



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1465/P6

CTS/RNK/MPG/JK/RCT/MGG:all:md

DOA:.....Hoechst - Compile of commerce drafts

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. A full analysis will be provided in a subsequent version of this draft.

OCCUPATIONAL REGULATION

Under current law, DRL, and various boards in DRL, administers Wisconsin's professional credentialing laws. DRL is charged with ensuring the safe and competent practice by credentialed professionals in Wisconsin, such as doctors, nurses, cosmetologists, real estate agents, and veterinarians. This bill changes DRL's name to the Department of Safety and Professional Services.

COMMERCE AND ECONOMIC DEVELOPMENT

BUILDINGS AND SAFETY

Under current law, the Department of Commerce (Commerce) administers various laws, including building codes, that protect the health, safety, and welfare of the public. Among the laws administered by Commerce are those that promote safety in public and private buildings and in the subsystems of those buildings. To that end, Commerce also issues various licenses, permits, registrations, and other credentials (licenses) to persons engaged in occupations regulated by Commerce such as electricians and plumbers. Commerce also administers and issues licenses in connection with the administration of other laws relating to public health and safety such as those regulating private sewage systems, fireworks, and the storage of flammable liquids.

This bill transfers these functions to DRL, renamed the Department of Safety and Professional Services under this bill.

ECONOMIC DEVELOPMENT

Under current law, Commerce administers disabled veteran-owned business certifications, woman-owned business certifications, and minority business certifications that are designed to encourage the creation and foster the growth of Wisconsin businesses owned by women, disabled veterans, or minorities. A business that qualifies for and maintains one of those certifications may be eligible to receive certain advantages bidding on public projects and other benefits. This bill transfers the administration of those certifications to DRL, renamed the Department of Safety and Professional Services (DSPS) under this bill.

Under current law, Commerce also administers grants to the women's business initiative corporation, an economic development corporation that focuses on assisting women, minority, and low income entrepreneurs and small business owners; and Commerce administers grants to small businesses for innovation and research assistance. The bill transfers the administration of those grants to DSPS.

Also, under current law, Commerce administers diesel truck idling reduction grants. A diesel truck idling reduction grant may be awarded to an eligible applicant for the purchase and testing of one or more idling reduction units. Idling reduction units are devices that have the potential to reduce the long-duration idling of a diesel truck. The bill transfers the administration of those grants to DSPS, except as follows:

1. Currently, Commerce must require that applicants receiving grants covering more than one unit purchase units of more than one type and from more than one manufacturer. The bill deletes the requirement to purchase units of more than one type and from more than one manufacturer.

2. Currently, Commerce must also withhold payment of at least 20 percent of a grant until the recipient has complied with certain grant conditions, including providing Commerce with information relating to the operation and performance of each idling reduction unit covered by the grant. The bill deletes that withholding requirement.

ENVIRONMENT

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP

Under current law, the Department of Commerce (Commerce) administers PECFA, a program to reimburse owners of certain petroleum product storage tanks for a portion of the costs of cleaning up discharges from those tanks. Under current law, Commerce also oversees the cleanup of certain discharges from petroleum storage tanks.

This bill transfers these functions to DRL, renamed the Department of Safety and Professional Services under this bill.

VETERANS AND MILITARY AFFAIRS

Under current law, DVA is the state approval agency for the education and training of veterans and other eligible persons. DVA is required to approve and

supervise schools and courses of instruction for veterans and other eligible persons who receive certain federal education benefits.

This bill designates DRL, renamed the Department of Safety and Professional Services (DSPS) under this bill, as the state approval agency for the education and training of veterans and other eligible persons and transfers the relevant functions to DSPS.

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, DATCP has promulgated rules that regulate unfair methods of competition and unfair trade practices relating to remodeling or otherwise improving residential or noncommercial property, basement waterproofing, real estate advertising, the rental of mobile home sites, the sale of mobile homes, and the rental of residential dwelling units and mobile homes. This bill transfers these rules from DATCP to DRL, renamed the Department of Safety and Professional Services (DSPS) under this bill, and authorizes DSPS to modify these rules and promulgate additional rules relating to these unfair methods and practices.

ENVIRONMENT

WATER QUALITY

Under current law, DNR is required to establish statewide standards for erosion control at building sites for the construction of public buildings and buildings that are places of employment (commercial buildings). Under current law, plans for erosion control at commercial building construction sites must be submitted to, and approved by, DNR or a county, city, village, or town to which DNR has delegated authority to act (delegated municipality). Current law also requires that DNR or a delegated municipality inspect erosion control activities and structures at commercial building construction sites. Under current law, DNR, or a delegated municipality may issue a special order directing the cessation of work on a commercial building construction site until any required plan approval is obtained or until the site complies with erosion control standards.

This bill transfers the responsibility for administering the laws with regard to erosion control at commercial building sites from DNR to Commerce.

Because this bill directly or substantially affects the development, construction, cost or availability of housing in this state, the Department of Administration, as required by law, will prepare a report to be printed as an appendix to this bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 13.099 (1) (a) of the statutes is amended to read:

13.099 (1) (a) “~~Department~~” “Authority” means the ~~department of commerce~~
Wisconsin Housing and Economic Development Authority.

SECTION 2. 13.099 (1) (b) of the statutes is amended to read:

13.099 (1) (b) “State housing strategy plan” means the plan developed under
s. ~~560.9802~~ 234.5602.

SECTION 3. 13.099 (2) (a) of the statutes is amended to read:

13.099 (2) (a) If any bill that is introduced in either house of the legislature directly or substantially affects the development, construction, cost, or availability of housing in this state, the ~~department~~ authority shall prepare a report on the bill within 30 days after it is introduced. The ~~department~~ authority may request any information from other state agencies, local governments or individuals, or organizations that is reasonably necessary for the ~~department~~ authority to prepare the report.

SECTION 4. 13.099 (2) (b) of the statutes is amended to read:

13.099 (2) (b) A bill that requires a report by the ~~department~~ authority under this section shall have that requirement noted on its jacket when the jacket is prepared. When a bill that requires a report under this section is introduced, the legislative reference bureau shall submit a copy of the bill to the ~~department~~ authority.

SECTION 5. 13.099 (3) (title) of the statutes is amended to read:

13.099 (3) (title) FINDINGS OF THE ~~DEPARTMENT~~ AUTHORITY TO BE CONTAINED IN THE REPORT.

SECTION 6. 13.099 (3) (a) (intro.) of the statutes is amended to read:

13.099 (3) (a) (intro.) The report of the department authority shall contain information about the effect of the bill on housing in this state, including information on the effect of the bill on all of the following:

SECTION 7. 13.099 (3) (a) 5. of the statutes is amended to read:

13.099 (3) (a) 5. Housing costs, as defined in s. ~~560.9801~~ 234.5601 (3) (a) and (b).

SECTION 8. 13.099 (4) of the statutes is amended to read:

13.099 (4) ~~RULE-MAKING AUTHORITY~~ RULES. The department authority may ~~promulgate~~ adopt any rules necessary for the administration of this section.

SECTION 9. 13.625 (9) of the statutes is amended to read:

13.625 (9) This section does not apply to the solicitation, acceptance, or furnishing of anything of pecuniary value by the ~~department of commerce~~ Wisconsin Economic Development Corporation, or to a principal furnishing anything of pecuniary value to the ~~department of commerce~~ Wisconsin Economic Development Corporation, under s. 19.56 (3) (e) or (f) for the activities specified in s. 19.56 (3) (e).

SECTION 10. 13.94 (1) (mm) of the statutes, as affected by [2011 Wisconsin Act 7](#), is amended to read:

13.94 (1) (mm) No later than July 1, 2012, prepare a financial and performance evaluation audit of the economic development programs administered by ~~the department of commerce~~, the University of Wisconsin System, the department of agriculture, trade and consumer protection, the department of natural resources, the Wisconsin Housing and Economic Development Authority, the Wisconsin Economic Development Corporation, the department of tourism, the technical college system, and the department of transportation. In this paragraph, economic development program has the meaning given in s. ~~560.001 (1m)~~ 23.167 (1). The legislative audit

bureau shall file a copy of the report of the audit under this paragraph with the distributees specified in par. (b).

SECTION 11. 13.94 (1) (ms) of the statutes is amended to read:

13.94 (1) (ms) No later than July 1, 2014, prepare a financial and performance evaluation audit of the economic development tax benefit program under ss. ~~560.701 to 560.706~~ 238.301 to 238.306. The legislative audit bureau shall file a copy of the report of the audit under this paragraph with the distributees specified in par. (b).

SECTION 12. 13.94 (1) (n) of the statutes is amended to read:

13.94 (1) (n) Provide periodic performance audits of any division of the department of ~~commerce~~ safety and professional services that is responsible for inspections of multifamily housing under s. 101.973 (11).

SECTION 13. 14.165 (2) of the statutes is amended to read:

14.165 (2) RECOMMENDATIONS. The department of administration, department of ~~commerce~~ safety and professional services, and public service commission shall make recommendations to the governor for awards under sub. (1).

SECTION 14. 14.85 (2) of the statutes is amended to read:

14.85 (2) The ~~secretary of commerce, the~~ secretary of tourism, the secretary of natural resources, the secretary of transportation, and the director of the historical society, or their designees, shall serve as nonvoting members of the commission.

SECTION 15. 14.85 (8) (d) of the statutes is amended to read:

14.85 (8) (d) ~~If permitted by law, any state agency or local public body, board, commission or agency may allocate funds under its control to fund programs recommended by the commission. If the department of commerce determines that a program recommended by the commission to undertake activities relating to the promotion of economic development is consistent with the department's statewide~~

~~economic development plans, priorities and resources, the department shall have primary responsibility to support the activities of the program. If the department of tourism determines that a program recommended by the commission to undertake activities relating to the promotion of tourism is consistent with the department's statewide tourism marketing plans, priorities, and resources, the department shall have primary responsibility to support the activities of the program.~~

SECTION 16. 14.85 (9) of the statutes is amended to read:

14.85 (9) The commission may establish a technical committee to advise the commission. The members of the committee shall include at least one employee each from the department of transportation, and the department of tourism ~~and the department of commerce~~. The commission shall request the department of transportation, and the department of tourism ~~and the department of commerce~~ to designate employees to serve on the committee and may request any other state agency to designate an employee to serve on the committee.

SECTION 17. 15.08 (1m) (c) of the statutes is amended to read:

15.08 (1m) (c) The membership of each examining board and examining council created in the department of ~~regulation and licensing~~ safety and professional services after June 1, 1975, shall be increased by one member who shall be a public member appointed to serve for the same term served by the other members of such examining board or examining council, unless the act relating to the creation of such examining board or examining council provides that 2 or more public members shall be appointed to such examining board or examining council.

SECTION 18. 15.105 (12) (a) 1. of the statutes is amended to read:

15.105 (12) (a) 1. The secretary of transportation, the secretary of agriculture, trade and consumer protection and the secretary of ~~commerce~~ safety and professional services or their formally appointed designees.

SECTION 19. 15.107 (2) of the statutes is amended to read:

15.107 (2) COUNCIL ON SMALL BUSINESS, VETERAN-OWNED BUSINESS AND MINORITY BUSINESS OPPORTUNITIES. There is created in the department of administration a council on small business, veteran-owned business and minority business opportunities consisting of 13 members, appointed by the secretary of administration for 3-year terms, with representation as follows: at least 2 shall be owners or employees of small businesses at least 51% owned by one or more members of a racial minority group; at least one shall be an owner or employee of a small business at least 51% owned by one or more handicapped persons; at least one shall be an owner or employee of a small business operated on a nonprofit basis for the rehabilitation of disabled persons; at least 2 shall be owners or employees of veteran-owned businesses, as defined in s. 16.75 (4) (d); at least one shall be a representative of the department of ~~commerce~~ safety and professional services; and at least one shall be a consumer member. No member may serve for more than 2 consecutive full terms. The secretary of administration, or a department employee who is the secretary's designee, shall serve as the council's nonvoting secretary.

SECTION 20. 15.107 (16) (b) 3. of the statutes is amended to read:

15.107 (16) (b) 3. The secretary of ~~commerce~~ safety and professional services.

SECTION 21. 15.137 (2) (a) 3m. of the statutes is amended to read:

15.137 (2) (a) 3m. The ~~secretary of commerce~~ chief executive officer of the Wisconsin Economic Development Corporation or his or her designee.

SECTION 22. 15.145 (5) (intro.) of the statutes is amended to read:

15.145 (5) COUNCIL ON OFFENDER REENTRY. (intro.) There is created a council on offender reentry which is attached to the department of corrections under s. 15.03, which shall have the duties, responsibilities, and powers set forth under s. 301.095. The council shall consist of 22 members, and the appointed members shall serve for 2-year terms and may be appointed for a maximum of 2 consecutive terms. The chairperson of the council shall be the secretary of corrections or the reentry director, as decided by the secretary of corrections. The chairperson may appoint subcommittees and the council shall meet no less frequently than 4 times per year at a date and location to be determined by the chairperson. Members of the council shall include the secretary of corrections, or his or her designee; the secretary of workforce development, or his or her designee; the secretary of health services, or his or her designee; the secretary of children and families, or his or her designee; ~~the secretary of commerce, or his or her designee;~~ the secretary of transportation, or his or her designee; the attorney general, or his or her designee; the chairperson of the parole commission, or his or her designee; the state superintendent of public instruction; the reentry director as appointed by the secretary of corrections; a current or former judge, as appointed by the director of state courts; an individual who has been previously convicted of, and incarcerated for, a crime in Wisconsin, as appointed by the secretary of corrections; and the following persons, as appointed by the governor:

SECTION 23. 15.15 of the statutes is repealed.

SECTION 24. 15.153 (title) of the statutes is repealed.

SECTION 25. 15.153 (3) of the statutes is repealed.

SECTION 26. 15.153 (4) of the statutes is repealed.

SECTION 27. 15.155 (title) of the statutes is repealed.

SECTION 28. 15.155 (2) of the statutes is repealed.

SECTION 29. 15.155 (4) of the statutes is repealed.

SECTION 30. 15.155 (5) of the statutes is renumbered 15.105 (32) and amended to read:

15.105 (32) SMALL BUSINESS REGULATORY REVIEW BOARD. There is created a small business regulatory review board, attached to the department of ~~commerce~~ administration under s. 15.03. The board shall consist of a representative of the department of administration; a representative of the department of agriculture, trade and consumer protection; a representative of the department of children and families; ~~a representative of the department of commerce~~; a representative of the department of health services; a representative of the department of natural resources; a representative of the department of ~~regulation and licensing~~ safety and professional services; a representative of the department of revenue; a representative of the department of workforce development; 6 representatives of small businesses, as defined in s. 227.114 (1), who shall be appointed for 3-year terms; and the chairpersons of one senate and one assembly committee concerned with small businesses, appointed as are members of standing committees. The representatives of the departments shall be selected by the secretary of that department.

SECTION 31. 15.155 (6) of the statutes is renumbered 15.405 (1m), and 15.405 (1m) (a) (intro.), 3. and 5., as renumbered, are amended to read:

15.405 (1m) (a) (intro.) There is created a building inspector review board which is attached to the department of ~~commerce~~ safety and professional services under s. 15.03 that consists of the following members:

3. The secretary of ~~commerce~~ safety and professional services or his or her designee.

5. A building inspector certified by the department of ~~commerce~~ safety and professional services, to inspect public buildings, places of employment, or one-family and two-family dwellings.

SECTION 32. 15.157 (title) of the statutes is repealed.

SECTION 33. 15.157 (3) of the statutes is renumbered 15.407 (10) and amended to read:

15.407 (10) DWELLING CODE COUNCIL. There is created in the department of ~~commerce~~ safety and professional services, a dwelling code council, consisting of 18 members appointed for staggered 3-year terms. Four members shall be representatives of building trade labor organizations; 4 members shall be certified building inspectors employed by local units of government; 2 members shall be representatives of building contractors actively engaged in on-site construction of one- and 2-family housing; 2 members shall be representatives of manufacturers or installers of manufactured one- and 2-family housing; one member shall be an architect, engineer or designer actively engaged in the design or evaluation of one- and 2-family housing; 2 members shall represent the construction material supply industry; one member shall represent remodeling contractors actively engaged in the remodeling of one-family and 2-family housing; and 2 members shall represent the public, one of whom shall represent persons with disabilities, as defined in s. 106.50 (1m) (g). An employee of the department designated by the secretary of ~~commerce~~ safety and professional services shall serve as nonvoting secretary of the council. The council shall meet at least twice a year. Eleven members of the council

shall constitute a quorum. For the purpose of conducting business a majority vote of the council is required.

SECTION 34. 15.157 (5) of the statutes is renumbered 15.407 (11) and amended to read:

15.407 (11) CONTRACTOR CERTIFICATION COUNCIL. There is created in the department of ~~commerce~~ safety and professional services a contractor certification council consisting of 3 members who are building contractors holding certificates of financial responsibility under s. 101.654 and who are involved in, or who have demonstrated an interest in, continuing education for building contractors. The members shall be appointed by the secretary of ~~commerce~~ safety and professional services for 3-year terms.

SECTION 35. 15.157 (6) of the statutes is renumbered 15.407 (16) and amended to read:

15.407 (16) PLUMBERS COUNCIL. There is created in the department of ~~commerce~~ safety and professional services a plumbers council consisting of 3 members. One member shall be an employee of the department of ~~commerce~~ safety and professional services, selected by the secretary of ~~commerce~~ safety and professional services, to serve as the secretary of the council. Two members, one a master plumber and one a journeyman plumber, shall be appointed by the secretary of ~~commerce~~ safety and professional services for 2-year terms.

SECTION 36. 15.157 (7) of the statutes is repealed.

SECTION 37. 15.157 (9) of the statutes is renumbered 15.407 (17) and amended to read:

15.407 (17) AUTOMATIC FIRE SPRINKLER SYSTEM CONTRACTORS AND JOURNEYMEN COUNCIL. There is created in the department of ~~commerce~~ safety and professional

services an automatic fire sprinkler system contractors and journeymen council consisting of 5 members. One member shall be an employee of the department of ~~commerce~~ safety and professional services, selected by the secretary of ~~commerce~~ safety and professional services, to serve as secretary of the council. Two members shall be licensed journeymen automatic fire sprinkler fitters and 2 members shall be persons representing licensed automatic fire sprinkler contractors, all appointed by the secretary of ~~commerce~~ safety and professional services for staggered 4-year terms.

SECTION 38. 15.157 (10) of the statutes is renumbered 15.407 (18), and 15.407 (18) (intro.) and (g), as renumbered, are amended to read:

15.407 (18) SMALL BUSINESS ENVIRONMENTAL COUNCIL. (intro.) There is created in the department of ~~commerce~~ safety and professional services a small business environmental council consisting of the following members appointed for 3-year terms:

(g) One member appointed by the secretary of ~~commerce~~ safety and professional services to represent the department of ~~commerce~~ safety and professional services.

SECTION 39. 15.157 (12) of the statutes is renumbered 15.407 (12) and 15.407 (12) (a) (intro.), as renumbered, is amended to read:

15.407 (12) (a) (intro.) There is created in the department of ~~commerce~~ safety and professional services a multifamily dwelling code council consisting of the following members appointed for 3-year terms:

SECTION 40. 15.157 (13) of the statutes is renumbered 15.407 (13), and 15.407 (13) (a) (intro.), as renumbered, is amended to read:

15.407 (13) (a) (intro.) There is created in the department of ~~commerce~~ safety and professional services a manufactured housing code council consisting of the following members appointed by the secretary of ~~commerce~~ safety and professional services for 3-year terms:

SECTION 41. 15.157 (14) of the statutes is renumbered 15.407 (14) and 15.407 (14) (a) (intro.), 9. and 10. and (b), as renumbered, are amended to read:

15.407 (14) (a) (intro.) There is created in the department of ~~commerce~~ safety and professional services a conveyance safety code council consisting of the following members appointed for 3-year terms:

9. The secretary of ~~commerce~~ safety and professional services, or his or her designee.

10. An employee of the department of ~~commerce~~ safety and professional services, designated by the secretary of ~~commerce~~ safety and professional services, who is familiar with commercial building inspections.

(b) The council shall meet at least twice a year. The employee of the department of ~~commerce~~ safety and professional services designated by the secretary of ~~commerce~~ safety and professional services under par. (a) 10. shall serve as nonvoting secretary of the council.

SECTION 42. 15.157 (15) of the statutes is renumbered 15.407 (15), and 15.407 (15) (intro.), as renumbered, is amended to read:

15.407 (15) THERMAL SYSTEM INSULATION COUNCIL. (intro.) There is created in the department of ~~commerce~~ safety and professional services a thermal system insulation council consisting of the state thermal system insulation inspector who shall serve as a nonvoting secretary of the council, the secretary of ~~commerce~~ safety

and professional services or his or her designee, and the following members appointed for 3-year terms:

SECTION 43. 15.347 (13) (b) 2. of the statutes is amended to read:

15.347 (13) (b) 2. The secretary of ~~commerce~~ safety and professional services.

SECTION 44. 15.347 (18) (b) 4. of the statutes is repealed.

SECTION 45. 15.40 of the statutes is amended to read:

15.40 Department of ~~regulation and licensing~~ safety and professional services; creation. There is created a department of ~~regulation and licensing~~ safety and professional services under the direction and supervision of the secretary of ~~regulation and licensing~~ safety and professional services.

SECTION 46. 15.405 (1) of the statutes is amended to read:

15.405 (1) ACCOUNTING EXAMINING BOARD. There is created an accounting examining board in the department of ~~regulation and licensing~~ safety and professional services. The examining board shall consist of 7 members, appointed for staggered 4-year terms. Five members shall hold certificates as certified public accountants and be eligible for licensure to practice in this state. Two members shall be public members.

SECTION 47. 15.405 (2) of the statutes is amended to read:

15.405 (2) EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS. There is created an examining board of architects, landscape architects, professional engineers, designers and land surveyors in the department of ~~regulation and licensing~~ safety and professional services. Any professional member appointed to the examining board shall be registered to practice architecture, landscape architecture, professional engineering, the design of engineering systems or land surveying under

ch. 443. The examining board shall consist of the following members appointed for 4-year terms: 3 architects, 3 landscape architects, 3 professional engineers, 3 designers, 3 land surveyors and 10 public members.

SECTION 48. 15.405 (2m) (a) (intro.) of the statutes is amended to read:

15.405 **(2m)** (a) (intro.) There is created in the department of ~~regulation and licensing~~ safety and professional services an examining board of professional geologists, hydrologists and soil scientists consisting of the following members appointed for 4-year terms:

SECTION 49. 15.405 (3) (a) (intro.) of the statutes is amended to read:

15.405 **(3)** (a) (intro.) There is created in the department of ~~regulation and licensing~~ safety and professional services an auctioneer board consisting of the following members appointed for 4-year terms:

SECTION 50. 15.405 (3m) (b) (intro.) of the statutes is amended to read:

15.405 **(3m)** (b) (intro.) There is created in the department of ~~regulation and licensing~~ safety and professional services a cemetery board consisting of the following members, who shall serve 4-year terms:

SECTION 51. 15.405 (5) of the statutes is amended to read:

15.405 **(5)** CHIROPRACTIC EXAMINING BOARD. There is created a chiropractic examining board in the department of ~~regulation and licensing~~ safety and professional services. The chiropractic examining board shall consist of 6 members, appointed for staggered 4-year terms. Four members shall be graduates from a school of chiropractic and licensed to practice chiropractic in this state. Two members shall be public members. No person may be appointed to the examining board who is in any way connected with or has a financial interest in any chiropractic school.

