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1           **555.325** (title) **Evaluation by ~~corporation~~ department.** (1) The  
2 ~~corporation~~ department shall evaluate applications received under s. ~~238.32~~ 555.32  
3 (2) and (3).

4           (2) Subject to s. ~~238.335~~ 555.335 (5), the ~~corporation~~ department may reduce  
5 the size of an area nominated as a development zone, if the ~~corporation~~ department  
6 determines the boundaries as proposed by the local governing body in an application  
7 under s. ~~238.32~~ 555.32 (2) or (3) are inconsistent with the purpose of the development  
8 zone program. Any nominated area which is reduced under this subsection need not  
9 comply with s. ~~238.335~~ 555.335 (1) and (4).

10           (3) After evaluating an application submitted under s. ~~238.32~~ 555.32 (2) or (3),  
11 the ~~corporation~~ department may approve the application, subject to any reduction  
12 in the size of the nominated area under sub. (2). If the ~~corporation~~ department  
13 approves the application, the ~~corporation~~ department shall designate the area as a  
14 development zone, subject to s. ~~238.31~~ 555.31, and notify the local governing body.

15           **SECTION 396.** 238.335 of the statutes is renumbered 555.335, and 555.335 (6)  
16 (a) 2. and (c) and (7), as renumbered, are amended to read:

17           555.335 (6) (a) 2. Each area meets at least 3 of the criteria listed in s. ~~238.31~~  
18 555.31 (1) (e) 4.

19           (c) If an application is submitted by the governing body of a county under s.  
20 ~~238.32~~ 555.32 (2) or (3), up to 4 separate areas may be nominated or designated as  
21 one development zone, if par. (a) 1. to 3. applies.

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

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1           **SECTION 397.** 238.34 of the statutes is renumbered 555.34, and 555.34 (1), (2),  
2           (3) (intro.) and (a), (4), (5) and (6), as renumbered, are amended to read:

3           555.34 (1) Except as provided under sub. (6), at any time after a development  
4           zone is designated by the ~~corporation~~ department, a local governing body may submit  
5           an application to change the boundaries of the development zone. If the boundary  
6           change reduces the size of a development zone, the local governing body shall explain  
7           why the area excluded should no longer be in a development zone. The ~~corporation~~  
8           department may require the local governing body to submit additional information.

9           (2) The ~~corporation~~ department may approve an application for a boundary  
10          change if the development zone, as affected by the boundary changes, meets the  
11          applicable requirements of s. ~~238.335~~ 555.335 and 3 of the criteria under s. ~~238.31~~  
12          555.31 (1) (e) 4.

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

15          (a) Redetermine the limit on the tax benefits for the development zone  
16          established under s. ~~238.345~~ 555.345 (2) (a).

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

20          (5) No change in the boundaries of a development zone may affect the duration  
21          of an area as a development zone under s. ~~238.345~~ 555.345 (1) (a). The ~~corporation~~  
22          department may consider a change in the boundary of a development zone when  
23          evaluating an application for an extension of the designation of an area as a  
24          development zone under s. ~~238.345~~ 555.345 (1) (b).

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1           (6) The ~~corporation~~ department may not accept any applications under sub. (1)  
2 to change the boundaries of a development zone designated under s. ~~238.31~~ 555.31  
3 on or after March 6, 2009.

4           **SECTION 398.** 238.345 of the statutes is renumbered 555.345, and 555.345 (1)  
5 (a) and (b), (2) (a), (am), (b), (c) 1. and 2. and (d) and (3) (intro.), (a) and (b), as  
6 renumbered, are amended to read:

7           555.345 (1) (a) The designation of an area as a development zone shall be  
8 effective for 240 months, beginning on the day the ~~corporation~~ department notifies  
9 the local governing body under s. ~~238.325~~ 555.325 (3) of the designation.

10           (b) The local governing body may apply to the ~~corporation~~ department for one  
11 60-month extension of the designation. The ~~corporation~~ department shall adopt  
12 rules establishing criteria for approving an extension of a designation of an area as  
13 a development zone under this subsection. No applications may be accepted by the  
14 ~~corporation~~ department under this paragraph on or after March 6, 2009.

15           (2) (a) When the ~~corporation~~ department designates a development zone under  
16 s. ~~238.31~~ 555.31, it shall establish a limit for tax benefits for the development zone  
17 determined by allocating to the development zone a portion of \$38,155,000.

18           (am) Notwithstanding par. (a), the ~~corporation~~ department may increase the  
19 established limit for tax benefits for a development zone. The ~~corporation~~  
20 department may not increase the limit for tax benefits established for any  
21 development zone designated under s. ~~238.31~~ 555.31 on or after March 6, 2009.

