules ~~promulgated~~ adopted under s. ~~560.706~~ 238.306
22 (2).

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

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

3 **238.304 Eligible activities in economically distressed areas and**
4 **benefiting members of targeted groups.** (intro.) The department corporation
5 may authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim additional tax
6 benefits under s. ~~560.703~~ 238.303 if, after conducting an investigation, the
7 department corporation determines any of the following:

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

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

14 **238.305 Revocation of certification.** (intro.) The department corporation
15 shall revoke the certification of a person who does any of the following:

16 (1) Supplies false or misleading information to obtain certification under s.
17 ~~560.701~~ 238.301 (2).

18 (2) Supplies false or misleading information to obtain tax benefits under s.
19 ~~560.703~~ 238.303.

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

23 **238.306 Responsibilities of the department corporation.** (intro.) The
24 department corporation shall do all of the following:

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

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

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

10 (b) A definition of “significant investment of capital” for purposes of s. ~~560.702~~
11 238.302 (2), together with a corresponding schedule of tax benefits for which a person
12 who is certified under s. ~~560.701~~ 238.301 (2) and who conducts a project described
13 in s. ~~560.702~~ 238.302 (2) may be eligible. The ~~department~~ corporation shall include
14 in the definition required under this paragraph a schedule of investments that takes
15 into consideration the size or nature of the business.

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

20 (d) A schedule of tax benefits for which a person who is certified under s.
21 ~~560.701~~ 238.301 (2) and who conducts a project that will result in the location or
22 retention of a person’s corporate headquarters in Wisconsin may be eligible.

23 (e) (intro.) The methodology for designating an area as economically distressed
24 under s. ~~560.704~~ 238.304 (1). The methodology under this paragraph shall require

1 the ~~department~~ corporation to consider the most current data available for the area
2 and for the state on the following indicators:

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

6 (g) Reporting requirements, minimum benchmarks, and outcomes expected of
7 a person certified under s. ~~560.701~~ 238.301 (2) before that person may receive tax
8 benefits under s. ~~560.703~~ 238.303.

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

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

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

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

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

23 238.31 **(1)** (intro.) The ~~department~~ corporation may designate an area as a
24 development zone if all of the following apply:

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

3 (am) A local governing body nominates the area as described in s. ~~560.72~~
4 238.32.

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

7 (d) The area meets the applicable requirements under s. ~~560.735 or 560.737~~
8 238.335.

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

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

13 4. a. The unemployment rate in the area is higher than the state average for
14 the 18 months immediately preceding the date on which the application under s.
15 ~~560.72~~ 238.32 (2) or (3) was submitted to the ~~department~~ corporation.

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

19 d. In the 36 months immediately preceding the date on which the application
20 under s. ~~560.72~~ 238.32 (2) or (3) was submitted to the ~~department~~ corporation, a
21 number of workers in the area were permanently laid off by their employer or became
22 unemployed as a result of a business action subject to s. 109.07 (1m).

23 (1m) (intro.) In making a determination under sub. (1) (e), the ~~department~~
24 corporation shall consider all of the following:

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

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

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

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

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

11 **238.315 Invitation to nominate area.** If the ~~department~~ corporation
12 determines that an area has experienced or is about to experience economic distress,
13 the ~~department~~ corporation may invite local governing bodies in the area to
14 nominate the area as a development zone.

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

17 238.32 **(1)** (intro.) A local governing body may nominate an area as a
18 development zone, if the ~~department~~ corporation has invited the governing body to
19 nominate the area under s. ~~560.715~~ 238.315 and if the governing body does all of the
20 following:

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

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

1 (d) Evidence that the area meets the applicable requirements of s. ~~560.735~~
2 238.335.

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

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

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

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

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

14 **238.325 Evaluation by ~~department~~ corporation.** (1) The ~~department~~
15 corporation shall evaluate applications received under s. ~~560.72~~ 238.32 (2) and (3).

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

22 (3) After evaluating an application submitted under s. ~~560.72~~ 238.32 (2) or (3),
23 the ~~department~~ corporation may approve the application, subject to any reduction
24 in the size of the nominated area under sub. (2). If the ~~department~~ corporation

1 approves the application, the ~~department~~ corporation shall designate the area as a
2 development zone, subject to s. ~~560.71~~ 238.31, and notify the local governing body.

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

6 238.335 (1) (a) The area contains less than 10% of the valuation of the property
7 of the city, village, or town, as determined under s. 70.57, in which the area is located.

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

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

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

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

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

21 2. Each area meets at least 3 of the criteria listed in s. ~~560.71~~ 238.31 (1) (e) 4.