SECTION 52. 15.405 (5g) of the statutes is amended to read:

15.405 **(5g)** CONTROLLED SUBSTANCES BOARD. There is created in the department of ~~regulation and licensing~~ safety and professional services a controlled substances board consisting of the attorney general, the secretary of health services and the secretary of agriculture, trade and consumer protection, or their designees; the chairperson of the pharmacy examining board or a designee; and one psychiatrist and one pharmacologist appointed for 3-year terms.

SECTION 53. 15.405 (6) (intro.) of the statutes is amended to read:

15.405 **(6)** DENTISTRY EXAMINING BOARD. (intro.) There is created a dentistry examining board in the department of ~~regulation and licensing~~ safety and professional services consisting of the following members appointed for 4-year terms:

SECTION 54. 15.405 (6m) (intro.) of the statutes is amended to read:

15.405 **(6m)** HEARING AND SPEECH EXAMINING BOARD. (intro.) There is created a hearing and speech examining board in the department of ~~regulation and licensing~~ safety and professional services consisting of the following members appointed for 4-year terms:

SECTION 55. 15.405 (7) (a) of the statutes is amended to read:

15.405 **(7)** (a) There is created a medical examining board in the department of ~~regulation and licensing~~ safety and professional services.

SECTION 56. 15.405 (7c) (a) (intro.) of the statutes is amended to read:

15.405 **(7c)** (a) (intro.) There is created a marriage and family therapy, professional counseling, and social work examining board in the department of ~~regulation and licensing~~ safety and professional services consisting of the following members appointed for 4-year terms:

SECTION 57. 15.405 (7e) (intro.) of the statutes is amended to read:

15.405 (7e) RADIOGRAPHY EXAMINING BOARD. (intro.) There is created in the department of ~~regulation and licensing~~ safety and professional services a radiography examining board consisting of the following 7 members appointed for 4-year terms:

SECTION 58. 15.405 (7g) of the statutes is amended to read:

15.405 (7g) BOARD OF NURSING. There is created a board of nursing in the department of ~~regulation and licensing~~ safety and professional services. The board of nursing shall consist of the following members appointed for staggered 4-year terms: 5 currently licensed registered nurses under ch. 441; 2 currently licensed practical nurses under ch. 441; and 2 public members. Each registered nurse member shall have graduated from a program in professional nursing and each practical nurse member shall have graduated from a program in practical nursing accredited by the state in which the program was conducted.

SECTION 59. 15.405 (7m) of the statutes is amended to read:

15.405 (7m) NURSING HOME ADMINISTRATOR EXAMINING BOARD. There is created a nursing home administrator examining board in the department of ~~regulation and licensing~~ safety and professional services consisting of 9 members appointed for staggered 4-year terms and the secretary of health services or a designee, who shall serve as a nonvoting member. Five members shall be nursing home administrators licensed in this state. One member shall be a physician. One member shall be a nurse licensed under ch. 441. Two members shall be public members. No more than 2 members may be officials or full-time employees of this state.

SECTION 60. 15.405 (7r) (intro.) of the statutes is amended to read:

15.405 (7r) PHYSICAL THERAPY EXAMINING BOARD. (intro.) There is created in the department of ~~regulation and licensing~~ safety and professional services a physical therapy examining board consisting of the following members appointed for staggered 4-year terms:

SECTION 61. 15.405 (8) of the statutes is amended to read:

15.405 (8) OPTOMETRY EXAMINING BOARD. There is created an optometry examining board in the department of ~~regulation and licensing~~ safety and professional services. The optometry examining board shall consist of 7 members appointed for staggered 4-year terms. Five of the members shall be licensed optometrists in this state. Two members shall be public members.

SECTION 62. 15.405 (9) of the statutes is amended to read:

15.405 (9) PHARMACY EXAMINING BOARD. There is created a pharmacy examining board in the department of ~~regulation and licensing~~ safety and professional services. The pharmacy examining board shall consist of 7 members appointed for staggered 4-year terms. Five of the members shall be licensed to practice pharmacy in this state. Two members shall be public members.

SECTION 63. 15.405 (10m) of the statutes is amended to read:

15.405 (10m) PSYCHOLOGY EXAMINING BOARD. There is created in the department of ~~regulation and licensing~~ safety and professional services a psychology examining board consisting of 6 members appointed for staggered 4-year terms. Four of the members shall be psychologists licensed in this state. Each of the psychologist members shall represent a different specialty area within the field of psychology. Two members shall be public members.

SECTION 64. 15.405 (10r) (a) (intro.) of the statutes is amended to read:

15.405 (10r) (a) (intro.) There is created a real estate appraisers board in the department of ~~regulation and licensing~~ safety and professional services consisting of the following members appointed for 4-year terms:

SECTION 65. 15.405 (12) of the statutes is amended to read:

15.405 (12) VETERINARY EXAMINING BOARD. There is created a veterinary examining board in the department of ~~regulation and licensing~~ safety and professional services. The veterinary examining board shall consist of 8 members appointed for staggered 4-year terms. Five of the members shall be licensed veterinarians in this state. One member shall be a veterinary technician certified in this state. Two members shall be public members. No member of the examining board may in any way be financially interested in any school having a veterinary department or a course of study in veterinary or animal technology.

SECTION 66. 15.405 (16) of the statutes is amended to read:

15.405 (16) FUNERAL DIRECTORS EXAMINING BOARD. There is created a funeral directors examining board in the department of ~~regulation and licensing~~ safety and professional services. The funeral directors examining board shall consist of 6 members appointed for staggered 4-year terms. Four members shall be licensed funeral directors under ch. 445 in this state. Two members shall be public members.

SECTION 67. 15.405 (17) of the statutes is amended to read:

15.405 (17) BARBERING AND COSMETOLOGY EXAMINING BOARD. There is created a barbering and cosmetology examining board in the department of ~~regulation and licensing~~ safety and professional services. The barbering and cosmetology examining board shall consist of 9 members appointed for 4-year terms. Four members shall be licensed barbers, aestheticians, or cosmetologists, 2 members shall be public members, one member shall be a representative of a private school of

barbering or cosmetology, one member shall be a representative of a public school of barbering or cosmetology and one member shall be a licensed electrologist. Except for the 2 members representing schools, no member may be connected with or have any financial interest in a barbering or cosmetology school.

SECTION 68. 15.406 (2) (intro.) of the statutes is amended to read:

15.406 (2) DIETITIANS AFFILIATED CREDENTIALING BOARD. (intro.) There is created in the department of ~~regulation and licensing~~ safety and professional services, attached to the medical examining board, a dietitians affiliated credentialing board consisting of the following members appointed for 4-year terms:

SECTION 69. 15.406 (3) (intro.) of the statutes is amended to read:

15.406 (3) PODIATRY AFFILIATED CREDENTIALING BOARD. (intro.) There is created in the department of ~~regulation and licensing~~ safety and professional services, attached to the medical examining board, a podiatry affiliated credentialing board consisting of the following members appointed for 4-year terms:

SECTION 70. 15.406 (4) (intro.) of the statutes is amended to read:

15.406 (4) ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD. (intro.) There is created in the department of ~~regulation and licensing~~ safety and professional services, attached to the medical examining board, an athletic trainers affiliated credentialing board consisting of the following members appointed for 4-year terms:

SECTION 71. 15.406 (5) (intro.) of the statutes is amended to read:

15.406 (5) OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD. (intro.) There is created in the department of ~~regulation and licensing~~ safety and professional services, attached to the medical examining board, an occupational therapists affiliated credentialing board consisting of the following members appointed for 4-year terms:

SECTION 72. 15.406 (6) (a) (intro.) of the statutes is amended to read:

15.406 **(6)** (a) (intro.) There is created in the department of ~~regulation and licensing~~ safety and professional services, attached to the medical examining board, a massage therapy and bodywork therapy affiliated credentialing board. The affiliated credentialing board shall consist of the following 7 members appointed for 4-year terms:

SECTION 73. 15.407 (1m) of the statutes is amended to read:

15.407 **(1m)** RESPIRATORY CARE PRACTITIONERS EXAMINING COUNCIL. There is created a respiratory care practitioners examining council in the department of ~~regulation and licensing~~ safety and professional services and serving the medical examining board in an advisory capacity in the formulating of rules to be promulgated by the medical examining board for the regulation of respiratory care practitioners. The respiratory care practitioners examining council shall consist of 3 certified respiratory care practitioners, each of whom shall have engaged in the practice of respiratory care for at least 3 years preceding appointment, one physician and one public member. The respiratory care practitioner and physician members shall be appointed by the medical examining board. The members of the examining council shall serve 3-year terms. Section 15.08 (1) to (4) (a) and (6) to (10) shall apply to the respiratory care practitioners examining council.

SECTION 74. 15.407 (2) (intro.) of the statutes is amended to read:

15.407 **(2)** COUNCIL ON PHYSICIAN ASSISTANTS. (intro.) There is created a council on physician assistants in the department of ~~regulation and licensing~~ safety and professional services and serving the medical examining board in an advisory capacity. The council's membership shall consist of:

SECTION 75. 15.407 (2m) (intro.) of the statutes is amended to read:

15.407 (2m) (intro.) There is created a perfusionists examining council in the department of ~~regulation and licensing~~ safety and professional services and serving the medical examining board in an advisory capacity. The council shall consist of the following members appointed for 3-year terms:

SECTION 76. 15.407 (3) (intro.) of the statutes is amended to read:

15.407 (3) EXAMINING COUNCILS; BOARD OF NURSING. (intro.) The following examining councils are created in the department of ~~regulation and licensing~~ safety and professional services to serve the board of nursing in an advisory capacity. Section 15.08 (1) to (4) (a) and (6) to (10), applies to the examining councils.

SECTION 77. 15.407 (6) (intro.) of the statutes is amended to read:

15.407 (6) PHARMACIST ADVISORY COUNCIL. (intro.) There is created a pharmacist advisory council in the department of ~~regulation and licensing~~ safety and professional services and serving the pharmacy examining board in an advisory capacity. The council shall consist of the following members appointed for 3-year terms:

SECTION 78. 15.407 (8) (intro.) of the statutes is amended to read:

15.407 (8) CREMATORY AUTHORITY COUNCIL. (intro.) There is created a crematory authority council in the department of ~~regulation and licensing~~ safety and professional services consisting of the secretary of ~~regulation and licensing~~ safety and professional services or a designee of the secretary, who shall serve as a nonvoting member, and the following persons appointed for 3-year terms:

SECTION 79. 15.407 (9) (a) (intro.) of the statutes is amended to read:

15.407 (9) (a) (intro.) There is created a sign language interpreter council in the department of ~~regulation and licensing~~ safety and professional services consisting of the secretary of ~~regulation and licensing~~ safety and professional

services or a designee of the secretary and the following 8 members nominated by the governor, and with the advice and consent of the senate appointed, for 3-year terms:

SECTION 80. 15.435 (1) (a) 1. of the statutes is amended to read:

15.435 (1) (a) 1. The ~~secretary of commerce~~ chief executive officer of the Wisconsin Economic Development Corporation and the secretary of revenue or their designees.

SECTION 81. 15.445 (2) (e) of the statutes is amended to read:

15.445 (2) (e) *Liaison representatives.* The secretary of agriculture, trade and consumer protection, the secretary of natural resources, the secretary of transportation, ~~the secretary of commerce,~~ the secretary of administration, the director of the state historical society and the chancellor of the University of Wisconsin-Extension, or their designees, shall serve as liaison representatives to the board. The board may request any federally recognized American Indian tribe or band in this state, other than the Ho-Chunk Nation, that expresses an interest in the governance of the Kickapoo valley reserve to appoint a liaison representative to the board. The liaison representatives are not board members and have no voting power.

SECTION 82. 15.917 (1) (intro.) of the statutes is amended to read:

15.917 (1) RURAL HEALTH DEVELOPMENT COUNCIL. (intro.) There is created in the University of Wisconsin System a rural health development council consisting of 17 members nominated by the governor, and with the advice and consent of the senate appointed, for 5-year terms, and the ~~secretaries~~ secretary of ~~commerce~~ and health services, or ~~their designees~~ his or her designee. The appointed members shall include all of the following:

SECTION 83. 16.40 (24) of the statutes is created to read:

16.40 (24) Ensure performance of a duty or satisfaction of an obligation transferred to the Wisconsin Housing and Economic Development Authority under 2011 Wisconsin Act ... (this act), section 9110 (1), if the Wisconsin Housing and Economic Development Authority fails to perform the duty or satisfy the obligation.

SECTION 84. 16.54 (14) of the statutes is repealed.

SECTION 85. 16.75 (3m) (a) 1. of the statutes is amended to read:

16.75 (3m) (a) 1. “Disabled veteran-owned business” means a business certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 86. 16.75 (3m) (a) 2. of the statutes is amended to read:

16.75 (3m) (a) 2. “Disabled veteran-owned financial adviser” means a financial adviser certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 87. 16.75 (3m) (a) 3. of the statutes is amended to read:

16.75 (3m) (a) 3. “Disabled veteran-owned investment firm” means an investment firm certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 88. 16.75 (3m) (a) 4. of the statutes is amended to read:

16.75 (3m) (a) 4. “Minority business” means a business certified by the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 89. 16.75 (3m) (c) 5. a. of the statutes is amended to read:

16.75 (3m) (c) 5. a. In determining whether a purchase, contract or subcontract complies with the goal established under par. (b) 1. or s. 16.855 (10m) (am) 1., 16.87 (2) (b), or 25.185 (2), the department shall include only amounts paid to minority businesses, minority financial advisers and minority investment firms certified by

the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 90. 16.75 (3m) (c) 5. b. of the statutes is amended to read:

16.75 **(3m)** (c) 5. b. In determining whether a purchase, contract, or subcontract is made with a disabled veteran-owned business, the department shall include only amounts paid to disabled veteran-owned businesses certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 91. 16.75 (4) (b) of the statutes is amended to read:

16.75 **(4)** (b) The department shall seek the cooperation and assistance of the department of ~~commerce~~ safety and professional services in the performance of its duties under par. (a).

SECTION 92. 16.752 (8) (e) of the statutes is amended to read:

16.752 **(8)** (e) Comply with applicable occupational health and safety standards prescribed by the U.S. secretary of labor, the federal occupational health and safety administration or the department of ~~commerce~~ safety and professional services.

SECTION 93. 16.854 (1) (a) of the statutes is amended to read:

16.854 **(1)** (a) "Minority business" has the meaning given in s. ~~560.036~~ 490.04 (1) (e).

SECTION 94. 16.854 (1) (b) of the statutes is amended to read:

16.854 **(1)** (b) "Minority group member" has the meaning given in s. ~~560.036~~ 490.04 (1) (f).

SECTION 95. 16.855 (10m) (ac) of the statutes is amended to read:

16.855 **(10m)** (ac) In this subsection, "disabled veteran-owned business" means a business certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 96. 16.855 (10n) (a) of the statutes is amended to read:

16.855 (10n) (a) In this subsection, “minority group member” has the meaning given in s. ~~560.036~~ 490.04 (1) (f).

SECTION 97. 16.87 (1) (am) of the statutes is amended to read:

16.87 (1) (am) “Disabled veteran–owned business” means a business certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 98. 16.967 (6) of the statutes is amended to read:

16.967 (6) REPORTS. By March 31 of each year, the department of administration, the department of agriculture, trade and consumer protection, the department of ~~commerce~~ safety and professional services, the department of health services, the department of natural resources, the department of tourism, the department of revenue, the department of transportation, the board of regents of the University of Wisconsin System, the public service commission, and the board of curators of the historical society shall each submit to the department a plan to integrate land information to enable such information to be readily translatable, retrievable, and geographically referenced for use by any state, local governmental unit, or public utility. Upon receipt of this information, the department shall integrate the information to enable the information to be used to meet land information data needs. The integrated information shall be readily translatable, retrievable, and geographically referenced to enable members of the public to use the information.

SECTION 99. 18.16 (1) (a) of the statutes is amended to read:

18.16 (1) (a) “Disabled veteran–owned financial adviser” means a financial adviser certified by the department of ~~eommerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 100. 18.16 (1) (b) of the statutes is amended to read:

18.16 (1) (b) “Disabled veteran–owned investment firm” means an investment firm certified by the department of ~~eommerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 101. 18.16 (1) (c) of the statutes is amended to read:

18.16 (1) (c) “Minority financial adviser” means a financial adviser certified by the department of ~~eommerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 102. 18.16 (1) (d) of the statutes is amended to read:

18.16 (1) (d) “Minority investment firm” means an investment firm certified by the department of ~~eommerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 103. 18.64 (1) (a) of the statutes is amended to read:

18.64 (1) (a) “Disabled veteran–owned financial adviser” means a financial adviser certified by the department of ~~eommerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 104. 18.64 (1) (b) of the statutes is amended to read:

18.64 (1) (b) “Disabled veteran–owned investment firm” means an investment firm certified by the department of ~~eommerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 105. 18.64 (1) (c) of the statutes is amended to read:

18.64 (1) (c) “Minority financial adviser” means a financial adviser certified by the department of commerce safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 106. 18.64 (1) (d) of the statutes is amended to read:

18.64 (1) (d) “Minority investment firm” means an investment firm certified by the department of commerce safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 107. 18.77 (1) (a) of the statutes is amended to read:

18.77 (1) (a) “Disabled veteran-owned financial adviser” means a financial adviser certified by the department of commerce safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 108. 18.77 (1) (b) of the statutes is amended to read:

18.77 (1) (b) “Disabled veteran-owned investment firm” means an investment firm certified by the department of commerce safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 109. 18.77 (1) (c) of the statutes is amended to read:

18.77 (1) (c) “Minority financial adviser” means a financial adviser certified by the department of commerce safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 110. 18.77 (1) (d) of the statutes is amended to read:

18.77 (1) (d) “Minority investment firm” means an investment firm certified by the department of commerce safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 111. 19.56 (2) (b) 6. of the statutes is amended to read:

19.56 (2) (b) 6. Is made available to the official by the ~~department of commerce~~ Wisconsin Economic Development Corporation or the department of tourism in accordance with sub. (3) (e), (em) or (f).

SECTION 112. 19.56 (3) (e) (intro.) of the statutes is amended to read:

19.56 (3) (e) (intro.) A state public official who is an officer or employee of the ~~department of commerce~~ Wisconsin Economic Development Corporation may solicit, receive and retain on behalf of the state anything of value for the purpose of any of the following:

SECTION 113. 19.56 (3) (e) 1. of the statutes is amended to read:

19.56 (3) (e) 1. The sponsorship by the ~~department of commerce~~ Wisconsin Economic Development Corporation of a trip to a foreign country primarily to promote trade between that country and this state that the ~~department of commerce~~ Wisconsin Economic Development Corporation can demonstrate through clear and convincing evidence is primarily for the benefit of this state.

SECTION 114. 19.56 (3) (f) of the statutes is amended to read:

19.56 (3) (f) A state public official may receive and retain from the ~~department of commerce~~ Wisconsin Economic Development Corporation anything of value which the ~~department of commerce~~ Wisconsin Economic Development Corporation is authorized to provide under par. (e) and may receive and retain from the department of tourism anything of value which the department of tourism is authorized to provide under par. (em).

SECTION 115. 19.57 of the statutes is amended to read:

19.57 Conferences, visits and economic development activities. The ~~department of commerce~~ Wisconsin Economic Development Corporation shall file a report with the board no later than April 30 annually, specifying the source and

amount of anything of value received by the ~~department of commerce~~ Wisconsin Economic Development Corporation during the preceding calendar year for a purpose specified in s. 19.56 (3) (e), and the program or activity in connection with which the thing is received, together with the location and date of that program or activity.

SECTION 116. 19.85 (1) (i) of the statutes is repealed.

SECTION 117. 20.143 (intro.) of the statutes is repealed.

SECTION 118. 20.143 (1) (title) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 119. 20.143 (1) (a) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 120. 20.143 (1) (b) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 121. 20.143 (1) (bk) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 122. 20.143 (1) (bt) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 123. 20.143 (1) (c) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 124. 20.143 (1) (cf) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 125. 20.143 (1) (d) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 126. 20.143 (1) (dr) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 127. 20.143 (1) (e) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 128. 20.143 (1) (em) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 129. 20.143 (1) (er) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 130. 20.143 (1) (ew) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 131. 20.143 (1) (fi) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 132. 20.143 (1) (fj) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 133. 20.143 (1) (fw) of the statutes is renumbered 20.165 (1) (fw) and

amended to read:

20.165 (1) (fw) *Women's business initiative corporation.* The amounts in the schedule for grants to the women's business initiative corporation under s. ~~560.037~~ 490.06.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 134. 20.143 (1) (fy) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 135. 20.143 (1) (g) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 136. 20.143 (1) (gc) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 137. 20.143 (1) (gh) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 138. 20.143 (1) (gm) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 139. 20.143 (1) (gr) of the statutes is renumbered 20.165 (1) (gr) and amended to read:

20.165 (1) (gr) *Woman-owned Disabled veteran-owned, woman-owned, and minority business certification processing fees.* All moneys received from processing fees collected under s. 490.02 (3) (c) for the costs of certifying disabled veteran-owned businesses under s. 490.02; all moneys received from fees collected under s. 560.035 490.03 (1) (bm), for the costs of certifying woman-owned businesses under s. 560.035 (1) 490.03; and all moneys received from fees collected under s. 490.04 (2) (dm) for the costs of certifying minority businesses under s. 490.04.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 140. 20.143 (1) (gv) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 141. 20.143 (1) (h) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 142. 20.143 (1) (hm) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 143. 20.143 (1) (hr) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 144. 20.143 (1) (ie) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 145. 20.143 (1) (ig) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 146. 20.143 (1) (im) of the statutes is renumbered 20.165 (1) (ir) and amended to read:

20.165 (1) (ir) *Minority business projects; repayments.* All moneys received on or before June 30, 2009, in repayment of grants or loans under s. 560.82 (1m) (b), 2007 stats., and s. 560.82 (1m) (c), 2007 stats., and loans under [1997 Wisconsin Act 9](#), section 3, to be used for grants and loans under s. ~~560.45~~ [490.05](#) and subch. II of ch. 560, for grants under [2009 Wisconsin Act 265](#), section 45 (1), and for the study under [2009 Wisconsin Act 28](#), section 9110 (15u).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 147. 20.143 (1) (io) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 148. 20.143 (1) (ir) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 149. 20.143 (1) (jp) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 150. 20.143 (1) (k) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 151. 20.143 (1) (ka) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 152. 20.143 (1) (kb) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 153. 20.143 (1) (kc) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 154. 20.143 (1) (kf) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 155. 20.143 (1) (kg) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 156. 20.143 (1) (kh) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 157. 20.143 (1) (kj) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 158. 20.143 (1) (kt) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 159. 20.143 (1) (m) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 160. 20.143 (1) (mr) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 161. 20.143 (1) (n) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 162. 20.143 (1) (o) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 163. 20.143 (1) (qa) of the statutes is renumbered 20.165 (2) (qa).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 164. 20.143 (1) (qm) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 165. 20.143 (1) (tm) of the statutes is repealed.