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

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

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

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

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

10 (a) No person is certified as eligible to receive tax benefits under s. ~~238.365~~  
11 555.365 (3) during the 12-month period beginning on the day the area is designated  
12 as a development zone and the ~~corporation~~ department determines that the local  
13 governing body that nominated the zone is not in compliance with s. ~~238.363~~ 555.363.

14 (b) No person is certified as eligible to receive tax benefits under s. ~~238.365~~  
15 555.365 (3) during the 24-month period beginning on the day the area is designated  
16 a development zone.

17 **SECTION 399.** 238.35 of the statutes is renumbered 555.35, and 555.35 (intro.),  
18 (6), (7), (8) and (10), as renumbered, are amended to read:

19 **555.35 Additional duties of the ~~corporation~~ department.** (intro.) The  
20 ~~corporation~~ department shall do all of the following:

21 (6) Notify University of Wisconsin small business development centers, the  
22 Wisconsin housing and development centers, the central administration of all  
23 University of Wisconsin campuses and regional planning commissions about the  
24 development zone program and encourage those entities to provide advice to the

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1 ~~corporation~~ department or local governing bodies on ways to improve the  
2 development zone program.

3 (7) Prepare forms for the certification described under s. ~~238.365~~ 555.365 (5).

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

6 (10) Enter into an agreement with the local governing body of a 1st class city  
7 where a development zone is designated under s. ~~238.31~~ 555.31 (3) (c) 1. to provide  
8 efficient administration of the development zone program within the development  
9 zone.

10 **SECTION 400.** 238.363 of the statutes is renumbered 555.363, and 555.363 (1)  
11 (intro.) and (c) and (4), as renumbered, are amended to read:

12 555.363 (1) (intro.) If an area nominated by a local governing body is designated  
13 as a development zone under s. ~~238.31~~ 555.31, the local governing body shall do all  
14 of the following:

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

17 (4) The local governing body of a 1st class city where a development zone is  
18 designated under s. ~~238.31~~ 555.31 (3) (c) 1. shall enter into an agreement with the  
19 ~~corporation~~ department to provide efficient administration of the development zone  
20 program within the development zone.

21 **SECTION 401.** 238.365 of the statutes is renumbered 555.365, and 555.365  
22 (intro.), (2), (3) (intro.), (b) and (j) and (5) (g) and (h), as renumbered, are amended  
23 to read:

24 **555.365 Certification for tax benefits.** (intro.) The ~~corporation~~ department  
25 shall do all of the following:

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1           (2) Determine whether a person applying for tax benefits engages or will  
2 engage in economic activity that violates s. ~~238.38~~ 555.38 (1).

3           (3) (intro.) Subject to s. ~~238.38~~ 555.38, certify persons who are eligible to claim  
4 tax benefits while an area is designated as a development zone, according to the  
5 following criteria:

6           (b) The person's commitment not to engage in economic activity that violates  
7 s. ~~238.38~~ 555.38 (1).

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

10          (5) (g) The limit under s. ~~238.368~~ 555.368 on tax benefits the person may claim  
11 while an area is designated as a development zone.

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

14          **SECTION 402.** 238.368 of the statutes is renumbered 555.368, and 555.368 (1)  
15 (a) and (b) (intro.), 1. and 2., (2) (intro.) and (b) and (3) (a) (intro.) and 1. and (b), as  
16 renumbered, are amended to read:

17           555.368 (1) (a) The ~~corporation~~ department shall establish a limit on the  
18 maximum amount of tax benefits a person certified under s. ~~238.365~~ 555.365 (3) may  
19 claim while an area is designated as a development zone.

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

22           1. Consider all of the criteria described in s. ~~238.365~~ 555.365 (3) (a) to (e).

23           2. Establish a limit which does not greatly exceed a recommended limit,  
24 established under rules adopted by the ~~corporation~~ department based on the cost,  
25 number and types of full-time jobs that will be created, retained, or upgraded,

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1 including full-time jobs available to members of the targeted population, as a result  
2 of the economic activity of the person certified under s. ~~238.365~~ 555.365 (3).

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

6 (b) Revises the certification required under s. ~~238.365~~ 555.365 (5) and provides  
7 a copy of the revised form to the department of revenue and the person whose limit  
8 is increased under this subsection.

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

12 1. The limit is not consistent with the criteria listed under s. ~~238.365~~ 555.365  
13 (3) (a) to (e).