22 (c) If an application is submitted by the governing body of a county under s.
23 ~~560.72~~ 238.32 (2) or (3), up to 4 separate areas may be nominated or designated as
24 one development zone, if par. (a) 1. to 3. applies.

1 **(6r)** Subject to the population limit under sub. (6m), if an area that is
2 nominated or designated as a development zone is comprised of one or more entire
3 counties and a city, village, or town is partially located in the area and partially
4 located outside of the area, the entire city, village, or town shall be part of the
5 nominated or designated area.

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

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

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

12 238.34 **(1)** Except as provided under sub. (6), at any time after a development
13 zone is designated by the ~~department~~ corporation, a local governing body may submit
14 an application to change the boundaries of the development zone. If the boundary
15 change reduces the size of a development zone, the local governing body shall explain
16 why the area excluded should no longer be in a development zone. The ~~department~~
17 corporation may require the local governing body to submit additional information.

18 **(2)** The ~~department~~ corporation may approve an application for a boundary
19 change if the development zone, as affected by the boundary changes, meets the
20 applicable requirements of s. ~~560.735~~ 238.335 and 3 of the criteria under s. ~~560.71~~
21 238.31 (1) (e) 4.

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

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

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

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

9 (6) The ~~department~~ corporation may not accept any applications under sub. (1)
10 to change the boundaries of a development zone designated under s. ~~560.71~~ 238.31
11 on or after March 6, 2009.

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

15 238.345 (1) (a) The designation of an area as a development zone shall be
16 effective for 240 months, beginning on the day the department notifies the local
17 governing body under s. ~~560.725~~ 238.325 (3) of the designation.

18 (b) The local governing body may apply to the ~~department~~ corporation for one
19 60-month extension of the designation. The ~~department~~ corporation shall
20 ~~promulgate~~ adopt rules establishing criteria for approving an extension of a
21 designation of an area as a development zone under this subsection. No applications
22 may be accepted by the ~~department~~ corporation under this paragraph on or after
23 March 6, 2009.

1 (2) (a) When the ~~department~~ corporation designates a development zone under
2 s. ~~560.71~~ 238.31, it shall establish a limit for tax benefits for the development zone
3 determined by allocating to the development zone a portion of \$38,155,000.

4 (am) Notwithstanding par. (a), the ~~department~~ corporation may increase the
5 established limit for tax benefits for a development zone. The ~~department~~
6 corporation may not increase the limit for tax benefits established for any
7 development zone designated under s. ~~560.71~~ 238.31 on or after March 6, 2009.

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

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

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

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

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

19 (a) No person is certified as eligible to receive tax benefits under s. ~~560.765~~
20 238.365 (3) during the 12-month period beginning on the day the area is designated
21 as a development zone and the ~~department~~ corporation determines that the local
22 governing body that nominated the zone is not in compliance with s. ~~560.763~~ 238.363.

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

1 **SECTION 3427.** 560.75 of the statutes is renumbered 238.35, and 238.35 (intro.),
2 (6), (7), (8) and (10), as renumbered, are amended to read:

3 **238.35 Additional duties of the department corporation.** (intro.) The
4 department corporation shall do all of the following:

5 **(6)** Notify University of Wisconsin small business development centers, the
6 Wisconsin housing and development centers, the central administration of all
7 University of Wisconsin campuses and regional planning commissions about the
8 development zone program and encourage those entities to provide advice to the
9 department corporation or local governing bodies on ways to improve the
10 development zone program.

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

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

14 **(10)** Enter into an agreement with the local governing body of a 1st class city
15 where a development zone is designated under s. ~~560.71~~ 238.31 (3) (c) 1. to provide
16 efficient administration of the development zone program within the development
17 zone.

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

20 238.363 **(1)** (intro.) If an area nominated by a local governing body is designated
21 as a development zone under s. ~~560.71~~ 238.31, the local governing body shall do all
22 of the following:

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

1 (4) The local governing body of a 1st class city where a development zone is
2 designated under s. ~~560.71~~ 238.31 (3) (c) 1. shall enter into an agreement with the
3 ~~department~~ corporation to provide efficient administration of the development zone
4 program within the development zone.

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

8 **238.365 Certification for tax benefits.** (intro.) The ~~department~~ corporation
9 shall do all of the following:

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

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

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

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

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

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

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

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

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

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

10 238.368 **(1)** (a) The ~~department~~ corporation shall establish a limit on the
11 maximum amount of tax benefits a person certified under s. ~~560.765~~ 238.365 (3) may
12 claim while an area is designated as a development zone.

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

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

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

21 (3).

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