***NOTE: This is reconciled s. 20.143 (1) (tm). This SECTION has been affected by drafts with the following LRB numbers: LRB-1320/1 and LRB-1465/P3.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 166. 20.143 (1) (um) of the statutes is repealed.

***NOTE: This is reconciled s. 20.143 (um). This SECTION has been affected by drafts with the following LRB numbers: LRB-1320/1 and LRB-1465/P3.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 167. 20.143 (2) (title) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 168. 20.143 (2) (a) of the statutes is renumbered 20.490 (7) (a) and amended to read:

20.490 (7) (a) *General program operations.* The amounts in the schedule for general program operations under subch. X of ch. 560 ss. 234.5601 to 234.5615.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 169. 20.143 (2) (b) of the statutes is renumbered 20.490 (7) (b) and amended to read:

20.490 (7) (b) *Housing grants and loans; general purpose revenue.* Biennially, the amounts in the schedule for grants and loans under s. ~~560.9803~~, 234.5603 and for grants under s. ~~560.9805 and 2009 Wisconsin Act 28~~, section ~~9110~~ (12u), and for the grant under ~~2009 Wisconsin Act 2~~, section ~~9110~~ (1) 234.5605.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 170. 20.143 (2) (c) of the statutes is renumbered 20.490 (7) (c) and amended to read:

20.490 (7) (c) *Payments to designated agents.* The amounts in the schedule for payments for services provided by agents designated under s. ~~560.9804~~ 234.5604 (2), in accordance with agreements entered into under s. ~~560.9804~~ 234.5604 (1).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 171. 20.143 (2) (fm) of the statutes is renumbered 20.490 (7) (fm) and amended to read:

20.490 (7) (fm) *Shelter for homeless and transitional housing grants.* Biennially, the amounts in the schedule for transitional housing grants under s. ~~560.9806~~ 234.5606 and for grants to agencies and shelter facilities for homeless individuals and families as provided under s. ~~560.9808~~ 234.5608. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department authority may transfer funds between fiscal years under this paragraph.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 172. 20.143 (2) (fr) of the statutes is renumbered 20.490 (7) (fr) and amended to read:

20.490 (7) (fr) *Mental health for homeless individuals.* The amounts in the schedule for mental health services for homeless individuals under s. ~~560.9811~~ 234.5611.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 173. 20.143 (2) (gg) of the statutes is renumbered 20.490 (7) (gg).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 174. 20.143 (2) (h) of the statutes is renumbered 20.490 (7) (h) and amended to read:

SECTION 174

20.490 (7) (h) *Funding for the homeless.* All moneys received from interest on real estate trust accounts under s. 452.13 for grants under s. ~~560.9807~~ 234.5607, and all moneys received under s. 704.05 (5) (a) 2., for grants to agencies and shelter facilities for homeless individuals and families under s. ~~560.9808~~ 234.5608 (2) (a) and (b).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 175. 20.143 (2) (k) of the statutes is renumbered 20.490 (7) (k) and amended to read:

20.490 (7) (k) *Sale of materials or services.* All moneys received from the sale of materials or services related to housing assistance under ~~subch. X of ch. 560 ss. 234.5601 to 234.5615~~ to the ~~department~~ authority or ~~other~~ to state agencies, for the purpose of providing those materials and services.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 176. 20.143 (2) (kg) of the statutes is renumbered 20.490 (7) (kg) and amended to read:

20.490 (7) (kg) *Housing program services.* All moneys received from ~~other~~ state agencies for housing program services, for the purpose of providing housing program services.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 177. 20.143 (2) (m) of the statutes is renumbered 20.490 (7) (m) and amended to read:

20.490 (7) (m) *Federal aid; state operations.* All moneys received from the federal government for state operations related to housing assistance under ~~subch.~~

~~X of ch. 560 ss. 234.5601 to 234.5615~~, as authorized by the governor under s. 16.54, for the purposes of state operations.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 178. 20.143 (2) (n) of the statutes is renumbered 20.490 (7) (n) and amended to read:

20.490 (7) (n) *Federal aid; local assistance.* All moneys received from the federal government for local assistance related to housing assistance under subch. ~~X of ch. 560 ss. 234.5601 to 234.5615~~, as authorized by the governor under s. 16.54, for the purposes of providing local assistance.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 179. 20.143 (2) (o) of the statutes is renumbered 20.490 (7) (o) and amended to read:

20.490 (7) (o) *Federal aid; individuals and organizations.* All moneys received from the federal government for aids to individuals and organizations related to housing assistance under subch. ~~X of ch. 560 ss. 234.5601 to 234.5615~~, as authorized by the governor under s. 16.54, for the purpose of providing aids to individuals and organizations.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 180. 20.143 (3) (title) of the statutes is renumbered 20.165 (2) (title).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 181. 20.143 (3) (a) of the statutes is renumbered 20.165 (2) (a).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 182. 20.143 (3) (de) of the statutes is renumbered 20.165 (2) (de).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 183. 20.143 (3) (dm) of the statutes is renumbered 20.165 (2) (dm).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 184. 20.143 (3) (g) of the statutes is renumbered 20.165 (2) (g) and amended to read:

20.165 (2) (g) *Gifts and grants.* All moneys received as gifts or grants relating to the regulation of industry, buildings, and safety to carry out the purposes for which made.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 185. 20.143 (3) (ga) of the statutes is renumbered 20.165 (2) (ga).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 186. 20.143 (3) (gb) of the statutes is renumbered 20.165 (2) (gb) and amended to read:

20.165 (2) (gb) *Local agreements.* All moneys received through contracts or financial agreements for provision of services to local units of government or local organizations relating to the regulation of industry, buildings, and safety, for the purpose of providing the services.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 187. 20.143 (3) (h) of the statutes is renumbered 20.165 (2) (h).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 188. 20.143 (3) (j) of the statutes is renumbered 20.165 (2) (j) and amended to read:

20.165 (2) (j) *Safety and building operations.* The amounts in the schedule for the purposes of chs. 101, 145, and 168 and ss. 167.35, 236.12 (2) (a), 236.13 (1) (d) and (2m), and 236.335, for the purpose of transferring the amounts in the schedule under

par. (kg) to the appropriation account under par. (kg), and for the purpose of transferring the amounts in the schedule under par. (km) to the appropriation account under par. (km). All moneys received under ch. 145, ss. ~~101.136 (6) (b)~~, 101.177 (4) (a) 4., 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4), 101.955 (2), 101.973 (7), 167.35 (2) (f), and 236.12 (7), except moneys received under s. 101.9208 (2m), and all moneys transferred under **2005 Wisconsin Act 45**, section **76 (6)**, shall be credited to this appropriation.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 189. 20.143 (3) (ka) of the statutes is renumbered 20.165 (2) (ka) and amended to read:

20.165 (2) (ka) *Interagency agreements.* All moneys received through contracts or financial agreements for provision of services to other state agencies relating to the regulation of industry, buildings, and safety, except moneys appropriated under par. (ks) or sub. (4) (1) (kd), for the purpose of providing the services.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 190. 20.143 (3) (kg) of the statutes is renumbered 20.165 (2) (kg).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 191. 20.143 (3) (km) of the statutes is renumbered 20.165 (2) (km).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 192. 20.143 (3) (ks) of the statutes is renumbered 20.165 (2) (ks) and amended to read:

20.165 (2) (ks) *Data processing.* All moneys received from data processing services provided internally relating to the regulation of industry, buildings, and safety to be used to meet the costs associated with the services.

SECTION 192

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 193. 20.143 (3) (L) of the statutes is renumbered 20.165 (2) (L).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 194. 20.143 (3) (La) of the statutes is renumbered 20.165 (2) (La).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 195. 20.143 (3) (Lm) of the statutes is renumbered 20.165 (2) (Lm).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 196. 20.143 (3) (m) of the statutes is renumbered 20.165 (2) (m) and amended to read:

20.165 (2) (m) *Federal funds.* All federal moneys received as authorized under s. 16.54 relating to the regulation of industry, buildings, and safety, except as otherwise appropriated under this subsection, for the purposes of the programs administered by the department.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 197. 20.143 (3) (ma) of the statutes is renumbered 20.165 (2) (ma).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 198. 20.143 (3) (pz) of the statutes is renumbered 20.165 (2) (pz) and amended to read:

20.165 (2) (pz) *Indirect cost reimbursements.* All moneys received from the federal government relating to the regulation of industry, buildings, and safety, as reimbursement of indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 199. 20.143 (3) (q) of the statutes is renumbered 20.165 (2) (q).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 200. 20.143 (3) (r) of the statutes is renumbered 20.165 (2) (r).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 201. 20.143 (3) (s) of the statutes is renumbered 20.165 (2) (s).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 202. 20.143 (3) (sm) of the statutes is renumbered 20.165 (2) (sm) and amended to read:

20.165 (2) (sm) *Diesel truck idling reduction grants.* From the petroleum inspection fund, the amounts in the schedule for diesel truck idling reduction grants under s. ~~560.125~~ 101.45. No funds may be encumbered under this paragraph after June 30, 2015.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 203. 20.143 (3) (sn) of the statutes is renumbered 20.165 (2) (sn) and amended to read:

20.165 (2) (sn) *Diesel truck idling reduction grant administration.* From the petroleum inspection fund, the amounts in the schedule for administering the Diesel Truck Idling Reduction Grant Program under s. ~~560.125~~ 101.45. No funds may be encumbered under this paragraph after December 31, 2016.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 204. 20.143 (3) (t) of the statutes is renumbered 20.165 (2) (t).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 205. 20.143 (3) (u) of the statutes is renumbered 20.165 (2) (u).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 206. 20.143 (3) (v) of the statutes is renumbered 20.165 (2) (v).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 207. 20.143 (3) (vb) of the statutes is renumbered 20.165 (2) (vb).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 208. 20.143 (3) (vm) of the statutes is renumbered 20.165 (2) (vm).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 209. 20.143 (3) (w) of the statutes is renumbered 20.165 (2) (w).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 210. 20.143 (4) (title) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 211. 20.143 (4) (a) of the statutes is renumbered 20.165 (1) (a) and 20.165 (1) (a) (title), as renumbered, is amended to read:

20.165 (1) (a) (title) *General program operations — executive and administrative services.*

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 212. 20.143 (4) (g) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 213. 20.143 (4) (k) of the statutes is renumbered 20.165 (1) (kc).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 214. 20.143 (4) (ka) of the statutes is renumbered 20.165 (1) (ka).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 215. 20.143 (4) (kb) of the statutes is renumbered 20.165 (1) (kb).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 216. 20.143 (4) (kd) of the statutes is renumbered 20.165 (1) (kd) and amended to read:

20.165 (1) (kd) *Administrative services.* The amounts in the schedule for administrative and support services for programs administered by the department. All moneys received by the department from the department, except for moneys directed to be deposited under pars. ~~(k)~~, (ka) and ~~(kb)~~, and (kc) and subs. ~~(1) (k)~~, ~~(ka)~~ and ~~(kb)~~ and ~~(3) sub. (2)~~ (ks), as payment for administrative and support services for programs administered by the department shall be credited to this appropriation.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 217. 20.143 (4) (ke) of the statutes is renumbered 20.165 (1) (ke).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 218. 20.143 (4) (m) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 219. 20.143 (4) (n) of the statutes is renumbered 20.165 (1) (n).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 220. 20.143 (4) (o) of the statutes is renumbered 20.165 (1) (o).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 221. 20.143 (4) (pz) of the statutes is renumbered 20.165 (1) (pz).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 222. 20.165 (intro.) of the statutes is amended to read:

20.165 ~~Regulation and licensing~~ Safety and professional services, department of. (intro.) There is appropriated to the department of ~~regulation and licensing~~ safety and professional services for the following programs:

SECTION 223. 20.165 (1) (title) of the statutes is amended to read:

20.165 (1) (title) PROFESSIONAL REGULATION AND ADMINISTRATIVE SERVICES.

SECTION 224. 20.192 (1) (k) of the statutes, as created by [2011 Wisconsin Act 7](#), is amended to read:

20.192 (1) (k) *Transferred general fund moneys from department of commerce.* All moneys transferred under [2011 Wisconsin Act 7](#), section [9155 \(2\)](#), and [2011 Wisconsin Act ... \(this act\)](#), section [9210 \(1\)](#), for the operations of the Wisconsin Economic Development Corporation and for funding economic development programs developed and implemented under s. 238.03.

SECTION 225. 20.192 (1) (m) of the statutes, as created by [2011 Wisconsin Act 7](#), is amended to read:

20.192 (1) (m) *Federal aid; programs.* All moneys received from the federal government as authorized by the governor under s. 16.54 and all moneys transferred under 2011 Wisconsin Act ... (this act), section 9210 (2), for the purposes of funding programs administered by the Wisconsin Economic Development Corporation.

SECTION 226. 20.192 (1) (r) of the statutes is created to read:

20.192 (1) (r) *Economic development fund; programs.* From the economic development fund, as a continuing appropriation, the amounts in the schedule for funding economic development programs administered by the Wisconsin Economic Development Corporation.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 227. 20.292 (1) (gm) of the statutes is amended to read:

20.292 (1) (gm) *Fire schools; state operations.* The amounts in the schedule for supervising and conducting schools for instruction in fire protection and prevention under s. 38.04 (9). All moneys transferred from s. ~~20.143 (3)~~ [20.165 \(2\) \(L\)](#) to this appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3)

(a), at the end of each fiscal year the unencumbered balance in this appropriation shall revert to the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L).

SECTION 228. 20.292 (1) (gr) of the statutes is amended to read:

20.292 (1) (gr) *Fire schools; local assistance.* The amounts in the schedule for district fire fighter training programs under s. 38.12 (9). All moneys transferred from s. ~~20.143 (3)~~ 20.165 (2) (L) to this appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L).

SECTION 229. 20.370 (2) (bg) of the statutes is amended to read:

20.370 (2) (bg) *Air management — stationary sources.* The amounts in the schedule for purposes related to stationary sources of air contaminants as specified in s. 285.69 (2) (c) and to transfer the amounts appropriated under s. ~~20.143 (1) (ke)~~ to the appropriation account under s. ~~20.143 (1) (ke)~~. All moneys received from fees under s. 285.69 (2) (a) and (e), except moneys appropriated under subs. (3) (bg), (8) (mg) and (9) (mh), and all moneys received from fees imposed under s. 285.69 (7) shall be credited to this appropriation.

SECTION 230. 20.370 (2) (mr) of the statutes is amended to read:

20.370 (2) (mr) *General program operations - brownfields.* From the environmental fund, the amounts in the schedule for administration of activities related to brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a).

SECTION 231. 20.370 (6) (et) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 232. 20.370 (6) (eu) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 233. 20.490 (6) (title) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 234. 20.490 (6) (a) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 235. 20.490 (6) (k) of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 236. 20.490 (7) (title) of the statutes is created to read:

20.490 (7) (title) HOUSING ASSISTANCE.

SECTION 237. 20.505 (8) (hm) 6f. of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 238. 20.505 (8) (hm) 6g. of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 239. 20.505 (8) (hm) 6h. of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 240. 20.505 (8) (hm) 6j. of the statutes is repealed.

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 241. 20.505 (8) (hm) 6k. of the statutes is created to read:

20.505 (8) (hm) 6k. The amount transferred to sub. (1) (ka) shall be \$79,500.

SECTION 242. 20.923 (4) (f) 8m. of the statutes is amended to read:

20.923 (4) (f) 8m. ~~Regulation and licensing~~ Safety and professional services,
department of: secretary.

SECTION 243. 20.923 (12) (title) of the statutes is amended to read:

20.923 (12) (title) ~~OTHER DEPARTMENT OF REGULATION AND LICENSING~~ SAFETY AND PROFESSIONAL SERVICES POSITIONS.

SECTION 244. 23.15 (1) of the statutes is amended to read:

23.15 (1) The natural resources board may sell, at public or private sale, lands and structures owned by the state under the jurisdiction of the department of natural resources, except central or district office facilities, when the natural resources board determines that ~~said~~ the lands are no longer necessary for the state's use for conservation purposes and, ~~if real property, the real property is not the subject of a petition under s. 560.9810 (2).~~

SECTION 245. 23.167 (2) (intro.) of the statutes is amended to read:

23.167 (2) (intro.) The department, in consultation with the ~~department of commerce~~ Wisconsin Economic Development Corporation, shall do all of the following for each economic development program administered by the department:

SECTION 246. 23.169 (title) of the statutes is amended to read:

23.169 (title) **Economic development assistance coordination and reporting.**

SECTION 247. 23.169 of the statutes is renumbered 23.169 (2) and amended to read:

23.169 (2) Annually, no later than October 1, the department shall submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs, as defined in s. 23.167 (1), administered by the department. The report shall include all of the information required under s. ~~560.01 (2) (am)~~ 238.07 (2). The department shall collaborate with the ~~department of commerce~~

Wisconsin Economic Development Corporation to make readily accessible to the public on an Internet-based system the information required under this section.

SECTION 248. 23.169 (1) of the statutes is created to read:

23.169 (1) The department shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation.

SECTION 249. 25.17 (70) (intro.) of the statutes is amended to read:

25.17 (70) (intro.) No later than December 31 of every even-numbered year, ~~after receiving a report from the department of commerce under s. 560.08 (2) (m) and in consultation with the department of commerce,~~ submit to the governor and to the presiding officer of each house of the legislature a plan for making investments in this state. The purpose of the plan is to encourage the board to make the maximum amount of investments in this state, subject to s. 25.15 and consistent with the statutory purpose of each trust or fund managed by the board. The plan shall discuss potential investments to be made during the succeeding 5 years beginning in the year after submittal of the plan, and shall include, but not be limited to, the following:

SECTION 250. 25.17 (70) (a) of the statutes is repealed.

SECTION 251. 25.17 (70) (d) of the statutes is amended to read:

25.17 (70) (d) Comments solicited from the ~~secretary of commerce~~ chief executive officer of the Wisconsin Economic Development Corporation and received by the board on or before November 30 of the year of submittal.

SECTION 252. 25.185 (1) (a) of the statutes is amended to read:

25.185 (1) (a) "Disabled veteran-owned financial adviser" means a financial adviser certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 253. 25.185 (1) (b) of the statutes is amended to read:

25.185 (1) (b) “Disabled veteran-owned investment firm” means an investment firm certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 254. 25.185 (1) (c) of the statutes is amended to read:

25.185 (1) (c) “Minority financial adviser” means a financial adviser certified by the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 255. 25.185 (1) (d) of the statutes is amended to read:

25.185 (1) (d) “Minority investment firm” means an investment firm certified by the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 256. 25.47 (5) of the statutes is amended to read:

25.47 (5) The moneys transferred from the appropriation account under s. ~~20.143~~ (3) 20.165 (2) (s).

SECTION 257. 26.02 (1) (intro.) of the statutes is amended to read:

26.02 (1) DUTIES. (intro.) The council on forestry shall advise the governor, the legislature, the department of natural resources, ~~the department of commerce~~, and other state agencies, as determined to be appropriate by the council, on all of the following topics as they affect forests located in this state:

SECTION 258. 26.37 (1) (intro.) of the statutes is amended to read:

26.37 (1) (intro.) The department of natural resources ~~and the department of commerce~~ shall ~~jointly~~ develop a plan to establish a lake states wood utilization consortium to provide research, development, and demonstration grants to enhance the forest products industry in Wisconsin and other states. The plan shall do all of the following:

SECTION 259. 26.37 (1) (b) of the statutes is amended to read:

26.37 (1) (b) Establish an implementation committee for the consortium. Members of the committee may include one or more representatives from the department of natural resources, the ~~department of commerce~~ Wisconsin Economic Development Corporation, and the forest products industry.

SECTION 260. 26.37 (2) of the statutes is amended to read:

26.37 (2) The department of natural resources may not expend moneys from the appropriations under s. 20.370 (5) (ax) or (6) (bt), 1997 stats., unless the department of natural resources and the ~~department of commerce~~ Wisconsin Economic Development Corporation first submit to the joint committee on finance the plan required under sub. (1). If the cochairpersons of the joint committee on finance do not notify the department of natural resources within 14 working days after the date of the ~~departments'~~ submittal of the plan that the committee has scheduled a meeting to review the plan, the plan may be implemented and moneys may be expended as proposed by the department of natural resources. If, within 14 days after the date of the ~~departments'~~ submittal of the plan, the cochairpersons of the committee notify the department of natural resources that the committee has scheduled a meeting to review the plan, moneys may be expended only after the plan has been approved by the committee.

SECTION 261. 30.121 (3w) (b) of the statutes is amended to read:

30.121 (3w) (b) The boathouse is located on land zoned exclusively for commercial or industrial purposes or the boathouse is located on a brownfield, as defined in s. ~~560.13~~ 238.13 (1) (a), or in a blighted area, as defined in s. 66.1331 (3) (a).

SECTION 262. 30.126 (5) (h) of the statutes is amended to read:

30.126 (5) (h) *May not have improper toilets.* No person may construct, place or maintain a fishing raft on authorized portions of the Wolf River if the fishing raft is equipped with a toilet which permits toilet waste to be disposed of in the waterway. A toilet on a fishing raft shall comply with rules of the department of ~~commerce~~ safety and professional services as if the toilet were on a boat.

SECTION 263. 30.443 (1) (a) of the statutes is amended to read:

30.443 (1) (a) Promulgate rules establishing standards for erosion prevention or control at sites in the riverway that are not subject to the standards established under s. 101.1206 (1) or 101.653 (2) ~~or 281.33 (3m) (a)~~ and that have a natural slope of 20% or less.

SECTION 264. 30.443 (1) (b) of the statutes is amended to read:

30.443 (1) (b) Promulgate rules establishing standards for erosion prevention or control that are in addition to standards established under ss. 101.1206 (1) and 101.653 (2) ~~and 281.33 (3m) (a)~~ for sites in the riverway that are subject to those standards and that have a natural slope of 12% or more but 20% or less.

SECTION 265. 30.443 (2) of the statutes is amended to read:

30.443 (2) The board may impose any of the applicable standards established under sub. (1) (a) or (b) or ss. 101.1206 (1) or 101.653 (2) ~~or 281.33 (3m) (a)~~ as a condition for receiving a permit under s. 30.44 (1), and the board may promulgate rules to enforce these standards in the riverway.

SECTION 266. 30.71 (4) of the statutes is amended to read:

30.71 (4) Any rules necessary to carry out the purposes of this section shall be promulgated jointly by the department of ~~commerce~~ safety and professional services and the department of natural resources.

SECTION 267. 32.19 (2) (b) of the statutes is amended to read:

32.19 (2) (b) “Comparable dwelling” means one which, when compared with the dwelling being taken, is substantially equal concerning all major characteristics and functionally equivalent with respect to: the number and size of rooms and closets, area of living space, type of construction, age, state of repair, size and utility of any garage or other outbuilding, type of neighborhood and accessibility to public services and places of employment. “Comparable dwelling” shall meet all of the standard building requirements and other code requirements of the local governmental body and shall also be decent, safe and sanitary and within the financial means of the displaced person, as defined by the department of ~~commerce~~ safety and professional services.