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

17 **SECTION 403.** 238.37 of the statutes is renumbered 555.37, and 555.37 (1)  
18 (intro.) and (b) and (2), as renumbered, are amended to read:

19 555.37 (1) (intro.) The ~~corporation~~ department shall revoke the certification of  
20 a person certified under s. ~~238.365~~ 555.365 (3) if the person does any of the following:

21 (b) Becomes subject to revocation under s. ~~238.38~~ 555.38 (1).

22 (2) The ~~corporation~~ department shall notify the department of revenue within  
23 30 days of revoking a certification under sub. (1).

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1           **SECTION 404.** 238.38 of the statutes is renumbered 555.38, and 555.38 (1)  
2 (intro.), (1m), (2) (intro.) and (a) and (3) (a) and (b), as renumbered, are amended to  
3 read:

4           555.38 (1) (intro.) Except as provided in subs. (2) and (3), no person may be  
5 certified under s. ~~238.365~~ 555.365 (3), or a person's certification may be revoked  
6 under s. ~~238.37~~ 555.37, if the proposed new business, expansion of an existing  
7 business, or other proposed economic activity in a development zone would do or does  
8 any of the following:

9           **(1m)** No person may be certified under s. ~~238.365~~ 555.365 (3) on or after March  
10 6, 2009.

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

14           (a) The total number of full-time jobs provided by the person in this state would  
15 be reduced if the person were not certified under s. ~~238.365~~ 555.365 (3) or if the  
16 person's certification were revoked.

17           **(3)** (a) Except as provided in pars. (b) and (c), if the economic activity for which  
18 a person is seeking certification under s. ~~238.365~~ 555.365 (3) is the relocation of a  
19 business into a development zone from a location that is outside the development  
20 zone but within the limits of a city, village, town, or federally recognized American  
21 Indian reservation in which that development zone is located, the local governing  
22 body that nominated that area as a development zone under s. ~~238.32~~ 555.32 shall  
23 determine whether sub. (2) (a) or (b) applies.

24           (b) Only the ~~corporation~~ department may determine whether sub. (2) (a) or (b)  
25 applies to a business relocation described in par. (a) if the business relocation would



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1 likely result in the loss of full-time jobs at or transfer of employees from a business  
2 location that is in this state but outside the limits of any city, village, town, or  
3 federally recognized American Indian reservation in which the development zone is  
4 located.

5 **SECTION 405.** 238.385 of the statutes is renumbered 555.385, and 555.385 (1)  
6 (intro.) and (bm) and (2) (intro.), (b) and (c), as renumbered, are amended to read:

7 555.385 (1) (intro.) For the development zone program under ss. ~~238.30~~ 555.30  
8 and ~~238.31~~ 555.31 to ~~238.38~~ 555.38, the development opportunity zone program  
9 under s. ~~238.395~~ 555.395, and the enterprise development zone program under s.  
10 ~~238.397~~ 555.397, the ~~corporation~~ department shall adopt rules that further define  
11 a person's eligibility for tax benefits. The rules shall do at least all of the following:

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

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

19 (b) The requirement under ss. ~~238.30~~ 555.30 (2m) and ~~238.397~~ 555.397 (1) (am)  
20 that an individual's pay must equal at least 150% of the federal minimum wage.

21 (c) The requirement under ss. ~~238.30~~ 555.30 (2m) and ~~238.397~~ 555.397 (1) (am)  
22 that an individual's position must be regular, nonseasonal, and full-time and that  
23 the individual must be required to work at least 2,080 hours per year, including paid  
24 leave and holidays.

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1           **SECTION 406.** 238.395 of the statutes, as affected by 2015 Wisconsin Act 55, is  
2           renumbered 555.395, and 555.395 (1) (a), (b), (c), (d), (e), (f), (g), (h) and (i), (2) (c), (d)  
3           1. and 2. and (e) 1., 2. and 3., (3) (a) 1., 2., 3. and 4., (b) 9. and (d), (4) (intro.) and (5)  
4           (a) (intro.), 2. and 3., (b), (c), (d), (e) (intro.) and 3. and (f), as renumbered, are  
5           amended to read:

6           555.395 (1) (a) An area in the city of Beloit, the legal description of which is  
7           provided to the ~~corporation~~ department by the local governing body of the city of  
8           Beloit.

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

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

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

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

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

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

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

24          (i) An area in the city of Beloit, the legal description of which is provided to the  
25          ~~corporation~~ department by the local governing body of the city of Beloit.

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

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

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

11          (e) 1. The ~~corporation~~ department may extend the designation of an area under  
12          sub. (1) (g) as a development opportunity zone for an additional 60 months if the  
13          ~~corporation~~ department determines that an extension under this subdivision would  
14          support economic development within the city. If the ~~corporation~~ department  
15          extends the designation of the area as a development opportunity zone, the limit for  
16          tax benefits for the development opportunity zone under sub. (1) (g) is increased by  
17          \$5,000,000.

18          2. The ~~corporation~~ department may extend the designation of an area under  
19          sub. (1) (h) as a development opportunity zone for an additional 60 months if the  
20          ~~corporation~~ department determines that an extension under this subdivision would  
21          support economic development within the city. If the ~~corporation~~ department  
22          extends the designation of the area as a development opportunity zone, the limit for  
23          tax benefits for the development opportunity zone under sub. (1) (h) is increased by  
24          \$5,000,000.

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

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

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

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

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

7           (b) 9. Other information required by the ~~corporation~~ department or the  
8 department of revenue.

9           (d) The ~~corporation~~ department annually shall verify information submitted  
10 to the ~~corporation~~ department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx),  
11 71.47 (1dm) or (1dx), or 76.636.

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

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

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

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

24           (b) A person intending to claim tax benefits under this subsection shall submit  
25 to the ~~corporation~~ department an application, in the form required by the ~~corporation~~

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1 department, containing information required by the ~~corporation~~ department and by  
2 the department of revenue.

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

5 (d) The ~~corporation~~ department annually shall verify information submitted  
6 to the ~~corporation~~ department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx),  
7 71.47 (1dm) or (1dx), or 76.636.

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

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

12 (f) The ~~corporation~~ department shall notify the department of revenue within  
13 30 days after revoking an entitlement under par. (e).

14 **SECTION 407.** 238.397 of the statutes is renumbered 555.397, and 555.397 (1)  
15 (am), (c) and (d), (2) (a) (intro.), 3. and 4. a. and d., (b) (intro.) and 8., (bg) (intro.) and  
16 2. and (br) (intro.), (c), (d) and (e), (3) (a), (b) 11. and (c), (4) (a), (c), (d) and (g), (5) (a),  
17 (b), (c) and (d) 1. and 2. and (6) (a) (intro.) and (b), as renumbered, are amended to  
18 read:

19 555.397 (1) (am) “Full-time job” has the meaning given in s. ~~238.30~~ 555.30  
20 (2m).

21 (c) “Target population” has the meaning given in s. ~~238.30~~ 555.30 (6).

22 (d) “Tax benefits” has the meaning given in s. ~~238.30~~ 555.30 (7).

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

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

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

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

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

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

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

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

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

20           (c) The ~~corporation~~ department may not designate as an enterprise  
21           development zone, or as any part of an enterprise development zone, an area that is  
22           located within the boundaries of an area that is designated as a development  
23           opportunity zone under s. ~~238.395~~ 555.395, the designation of which is in effect.

24           (d) The ~~corporation~~ department may not designate more than 98 enterprise  
25           development zones unless the ~~corporation~~ department obtains the approval of the

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1 joint committee on finance to do so. Of the enterprise development zones that the  
2 ~~corporation~~ department designates, at least 10 shall be designated under par. (bg).

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

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

9 (b) 11. Any other information required by the ~~corporation~~ department or the  
10 department of revenue.

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

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

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

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



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1           (g) The ~~corporation~~ department annually shall verify information submitted  
2 to the ~~corporation~~ department under s. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), or  
3 76.636.

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

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

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

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

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

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

4           (b) The ~~corporation~~ department shall notify the department of revenue within  
5 30 days after revoking an entitlement under par. (a).

6           **SECTION 408.** 238.398 of the statutes is renumbered 555.398, and 555.398 (2)  
7 (a) and (b), (3) (a) and (b), (4) (a) (intro.) and (b) and (5) (intro.) and (e), as renumbered,  
8 are amended to read:

9           555.398 **(2)** (a) Except as provided under par. (c), the ~~corporation~~ department  
10 may designate one area in the state as an agricultural development zone. The area  
11 must be located in a rural municipality. An agricultural business that is located in  
12 an agricultural development zone and that is certified by the ~~corporation~~ department  
13 under sub. (3) is eligible for tax benefits as provided in sub. (3).

14           (b) The designation of an area as an agricultural development zone shall be in  
15 effect for 10 years from the time that the ~~corporation~~ department first designates the  
16 area. Not more than \$5,000,000 in tax benefits may be claimed in an agricultural  
17 development zone, except that the ~~corporation~~ department may allocate the amount  
18 of unallocated airport development zone tax credits, as provided under s. ~~238.3995~~  
19 555.3995 (3) (b), to agricultural development zones for which the \$5,000,000  
20 maximum allocation is insufficient. The ~~corporation~~ department may change the  
21 boundaries of an agricultural development zone during the time that its designation  
22 is in effect. A change in the boundaries of an agricultural development zone does not  
23 affect the duration of the designation of the area or the maximum tax benefit amount  
24 that may be claimed in the agricultural development zone.