SECTION 268. 32.19 (2) (e) 1. b. of the statutes is amended to read:

32.19 (2) (e) 1. b. As a result of rehabilitation, demolition or other displacing activity, as determined by the department of ~~commerce~~ safety and professional services, if the person is a tenant-occupant of a dwelling, business or farm operation and the displacement is permanent.

SECTION 269. 32.19 (3) (b) 1. of the statutes is amended to read:

32.19 (3) (b) 1. ‘Dwellings.’ Any displaced person who moves from a dwelling and who elects to accept the payments authorized by this paragraph in lieu of the payments authorized by par. (a) may receive an expense and dislocation allowance, determined according to a schedule established by the department of ~~commerce~~ safety and professional services.

SECTION 270. 32.19 (3) (b) 2. of the statutes is amended to read:

32.19 (3) (b) 2. ‘Business and farm operations.’ Any displaced person who moves or discontinues his or her business or farm operation, is eligible under criteria established by the department of ~~commerce~~ safety and professional services by rule

and elects to accept payment authorized under this paragraph in lieu of the payment authorized under par. (a), may receive a fixed payment in an amount determined according to criteria established by the department of ~~eommerce~~ safety and professional services by rule, except that such payment shall not be less than \$1,000 nor more than \$20,000. A person whose sole business at the displacement dwelling is the rental of such property to others is not eligible for a payment under this subdivision.

SECTION 271. 32.19 (3) (c) of the statutes is amended to read:

32.19 (3) (c) *Optional payment for businesses.* Any displaced person who moves his or her business, and elects to accept the payment authorized in par. (a), may, if otherwise qualified under par. (b) 2., elect to receive the payment authorized under par. (b) 2., minus whatever payment the displaced person received under par. (a), if the displaced person discontinues the business within 2 years of the date of receipt of payment under par. (a), provided that the displaced person meets eligibility criteria established by the department of ~~eommerce~~ safety and professional services by rule. In no event may the total combined payment be less than \$1,000 nor more than \$20,000.

SECTION 272. 32.19 (4) (a) 2. of the statutes is amended to read:

32.19 (4) (a) 2. The amount of increased interest expenses and other debt service costs incurred by the owner to finance the purchase of another property substantially similar to the property taken, if at the time of the taking the land acquired was subject to a bona fide mortgage or was held under a vendee's interest in a bona fide land contract, and such mortgage or land contract had been executed in good faith not less than 180 days prior to the initiation of negotiations for the acquisition of such property. The computation of the increased interest costs shall

be determined according to rules promulgated by the department of ~~commerce~~ safety and professional services.

SECTION 273. 32.19 (4) (b) (intro.) of the statutes is amended to read:

32.19 (4) (b) *Tenants and certain others.* (intro.) In addition to amounts otherwise authorized by this subchapter, the condemnor shall make a payment to any individual or family displaced from any dwelling which was actually and lawfully occupied by such individual or family for not less than 90 days prior to the initiation of negotiations for the acquisition of such property or, if displacement is not a direct result of acquisition, such other event as determined by the department of ~~commerce~~ safety and professional services by rule. For purposes of this paragraph, a corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17), may, if otherwise eligible, be considered a displaced tenant. Subject to the limitations under par. (bm), such payment shall be either:

SECTION 274. 32.19 (4m) (a) 2. of the statutes is amended to read:

32.19 (4m) (a) 2. The amount, if any, which will compensate such owner displaced person for any increased interest and other debt service costs which such person is required to pay for financing the acquisition of any replacement property, if the property acquired was encumbered by a bona fide mortgage or land contract which was a valid lien on the property for at least one year prior to the initiation of negotiations for its acquisition. The amount under this subdivision shall be determined according to rules promulgated by the department of ~~commerce~~ safety and professional services.

SECTION 275. 32.19 (4m) (b) (intro.) of the statutes is amended to read:

32.19 (4m) (b) *Tenant-occupied business or farm operation.* (intro.) In addition to amounts otherwise authorized by this subchapter, the condemnor shall make a

payment to any tenant displaced person who has owned and occupied the business operation, or owned the farm operation, for not less than one year prior to initiation of negotiations for the acquisition of the real property on which the business or farm operation lies or, if displacement is not a direct result of acquisition, such other event as determined by the department of ~~commerce~~ safety and professional services, and who actually rents or purchases a comparable replacement business or farm operation for the displaced business or farm operation within 2 years after the date the person vacates the acquired property. At the option of the tenant displaced person, such payment shall be either:

SECTION 276. 32.19 (4m) (b) 1. of the statutes is amended to read:

32.19 (4m) (b) 1. The amount, not to exceed \$30,000, which is necessary to lease or rent a comparable replacement business or farm operation for a period of 4 years. The payment shall be computed by determining the average monthly rent paid for the property from which the person was displaced for the 12 months prior to the initiation of negotiations or, if displacement is not a direct result of acquisition, such other event as determined by the department of ~~commerce~~ safety and professional services and the monthly rent of a comparable replacement business or farm operation, and multiplying the difference by 48; or

SECTION 277. 32.197 of the statutes is amended to read:

32.197 Waiver of relocation assistance. An owner-occupant of property being acquired may waive his or her right to receive any relocation payments or services under this subchapter if the property being acquired is not contiguous to any property which may be acquired by the condemnor and is not part of a previously identified or proposed project where it is reasonable to conclude that acquisition by the condemnor may occur in the foreseeable future. Prior to the execution of any

waiver under this section, the condemnor shall provide to the owner-occupant, in writing, full information about the specific payments and services being waived by the owner-occupant. The department of ~~commerce~~ safety and professional services shall by rule establish procedures for relocation assistance waivers under this section to ensure that the waivers are voluntarily and knowledgeably executed.

SECTION 278. 32.20 of the statutes is amended to read:

32.20 Procedure for collection of itemized items of compensation.

Claims for damages itemized in ss. 32.19 and 32.195 shall be filed with the condemnor carrying on the project through which condemnee's or claimant's claims arise. All such claims must be filed after the damages upon which they are based have fully materialized but not later than 2 years after the condemnor takes physical possession of the entire property acquired or such other event as determined by the department of ~~commerce~~ safety and professional services by rule. If such claim is not allowed within 90 days after the filing thereof, the claimant has a right of action against the condemnor carrying on the project through which the claim arises. Such action shall be commenced in a court of record in the county wherein the damages occurred. In causes of action, involving any state commission, board or other agency, excluding counties, the sum recovered by the claimant shall be paid out of any funds appropriated to such condemning agency. Any judgment shall be appealable by either party and any amount recovered by the body against which the claim was filed, arising from costs, counterclaims, punitive damages or otherwise may be used as an offset to any amount owed by it to the claimant, or may be collected in the same manner and form as any other judgment.

SECTION 279. 32.25 (1) of the statutes is amended to read:

32.25 (1) Except as provided under sub. (3) and s. 85.09 (4m), no condemnor may proceed with any activity that may involve the displacement of persons, business concerns or farm operations until the condemnor has filed in writing a relocation payment plan and relocation assistance service plan and has had both plans approved in writing by the department of ~~commerce~~ safety and professional services.

SECTION 280. 32.25 (2) (h) of the statutes is amended to read:

32.25 (2) (h) Assure that, within a reasonable time prior to displacement, there will be available, to the extent that may reasonably be accomplished, housing meeting the standards established by the department of ~~commerce~~ safety and professional services for decent, safe and sanitary dwellings. The housing, so far as practicable, shall be in areas not generally less desirable in regard to public utilities, public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced and equal in number to the number of such displaced families or individuals and reasonably accessible to their places of employment.

SECTION 281. 32.26 (title) of the statutes is amended to read:

32.26 (title) Authority of the department of ~~commerce~~ safety and professional services.

SECTION 282. 32.26 (1) of the statutes is amended to read:

32.26 (1) In addition to all other powers granted in this subchapter, the department of ~~commerce~~ safety and professional services shall formulate local standards for decent, safe and sanitary dwelling accommodations.

SECTION 283. 32.26 (2) (a) of the statutes is amended to read:

32.26 (2) (a) The department of ~~commerce~~ safety and professional services shall promulgate rules to implement and administer ss. 32.19 to 32.27.

SECTION 284. 32.26 (2) (b) of the statutes is amended to read:

32.26 (2) (b) The department of ~~commerce~~ safety and professional services and the department of transportation shall establish interdepartmental liaison procedures for the purpose of cooperating and exchanging information to assist the department of ~~commerce~~ safety and professional services in promulgating rules under par. (a).

SECTION 285. 32.26 (3) of the statutes is amended to read:

32.26 (3) The department of ~~commerce~~ safety and professional services may make investigations to determine if the condemnor is complying with ss. 32.19 to 32.27. The department may seek an order from the circuit court requiring a condemnor to comply with ss. 32.19 to 32.27 or to discontinue work on that part of the project which is not in substantial compliance with ss. 32.19 to 32.27. The court shall give hearings on these actions precedence on the court's calendar.

SECTION 286. 32.26 (4) of the statutes is amended to read:

32.26 (4) Upon the request of the department of ~~commerce~~ safety and professional services, the attorney general shall aid and prosecute all necessary actions or proceedings for the enforcement of this subchapter and for the punishment of all violations of this subchapter.

SECTION 287. 32.26 (5) of the statutes is amended to read:

32.26 (5) Any displaced person may, prior to commencing court action against the condemnor under s. 32.20, petition the department of ~~commerce~~ safety and professional services for review of his or her complaint, setting forth in the petition the reasons for his or her dissatisfaction. The department may conduct an informal

review of the situation and attempt to negotiate an acceptable solution. If an acceptable solution cannot be negotiated within 90 days, the department shall notify all parties, and the petitioner may then proceed under s. 32.20. The informal review procedure provided by this subsection is not a condition precedent to the filing of a claim and commencement of legal action pursuant to s. 32.20. In supplying information required by s. 32.25 (2) (d), the condemnor shall clearly indicate to each displaced person his or her right to proceed under this paragraph and under s. 32.20, and shall supply full information on how the displaced person may contact the department of ~~commerce~~ safety and professional services.

SECTION 288. 32.26 (6) of the statutes is amended to read:

32.26 (6) The department of ~~commerce~~ safety and professional services, with the cooperation of the attorney general, shall prepare pamphlets in simple language and in readable format describing the eminent domain laws of this state, including the reasons for condemnation, the procedures followed by condemnors, how citizens may influence the condemnation process and the rights of property owners and citizens affected by condemnation. The department shall make copies of the pamphlets available to all condemnors, who may be charged a price for the pamphlets sufficient to recover the costs of production.

SECTION 289. 32.26 (7) of the statutes is amended to read:

32.26 (7) The department of ~~commerce~~ safety and professional services shall provide technical assistance on relocation plan development and implementation to any condemnor carrying out a project which may result in the displacement of any person.

SECTION 290. 36.09 (1) (am) (intro.) of the statutes is amended to read:

36.09 (1) (am) (intro.) The board, in consultation with the ~~department of commerce~~ Wisconsin Economic Development Corporation, shall do all of the following for each economic development program, as defined in s. 36.11 (29r) (a), administered by the board:

SECTION 291. 36.11 (29r) (b) of the statutes is renumbered 36.11 (29r) (b) 2. and amended to read:

36.11 (29r) (b) 2. Annually, no later than October 1, the board shall submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs administered by the board. The report shall include all of the information required under s. ~~560.01 (2) (am)~~ 238.07 (2). The board shall collaborate with the ~~department of commerce~~ Wisconsin Economic Development Corporation to make readily accessible to the public on an Internet-based system the information required under this subsection.

SECTION 292. 36.11 (29r) (b) 1. of the statutes is created to read:

36.11 (29r) (b) 1. The board shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation.

SECTION 293. 36.25 (24) of the statutes is amended to read:

36.25 (24) EMPLOYEE-OWNED BUSINESSES PROGRAM. Through the University of Wisconsin small business development center, in cooperation with the ~~department of commerce~~ under s. ~~560.07 (2m)~~ Wisconsin Economic Development Corporation, the technical college system board and the University of Wisconsin-Extension, the board shall create, as needed, educational programs to provide training in the management of employee-owned businesses and shall provide technical assistance to employee-owned businesses in matters affecting their management and business

operations, including assistance with governmental relations and assistance in obtaining management, technical and financial assistance.

SECTION 294. 36.25 (30) of the statutes is amended to read:

36.25 (30) POLLUTION PREVENTION. The board shall maintain in the extension a solid and hazardous waste education center to promote pollution prevention, as defined in s. 299.13 (1) (dm). In cooperation with the department of natural resources and the department of commerce, the center shall conduct an education and technical assistance program to promote pollution prevention in this state.

SECTION 295. 36.34 (1) (a) 3. of the statutes is amended to read:

36.34 (1) (a) 3. Is a Hispanic, as defined in s. ~~560.036~~ 490.04 (1) (d).

SECTION 296. 38.04 (1m) (b) (intro.) of the statutes is amended to read:

38.04 (1m) (b) (intro.) The board, in consultation with the ~~department of commerce~~ Wisconsin Economic Development Corporation, shall do all of the following for each economic development program administered by the board:

SECTION 297. 38.04 (4) (a) of the statutes is amended to read:

38.04 (4) (a) ~~Except as provided in par. (ag), the~~ The qualifications of educational personnel and the courses of study for each program offered in district schools shall be approved by the board. The board may charge the districts for the full costs associated with certification of educational personnel. Such certification expenses shall not be included in the district aidable cost.

SECTION 298. 38.04 (4) (ag) of the statutes is repealed.

SECTION 299. 38.04 (8) (a) of the statutes is amended to read:

38.04 (8) (a) In this subsection, “minority group member” has the meaning given in s. ~~560.036~~ 490.04 (1) (f).

SECTION 300. 38.04 (10m) (title) of the statutes is amended to read:

38.04 (10m) (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND REPORTING.

SECTION 301. 38.04 (10m) of the statutes is renumbered 38.04 (10m) (b) and amended to read:

38.04 (10m) (b) Annually, no later than October 1, the board shall submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs, as defined in sub. (1m) (a), administered by the board. The report shall include all of the information required under s. ~~560.01 (2) (am)~~ 238.07 (2). The board shall collaborate with the ~~department of commerce~~ Wisconsin Economic Development Corporation to make readily accessible to the public on an Internet-based system the information required under this subsection.

SECTION 302. 38.04 (10m) (a) of the statutes is created to read:

38.04 (10m) (a) The board shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation.

SECTION 303. 38.26 (1) of the statutes is amended to read:

38.26 (1) In this section, “minority student” means a student enrolled in a district school who is a minority group member, as defined in s. ~~560.036~~ 490.04 (1) (f).

SECTION 304. 39.40 (1) (c) of the statutes is amended to read:

39.40 (1) (c) A Hispanic, as defined in s. ~~560.036~~ 490.04 (1) (d).

SECTION 305. 39.44 (1) (a) 3. of the statutes is amended to read:

39.44 (1) (a) 3. Is a Hispanic, as defined in s. ~~560.036~~ 490.04 (1) (d).

SECTION 306. 40.05 (4) (b) of the statutes is amended to read:

40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused sick leave under ss. 13.121 (4), 36.30, 37.30, 230.35 (2), 233.10, 238.04 (8), and 757.02 (5) and subch. I, V, or VI of ch. 111 of any eligible employee shall, at the time of death, upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon termination of creditable service and qualifying as an eligible employee under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's highest basic pay rate he or she received while employed by the state, to credits for payment of health insurance premiums on behalf of the employee or the employee's surviving insured dependents. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor, or education director for the employee's completion of educational courses that have been approved by the employee's employer is considered as part of the employee's basic pay for purposes of this paragraph. The full premium for any eligible employee who is insured at the time of retirement, or for the surviving insured dependents of an eligible employee who is deceased, shall be deducted from the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment. Upon conversion of an employee's unused sick leave to credits under this paragraph or par. (bf), the employee or, if the employee is deceased, the employee's surviving insured dependents may initiate deductions from those credits or may elect to delay initiation of deductions from those credits, but only if the employee or surviving insured dependents are covered by a comparable health insurance plan or policy during the period beginning on the date of the conversion and ending on the date on

which the employee or surviving insured dependents later elect to initiate deductions from those credits. If an employee or an employee's surviving insured dependents elect to delay initiation of deductions from those credits, an employee or the employee's surviving insured dependents may only later elect to initiate deductions from those credits during the annual enrollment period under par. (be). A health insurance plan or policy is considered comparable if it provides hospital and medical benefits that are substantially equivalent to the standard health insurance plan established under s. 40.52 (1).

***NOTE: This is reconciled s. 40.05 (4) (b). This SECTION has been affected by drafts with the following LRB numbers: -1187 and -1465.

SECTION 307. 40.05 (4) (bm) of the statutes is amended to read:

40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick leave under ss. 36.30, 37.30, and 230.35 (2) ~~or~~, 233.10, or 238.04 (8) of any eligible employee shall, upon request of the employee at the time the employee is subject to layoff under s. 40.02 (40), be converted at the employee's highest basic pay rate he or she received while employed by the state to credits for payment of health insurance premiums on behalf of the employee. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor or education director for the employee's completion of educational courses that have been approved by the employee's employer is considered as part of the employee's basic pay for purposes of this paragraph. The full amount of the required employee contribution for any eligible employee who is insured at the time of the layoff shall be deducted from the credits until the credits are exhausted, the employee is reemployed, or 5 years have elapsed from the date of layoff, whichever occurs first.

***NOTE: This is reconciled s. 40.05 (4) (bm). This SECTION has been affected by drafts with the following LRB numbers: -1187 and -1465.

SECTION 308. 40.05 (5) (b) 4. of the statutes is amended to read:

40.05 (5) (b) 4. The accrual and crediting of sick leave shall be determined in accordance with ss. 13.121 (4), 36.30, 37.30, 230.35 (2), 233.10, 238.04 (8), and 757.02 (5) and subch. I, V, or VI of ch. 111.

***NOTE: This is reconciled s. 40.05 (5) (b) 4. This SECTION has been affected by drafts with the following LRB numbers: -1187 and -1465.

SECTION 309. 40.62 (2) of the statutes is amended to read:

40.62 (2) Sick leave accumulation shall be determined in accordance with rules of the department, any collective bargaining agreement under subch. I, V, or VI of ch. 111, and ss. 13.121 (4), 36.30, 37.30, 49.825 (4) (d), 49.826 (4) (d), 230.35 (2), 233.10, 238.04 (8), 757.02 (5) and 978.12 (3).

***NOTE: This is reconciled s. 40.62 (2). This SECTION has been affected by drafts with the following LRB numbers: -1187 and -1465.

SECTION 310. 40.95 (1) (a) 1. of the statutes is amended to read:

40.95 (1) (a) 1. The employee accrues accumulated unused sick leave under s. 13.121 (4), 36.30, 37.30, 230.35 (2), 233.10, 238.04 (8), or 757.02 (5).

***NOTE: This is reconciled s. 40.95 (1) (a) 1. This SECTION has been affected by drafts with the following LRB numbers: -1187 and -1465.

SECTION 311. 41.11 (1g) (b) (intro.) of the statutes is amended to read:

41.11 (1g) (b) (intro.) The department, in consultation with the department of commerce Wisconsin Economic Development Corporation, shall do all of the following for each economic development program administered by the department:

SECTION 312. 41.11 (1r) (title) of the statutes is amended to read:

41.11 (1r) (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND REPORTING.

SECTION 313. 41.11 (1r) of the statutes is renumbered 41.11 (1r) (b) and amended to read:

41.11 **(1r)** (b) Annually, no later than October 1, the department shall submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs, as defined in sub. (1g) (a), administered by the department. The report shall include all of the information required under s. ~~560.01 (2) (am)~~ 238.07 (2). The department shall collaborate with the ~~department of commerce~~ Wisconsin Economic Development Corporation to make readily accessible to the public on an Internet-based system the information required under this subsection.

SECTION 314. 41.11 (1r) (a) of the statutes is created to read:

41.11 **(1r)** (a) The department shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation.

SECTION 315. 41.41 (4) (c) of the statutes is amended to read:

41.41 **(4)** (c) The department of agriculture, trade and consumer protection, the department of natural resources, the department of transportation, ~~the department of commerce~~, the department of administration, the state historical society, and the University of Wisconsin-Extension shall cooperate with and assist the board in matters related to its functions.

SECTION 316. 41.41 (5) (e) of the statutes is amended to read:

41.41 **(5)** (e) Consult and cooperate with the department of agriculture, trade and consumer protection, the department of natural resources, the department of transportation, ~~the department of commerce~~, the department of administration, the state historical society, the University of Wisconsin-Extension, any federally recognized American Indian tribe or band in this state that appoints a liaison

representative to the board regarding the management of the Kickapoo valley reserve.

SECTION 317. 42.09 (3) (b) of the statutes is amended to read:

42.09 (3) (b) The board shall develop policies encouraging each private person entering into an agreement with the board under this subsection to agree that his or her goal shall be to ensure that at least 25% of the employees hired to perform construction work in connection with state fair park facilities or to perform professional services in connection with the construction or development of those facilities will be minority group members, as defined in s. ~~560.036~~ 490.04 (1) (f), and that at least 5% of the employees hired to perform construction work in connection with state fair park facilities or to perform professional services in connection with the construction or development of those facilities will be women.

SECTION 318. 44.53 (1) (h) of the statutes is renumbered 41.53 (1) (h) and is amended to read:

41.53 (1) (h) Annually, award an amount equal to at least 5% of all state and federal funds received by the board in that year for grants to artists and arts organizations to artists who are minority group members and arts groups composed principally of minority group members. In this paragraph, "minority group member" has the meaning specified in s. ~~560.036~~ 490.04 (1) (f).

***NOTE: This is reconciled s. 44.53 (1) (h). This SECTION has been affected by drafts with the following LRB numbers: LRB-1097/2 and LRB-1465/P3.

SECTION 319. 45.03 (11) (title) of the statutes is repealed.

SECTION 320. 45.03 (11) (a) of the statutes is renumbered 440.03 (18) (am).

SECTION 321. 45.03 (11) (b) of the statutes is renumbered 440.03 (18) (b).

SECTION 322. 45.20 (1) (d) of the statutes is amended to read:

45.20 (1) (d) "Tuition," when referring to the University of Wisconsin-Madison or University of Wisconsin System, means academic fees and segregated fees; when referring to the technical colleges, means "program fees" and "additional fees" as described in s. 38.24 (1m) and (1s); and when referring to a high school, a school that is approved under s. ~~45.03 (11)~~ 440.03 (18), or a proprietary school that is approved under s. 38.50, means the charge for the courses for which a person is enrolled.

****NOTE: This is reconciled s. 45.20 (1) (d). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

SECTION 323. 45.20 (2) (a) 1. of the statutes is amended to read:

45.20 (2) (a) 1. The department shall administer a tuition reimbursement program for eligible veterans enrolling as undergraduates in any institution of higher education in this state, enrolling in a school that is approved under s. ~~45.03 (11)~~ 440.03 (18), enrolling in a proprietary school that is approved under s. 38.50, enrolling in a public or private high school, enrolling in a tribal school, as defined in s. ~~115.011~~ 115.001 (15m), in any grade from 9 to 12, or receiving a waiver of nonresident tuition under s. 39.47.