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

7           (b) When the ~~corporation~~ department certifies an agricultural business under  
8 this subsection, the ~~corporation~~ department shall establish a limit on the amount of  
9 tax benefits that the business may claim. The ~~corporation~~ department shall enter  
10 into an agreement with the business that specifies the limit on the amount of tax  
11 benefits that the business may claim and reporting requirements with which the  
12 business must comply.

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

15           (b) The ~~corporation~~ department shall annually verify information submitted  
16 to the ~~corporation~~ department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx),  
17 71.47 (1dm) or (1dx), or 76.636.

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

20           (e) The exchange of information between the ~~corporation~~ department and the  
21 department of revenue.

22           **SECTION 409.** 238.399 of the statutes, as affected by 2015 Wisconsin Act 55, is  
23 renumbered 555.399, and 555.399 (1) (am) 2. (intro.), (3) (a), (b) (intro.), (bm), (c) and  
24 (d), (5) (intro.), (b), (c) 1. a. and b. and 2. b. and c., (d) 1. and (e), (5m) and (6) (b) (intro.),  
25 (d), (e), (f) and (g) (intro.) and 1. (intro.), as renumbered, are amended to read:

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1           555.399 (1) (am) 2. (intro.) The ~~corporation~~ department may grant exceptions  
2 to the requirement under subd. 1. that a full-time employee means an individual  
3 who, as a condition of employment, is required to work at least 2,080 hours per year  
4 if all of the following apply:

5           (3) (a) The ~~corporation~~ department may designate not more than 30 enterprise  
6 zones.

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

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

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

14           (d) Notwithstanding pars. (b) and (c), the ~~corporation~~ department shall  
15 designate as enterprise zones at least 3 areas comprising political subdivisions  
16 whose populations total less than 5,000 and at least 2 areas comprising political  
17 subdivisions whose populations total 5,000 or more but less than 30,000. In  
18 designating an enterprise zone under this paragraph, the ~~corporation~~ department  
19 may consider indicators of an area's economic need and the effect of designation on  
20 other economic development activities.

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

23           (b) A business that relocates to an enterprise zone from outside this state, if the  
24 business offers compensation and benefits to its employees working in the zone for

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1 the same type of work that are at least as favorable as those offered to its employees  
2 working outside the zone, as determined by the ~~corporation~~ department.

3 (c) 1. a. The business enters into an agreement with the ~~corporation~~  
4 department to claim tax benefits only for years during which the business maintains  
5 the increased level of personnel.

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

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

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

17 (d) 1. The business is a manufacturer with a significant supply chain in the  
18 state, as determined by the ~~corporation~~ department.

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

22 **(5m)** ADDITIONAL TAX BENEFITS FOR SIGNIFICANT CAPITAL EXPENDITURES. If the  
23 ~~corporation~~ department determines that a business certified under sub. (5) makes  
24 a significant capital expenditure in the enterprise zone, the ~~corporation~~ department  
25 may certify the business to receive additional tax benefits in an amount to be

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1 determined by the ~~corporation~~ department, but not exceeding 10 percent of the  
2 business' capital expenditures. The ~~corporation~~ department shall, in a manner  
3 determined by the ~~corporation~~ department, allocate the tax benefits a business is  
4 certified to receive under this subsection over the remainder of the time limit of the  
5 enterprise zone under sub. (4).

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

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

12 (e) The ~~corporation~~ department shall determine the maximum amount of the  
13 tax credits under ss. 71.07 (3w), 71.28 (3w), and 71.47 (3w) that a certified business  
14 may claim and shall notify the department of revenue of this amount.

15 (f) The ~~corporation~~ department shall annually verify the information  
16 submitted to the ~~corporation~~ department under ss. 71.07 (3w), 71.28 (3w), or 71.47  
17 (3w).

18 (g) (intro.) The ~~corporation~~ department shall ~~adopt policies and procedures~~  
19 promulgate rules specifying all of the following:

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

23 **SECTION 410.** 238.3995 of the statutes is renumbered 555.3995, and 555.3995  
24 (1) (b) and (c), (2) (a) (intro.) and 4., (b) (intro.) and 8., (c) 1. and 2. and (d), (3) (a), (b),

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1 (c) and (d) 1. and 2., (4) (a) (intro.) and 10., (am), (ar), (b) 1., (c) (intro.) and (d) and  
2 (5), as renumbered, are amended to read:

3 555.3995 (1) (b) “Full-time job” has the meaning given in s. ~~238.30~~ 555.30 (2m).

4 (c) “Target population” has the meaning given in s. ~~238.30~~ 555.30 (6).

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

8 4. That the airport development project is not likely to occur or continue  
9 without the ~~corporation~~ department designation of the area as an airport  
10 development zone.

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

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

14 (c) 1. The ~~corporation~~ department may not designate as an airport development  
15 zone, or as any part of an airport development zone, an area that is located within  
16 the boundaries of an area that is designated as a development zone under s. ~~238.31~~  
17 555.31, as a development opportunity zone under s. ~~238.395~~ 555.395, or as an  
18 enterprise development zone under s. ~~238.397~~ 555.397.

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

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1 (d) Notwithstanding pars. (a) to (c), and except as provided in par. (e), the  
2 ~~corporation~~ department shall designate as an airport development zone the area  
3 within the boundaries of Adams, Fond du Lac, Green Lake, Juneau, Langlade,  
4 Lincoln, Marathon, Marquette, Menominee, Oneida, Portage, Price, Shawano,  
5 Taylor, Waupaca, Waushara, Winnebago, Wood, and Vilas counties.

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

15 (b) When the ~~corporation~~ department designates an area as an airport  
16 development zone, the ~~corporation~~ department shall establish a limit, not to exceed  
17 \$3,000,000, for tax benefits applicable to the airport development zone, except that  
18 the ~~corporation~~ department shall limit the amount of tax benefits applicable to the  
19 airport development zone designated under sub. (2) (d) to \$750,000. The total tax  
20 benefits applicable to all airport development zones may not exceed \$9,000,000, less  
21 any amount allocated to technology zones under s. ~~238.23~~ 555.23 (2) (b) and to  
22 agricultural development zones under s. ~~238.398~~ 555.398 (2) (b), and except that the  
23 total amount allocated to all technology zones under s. ~~238.23~~ 555.23 (2) (b) and to  
24 all agricultural development zones under s. ~~238.398~~ 555.398 (2) (b), may not exceed  
25 \$6,000,000. The ~~corporation~~ department may not reallocate amounts as provided



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1 under this paragraph on or after January 1, 2010, except that the ~~corporation~~  
2 department may, after 48 months from the month of any designation under this  
3 section, evaluate the area designated as an airport development zone and reallocate  
4 the amount of available tax benefits.

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

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

13 2. The ~~corporation~~ department shall immediately notify each person certified  
14 for tax benefits in an airport development zone, the department of revenue, the  
15 department of transportation, the Wisconsin Housing and Economic Development  
16 Authority, and the governing body of each county, city, village, town, and federally  
17 recognized American Indian tribe or band in which territory of the airport  
18 development zone is located of a change in the expiration date of the airport  
19 development zone under this paragraph.

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

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

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

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

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

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

17 (d) The ~~corporation~~ department shall notify the department of revenue within  
18 30 days after revoking a certification under par. (c).

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

23 **SECTION 411.** 281.60 (6) of the statutes is amended to read:

24 281.60 (6) PRIORITY LIST. The department shall establish a priority list that  
25 ranks each land recycling loan program project. The department shall promulgate

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1 rules for determining project rankings based on the potential of projects to reduce  
2 environmental pollution and threats to human health and, for sites and facilities  
3 that are not landfills, the extent to which projects will prevent the development of  
4 undeveloped land by making land available for redevelopment after a cleanup is  
5 conducted. Before the department establishes the priority list, the department shall  
6 consider the recommendations of the department of administration and the  
7 ~~Wisconsin Economic Development Corporation~~ department of economic opportunity.

8 **SECTION 412.** 281.75 (4) (b) 3. of the statutes is amended to read:

9 281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 231, 233,  
10 234, or 237, ~~or 238~~.

11 **SECTION 413.** 285.59 (1) (b) of the statutes is amended to read:

12 285.59 (1) (b) “State agency” means any office, department, agency, institution  
13 of higher education, association, society, or other body in state government created  
14 or authorized to be created by the constitution or any law which is entitled to expend  
15 moneys appropriated by law, including the legislature and the courts, the Wisconsin  
16 Housing and Economic Development Authority, the Bradley Center Sports and  
17 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics  
18 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace  
19 Authority, ~~the Wisconsin Economic Development Corporation~~, and the Wisconsin  
20 Health and Educational Facilities Authority.

21 **SECTION 414.** 292.11 (7) (d) 1m. b. of the statutes is amended to read:

22 292.11 (7) (d) 1m. b. An area designated by the local governmental unit if the  
23 area consists of 2 or more properties affected by a contiguous region of groundwater  
24 contamination or contains 2 or more properties that are brownfields, as defined in  
25 s. ~~238.13~~ 555.13 (1) (a).