SECTION 324. 45.20 (2) (a) 2. (intro.) of the statutes is amended to read:

45.20 (2) (a) 2. (intro.) A veteran who is a resident of this state and otherwise qualified to receive benefits under this subsection may receive the benefits under this subsection upon the completion of any correspondence courses or part-time classroom study from an institution of higher education located outside this state, from a school that is approved under s. ~~45.03 (11)~~ 440.03 (18), or from a proprietary school that is approved under s. 38.50, if any of the following applies:

SECTION 325. 45.20 (2) (c) 1. of the statutes is amended to read:

45.20 (2) (c) 1. A veteran who meets the eligibility requirements under par. (b) 1. may be reimbursed upon satisfactory completion of an undergraduate semester in any institution of higher education in this state, or upon satisfactory completion of a course at any school that is approved under s. ~~45.03 (11)~~ 440.03 (18), any proprietary school that is approved under s. 38.50, any public or private high school, any tribal school, as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or any institution from which the veteran receives a waiver of nonresident tuition under s. 39.47. Except as provided in par. (e), the amount of reimbursement may not exceed the total cost of the veteran's tuition minus any grants or scholarships that the veteran receives specifically for the payment of the tuition, or, if the tuition is for an undergraduate semester in any institution of higher education, the standard cost of tuition for a state resident for an equivalent undergraduate semester at the University of Wisconsin-Madison, whichever is less.

SECTION 326. 45.20 (2) (d) 1. (intro.) of the statutes is amended to read:

45.20 (2) (d) 1. (intro.) Subject to subd. 1m., a veteran's eligibility for reimbursement under this subsection at any institution of higher education in this state, at a school that is approved under s. ~~45.03 (11)~~ 440.03 (18), at a proprietary school that is approved under s. 38.50, at a public or private high school, at a tribal school, as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or at an institution where he or she is receiving a waiver of nonresident tuition under s. 39.47 is limited to the following:

SECTION 327. 46.29 (3) (e) of the statutes is amended to read:

46.29 (3) (e) The secretary of ~~commerce~~ safety and professional services.

SECTION 328. 46.90 (1) (gr) 3. of the statutes is amended to read:

46.90 (1) (gr) 3. The department of ~~regulation and licensing~~ safety and professional services.

SECTION 329. 46.90 (5m) (br) 5. of the statutes is amended to read:

46.90 (5m) (br) 5. Refer the case to the department of ~~regulation and licensing~~ safety and professional services if the financial exploitation, neglect, self-neglect, or abuse involves an individual who is required to hold a credential, as defined in s. 440.01 (2) (a), under chs. 440 to 460.

SECTION 330. 48.67 (intro.) of the statutes is amended to read:

48.67 Rules governing child welfare agencies, child care centers, foster homes, group homes, shelter care facilities, and county departments.

(intro.) The department shall promulgate rules establishing minimum requirements for the issuance of licenses to, and establishing standards for the operation of, child welfare agencies, child care centers, foster homes, group homes, shelter care facilities, and county departments. Those rules shall be designed to protect and promote the health, safety, and welfare of the children in the care of all licensees. The department shall consult with the department of ~~commerce~~ safety and professional services, the department of public instruction, and the child abuse and neglect prevention board before promulgating those rules. For foster homes, those rules shall include the rules promulgated under s. 48.62 (8). Those rules shall include rules that require all of the following:

SECTION 331. 48.685 (2) (am) 3. of the statutes is amended to read:

48.685 (2) (am) 3. Information maintained by the department of ~~regulation and licensing~~ safety and professional services regarding the status of the person's credentials, if applicable.

SECTION 332. 48.685 (2) (b) 1. c. of the statutes is amended to read:

48.685 (2) (b) 1. c. Information maintained by the department of ~~regulation and licensing~~ safety and professional services regarding the status of the person's credentials, if applicable.

SECTION 333. 48.685 (4m) (a) 5. of the statutes is amended to read:

48.685 (4m) (a) 5. That, in the case of a position for which the person must be credentialed by the department of ~~regulation and licensing~~ safety and professional services, the person's credential is not current or is limited so as to restrict the person from providing adequate care to a client.

SECTION 334. 48.685 (4m) (b) 5. of the statutes is amended to read:

48.685 (4m) (b) 5. That, in the case of a position for which the person must be credentialed by the department of ~~regulation and licensing~~ safety and professional services, the person's credential is not current or is limited so as to restrict the person from providing adequate care to a client.

SECTION 335. 48.78 (2) (g) of the statutes is amended to read:

48.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing information about an individual in its care or legal custody on the written request of the department of ~~regulation and licensing~~ safety and professional services or of any interested examining board or affiliated credentialing board in that department for use in any investigation or proceeding relating to any alleged misconduct by any person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457. Unless authorized by an order of the court, the department of ~~regulation and licensing~~ safety and professional services and any examining board or affiliated credentialing board in that department shall keep confidential any information obtained under this paragraph and may not disclose the name of or any other identifying information about the individual who is the subject of the information

disclosed, except to the extent that redisclosure of that information is necessary for the conduct of the investigation or proceeding for which that information was obtained.

SECTION 336. 49.165 (2) (c) (intro.) of the statutes is amended to read:

49.165 (2) (c) (intro.) No grant may be made to an organization which provides or will provide shelter facilities unless the department of ~~commerce~~ safety and professional services determines that the physical plant of the facility will not be dangerous to the health or safety of the residents when the facility is in operation. No grant may be given to an organization which provides or will provide shelter facilities or private home shelter care unless the organization ensures that the following services will be provided either by that organization or by another organization, person or agency:

SECTION 337. 49.47 (4) (i) 1. of the statutes is amended to read:

49.47 (4) (i) 1. The department shall request a waiver from the secretary of the federal department of health and human services to permit the application of subd. 2. The waiver shall request approval to implement the waiver on a statewide basis, unless the department of health services determines that statewide implementation of the waiver would present an obstacle to the approval of the waiver by the secretary of the federal department of health and human services, in which case the waiver shall request approval to implement the waiver in 48 pilot counties to be selected by the department of health services. Within 30 days after August 12, 1993, the department of ~~regulation and licensing~~ safety and professional services shall notify funeral directors licensed under ch. 445, cemetery associations, as defined in s. 157.061 (1r), and cemetery authorities, as defined in s. 157.061 (2), of the terms of the waiver required to be requested under this subdivision. If the waiver is approved

by the secretary of the federal department of health and human services and if the waiver remains in effect, subd. 2. shall apply.

SECTION 338. 49.857 (1) (c) of the statutes is amended to read:

49.857 (1) (c) “Credentialing board” means a board, examining board or affiliated credentialing board in the department of ~~regulation and licensing~~ safety and professional services that grants a credential.

SECTION 339. 49.857 (2) (b) 1. of the statutes is amended to read:

49.857 (2) (b) 1. The circumstances under which the licensing authority or the licensing agency must restrict, limit, suspend, withhold, deny, refuse to grant or issue or refuse to renew or revalidate a license and guidelines for determining the appropriate action to take. The memorandum of understanding with the department of ~~regulation and licensing~~ safety and professional services shall include the circumstances under which the department of ~~regulation and licensing~~ safety and professional services shall direct a credentialing board to restrict, limit, suspend, withhold, deny or refuse to grant a credential and guidelines for determining the appropriate action to take. The guidelines under this subdivision for determining the appropriate action to take shall require the consideration of whether the action is likely to have an adverse effect on public health, safety or welfare or on the environment, and of whether the action is likely to adversely affect individuals other than the individual holding or applying for the license, such as employees of that individual.

SECTION 340. 49.857 (2) (b) 2. a. of the statutes is amended to read:

49.857 (2) (b) 2. a. Certifying to the licensing authority or licensing agency a delinquency in support or a failure to comply with a subpoena or warrant. The memorandum of understanding with the department of ~~regulation and licensing~~

safety and professional services shall include procedures for the department of regulation and licensing safety and professional services to notify a credentialing board that a certification of delinquency in support or failure to comply with a subpoena or warrant has been made by the department of children and families with respect to an individual who holds or applied for a credential granted by the credentialing board.

SECTION 341. 49.857 (2) (b) 2. c. of the statutes is amended to read:

49.857 (2) (b) 2. c. Notifying the licensing authority or licensing agency that an individual has paid delinquent support or made satisfactory alternative payment arrangements or satisfied the requirements under a subpoena or warrant. The memorandum of understanding with the department of ~~regulation and licensing~~ safety and professional services shall include procedures for the department of ~~regulation and licensing~~ safety and professional services to notify a credentialing board that an individual who holds or applied for a credential granted by the credentialing board has paid delinquent support or made satisfactory alternative payment arrangements or satisfied the requirements under a subpoena or warrant.

SECTION 342. 49.857 (2) (b) 3. a. of the statutes is amended to read:

49.857 (2) (b) 3. a. Restricting, limiting, suspending, withholding, denying, refusing to grant or issue or refusing to renew or revalidate a license. The memorandum of understanding with the department of ~~regulation and licensing~~ safety and professional services shall include procedures for the department of ~~regulation and licensing~~ safety and professional services to direct a credentialing board to restrict, limit, suspend, withhold, deny or refuse to grant a credential.

SECTION 343. 49.857 (2) (b) 3. c. of the statutes is amended to read:

49.857 (2) (b) 3. c. Issuing or reinstating a license if the department of children and families notifies the licensing authority or licensing agency that an individual who was delinquent in making court-ordered payments of support has paid the delinquent support or made satisfactory alternative payment arrangements or that an individual who failed to comply with a subpoena or warrant has satisfied the requirements under the subpoena or warrant. The memorandum of understanding with the department of ~~regulation and licensing~~ safety and professional services shall include procedures for the department of ~~regulation and licensing~~ safety and professional services to direct a credentialing board to grant or reinstate a credential if the department of children and families notifies the department of ~~regulation and licensing~~ safety and professional services that an individual who holds or applied for a credential granted by the credentialing board has paid the delinquent support or made satisfactory alternative payment arrangements or that an individual who failed to comply with a subpoena or warrant has satisfied the requirements under the subpoena or warrant.

SECTION 344. 49.857 (3) (a) 1. of the statutes is amended to read:

49.857 (3) (a) 1. That a certification of delinquency in paying support will be made to a licensing authority, a licensing agency or, with respect to a credential granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services.

SECTION 345. 49.857 (3) (am) 1. of the statutes is amended to read:

49.857 (3) (am) 1. That the individual's name has been placed on a certification list, which will be provided to a licensing authority, a licensing agency or, with respect to a credential granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services.

SECTION 346. 49.857 (3) (b) 1. of the statutes is amended to read:

49.857 (3) (b) 1. That a certification of the failure to comply with a subpoena or warrant will be made to a licensing authority, a licensing agency or, with respect to a credential granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services.

SECTION 347. 49.857 (3) (c) (intro.) of the statutes is amended to read:

49.857 (3) (c) (intro.) If the department of children and families provides a certification list to a licensing authority, a licensing agency or, with respect to a credential granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services, upon receipt of the list the licensing authority if the licensing authority agrees, the licensing agency or, with respect to a credential granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services shall do all of the following:

SECTION 348. 49.857 (3) (d) 1. of the statutes is amended to read:

49.857 (3) (d) 1. Subject to sub. (2) (d), if an individual who, on the basis of delinquent support, is denied a license or whose license, on the basis of delinquent support, is restricted, limited, suspended, or refused renewal or revalidation under a memorandum of understanding entered into under sub. (2) (b) pays the delinquent amount of support in full or makes satisfactory alternative payment arrangements, the department of children and families shall immediately notify the licensing authority or licensing agency to issue or reinstate the individual's license as provided in the memorandum of understanding. If the individual held or applied for a credential granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services shall, upon notice by the department of

children and families, notify the credentialing board to grant or reinstate the individual's credential.

SECTION 349. 49.857 (3) (d) 2. of the statutes is amended to read:

49.857 (3) (d) 2. Subject to sub. (2) (d), if an individual who, on the basis of a failure to comply with a subpoena or warrant, is denied a license or whose license, on the basis of a failure to comply with a subpoena or warrant, is restricted, limited, suspended, or refused renewal or revalidation under a memorandum of understanding entered into under sub. (2) (b) satisfies the requirements under the subpoena or warrant, the department of children and families shall immediately notify the licensing authority or licensing agency to issue or reinstate the individual's license as provided in the memorandum of understanding. If the individual held or applied for a credential granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services shall, upon notice by the department of children and families, notify the credentialing board to grant or reinstate the individual's credential.

SECTION 350. 49.857 (4) of the statutes is amended to read:

49.857 (4) Each licensing agency shall enter into a memorandum of understanding with the department of children and families under sub. (2) (b) and shall cooperate with the department of children and families in its administration of s. 49.22. The department of ~~regulation and licensing~~ safety and professional services shall enter into a memorandum of understanding with the department of children and families on behalf of a credentialing board with respect to a credential granted by the credentialing board.

SECTION 351. 50.01 (1g) (c) of the statutes is amended to read:

50.01 (1g) (c) A shelter facility as defined under s. ~~560.9808~~ 234.5608 (1) (d).

SECTION 352. 50.02 (1) of the statutes is amended to read:

50.02 (1) DEPARTMENTAL AUTHORITY. The department may provide uniform, statewide licensing, inspection, and regulation of community-based residential facilities and nursing homes as provided in this subchapter. The department shall certify, inspect, and otherwise regulate adult family homes, as specified under ~~ss.~~ 50.031 and s. 50.032 and shall license adult family homes, as specified under s. 50.033. Nothing in this subchapter may be construed to limit the authority of the department of ~~commerce~~ safety and professional services or of municipalities to set standards of building safety and hygiene, but any local orders of municipalities shall be consistent with uniform, statewide regulation of community-based residential facilities. The department may not prohibit any nursing home from distributing over-the-counter drugs from bulk supply. The department may consult with nursing homes as needed and may provide specialized consultations when requested by any nursing home, separate from its inspection process, to scrutinize any particular questions the nursing home raises. The department shall, by rule, define “specialized consultation”.

***NOTE: This is reconciled s. 50.02 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-0241/3 and LRB-1465/P3.

SECTION 353. 50.02 (2) (a) of the statutes is amended to read:

50.02 (2) (a) The department, by rule, shall develop, establish and enforce regulations and standards for the care, treatment, health, safety, rights, welfare and comfort of residents in community-based residential facilities and nursing homes and for the construction, general hygiene, maintenance and operation of those facilities which, in the light of advancing knowledge, will promote safe and adequate accommodation, care and treatment of residents in those facilities; and promulgate

and enforce rules consistent with this section. Such standards and rules shall provide that intermediate care facilities, which have 16 or fewer beds may, if exempted from meeting certain physical plant, staffing and other requirements of the federal regulations, be exempted from meeting the corresponding provisions of the department's standards and rules. The department shall consult with the department of ~~eommerce~~ safety and professional services when developing exemptions relating to physical plant requirements.

SECTION 354. 50.035 (2) (a) 3. of the statutes is amended to read:

50.035 (2) (a) 3. The department or the department of ~~eommerce~~ safety and professional services may waive the requirement under subd. 1. or 2. for a community-based residential facility that has a smoke detection or sprinkler system in place that is at least as effective for fire protection as the type of system required under the relevant subdivision.

SECTION 355. 50.035 (2) (b) (intro.) of the statutes is amended to read:

50.035 (2) (b) (intro.) No facility may install a smoke detection system that fails to receive the approval of the department or of the department of ~~eommerce~~ safety and professional services. At least one smoke detector shall be located at each of the following locations:

SECTION 356. 50.065 (2) (am) 3. of the statutes is amended to read:

50.065 (2) (am) 3. Information maintained by the department of ~~regulation and licensing~~ safety and professional services regarding the status of the person's credentials, if applicable.

SECTION 357. 50.065 (2) (b) 3. of the statutes is amended to read:

50.065 (2) (b) 3. Information maintained by the department of ~~regulation and licensing~~ safety and professional services regarding the status of the person's credentials, if applicable.

SECTION 358. 50.065 (4m) (a) 5. of the statutes is amended to read:

50.065 (4m) (a) 5. That, in the case of a position for which the person must be credentialed by the department of ~~regulation and licensing~~ safety and professional services, the person's credential is not current or is limited so as to restrict the person from providing adequate care to a client.

SECTION 359. 50.065 (4m) (b) 5. of the statutes is amended to read:

50.065 (4m) (b) 5. That, in the case of a position for which the person must be credentialed by the department of ~~regulation and licensing~~ safety and professional services, the person's credential is not current or is limited so as to restrict the person from providing adequate care to a client.

SECTION 360. 50.36 (1) of the statutes is amended to read:

50.36 (1) The department shall promulgate, adopt, amend and enforce such rules and standards for hospitals for the construction, maintenance and operation of the hospitals deemed necessary to provide safe and adequate care and treatment of the patients in the hospitals and to protect the health and safety of the patients and employees; and nothing contained herein shall pertain to a person licensed to practice medicine and surgery or dentistry. The building codes and construction standards of the department of ~~commerce~~ safety and professional services shall apply to all hospitals and the department may adopt additional construction codes and standards for hospitals, provided they are not lower than the requirements of the department of ~~commerce~~ safety and professional services. Except for the construction codes and standards of the department of ~~commerce~~ safety and

professional services and except as provided in s. 50.39 (3), the department shall be the sole agency to adopt and enforce rules and standards pertaining to hospitals.

SECTION 361. 50.36 (6) of the statutes is amended to read:

50.36 (6) If the department receives a credible complaint that a pharmacy located in a hospital has violated its duty to dispense contraceptive drugs and devices under s. 450.095 (2), the department shall refer the complaint to the department of ~~regulation and licensing~~ safety and professional services.

SECTION 362. 51.35 (5) of the statutes is amended to read:

51.35 (5) RESIDENTIAL LIVING ARRANGEMENTS; TRANSITIONARY SERVICES. The department and any person, director, or board authorized to discharge or transfer patients under this section shall ensure that a proper residential living arrangement and the necessary transitional services are available and provided for the patient being discharged or transferred. Under this subsection, a proper residential living arrangement may not include a shelter facility, as defined under s. ~~560.9808~~ 234.5608 (1) (d), unless the discharge or transfer to the shelter facility is made on an emergency basis for a period not to exceed 10 days.

SECTION 363. 51.42 (7) (a) 7. of the statutes is amended to read:

51.42 (7) (a) 7. Develop a program in consultation with the department of ~~regulation and licensing~~ safety and professional services to use voluntary, uncompensated services of licensed or certified professionals to assist the department of health services in evaluating community mental health programs in exchange for continuing education credits for the professionals under ss. 448.40 (2) (e) and 455.065 (5).

SECTION 364. 55.043 (4) (b) 5. of the statutes is amended to read:

55.043 (4) (b) 5. Refer the case to the department of ~~regulation and licensing~~ safety and professional services if the financial exploitation, neglect, self-neglect, or abuse involves an individual who is required to hold a credential, as defined in s. 440.01 (2) (a), under chs. 440 to 460.

SECTION 365. 59.27 (10) of the statutes is amended to read:

59.27 (10) To enforce in the county all general orders of the department of ~~commerce~~ safety and professional services relating to the sale, transportation and storage of explosives.

SECTION 366. 59.57 (1) (a) of the statutes is amended to read:

59.57 (1) (a) Subject to par. (b), the board may appropriate money for and create a county industrial development agency or to any nonprofit agency organized to engage or engaging in activities described in this paragraph, appoint an executive officer and provide a staff and facilities to promote and develop the resources of the county and of its component municipalities. To this end the agency may, without limitation because of enumeration, develop data regarding the industrial needs, advantages and sites in the county, acquaint the purchaser with the products of the county by promotional activities, coordinate its work with that of the county planning commission, the ~~department of commerce~~ Wisconsin Economic Development Corporation, and private credit development corporations, and do all things necessary to provide for the continued improvement of the industrial climate of the county.

SECTION 367. 59.57 (1) (b) of the statutes is amended to read:

59.57 (1) (b) If a county with a population of 500,000 or more appropriates money under par. (a) to fund nonprofit agencies, the county shall have a goal of expending 20% of the money appropriated for this purpose to fund a nonprofit agency

that is actively managed by minority group members, as defined in s. ~~560.036~~ 490.04 (1) (f), and that principally serves minority group members.

SECTION 368. 59.69 (4c) of the statutes is amended to read:

59.69 (4c) CONSTRUCTION SITE ORDINANCE LIMITS. Except as provided in s. ~~281.33~~ (3m) (f) 101.1206 (5m), an ordinance that is enacted under sub. (4) may only include provisions that are related to construction site erosion control if those provisions are limited to sites where the construction activities do not include the construction of a building.

SECTION 369. 59.691 (2) (b) 1. of the statutes is amended to read:

59.691 (2) (b) 1. A county is not required to give the notice under par. (a) at the time that it issues a building permit if the county issues the building permit on a standard building permit form prescribed by the department of ~~commerce~~ safety and professional services.

SECTION 370. 60.23 (4) (c) of the statutes is amended to read:

60.23 (4) (c) Coordinate its activities with the county planning commission, the ~~department of commerce~~ Wisconsin Economic Development Corporation, and private credit development organizations.

SECTION 371. 60.625 (2) (b) 1. of the statutes is amended to read:

60.625 (2) (b) 1. A town is not required to give the notice under par. (a) at the time that it issues a building permit if the town issues the building permit on a standard building permit form prescribed by the department of ~~commerce~~ safety and professional services.

SECTION 372. 60.71 (4) (b) of the statutes is amended to read:

60.71 (4) (b) The town board shall publish a class 2 notice, under ch. 985, of the hearing. The notice shall contain an announcement of the hearing and a description

of the boundaries of the proposed town sanitary district. The town board shall mail the notice to the department of ~~commerce~~ safety and professional services and the department of natural resources at least 10 days prior to the hearing.

SECTION 373. 60.71 (4) (c) of the statutes is amended to read:

60.71 (4) (c) Any person may file written comments on the formation of the district with the town clerk. Any owner of property within the boundary of the proposed district may appear at the hearing and offer objections, criticisms or suggestions as to the necessity of the proposed district and the question of whether his or her property will be benefited by the establishment of the district. A representative of the department of ~~commerce~~ safety and professional services and of the department of natural resources may attend the hearing and advise the town board.

SECTION 374. 60.85 (14) of the statutes is repealed.

SECTION 375. 61.352 (2) (b) 1. of the statutes is amended to read:

61.352 (2) (b) 1. A village is not required to give the notice under par. (a) at the time that it issues a building permit if the village issues the building permit on a standard building permit form prescribed by the department of ~~commerce~~ safety and professional services.

SECTION 376. 62.232 (2) (b) 1. of the statutes is amended to read:

62.232 (2) (b) 1. A city is not required to give the notice under par. (a) at the time that it issues a building permit if the city issues the building permit on a standard building permit form prescribed by the department of ~~commerce~~ safety and professional services.

SECTION 377. 66.0211 (5) of the statutes is amended to read:

66.0211 (5) CERTIFICATION OF INCORPORATION. If a majority of the votes in an incorporation referendum are cast in favor of a village or city, the clerk of the circuit court shall certify the fact to the secretary of state and supply the secretary of state with a copy of a description of the legal boundaries of the village or city and the associated population and a copy of a plat of the village or city. Within 10 days of receipt of the description and plat, the secretary of state shall forward 2 copies to the department of transportation and one copy each to the department of administration, and the department of revenue and the department of commerce. The secretary of state shall issue a certificate of incorporation and record the certificate.