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1           **SECTION 421.** 555.095 of the statutes is created to read:

2           **555.095 Contract terms.** All terms of each contract the department executes  
3 shall be in compliance with state law at the time the contract is executed.

4           **SECTION 422.** 555.12 (1) (a) of the statutes is created to read:

5           555.12 (1) (a) “Full-time job” has the meaning given in s. 555.30 (2m).

6           **SECTION 423.** 555.12 (2) (b) of the statutes is created to read:

7           555.12 (2) (b) Requires the person to repay all or a portion of, as specified in  
8 the agreement, the grant, loan, or tax benefits if, within 5 years after receiving the  
9 grant or loan or being certified to receive tax benefits, the total number of employees  
10 the person employs in full-time jobs in this state falls below the average number of  
11 employees the person employed in full-time jobs in this state during the 2 years  
12 immediately prior to the person receiving the grant or loan or certification to receive  
13 tax benefits. The department shall refer any claim for damages under this  
14 paragraph to the department of justice for collection.

15           **SECTION 424.** 555.12 (2) (c) of the statutes is created to read:

16           555.12 (2) (c) Requires the person to repay all or a portion of, as specified in the  
17 agreement, the grant, loan, or tax benefits if, within 5 years after the contract terms  
18 related to the grant, loan, or tax benefits have been completed, the person eliminates  
19 any full-time job in this state that was created as a result of the grant, loan, or tax  
20 benefits. The department shall refer any claim for damages under this paragraph  
21 to the department of justice for collection.

22           **SECTION 425.** 555.121 of the statutes is created to read:

23           **555.121 Verification of information.** If the department is required under  
24 this chapter to verify information submitted to it by a person who has been awarded  
25 a grant, loan, or tax credit, the department shall independently review the person’s

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1 relevant records, including, if applicable, payroll records and audited statements of  
2 capital expenditures.

3 **SECTION 426.** 555.122 of the statutes is created to read:

4 **555.122 Background checks.** (1) Before the department executes a contract  
5 awarding a grant or loan or tax benefits to a person under this chapter, the  
6 department shall conduct a background check of the person that includes  
7 information concerning the person’s business performance and a review of any legal  
8 proceedings in which the person is or was a party.

9 (2) If within 90 days after completing the background check under sub. (1) the  
10 department has not executed the contract awarding a grant or loan or tax benefits  
11 to the person, the department shall conduct another background check of the person  
12 under sub. (1) before executing that contract.

13 **SECTION 427.** Subchapter III of chapter 555 [precedes 555.40] of the statutes  
14 is created to read:

**CHAPTER 555****SUBCHAPTER III****BADGER INNOVATION CORPORATION**

15 **555.40 Definitions.** In this subchapter:

16 (1) “Badger Innovation Corporation” or, unless the context requires otherwise,  
17 “corporation,” means the corporation specified in 16.35 (3).

18 (2) “Board” means the board of directors of the Badger Innovation Corporation.

19 **555.41 Department duties.** The department shall cooperate with the Badger  
20 Innovation Corporation to carry out the corporation’s duties under s. 555.43.

21 **555.42 Board of directors.** (1) The members of the board shall consist of the  
22 following:  
23  
24  
25

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1 (a) The secretary, who shall act as chairperson.

2 (b) One representative to the assembly appointed by the speaker of the  
3 assembly.

4 (c) One representative to the assembly appointed by the minority leader of the  
5 assembly.

6 (d) One senator appointed by the majority leader of the senate.

7 (e) One senator appointed by the minority leader of the senate.

8 (f) Nine members nominated by the governor and, with the advice and consent  
9 of the senate, appointed for staggered 3-year terms. The members appointed under  
10 this subsection shall represent regional and local economic development agencies,  
11 private business, and other related stakeholder groups.

12 (g) The secretaries of administration, revenue, and workforce development,  
13 who shall serve as nonvoting members.

14 (2) The board shall select a chief executive officer subject to the approval of the  
15 governor. The chief executive officer shall serve at the pleasure of the board and shall  
16 receive such compensation as may be determined by the board. The chief executive  
17 officer shall select a chief operating officer and chief financial officer who shall serve  
18 at the pleasure of the chief executive officer.

19 **555.43 Corporation duties.** The Badger Innovation Corporation shall, as a  
20 condition of receiving the payments under s. 555.44 (2), contract with the  
21 department to do all of the following:

22 (1) Develop and implement economic programs to provide business support  
23 and expertise and financial assistance to companies that are investing and creating  
24 jobs in Wisconsin and to support new business start-ups and business expansion and  
25 growth in Wisconsin.