SECTION 378. 66.0309 (3) (a) 3. of the statutes is repealed.

SECTION 379. 66.1103 (4m) (a) 1. of the statutes is amended to read:

66.1103 (4m) (a) 1. The person, at least 30 days prior to entering into the revenue agreement, has given a notice of intent to enter into the agreement, on a form prescribed under s. ~~560.034~~ 238.11 (1), to the ~~department of commerce~~ Wisconsin Economic Development Corporation and to any collective bargaining agent in this state with whom the person has a collective bargaining agreement.

SECTION 380. 66.1103 (4m) (a) 2. of the statutes is amended to read:

66.1103 (4m) (a) 2. The municipality or county has received an estimate issued under s. ~~560.034~~ 238.11 (5) (a), and the ~~department of commerce~~ Wisconsin Economic Development Corporation has estimated whether the project which the municipality or county would finance under the revenue agreement is expected to eliminate, create, or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created, or maintained as a result of the project.

SECTION 381

SECTION 381. 66.1103 (4m) (b) of the statutes is amended to read:

66.1103 (4m) (b) Any revenue agreement which an eligible participant enters into with a municipality or county to finance a project shall require the eligible participant to submit to the ~~department of commerce~~ Wisconsin Economic Development Corporation within 12 months after the project is completed or 2 years after a revenue bond is issued to finance the project, whichever is sooner, on a form prescribed under s. ~~560.034~~ 238.11 (1), the net number of jobs eliminated, created, or maintained on the project site and elsewhere in this state as a result of the project.

SECTION 382. 66.1103 (4s) (a) 1. of the statutes is amended to read:

66.1103 (4s) (a) 1. “~~Department~~” “Corporation” means the ~~department of commerce~~ Wisconsin Economic Development Corporation.

SECTION 383. 66.1103 (4s) (b) 3. of the statutes is amended to read:

66.1103 (4s) (b) 3. The employer shall certify compliance with this subsection to the ~~department~~ corporation, to the governing body of each municipality or county within which a lost job exists and to any collective bargaining agent in this state with which the employer has a collective bargaining agreement at the project site or at a site where a lost job exists.

SECTION 384. 66.1103 (4s) (b) 4. of the statutes is amended to read:

66.1103 (4s) (b) 4. The employer shall submit a report to the ~~department~~ corporation every 3 months during the first year after the construction of the project is completed. The reports shall provide information about new jobs, lost jobs, and offers of employment made to persons who were formerly employed at lost jobs. The 4th report shall be the final report. The form and content of the reports shall be prescribed by the ~~department~~ corporation under par. (d).

SECTION 385. 66.1103 (4s) (d) of the statutes is amended to read:

66.1103 (4s) (d) The ~~department~~ corporation shall administer this subsection and shall prescribe forms for certification and reports under par. (b).

SECTION 386. 66.1103 (10) (c) of the statutes is amended to read:

66.1103 (10) (c) A copy of the initial resolution together with a statement indicating when the public notice required under par. (b) was published shall be filed with the ~~secretary of commerce~~ Wisconsin Economic Development Corporation within 20 days following publication of notice. Prior to the closing of the bond issue, the ~~secretary~~ corporation may require additional information from the eligible participant or the municipality or county. After the closing of the bond issue, the ~~secretary~~ corporation shall be notified of the closing date, any substantive changes made to documents previously filed with the ~~secretary~~ corporation, and the principal amount of the financing.

SECTION 387. 66.1103 (10) (g) of the statutes is amended to read:

66.1103 (10) (g) Bonds may not be issued unless prior to adoption of an initial resolution a document which provides a good faith estimate of attorney fees which will be paid from bond proceeds is filed with the clerk of the municipality or county and the ~~department of commerce~~ Wisconsin Economic Development Corporation.

SECTION 388. 66.1104 of the statutes is repealed.

SECTION 389. 66.1105 (13) of the statutes is repealed.

SECTION 390. 67.05 (6a) (bg) 2. of the statutes is amended to read:

67.05 (6a) (bg) 2. The ~~department of commerce~~ safety and professional services shall determine for each grade level in which pupils attended school in a building described in subd. 1., the average cost per square foot for, and the average number of square feet per pupil included in, 2 recently constructed school buildings that were designed to serve pupils of that grade level, as selected by that department.

SECTION 391

SECTION 391. 67.12 (12) (e) 2r. b. of the statutes is amended to read:

67.12 (12) (e) 2r. b. The department of ~~commerce~~ safety and professional services shall determine, for each grade level in which pupils attended school in a building described in subd. 2r. a., the average cost per square foot for, and the average number of square feet per pupil included in, 2 recently constructed school buildings that were designed to serve pupils of that grade level, as selected by that department.

SECTION 392. 71.05 (24) (a) 4. of the statutes is amended to read:

71.05 (24) (a) 4. “Qualified new business venture” means a business certified ~~by the department of commerce~~ under s. 238.20 or s. 560.2085, 2009 stats.

SECTION 393. 71.07 (2dd) (b) of the statutes is amended to read:

71.07 (2dd) (b) Except as provided in s. 73.03 (35), for any taxable year for which that person is certified under s. 560.765 (3), 2009 stats., and begins business operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified or entitled a person may credit against taxes otherwise due under this subchapter employment-related day care expenses, up to \$1,200 for each qualifying individual.

SECTION 394. 71.07 (2de) (a) (intro.) of the statutes is amended to read:

71.07 (2de) (a) (intro.) Except as provided in s. 73.03 (35), for any taxable year for which a person is certified under s. 560.765 (3), 2009 stats., and begins business operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified or entitled the person may claim as a credit against taxes otherwise due under this subchapter an amount equal to 7.5% of the amount that the person expends to remove or contain environmental pollution, as defined in s. 299.01 (4), in the zone or

to restore soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in the zone if the person fulfills all of the following requirements:

SECTION 395. 71.07 (2de) (a) 1. of the statutes is amended to read:

71.07 (2de) (a) 1. Begins the work, other than planning and investigating, for which the credit is claimed after the area that includes the site where the work is done is designated a development zone under s. 560.71, 2009 stats., or an enterprise development zone under s. 560.797, 2009 stats., and after the claimant is certified under s. 560.765 (3), 2009 stats., or certified under s. 560.797 (4) (a), 2009 stats.

SECTION 396. 71.07 (2di) (a) (intro.) of the statutes is amended to read:

71.07 (2di) (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35), for any taxable year for which the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits, any person may claim as a credit against taxes otherwise due under this chapter 2.5% of the purchase price of depreciable, tangible personal property, or 1.75% of the purchase price of depreciable, tangible personal property that is expensed under section 179 of the internal revenue code for purposes of the taxes under this chapter, except that:

SECTION 397. 71.07 (2di) (a) 1. of the statutes is amended to read:

71.07 (2di) (a) 1. The investment must be in property that is purchased after the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits and that is used for at least 50% of its use in the conduct of the person's business operations at a location in a development zone under subch. VI of ch. 560, 2009 stats., or, if the property is mobile, the base of operations of the property for at least 50% of its use must be a location in a development zone.

SECTION 398. 71.07 (2di) (b) 2. of the statutes is amended to read:

71.07 (2di) (b) 2. If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1), 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal enterprise, and if the allowable amount of the credit under this subsection exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft. In this subdivision, "tribal enterprise" means a business that is at least 51% owned and controlled by the governing body of one or more Indian tribes, is actively managed by the governing body, or by the designee of the governing body, of one or more Indian tribes and is currently performing a useful business function.

SECTION 399. 71.07 (2di) (b) 3. of the statutes is amended to read:

71.07 (2di) (b) 3. Partnerships, limited liability companies and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners or members. The corporation, partnership or company shall compute the amount of the credit that may be claimed by each of its shareholders, partners or members and shall provide that information to each of its shareholders, partners or members. Partners, members of limited liability companies and shareholders of tax-option corporations may claim the credit based on the partnership's, company's or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's or corporation's business operations in the development zone; except that partners, members, and shareholders in a

development zone under s. 560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax attributable to their income from all of the partnership's, company's, or corporation's business operations; and against the tax attributable to their income from the partnership's, company's or corporation's directly related business operations.

SECTION 400. 71.07 (2di) (d) 1. of the statutes is amended to read:

71.07 (2di) (d) 1. A copy of a verification from the department of commerce that the claimant may claim tax benefits under s. 560.795 (3), 2009 stats.

SECTION 401. 71.07 (2di) (f) of the statutes is amended to read:

71.07 (2di) (f) If a person who is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits becomes ineligible for such tax benefits, that person may claim no credits under this subsection for the taxable year that includes the day on which the person becomes ineligible for tax benefits or succeeding taxable years and that person may carry over no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which the person becomes ineligible for tax benefits or succeeding taxable years.

SECTION 402. 71.07 (2di) (g) of the statutes is amended to read:

71.07 (2di) (g) If a person who is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

SECTION 403. 71.07 (2dj) (am) (intro.) of the statutes is amended to read:

71.07 (2dj) (am) (intro.) Except as provided under par. (f) or s. 73.03 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009 stats.,

for tax benefits, any person may claim as a credit against taxes otherwise due under this chapter an amount calculated as follows:

SECTION 404. 71.07 (2dj) (am) 4. a. of the statutes is amended to read:

71.07 **(2dj)** (am) 4. a. If certified under s. 560.765 (3), 2009 stats., for tax benefits before January 1, 1992, modify “qualified wages” as defined in section 51 (b) of the internal revenue code to exclude wages paid before the claimant is certified for tax benefits and to exclude wages that are paid to employees for work at any location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes of this subd. 4. a., mobile employees work at their base of operations and leased or rented employees work at the location where they perform services.

SECTION 405. 71.07 (2dj) (am) 4. b. of the statutes is amended to read:

71.07 **(2dj)** (am) 4. b. If certified under s. 560.765 (3), 2009 stats., for tax benefits after December 31, 1991, modify “qualified wages” as defined in section 51 (b) of the internal revenue code to exclude wages paid before the claimant is certified for tax benefits and to exclude wages that are paid to employees for work at any location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes of this subd. 4. b., mobile employees and leased or rented employees work at their base of operations.

SECTION 406. 71.07 (2dj) (am) 4c. of the statutes is amended to read:

71.07 **(2dj)** (am) 4c. Modify the rule for ineligible individuals under section 51 (i) (1) of the internal revenue code to allow credit for the wages of related individuals paid by an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal enterprise, as defined in sub. (2di) (b) 2., if the Indian business or tribal enterprise is located in a development zone designated under s. 560.71 (3) (c) 2., 2009 stats.

SECTION 407. 71.07 (2dj) (am) 4t. of the statutes is amended to read:

71.07 (2dj) (am) 4t. If certified under s. 560.765 (3), 2009 stats., for tax benefits before January 1, 1992, modify section 51 (i) (3) of the internal revenue code so that for leased or rented employees, except employees of a leasing agency certified for tax benefits who perform services directly for the agency in a development zone, the minimum employment periods apply to the time that they perform services in a development zone for a single lessee or renter, not to their employment by the leasing agency.

SECTION 408. 71.07 (2dj) (e) 1. of the statutes is amended to read:

71.07 (2dj) (e) 1. A copy of the claimant's certification for tax benefits under s. 560.765 (3), 2009 stats.

SECTION 409. 71.07 (2dj) (e) 3. a. of the statutes is amended to read:

71.07 (2dj) (e) 3. a. If certified under s. 560.765 (3), 2009 stats., for tax benefits before January 1, 1992, a statement from the department of commerce verifying the amount of qualifying wages and verifying that the employees were hired for work only in a development zone or are mobile employees whose base of operations is in a development zone.

SECTION 410. 71.07 (2dj) (e) 3. b. of the statutes is amended to read:

71.07 (2dj) (e) 3. b. If certified under s. 560.765 (3), 2009 stats., for tax benefits after December 31, 1991, a statement from the department of commerce verifying the amount of qualifying wages and verifying that the employees were hired for work only in a development zone or are mobile employees or leased or rented employees whose base of operations is in a development zone.

SECTION 411. 71.07 (2dL) (a) of the statutes is amended to read:

71.07 (2dL) (a) Except as provided in pars. (ag), (ar), (bm) and (f) and s. 73.03 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009

SECTION 411

stats., for tax benefits, any person may claim as a credit against taxes otherwise due under this subchapter an amount equal to 2.5% of the amount expended by that person to acquire, construct, rehabilitate or repair real property in a development zone under subch. VI of ch. 560, 2009 stats.

SECTION 412. 71.07 (2dL) (ag) of the statutes is amended to read:

71.07 **(2dL)** (ag) If the credit under par. (a) is claimed for an amount expended to construct, rehabilitate, remodel or repair property, the claimant must have begun the physical work of construction, rehabilitation, remodeling or repair, or any demolition or destruction in preparation for the physical work, after the place where the property is located was designated a development zone under s. 560.71, 2009 stats., and the completed project must be placed in service after the claimant is certified for tax benefits under s. 560.765 (3), 2009 stats. In this paragraph, “physical work” does not include preliminary activities such as planning, designing, securing financing, researching, developing specifications or stabilizing the property to prevent deterioration.

SECTION 413. 71.07 (2dL) (ar) of the statutes is amended to read:

71.07 **(2dL)** (ar) If the credit under par. (a) is claimed for an amount expended to acquire property, the property must have been acquired by the claimant after the place where the property is located was designated a development zone under s. 560.71, 2009 stats., and the completed project must be placed in service after the claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., and the property must not have been previously owned by the claimant or a related person during the 2 years prior to the designation of the development zone under s. 560.71, 2009 stats. No credit is allowed for an amount expended to acquire property until

the property, either in its original state as acquired by the claimant or as subsequently constructed, rehabilitated, remodeled or repaired, is placed in service.

SECTION 414. 71.07 (2dL) (bm) of the statutes is amended to read:

71.07 (**2dL**) (bm) In calculating the credit under par. (a) a claimant shall reduce the amount expended to acquire property by a percentage equal to the percentage of the area of the real property not used for the purposes for which the claimant is certified to claim tax benefits under s. 560.765 (3), 2009 stats., and shall reduce the amount expended for other purposes by the amount expended on the part of the property not used for the purposes for which the claimant is certified to claim tax benefits under s. 560.765 (3), 2009 stats.

SECTION 415. 71.07 (2dL) (c) of the statutes is amended to read:

71.07 (**2dL**) (c) If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1), 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal enterprise, as defined in sub. (2di) (b) 2., and if the allowable amount of the credit under par. (a) exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft.

SECTION 416. 71.07 (2dm) (a) 1. of the statutes is amended to read:

71.07 (**2dm**) (a) 1. "Certified" means entitled under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5), 238.398 (5), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

SECTION 417. 71.07 (2dm) (a) 3. of the statutes is amended to read:

71.07 (2dm) (a) 3. “Development zone” means a development opportunity zone under s. 238.395 (1) (e) and (f) or 238.398 or s. 560.795 (1) (e) and (f), 2009 stats., or s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s. 560.7995, 2009 stats.

SECTION 418. 71.07 (2dm) (a) 4. of the statutes is amended to read:

71.07 (2dm) (a) 4. “Previously owned property” means real property that the claimant or a related person owned during the 2 years prior to the department of commerce or the Wisconsin Economic Development Corporation designating the place where the property is located as a development zone and for which the claimant may not deduct a loss from the sale of the property to, or an exchange of the property with, the related person under section 267 of the Internal Revenue Code, except that section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns any part of the property, rather than 50% ownership, the claimant is subject to section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

SECTION 419. 71.07 (2dm) (f) 1. of the statutes is amended to read:

71.07 (2dm) (f) 1. A copy of ~~a~~ the verification from the department of commerce that the claimant may claim tax benefits under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats., or is certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

SECTION 420. 71.07 (2dm) (f) 2. of the statutes is amended to read:

71.07 (2dm) (f) 2. A statement from the department of commerce or the Wisconsin Economic Development Corporation verifying the purchase price of the investment and verifying that the investment fulfills the requirements under par. (b).

SECTION 421. 71.07 (2dm) (i) of the statutes is amended to read:

71.07 (2dm) (i) Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or limited liability company shall compute the amount of credit that may be claimed by each of its shareholders, partners, or members and provide that information to its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's, or corporation's business operations in the development zone; except that partners, members, and shareholders in a development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax attributable to their income.

SECTION 422. 71.07 (2dm) (j) of the statutes is amended to read:

71.07 (2dm) (j) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits becomes ineligible for such tax benefits, or if a person's certification under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is revoked, that person may claim no credits under this subsection for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years, and that person may carry over no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which

the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years.

SECTION 423. 71.07 (2dm) (k) of the statutes is amended to read:

71.07 **(2dm)** (k) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

SECTION 424. 71.07 (2dr) (a) of the statutes is amended to read:

71.07 **(2dr)** (a) *Credit.* Any person may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the person's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560, 2009 stats., except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" do not include compensation used in computing the credit under sub. (2dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., the person's base amount, as defined in section 41 (c) of the internal revenue code, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.04 (7)

(b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj) 1. and (dk) 1. and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) 2009 stats., and a statement from the department of commerce verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under sub. (2di) (f) and (g), as they apply to the credit under that subsection, apply to claims under this paragraph. Section 41 (h) of the internal revenue code does not apply to the credit under this paragraph.

SECTION 425. 71.07 (2dr) (b) of the statutes is amended to read:

71.07 (2dr) (b) *Development opportunity zones.* The development zones research credit under par. (a), as it applies to a person certified under s. 560.765 (3), 2009 stats., applies to a person that conducts economic activity in a development opportunity zone under s. 560.795 (1), 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity zone credit under this paragraph may be calculated using expenses incurred by a claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the development opportunity zone designation of the area in which the claimant conducts economic activity.

SECTION 426. 71.07 (2ds) (a) 1. of the statutes is amended to read:

71.07 (2ds) (a) 1. "Development zone" means a zone designated under s. 560.71, 2009 stats.

SECTION 427. 71.07 (2ds) (b) of the statutes is amended to read:

71.07 (2ds) (b) Except as provided in pars. (dm) and (e) and s. 73.03 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009 stats., for tax benefits, any person may claim as a credit against taxes otherwise due under this chapter the taxes paid under subchs. III and V of ch. 77 on their purchases, leases and rentals of eligible property. Partnerships, limited liability companies and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their partners, members or shareholders. The partnership, limited liability company or corporation shall compute the amount of credit that may be claimed by each of its partners, members or shareholders and shall provide that information to each of its partners, members or shareholders. Partners, members of a limited liability company and shareholders of tax-option corporations may claim the credit based on the partnership's, company's or corporation's activities in proportion to their ownership interest.

SECTION 428. 71.07 (2ds) (d) 1. of the statutes is amended to read:

71.07 (2ds) (d) 1. A copy of the claimant's certification for tax benefits under s. 560.765 (3), 2009 stats.

SECTION 429. 71.07 (2dx) (a) 2. of the statutes is amended to read:

71.07 (2dx) (a) 2. "Development zone" means a development zone under s. 238.30 or s. 560.70, 2009 stats., a development opportunity zone under s. 238.395 or s. 560.795, 2009 stats., an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., an agricultural development zone under s. 238.398 or s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s. 560.7995, 2009 stats.

SECTION 430. 71.07 (2dx) (b) (intro.) of the statutes is amended to read:

71.07 (2dx) (b) *Credit*. (intro.) Except as provided in pars. (be) and (bg) and in s. 73.03 (35), and subject to s. 238.385 or s. 560.785, 2009 stats., for any taxable year for which the person is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against the taxes otherwise due under this chapter the following amounts:

SECTION 431. 71.07 (2dx) (b) 2. of the statutes is amended to read:

71.07 (2dx) (b) 2. The amount determined by multiplying the amount determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 432. 71.07 (2dx) (b) 3. of the statutes is amended to read:

71.07 (2dx) (b) 3. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time jobs created in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 433. 71.07 (2dx) (b) 4. of the statutes is amended to read:

71.07 (2dx) (b) 4. The amount determined by multiplying the amount determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub. (2dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,

and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 434. 71.07 (2dx) (b) 5. of the statutes is amended to read:

71.07 (2dx) (b) 5. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub. (2dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 435. 71.07 (2dx) (be) of the statutes is amended to read:

71.07 (2dx) (be) *Offset.* A claimant in a development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset any credits claimed under this subsection, including any credits carried over, against the amount of the tax otherwise due under this subchapter attributable to all of the claimant's income and against the tax attributable to income from directly related business operations of the claimant.

SECTION 436. 71.07 (2dx) (bg) of the statutes is amended to read:

71.07 (2dx) (bg) *Other entities.* For claimants in a development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or company shall compute the amount of

the credit that may be claimed by each of its shareholders, partners, or members and shall provide that information to each of its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income.

SECTION 437. 71.07 (2dx) (c) of the statutes is amended to read:

71.07 (2dx) (c) *Credit precluded.* If the certification of a person for tax benefits under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 238.395 (3) or s. 560.795 (3), 2009 stats., that person may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years and that person may not carry over unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 438. 71.07 (2dx) (d) of the statutes is amended to read:

71.07 (2dx) (d) *Carry-over precluded.* If a person who is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for tax benefits ceases business operations in the development zone during any of the

taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

SECTION 439. 71.07 (2dy) (a) of the statutes is amended to read:

71.07 **(2dy)** (a) *Definition.* In this subsection, “claimant” means a person who files a claim under this subsection and is certified under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703, 2009 stats.

SECTION 440. 71.07 (2dy) (b) of the statutes is amended to read:

71.07 **(2dy)** (b) *Filing claims.* Subject to the limitations under this subsection and ss. 238.301 to 238.306 or ss. 560.701 to 560.706, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08, up to the amount of the tax, the amount authorized for the claimant under s. 238.303 or s. 560.703, 2009 stats.

SECTION 441. 71.07 (2dy) (c) 1. of the statutes is amended to read:

71.07 **(2dy)** (c) 1. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy of the claimant’s notice of eligibility to receive tax benefits under s. 238.303 (3) or s. 560.703 (3), 2009 stats.

SECTION 442. 71.07 (2dy) (c) 2. of the statutes is amended to read:

71.07 **(2dy)** (c) 2. Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their authorization to claim tax benefits under s. 238.303 or s. 560.703, 2009 stats. A partnership, limited liability company, or tax-option corporation shall compute the amount of credit that each of its

partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit in proportion to their ownership interests.

SECTION 443. 71.07 (2dy) (d) 2. of the statutes is amended to read:

71.07 (2dy) (d) 2. If a claimant's certification is revoked under s. 238.305 or s. 560.705, 2009 stats., or if a claimant becomes ineligible for tax benefits under s. 238.302 or s. 560.702, 2009 stats., the claimant may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the claimant becomes ineligible for tax benefits; or succeeding taxable years and the claimant may not carry over unused credits from previous years to offset the tax imposed under s. 71.02 or 71.08 for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the claimant becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 444. 71.07 (3g) (a) (intro.) of the statutes is amended to read:

71.07 (3g) (a) (intro.) Subject to the limitations under this subsection and ss. 73.03 (35m) and 238.23 and s. 560.96, 2009 stats., a business that is certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats., may claim as a credit against the taxes imposed under s. 71.02 an amount equal to the sum of the following, as established under s. 238.23 (3) (c) or s. 560.96 (3) (c), 2009 stats.:

SECTION 445. 71.07 (3g) (b) of the statutes is amended to read:

71.07 (3g) (b) The department of revenue shall notify the department of commerce or the Wisconsin Economic Development Corporation of all claims under this subsection.

SECTION 446. 71.07 (3g) (e) 2. of the statutes is amended to read:

71.07 (3g) (e) 2. The investments that relate to the amount described under par. (a) 2. for which a claimant makes a claim under this subsection must be retained for use in the technology zone for the period during which the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats.

SECTION 447. 71.07 (3g) (f) 1. of the statutes is amended to read:

71.07 (3g) (f) 1. A copy of ~~a~~ the verification from the department of commerce that the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats., and that the business ~~and the department of commerce have~~ has entered into an agreement under s. 238.23 (3) (d) or s. 560.96 (3) (d), 2009 stats.

SECTION 448. 71.07 (3g) (f) 2. of the statutes is amended to read:

71.07 (3g) (f) 2. A statement from the department of commerce or the Wisconsin Economic Development Corporation verifying the purchase price of the investment described under par. (a) 2. and verifying that the investment fulfills the requirement under par. (e) 2.

SECTION 449. 71.07 (3p) (b) of the statutes is amended to read:

71.07 (3p) (b) *Filing claims.* Subject to the limitations provided in this subsection and s. 93.535 or s. 560.207, 2009 stats., except as provided in par. (c) 5., for taxable years beginning after December 31, 2006, and before January 1, 2015, a claimant may claim as a credit against the taxes imposed under s. 71.02 or 71.08, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for dairy manufacturing modernization or expansion related to the claimant's dairy manufacturing operation.

SECTION 450. 71.07 (3p) (c) 2m. a. of the statutes is amended to read:

71.07 (3p) (c) 2m. a. The maximum amount of the credits that may be claimed under this subsection and ss. 71.28 (3p) and 71.47 (3p) in fiscal year 2007-08 is \$600,000, as allocated under s. 560.207, 2009 stats.

SECTION 451. 71.07 (3p) (c) 2m. b. of the statutes is amended to read:

71.07 (3p) (c) 2m. b. The maximum amount of the credits that may be claimed by all claimants, other than members of dairy cooperatives, under this subsection and ss. 71.28 (3p) and 71.47 (3p) in fiscal year 2008-09, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

SECTION 452. 71.07 (3p) (c) 2m. bm. of the statutes is amended to read:

71.07 (3p) (c) 2m. bm. The maximum amount of the credits that may be claimed by members of dairy cooperatives under this subsection and ss. 71.28 (3p) and 71.47 (3p) in fiscal year 2009-10 is \$600,000, as allocated under s. 560.207, 2009 stats., and the maximum amount of the credits that may be claimed by members of dairy cooperatives under this subsection and ss. 71.28 (3p) and 71.47 (3p) in fiscal year 2010-11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

SECTION 453. 71.07 (3p) (c) 6. of the statutes is amended to read:

71.07 (3p) (c) 6. No credit may be allowed under this subsection unless the claimant submits with the claimant's return a copy of the claimant's credit certification and allocation under s. 93.535 or s. 560.207, 2009 stats.

SECTION 454. 71.07 (3q) (a) 1. of the statutes is amended to read:

71.07 (3q) (a) 1. "Claimant" means a person certified to receive tax benefits under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

SECTION 455. 71.07 (3q) (a) 2. of the statutes is amended to read:

71.07 (3q) (a) 2. “Eligible employee” means, for taxable years beginning before January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for taxable years beginning after December 31, 2010, an eligible employee under s. 238.16 (1) (b).

SECTION 456. 71.07 (3q) (b) (intro.) of the statutes is amended to read:

71.07 (3q) (b) *Filing claims.* (intro.) Subject to the limitations provided in this subsection and s. 238.16 or s. 560.2055, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the taxes imposed under ss. 71.02 and 71.08 any of the following.

SECTION 457. 71.07 (3q) (b) 1. of the statutes is amended to read:

71.07 (3q) (b) 1. The amount of wages that the claimant paid to an eligible employee in the taxable year, not to exceed 10 percent of such wages, as determined by the Wisconsin Economic Development Corporation under s. 238.16 or the department of commerce under s. 560.2055, 2009 stats.

SECTION 458. 71.07 (3q) (b) 2. of the statutes is amended to read:

71.07 (3q) (b) 2. The amount of the costs incurred by the claimant in the taxable year, as determined under s. 238.16 or s. 560.2055, 2009 stats., to undertake the training activities described under s. 238.16 (3) (c) or s. 560.2055 (3) (c), 2009 stats.

SECTION 459. 71.07 (3q) (c) 2. of the statutes is amended to read:

71.07 (3q) (c) 2. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification for tax benefits under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

SECTION 460. 71.07 (3q) (c) 3. of the statutes is amended to read:

71.07 (3q) (c) 3. The maximum amount of credits that may be awarded under this subsection and ss. 71.28 (3q) and 71.47 (3q) for the period beginning on January 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of any credits reallocated under s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats.

SECTION 461. 71.07 (3r) (b) of the statutes is amended to read:

71.07 (3r) (b) *Filing claims.* Subject to the limitations provided in this subsection and s. 238.19 or s. 560.208, 2009 stats., for taxable years beginning after December 31, 2008, and before January 1, 2017, a claimant may claim as a credit against the taxes imposed under s. 71.02 or 71.08, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for meat processing modernization or expansion related to the claimant's meat processing operation.

SECTION 462. 71.07 (3r) (c) 3. a. of the statutes is amended to read:

71.07 (3r) (c) 3. a. The maximum amount of the credits that may be allocated under this subsection and ss. 71.28 (3r) and 71.47 (3r) in fiscal year 2009-10 is \$300,000, as allocated under s. 560.208, 2009 stats.

SECTION 463. 71.07 (3r) (c) 3. b. of the statutes is amended to read:

71.07 (3r) (c) 3. b. The maximum amount of the credits that may be allocated under this subsection and ss. 71.28 (3r) and 71.47 (3r) in fiscal year 2010-11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 238.19 or s. 560.208, 2009 stats.

SECTION 464. 71.07 (3r) (c) 6. of the statutes is amended to read:

71.07 (3r) (c) 6. No credit may be allowed under this subsection unless the claimant submits with the claimant's return a copy of the claimant's credit certification and allocation under s. 238.19 or s. 560.208, 2009 stats.

SECTION 465. 71.07 (3rm) (b) of the statutes is amended to read:

71.07 **(3rm)** (b) *Filing claims.* Subject to the limitations provided in this subsection and s. 238.21 or s. 560.209, 2009 stats., for taxable years beginning after December 31, 2009, and before January 1, 2016, a claimant may claim as a credit against the taxes imposed under s. 71.02 or 71.08, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for equipment that is used primarily to harvest or process woody biomass that is used as fuel or as a component of fuel.

SECTION 466. 71.07 (3rm) (c) 3. of the statutes is amended to read:

71.07 **(3rm)** (c) 3. The maximum amount of the credits that may be claimed under this subsection and ss. 71.28 (3rm) and 71.47 (3rm) is \$900,000, as allocated under s. 238.21 or s. 560.209, 2009 stats.

SECTION 467. 71.07 (3rn) (b) of the statutes is amended to read:

71.07 **(3rn)** (b) *Filing claims.* Subject to the limitations provided in this subsection and s. ~~506.2056~~ 238.17 or s. 560.2056, 2009 stats., for taxable years beginning after December 31, 2009, and before January 1, 2017, a claimant may claim as a credit against the tax imposed under ss. 71.02 and 71.08, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for food processing or food warehousing modernization or expansion related to the operation of the claimant's food processing plant or food warehouse.

SECTION 468. 71.07 (3rn) (c) 3. a. of the statutes is amended to read:

71.07 **(3rn)** (c) 3. a. The maximum amount of the credits that may be allocated under this subsection and ss. 71.28 (3rn) and 71.47 (3rn) in fiscal year 2009-10 is \$1,000,000, as allocated under s. 560.2056, 2009 stats.

SECTION 469. 71.07 (3rn) (c) 3. b. of the statutes is amended to read:

71.07 (3rn) (c) 3. b. The maximum amount of the credits that may be allocated under this subsection and ss. 71.28 (3rn) and 71.47 (3rn) in fiscal year 2010-11 is \$1,200,000, as allocated under s. 560.2056, 2009 stats.

SECTION 470. 71.07 (3rn) (c) 3. c. of the statutes is amended to read:

71.07 (3rn) (c) 3. c. The maximum amount of the credits that may be allocated under this subsection and ss. 71.28 (3rn) and 71.47 (3rn) in fiscal year 2011-12, and in each year thereafter, is \$700,000, as allocated under s. 238.17 or s. 560.2056, 2009 stats.

SECTION 471. 71.07 (3rn) (c) 6. of the statutes is amended to read:

71.07 (3rn) (c) 6. No credit may be allowed under this subsection unless the claimant submits with the claimant's return a copy of the claimant's credit certification and allocation under s. 238.17 or s. 560.2056, 2009 stats.

SECTION 472. 71.07 (3t) (b) of the statutes is amended to read:

71.07 (3t) (b) *Credit.* Subject to the limitations provided in this subsection and in s. 560.28, 2009 stats., for taxable years beginning after December 31, 2007, a claimant may claim as a credit, amortized over 15 taxable years starting with the taxable year beginning after December 31, 2007, against the tax imposed under s. 71.02 and 71.08, up to the amount of the tax, an amount equal to the claimant's unused credits under s. 71.07 (3s).

SECTION 473. 71.07 (3t) (c) 1. of the statutes is amended to read:

71.07 (3t) (c) 1. No credit may be claimed under this subsection unless the claimant submits with the claimant's return a copy of the claimant's certification by the department of commerce under s. 560.28, 2009 stats., except that, with regard to credits claimed by partners of a partnership, members of a limited liability company, or shareholders of a tax-option corporation, the entity shall provide a copy

of its certification under s. 560.28, 2009 stats., to the partner, member, or shareholder to submit with his or her return.

SECTION 474. 71.07 (3w) (a) 2. of the statutes is amended to read:

71.07 (3w) (a) 2. “Claimant” means a person who is certified to claim tax benefits under s. 238.399 (5) or s. 560.799 (5), 2009 stats., and who files a claim under this subsection.

SECTION 475. 71.07 (3w) (a) 3. of the statutes is amended to read:

71.07 (3w) (a) 3. “Full-time employee” means a full-time employee, as defined in s. 238.399 (1) (am) or s. 560.799 (1) (am), 2009 stats.

SECTION 476. 71.07 (3w) (a) 4. of the statutes is amended to read:

71.07 (3w) (a) 4. “Enterprise zone” means a zone designated under s. 238.399 or s. 560.799, 2009 stats.

SECTION 477. 71.07 (3w) (a) 5d. of the statutes is amended to read:

71.07 (3w) (a) 5d. “Tier I county or municipality” means a tier I county or municipality, as determined ~~by the department of commerce~~ under s. 238.399 or s. 560.799, 2009 stats.

SECTION 478. 71.07 (3w) (a) 5e. of the statutes is amended to read:

71.07 (3w) (a) 5e. “Tier II county or municipality” means a tier II county or municipality, as determined ~~by the department of commerce~~ under s. 238.399 or s. 560.799, 2009 stats.

SECTION 479. 71.07 (3w) (b) (intro.) of the statutes is amended to read:

71.07 (3w) (b) *Filing claims; payroll.* (intro.) Subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 an amount calculated as follows:

SECTION 480. 71.07 (3w) (b) 5. of the statutes is amended to read:

71.07 (3w) (b) 5. Multiply the amount determined under subd. 4. by the percentage determined by ~~the department of commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent.

SECTION 481. 71.07 (3w) (bm) 1. of the statutes is amended to read:

71.07 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 an amount equal to a percentage, as determined by ~~the department of commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade or improve the job-related skills of any of the claimant's full-time employees, to train any of the claimant's full-time employees on the use of job-related new technologies, or to provide job-related training to any full-time employee whose employment with the claimant represents the employee's first full-time job. This subdivision does not apply to employees who do not work in an enterprise zone.

SECTION 482. 71.07 (3w) (bm) 2. of the statutes is amended to read:

71.07 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 an amount equal to the percentage, as determined by ~~the department of commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full-time employees whose annual wages are greater than \$20,000 in a tier I county or municipality, not including the wages paid to the employees determined under

par. (b) 1., or greater than \$30,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year. A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.

SECTION 483. 71.07 (3w) (bm) 3. of the statutes is amended to read:

71.07 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1., 2., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08 up to 10 percent of the claimant's significant capital expenditures, as determined by the department of commerce under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

SECTION 484. 71.07 (3w) (bm) 4. of the statutes is amended to read:

71.07 (3w) (bm) 4. In addition to the credits under par. (b) and subds. 1., 2., and 3., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08, up to 1 percent of the amount that the claimant paid in the taxable year to purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from Wisconsin vendors, as determined by the department of commerce under s. 238.399 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under this subdivision and subd. 3. for the same expenditures.

SECTION 485. 71.07 (3w) (c) 3. of the statutes is amended to read:

71.07 (3w) (c) 3. No credit may be allowed under this subsection unless the claimant includes with the claimant's return a copy of the claimant's certification for tax benefits under s. 238.399 (5) or (5m) or s. 560.799 (5) or (5m), 2009 stats.

SECTION 486. 71.07 (3w) (d) of the statutes is amended to read:

71.07 (3w) (d) *Administration.* Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection. Claimants shall include with their returns a copy of their certification for tax benefits, and a copy of the verification of their expenses, from the department of commerce or the Wisconsin Economic Development Corporation.

SECTION 487. 71.07 (5b) (a) 2. of the statutes is amended to read:

71.07 (5b) (a) 2. "Fund manager" means an investment fund manager certified under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

SECTION 488. 71.07 (5b) (b) 1. of the statutes is amended to read:

71.07 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject to the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may claim as a credit against the tax imposed under ss. 71.02 and 71.08, up to the amount of those taxes, 25 percent of the claimant's investment paid to a fund manager that the fund manager invests in a business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

SECTION 489. 71.07 (5b) (b) 2. of the statutes is amended to read:

71.07 (5b) (b) 2. In the case of a partnership, limited liability company, or tax-option corporation, the computation of the 25 percent limitation under subd. 1. shall be determined at the entity level rather than the claimant level and may be allocated among the claimants who make investments in the manner set forth in the entity's organizational documents. The entity shall provide to the department of

revenue and to the department of commerce or the Wisconsin Economic Development Corporation the names and tax identification numbers of the claimants, the amounts of the credits allocated to the claimants, and the computation of the allocations.

SECTION 490. 71.07 (5d) (a) 1. (intro.) of the statutes is amended to read:

71.07 (5d) (a) 1. (intro.) “Bona fide angel investment” means a purchase of an equity interest, or any other expenditure, as determined by rule under s. 238.15 or s. 560.205, 2009 stats., that is made by any of the following:

SECTION 491. 71.07 (5d) (a) 3. of the statutes is amended to read:

71.07 (5d) (a) 3. “Qualified new business venture” means a business that is certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

SECTION 492. 71.07 (5d) (b) (intro.) of the statutes is amended to read:

71.07 (5d) (b) *Filing claims.* (intro.) Subject to the limitations provided in this subsection and in s. 238.15 or s. 560.205, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08, up to the amount of those taxes, the following:

SECTION 493. 71.07 (5d) (b) 1. of the statutes is amended to read:

71.07 (5d) (b) 1. For taxable years beginning before January 1, 2008, in each taxable year for 2 consecutive years, beginning with the taxable year as certified by the department of commerce or the Wisconsin Economic Development Corporation, an amount equal to 12.5 percent of the claimant’s bona fide angel investment made directly in a qualified new business venture.

SECTION 494. 71.07 (5d) (b) 2. of the statutes is amended to read:

71.07 (5d) (b) 2. For taxable years beginning after December 31, 2007, for the taxable year certified by the department of commerce or the Wisconsin Economic

Development Corporation, an amount equal to 25 percent of the claimant's bona fide angel investment made directly in a qualified new business venture.

SECTION 495. 71.07 (5d) (c) 2. of the statutes is amended to read:

71.07 (5d) (c) 2. For taxable years beginning before January 1, 2008, the maximum amount of a claimant's investment that may be used as the basis for a credit under this subsection is \$2,000,000 for each investment made directly in a business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

SECTION 496. 71.07 (5f) (a) 1. (intro.) of the statutes is amended to read:

71.07 (5f) (a) 1. "Accredited production" means a film, video, broadcast advertisement, or television production, as approved by the department of commerce or the department of tourism, for which the aggregate salary and wages included in the cost of the production for the period ending 12 months after the month in which the principal filming or taping of the production begins exceeds \$50,000. "Accredited production" also means an electronic game, as approved by the department of commerce or the department of tourism, for which the aggregate salary and wages included in the cost of the production for the period ending 36 months after the month in which the principal programming, filming, or taping of the production begins exceeds \$100,000. "Accredited production" does not include any of the following, regardless of the production costs:

SECTION 497. 71.07 (5f) (a) 3. of the statutes is amended to read:

71.07 (5f) (a) 3. "Production expenditures" means any expenditures that are incurred in this state and directly used to produce an accredited production, including expenditures for set construction and operation, wardrobes, make-up, clothing accessories, photography, sound recording, sound synchronization, sound mixing, lighting, editing, film processing, film transferring, special effects, visual

effects, renting or leasing facilities or equipment, renting or leasing motor vehicles, food, lodging, and any other similar expenditure as determined by the department of commerce or the department of tourism. “Production expenditures” do not include salary, wages, or labor-related contract payments.

SECTION 498. 71.07 (5f) (c) 6. of the statutes is amended to read:

71.07 **(5f)** (c) 6. No credit may be allowed under this subsection unless the claimant files an application with the department of commerce or the department of tourism, at the time and in the manner prescribed by the department of commerce or the department of tourism, and the department of commerce or the department of tourism approves the application. The claimant shall submit a fee with the application in an amount equal to 2 percent of the claimant’s budgeted production expenditures or to \$5,000, whichever is less. The claimant shall submit a copy of the approved application with the claimant’s return.

SECTION 499. 71.07 (5h) (c) 4. of the statutes is amended to read:

71.07 **(5h)** (c) 4. No claim may be allowed under this subsection unless the department of commerce or the department of tourism certifies, in writing, that the credits claimed under this subsection are for expenses related to establishing or operating a film production company in this state and the claimant submits a copy of the certification with the claimant’s return.

SECTION 500. 71.07 (5i) (c) 1. of the statutes is amended to read:

71.07 **(5i)** (c) 1. The maximum amount of the credits that may be claimed under this subsection and ss. 71.28 (5i) and 71.47 (5i) in a taxable year is \$10,000,000, as allocated under s. 238.14 or s. 560.204, 2009 stats.

SECTION 501. 71.07 (5j) (a) 2d. of the statutes is amended to read:

71.07 (5j) (a) 2d. “Diesel replacement renewable fuel” includes biodiesel and any other fuel derived from a renewable resource that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel and that the department of commerce or the department of safety and professional services designates by rule as a diesel replacement renewable fuel.

SECTION 502. 71.07 (5j) (a) 2m. of the statutes is amended to read:

71.07 (5j) (a) 2m. “Gasoline replacement renewable fuel” includes ethanol and any other fuel derived from a renewable resource that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel and that the department of commerce or the department of safety and professional services designates by rule as a gasoline replacement renewable fuel.

SECTION 503. 71.07 (5j) (c) 3. of the statutes is amended to read:

71.07 (5j) (c) 3. The department of commerce or the department of safety and professional services shall establish standards to adequately prevent, in the distribution of conventional fuel to an end user, the inadvertent distribution of fuel containing a higher percentage of renewable fuel than the maximum percentage established by the federal environmental protection agency for use in conventionally-fueled engines.

SECTION 504. 71.28 (1dd) (b) of the statutes is amended to read:

71.28 (1dd) (b) Except as provided in s. 73.03 (35), for any taxable year for which that person is certified under s. 560.765 (3), 2009 stats., and begins business operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, entitled under s. 560.795 (3) (a), 2009 stats., and begins business operations in a zone under s. 560.795, 2009 stats., after July 29, 1995, or certified under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified or entitled a person may credit

against taxes otherwise due under this subchapter employment-related day care expenses, up to \$1,200 for each qualifying individual.

SECTION 505. 71.28 (1dd) (e) of the statutes is amended to read:

71.28 **(1dd)** (e) The credit under this subsection, as it applies to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts economic activity in a zone under s. 560.795 (1), 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795 (2), 2009 stats. A credit under this subsection may be credited using expenses incurred by a claimant on July 29, 1995.

SECTION 506. 71.28 (1de) (a) (intro.) of the statutes is amended to read:

71.28 **(1de)** (a) (intro.) Except as provided in s. 73.03 (35), for any taxable year for which a person is certified under s. 560.765 (3), 2009 stats., and begins business operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, entitled under s. 560.795 (3) (a), 2009 stats., and begins business operations in a zone under s. 560.795, 2009 stats., after July 29, 1995, or certified under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified or entitled the person may claim as a credit against taxes otherwise due under this subchapter an amount equal to 7.5% of the amount that the person expends to remove or contain environmental pollution, as defined in s. 299.01 (4), in the zone or to restore soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in the zone if the person fulfills all of the following requirements:

SECTION 507. 71.28 (1de) (a) 1. of the statutes is amended to read:

71.28 **(1de)** (a) 1. Begins the work, other than planning and investigating, for which the credit is claimed after the area that includes the site where the work is done is designated a development zone under s. 560.71, 2009 stats., a development

opportunity zone under s. 560.795, 2009 stats., or an enterprise development zone under s. 560.797, 2009 stats., and after the claimant is certified under s. 560.765 (3), 2009 stats., entitled under s. 560.795 (3) (a), 2009 stats., or certified under s. 560.797 (4) (a), 2009 stats.

SECTION 508. 71.28 (1de) (d) of the statutes is amended to read:

71.28 **(1de)** (d) The credit under this subsection, as it applies to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts economic activity in a zone under s. 560.795 (1), 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795 (2), 2009 stats. A credit under this subsection may be credited using expenses incurred by a claimant on July 29, 1995.

SECTION 509. 71.28 (1di) (a) (intro.) of the statutes is amended to read:

71.28 **(1di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35), for any taxable year for which the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits, any person may claim as a credit against taxes otherwise due under this chapter 2.5% of the purchase price of depreciable, tangible personal property, or 1.75% of the purchase price of depreciable, tangible personal property that is expensed under section 179 of the internal revenue code for purposes of the taxes under this chapter, except that:

SECTION 510. 71.28 (1di) (a) 1. of the statutes is amended to read:

71.28 **(1di)** (a) 1. The investment must be in property that is purchased after the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits and that is used for at least 50% of its use in the conduct of the person's business operations at a location in a development zone under subch. VI of ch. 560, 2009 stats., or, if the

property is mobile, the base of operations of the property for at least 50% of its use must be a location in a development zone.

SECTION 511. 71.28 (1di) (b) 2. of the statutes is amended to read:

71.28 **(1di)** (b) 2. If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1), 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit under this subsection exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft.