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1           (2) Conduct foreign trade missions, business siting promotion, international  
2 business development, and marketing.

3           (3) Create industry cluster development strategies.

4           **555.44 State aid.** (1) The Badger Innovation Corporation may receive the  
5 payments under sub. (2) if each of the following is satisfied:

6           (a) The articles of incorporation state that the purpose of the corporation is to  
7 carry out the economic development activities specified under s. 555.43 and that, if  
8 the corporation dissolves or discontinues economic development activities in this  
9 state, the corporation shall in good faith take all reasonable measures to transfer or  
10 assign the corporation's assets to an entity whose purpose is to advance economic  
11 development in this state.

12           (b) The corporation initially adopts the bylaws drafted under s. 16.35 (3) (b) and  
13 maintains the method of selection and composition of the board of directors required  
14 under s. 555.42.

15           (c) The requirements under sections 555.42 and 555.43 are met.

16           (d) The corporation permits public inspection and copying of any record of the  
17 corporation, as defined in s. 19.32 (2), to the same extent as is required of, and subject  
18 to the same terms and enforcement provisions that apply to, an authority under  
19 subch. II of ch. 19.

20           (e) The corporation provides public access to its meetings to the same extent  
21 as is required of, and subject to the same terms and enforcement provisions that  
22 apply to, a governmental body under subch. V of ch. 19.

23           (f) The corporation fully cooperates with the legislative audit bureau for  
24 purposes of the audits under s. 13.94 (1) (ds), including by providing the employees  
25 of the legislative audit bureau with access to all of the corporation's records.





**2015-2016 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3225/2ins  
MPG:amn

**INSERT A**

The bill requires the transition council to develop a detailed plan for the transfer of WEDC's duties, powers, and functions to DEO and the Badger Innovation Corporation. The transition council is required to submit the transition plan to the governor within 12 months after the bill is enacted, except that the Joint Committee on Finance may approve an extension of that deadline.

The bill requires the governor to include the transition plan as a part of the executive budget for the 2017-19 fiscal biennium, unless the transition plan is not ready at that time, in which case the governor must include the transition plan as a part of the executive budget for the 2019-21 fiscal biennium. If the transition plan or a version of it is enacted as a part of the 2017-19 or 2019-21 biennial budget act, the transition plan takes effect approximately six months after enactment of the biennial budget act, unless the legislature specifies a different effective date.

The transition council is required to send a notice to the Legislative Reference Bureau for publication in the Wisconsin Administrative Register that confirms enactment of the transition plan and states the effective date of the transition plan as enacted. If that notice is not provided before July 1, 2020, the transition plan does not take effect.

**END INSERT A**

**INSERT 16-14**

1           8. Proposed legislation reconciling the acts of 2015, 2017, and 2019, as  
2 appropriate, with 2015 Wisconsin Act ... (this act). The transition council shall use  
3 the drafting services of the legislative reference bureau to draft the proposed  
4 legislation.

**END INSERT 16-14**

**INSERT 16-18**

5           2. Except as provided in subd. 4., the governor shall include the transition plan  
6 submitted by the transition council under subd. 1. as a part of the governor's  
7 executive budget for the 2017-19 fiscal biennium.

8           3. If the transition plan or a version of it is enacted as a part of the 2017-19  
9 biennial budget act, and unless a different effective date is provided in the 2017-19

1 biennial budget act, the transition plan as enacted shall take effect on the first day  
2 of the 7th month beginning after publication of the 2017-19 biennial budget act.

3 4. If the transition council does not submit the transition plan to the governor  
4 in time for inclusion as a part of the governor's executive budget for the 2017-19  
5 fiscal biennium, the governor shall include the transition plan submitted by the  
6 transition council under subd. 1. as a part of the governor's executive budget for the  
7 2019-21 fiscal biennium.

8 5. If the transition plan or a version of it is enacted as a part of the 2019-21  
9 biennial budget act, and unless a different effective date is provided in the 2019-21  
10 biennial budget act, the transition plan as enacted shall take effect on the first day  
11 of the 7th month beginning after publication of the 2019-21 biennial budget act.

12 6. The chairperson of the transition council shall send a notice to the legislative  
13 reference bureau for publication in the Wisconsin Administrative Register that  
14 confirms enactment of the transition plan and states the effective date of the  
15 transition plan as enacted.

**END INSERT 16-18**

**Basford, Sarah**

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**From:** Knickelbine, Mark  
**Sent:** Wednesday, December 09, 2015 11:08 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -3225/2

Please Jacket LRB -3225/2 for the SENATE.