SECTION 512. 71.28 (1di) (b) 3. of the statutes is amended to read:

71.28 **(1di)** (b) 3. Partnerships, limited liability companies and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners or members. The corporation, partnership or limited liability company shall compute the amount of the credit that may be claimed by each of its shareholders, partners or members and shall provide that information to each of its shareholders, partners or members. Partners, members of limited liability companies and shareholders of tax-option corporations may claim the credit based on the partnership's, company's or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's or corporation's business operations in the development zone; except that partners, members, and shareholders in a development zone under s. 560.795 (1) (e), 2009 stats., may offset

the credit against the amount of the tax attributable to their income from all of the partnership's, company's, or corporation's business operations; and against the tax attributable to their income from the partnership's, company's or corporation's directly related business operations.

SECTION 513. 71.28 (1di) (d) 1. of the statutes is amended to read:

71.28 **(1di)** (d) 1. A copy of a verification from the department of commerce that the claimant may claim tax benefits under s. 560.795 (3), 2009 stats.

SECTION 514. 71.28 (1di) (f) of the statutes is amended to read:

71.28 **(1di)** (f) If a person who is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits becomes ineligible for such tax benefits, that person may claim no credits under this subsection for the taxable year that includes the day on which the person becomes ineligible for tax benefits or succeeding taxable years and that person may carry over no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which the person becomes ineligible for tax benefits or succeeding taxable years.

SECTION 515. 71.28 (1di) (g) of the statutes is amended to read:

71.28 **(1di)** (g) If a person who is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

SECTION 516. 71.28 (1di) (i) of the statutes is amended to read:

71.28 **(1di)** (i) The development zones credit under this subsection, as it applies to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts economic activity in a development opportunity zone under s. 560.795 (1),

2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity zone credit under this paragraph may be calculated using expenses incurred by a claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the development opportunity zone designation of the area in which the claimant conducts economic activity.

SECTION 517. 71.28 (1dj) (am) (intro.) of the statutes is amended to read:

71.28 **(1dj)** (am) (intro.) Except as provided under par. (f) or s. 73.03 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009 stats., for tax benefits, any person may claim as a credit against taxes otherwise due under this chapter an amount calculated as follows:

SECTION 518. 71.28 (1dj) (am) 4. a. of the statutes is amended to read:

71.28 **(1dj)** (am) 4. a. If certified under s. 560.765 (3), 2009 stats., for tax benefits before January 1, 1992, modify “qualified wages” as defined in section 51 (b) of the internal revenue code to exclude wages paid before the claimant is certified for tax benefits and to exclude wages that are paid to employees for work at any location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes of this subd. 4. a., mobile employees work at their base of operations and leased or rented employees work at the location where they perform services.

SECTION 519. 71.28 (1dj) (am) 4. b. of the statutes is amended to read:

71.28 **(1dj)** (am) 4. b. If certified under s. 560.765 (3), 2009 stats., for tax benefits after December 31, 1991, modify “qualified wages” as defined in section 51 (b) of the internal revenue code to exclude wages paid before the claimant is certified for tax benefits and to exclude wages that are paid to employees for work at any location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For

purposes of this subd. 4. b., mobile employees and leased or rented employees work at their base of operations.

SECTION 520. 71.28 (1dj) (am) 4c. of the statutes is amended to read:

71.28 (1dj) (am) 4c. Modify the rule for ineligible individuals under section 51 (i) (1) of the internal revenue code to allow credit for the wages of related individuals paid by an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal enterprise, as defined in s. 71.07 (2di) (b) 2., if the Indian business or tribal enterprise is located in a development zone designated under s. 560.71 (3) (c) 2., 2009 stats.

SECTION 521. 71.28 (1dj) (am) 4t. of the statutes is amended to read:

71.28 (1dj) (am) 4t. If certified under s. 560.765 (3), 2009 stats., for tax benefits before January 1, 1992, modify section 51 (i) (3) of the internal revenue code so that for leased or rented employees, except employees of a leasing agency certified for tax benefits who perform services directly for the agency in a development zone, the minimum employment periods apply to the time that they perform services in a development zone for a single lessee or renter, not to their employment by the leasing agency.

SECTION 522. 71.28 (1dj) (e) 1. of the statutes is amended to read:

71.28 (1dj) (e) 1. A copy of the claimant's certification for tax benefits under s. 560.765 (3), 2009 stats.

SECTION 523. 71.28 (1dj) (e) 3. a. of the statutes is amended to read:

71.28 (1dj) (e) 3. a. If certified under s. 560.765 (3), 2009 stats., for tax benefits before January 1, 1992, a statement from the department of commerce verifying the amount of qualifying wages and verifying that the employees were hired for work only in a development zone or are mobile employees whose base of operations is in a development zone.

SECTION 524. 71.28 (1dj) (e) 3. b. of the statutes is amended to read:

71.28 (1dj) (e) 3. b. If certified under s. 560.765 (3), 2009 stats., for tax benefits after December 31, 1991, a statement from the department of commerce verifying the amount of qualifying wages and verifying that the employees were hired for work only in a development zone or are mobile employees or leased or rented employees whose base of operations is in a development zone.

SECTION 525. 71.28 (1dj) (i) of the statutes is amended to read:

71.28 (1dj) (i) The development zones credit under this subsection, as it applies to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts economic activity in a development opportunity zone under s. 560.795 (1), 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity zone credit under this paragraph may be calculated using expenses incurred by a claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the development opportunity zone designation of the area in which the claimant conducts economic activity.

SECTION 526. 71.28 (1dL) (a) of the statutes is amended to read:

71.28 (1dL) (a) Except as provided in pars. (ag), (ar), (bm) and (f) and s. 73.03 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009 stats., for tax benefits, any person may claim as a credit against taxes otherwise due under this subchapter an amount equal to 2.5% of the amount expended by that person to acquire, construct, rehabilitate or repair real property in a development zone under subch. VI of ch. 560, 2009 stats.

SECTION 527. 71.28 (1dL) (ag) of the statutes is amended to read:

71.28 (1dL) (ag) If the credit under par. (a) is claimed for an amount expended to construct, rehabilitate, remodel or repair property, the claimant must have begun the physical work of construction, rehabilitation, remodeling or repair, or any demolition or destruction in preparation for the physical work, after the place where the property is located was designated a development zone under s. 560.71, 2009 stats., and the completed project must be placed in service after the claimant is certified for tax benefits under s. 560.765 (3), 2009 stats. In this paragraph, “physical work” does not include preliminary activities such as planning, designing, securing financing, researching, developing specifications or stabilizing the property to prevent deterioration.

SECTION 528. 71.28 (1dL) (ar) of the statutes is amended to read:

71.28 (1dL) (ar) If the credit under par. (a) is claimed for an amount expended to acquire property, the property must have been acquired by the claimant after the place where the property is located was designated a development zone under s. 560.71, 2009 stats., and the completed project must be placed in service after the claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., and the property must not have been previously owned by the claimant or a related person during the 2 years prior to the designation of the development zone under s. 560.71, 2009 stats. No credit is allowed for an amount expended to acquire property until the property, either in its original state as acquired by the claimant or as subsequently constructed, rehabilitated, remodeled or repaired, is placed in service.

SECTION 529. 71.28 (1dL) (bm) of the statutes is amended to read:

71.28 (1dL) (bm) In calculating the credit under par. (a) a claimant shall reduce the amount expended to acquire property by a percentage equal to the percentage of the area of the real property not used for the purposes for which the claimant is

certified to claim tax benefits under s. 560.765 (3), 2009 stats., and shall reduce the amount expended for other purposes by the amount expended on the part of the property not used for the purposes for which the claimant is certified to claim tax benefits under s. 560.765 (3), 2009 stats.

SECTION 530. 71.28 (1dL) (c) of the statutes is amended to read:

71.28 (1dL) (c) If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1), 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit under par. (a) exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft.

SECTION 531. 71.28 (1dL) (i) of the statutes is amended to read:

71.28 (1dL) (i) The development zones credit under this subsection, as it applies to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts economic activity in a development opportunity zone under s. 560.795 (1), 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity zone credit under this paragraph may be calculated using expenses incurred by a claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the development opportunity zone designation of the area in which the claimant conducts economic activity.

SECTION 532. 71.28 (1dm) (a) 1. of the statutes is amended to read:

71.28 (1dm) (a) 1. “Certified” means entitled under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., s. or 560.7995 (4), 2009 stats.

SECTION 533. 71.28 (1dm) (a) 3. of the statutes is amended to read:

71.28 (1dm) (a) 3. “Development zone” means a development opportunity zone under s. 238.395 (1) (e) and (f) or 238.398 or s. 560.795 (1) (e) and (f), 2009 stats., or s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s. 560.7995, 2009 stats.

SECTION 534. 71.28 (1dm) (a) 4. of the statutes is amended to read:

71.28 (1dm) (a) 4. “Previously owned property” means real property that the claimant or a related person owned during the 2 years prior to the department of commerce or the Wisconsin Economic Development Corporation designating the place where the property is located as a development zone and for which the claimant may not deduct a loss from the sale of the property to, or an exchange of the property with, the related person under section 267 of the Internal Revenue Code, except that section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns any part of the property, rather than 50% ownership, the claimant is subject to section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

SECTION 535. 71.28 (1dm) (f) 1. of the statutes is amended to read:

71.28 (1dm) (f) 1. A copy of a the verification from the department of commerce that the claimant may claim tax benefits under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats., or is certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

SECTION 536. 71.28 (1dm) (f) 2. of the statutes is amended to read:

71.28 (1dm) (f) 2. A statement from the department of commerce or the Wisconsin Economic Development Corporation verifying the purchase price of the investment and verifying that the investment fulfills the requirements under par. (b).

SECTION 537. 71.28 (1dm) (i) of the statutes is amended to read:

71.28 (1dm) (i) Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or limited liability company shall compute the amount of credit that may be claimed by each of its shareholders, partners, or members and provide that information to its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's, or corporation's business operations in the development zone; except that partners, members, and shareholders in a development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax attributable to their income.

SECTION 538. 71.28 (1dm) (j) of the statutes is amended to read:

71.28 (1dm) (j) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits becomes ineligible for such tax benefits, or if a person's certification under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is revoked, that person may claim no credits under this subsection for the taxable year

that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years, and that person may carry over no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years.

SECTION 539. 71.28 (1dm) (k) of the statutes is amended to read:

71.28 (**1dm**) (k) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5), 239.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

SECTION 540. 71.28 (1ds) (a) 1. of the statutes is amended to read:

71.28 (**1ds**) (a) 1. "Development zone" means a zone designated under s. 560.71, 2009 stats.

SECTION 541. 71.28 (1ds) (b) of the statutes is amended to read:

71.28 (**1ds**) (b) Except as provided in pars. (dm) and (e) and s. 73.03 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009 stats., for tax benefits, any person may claim as a credit against taxes otherwise due under this chapter the taxes paid under subchs. III and V of ch. 77 on their purchases, leases and rentals of eligible property. Partnerships, limited liability companies and tax-option corporations may not claim the credit under this subsection, but the

SECTION 541

eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their partners, members or shareholders. The partnership, limited liability company or corporation shall compute the amount of credit that may be claimed by each of its partners, members or shareholders and shall provide that information to its partners, members or shareholders. Partners, members of limited liability companies and shareholders of tax-option corporations may claim the credit based on the partnership's, company's or corporation's activities in proportion to their ownership interest.

SECTION 542. 71.28 (1ds) (d) 1. of the statutes is amended to read:

71.28 (1ds) (d) 1. A copy of the claimant's certification for tax benefits under s. 560.765 (3), 2009 stats.

SECTION 543. 71.28 (1ds) (i) of the statutes is amended to read:

71.28 (1ds) (i) The development zones credit under this subsection, as it applies to a person certified under s. 560.765 (3), 2009 stats., applies to a corporation that conducts economic activity in a development opportunity zone under s. 560.795 (1), 2009 stats., and that is entitled to tax benefits under s. 560.795 (3), 2009 stats., subject to the limits under s. 560.795 (2), 2009 stats. A development opportunity zone credit under this paragraph may be calculated using expenses incurred by a claimant beginning on the effective date under s. 560.795 (2) (a), 2009 stats., of the development opportunity zone designation of the area in which the claimant conducts economic activity.

SECTION 544. 71.28 (1dx) (a) 2. of the statutes is amended to read:

71.28 (1dx) (a) 2. "Development zone" means a development zone under s. 238.30 or s. 560.70, 2009 stats., a development opportunity zone under s. 238.395 or s. 560.795, 2009 stats., an enterprise development zone under s. 238.397 or s.

560.797, 2009 stats., an agricultural development zone under s. 238.398 or s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s. 560.7995, 2009 stats.

SECTION 545. 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

71.28 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and in s. 73.03 (35), and subject to s. 238.385 or s. 560.785, 2009 stats., for any taxable year for which the person is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against the taxes otherwise due under this chapter the following amounts:

SECTION 546. 71.28 (1dx) (b) 2. of the statutes is amended to read:

71.28 (1dx) (b) 2. The amount determined by multiplying the amount determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 547. 71.28 (1dx) (b) 3. of the statutes is amended to read:

71.28 (1dx) (b) 3. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time jobs created in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 548. 71.28 (1dx) (b) 4. of the statutes is amended to read:

SECTION 548

71.28 (1dx) (b) 4. The amount determined by multiplying the amount determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 549. 71.28 (1dx) (b) 5. of the statutes is amended to read:

71.28 (1dx) (b) 5. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 550. 71.28 (1dx) (be) of the statutes is amended to read:

71.28 (1dx) (be) *Offset.* A claimant in a development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset any credits claimed under this subsection, including any credits carried over, against the amount of the tax otherwise due under this subchapter attributable to all of the claimant's income and against the tax attributable to income from directly related business operations of the claimant.

SECTION 551. 71.28 (1dx) (bg) of the statutes is amended to read:

71.28 (1dx) (bg) *Other entities.* For claimants in a development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or company shall compute the amount of the credit that may be claimed by each of its shareholders, partners, or members and shall provide that information to each of its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income.

SECTION 552. 71.28 (1dx) (c) of the statutes is amended to read:

71.28 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 238.395 (3) or s. 560.795 (3), 2009 stats., that person may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years and that person may not carry over unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 553. 71.28 (1dx) (d) of the statutes is amended to read:

71.28 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

SECTION 554. 71.28 (1dy) (a) of the statutes is amended to read:

71.28 (1dy) (a) *Definition.* In this subsection, “claimant” means a person who files a claim under this subsection and is certified under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703, 2009 stats.

SECTION 555. 71.28 (1dy) (b) of the statutes is amended to read:

71.28 (1dy) (b) *Filing claims.* Subject to the limitations under this subsection and ss. 238.301 to 238.306 or s. 560.701 to 560.706, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.23, up to the amount of the tax, the amount authorized for the claimant under s. 238.303 or s. 560.703, 2009 stats.

SECTION 556. 71.28 (1dy) (c) 1. of the statutes is amended to read:

71.28 (1dy) (c) 1. No credit may be allowed under this subsection unless the claimant includes with the claimant’s return a copy of the claimant’s certification under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy of the claimant’s notice of eligibility to receive tax benefits under s. 238.303 (3) or s. 560.703 (3), 2009 stats.

SECTION 557. 71.28 (1dy) (c) 2. of the statutes is amended to read:

71.28 (1dy) (c) 2. Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their authorization to claim tax benefits under s. 238.303 or s. 560.703, 2009 stats. A partnership, limited liability company, or tax-option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit in proportion to their ownership interests.

SECTION 558. 71.28 (1dy) (d) 2. of the statutes is amended to read:

71.28 (1dy) (d) 2. If a claimant's certification is revoked under s. 238.305 or s. 560.705, 2009 stats., or if a claimant becomes ineligible for tax benefits under s. 238.302 or s. 560.702, 2009 stats., the claimant may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the claimant becomes ineligible for tax benefits; or succeeding taxable years and the claimant may not carry over unused credits from previous years to offset the tax imposed under s. 71.23 for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the claimant becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 559. 71.28 (3g) (a) (intro.) of the statutes is amended to read:

71.28 (3g) (a) (intro.) Subject to the limitations under this subsection and ss. 73.03 (35m) and 238.23 and s. 560.96, 2009 stats., a business that is certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats., may claim as a credit against the taxes

imposed under s. 71.23 an amount equal to the sum of the following, as established under s. 238.23 (3) (c) or s. 560.96 (3) (c), 2009 stats.:

SECTION 560. 71.28 (3g) (b) of the statutes is amended to read:

71.28 **(3g)** (b) The department of revenue shall notify the department of commerce or the Wisconsin Economic Development Corporation of all claims under this subsection.

SECTION 561. 71.28 (3g) (e) 2. of the statutes is amended to read:

71.28 **(3g)** (e) 2. The investments that relate to the amount described under par. (a) 2. for which a claimant makes a claim under this subsection must be retained for use in the technology zone for the period during which the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats.

SECTION 562. 71.28 (3g) (f) 1. of the statutes is amended to read:

71.28 **(3g)** (f) 1. A copy of ~~a~~ the verification from the department of commerce that the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats., and that the business ~~and the department of commerce have~~ has entered into an agreement under s. 238.23 (3) (d) or s. 560.96 (3) (d), 2009 stats.

SECTION 563. 71.28 (3g) (f) 2. of the statutes is amended to read:

71.28 **(3g)** (f) 2. A statement from the department of commerce or the Wisconsin Economic Development Corporation verifying the purchase price of the investment described under par. (a) 2. and verifying that the investment fulfills the requirement under par. (e) 2.

SECTION 564. 71.28 (3p) (b) of the statutes is amended to read:

71.28 **(3p)** (b) *Filing claims.* Subject to the limitations provided in this subsection and s. 93.535 or s. 560.207, 2009 stats., except as provided in par. (c) 5., for taxable years beginning after December 31, 2006, and before January 1, 2015, a

claimant may claim as a credit against the taxes imposed under s. 71.23, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for dairy manufacturing modernization or expansion related to the claimant's dairy manufacturing operation.

SECTION 565. 71.28 (3p) (c) 2m. a. of the statutes is amended to read:

71.28 **(3p)** (c) 2m. a. The maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (3p) and 71.47 (3p) in fiscal year 2007-08 is \$600,000, as allocated under s. 560.207, 2009 stats.

SECTION 566. 71.28 (3p) (c) 2m. b. of the statutes is amended to read:

71.28 **(3p)** (c) 2m. b. The maximum amount of the credits that may be claimed by all claimants, other than members of dairy cooperatives, under this subsection and ss. 71.07 (3p) and 71.47 (3p) in fiscal year 2008-09, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

SECTION 567. 71.28 (3p) (c) 2m. bm. of the statutes is amended to read:

71.28 **(3p)** (c) 2m. bm. The maximum amount of the credits that may be claimed by members of dairy cooperatives under this subsection and ss. 71.07 (3p) and 71.47 (3p) in fiscal year 2009-10 is \$600,000, as allocated under s. 560.207, 2009 stats., and the maximum amount of the credits that may be claimed by members of dairy cooperatives under this subsection and ss. 71.07 (3p) and 71.47 (3p) in fiscal year 2010-11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

SECTION 568. 71.28 (3p) (c) 6. of the statutes is amended to read:

71.28 **(3p)** (c) 6. No credit may be allowed under this subsection unless the claimant submits with the claimant's return a copy of the claimant's credit certification and allocation under s. 93.535 or s. 560.207, 2009 stats.

SECTION 569. 71.28 (3q) (a) 1. of the statutes is amended to read:

71.28 (3q) (a) 1. “Claimant” means a person certified to receive tax benefits under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

SECTION 570. 71.28 (3q) (a) 2. of the statutes is amended to read:

71.28 (3q) (a) 2. “Eligible employee” means, for taxable years beginning before January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for taxable years beginning after December 31, 2010, an eligible employee under s. 238.16 (1) (b).

SECTION 571. 71.28 (3q) (b) (intro.) of the statutes is amended to read:

71.28 (3q) (b) *Filing claims.* (intro.) Subject to the limitations provided in this subsection and s. 238.16 or s. 560.2055, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the taxes imposed under s. 71.23 any of the following:

SECTION 572. 71.28 (3q) (b) 1. of the statutes is amended to read:

71.28 (3q) (b) 1. The amount of wages that the claimant paid to an eligible employee in the taxable year, not to exceed 10 percent of such wages, as determined by the department of commerce under s. 238.16 or s. 560.2055, 2009 stats.

SECTION 573. 71.28 (3q) (b) 2. of the statutes is amended to read:

71.28 (3q) (b) 2. The amount of the costs incurred by the claimant in the taxable year, as determined under s. 238.16 or s. 560.2055, 2009 stats., to undertake the training activities described under s. 238.16 (3) (c) or s. 560.2055 (3) (c), 2009 stats.

SECTION 574. 71.28 (3q) (c) 2. of the statutes is amended to read:

71.28 (3q) (c) 2. No credit may be allowed under this subsection unless the claimant includes with the claimant's return a copy of the claimant's certification for tax benefits under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

SECTION 575. 71.28 (3q) (c) 3. of the statutes is amended to read:

71.28 (3q) (c) 3. The maximum amount of credits that may be awarded under this subsection and ss. 71.07 (3q) and 71.47 (3q) for the period beginning on January 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of any credits reallocated under s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats.

SECTION 576. 71.28 (3r) (b) of the statutes is amended to read:

71.28 (3r) (b) *Filing claims.* Subject to the limitations provided in this subsection and s. 238.19 or s. 560.208, 2009 stats., for taxable years beginning after December 31, 2008, and before January 1, 2017, a claimant may claim as a credit against the taxes imposed under s. 71.23, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for meat processing modernization or expansion related to the claimant's meat processing operation.

SECTION 577. 71.28 (3r) (c) 3. a. of the statutes is amended to read:

71.28 (3r) (c) 3. a. The maximum amount of the credits that may be allocated under this subsection and ss. 71.07 (3r) and 71.47 (3r) in fiscal year 2009-10 is \$300,000, as allocated under s. 560.208, 2009 stats.

SECTION 578. 71.28 (3r) (c) 3. b. of the statutes is amended to read:

71.28 (3r) (c) 3. b. The maximum amount of the credits that may be allocated under this subsection and ss. 71.07 (3r) and 71.47 (3r) in fiscal year 2010-11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 238.19 or s. 560.208, 2009 stats.

SECTION 579. 71.28 (3r) (c) 6. of the statutes is amended to read:

71.28 **(3r)** (c) 6. No credit may be allowed under this subsection unless the claimant submits with the claimant's return a copy of the claimant's credit certification and allocation under s. 238.19 or s. 560.208, 2009 stats.

SECTION 580. 71.28 (3rm) (b) of the statutes is amended to read:

71.28 **(3rm)** (b) *Filing claims.* Subject to the limitations provided in this subsection and s. 238.21 or s. 560.209, 2009 stats., for taxable years beginning after December 31, 2009, and before January 1, 2016, a claimant may claim as a credit against the taxes imposed under s. 71.23, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for equipment that is used primarily to harvest or process woody biomass that is used as fuel or as a component of fuel.

SECTION 581. 71.28 (3rm) (c) 3. of the statutes is amended to read:

71.28 **(3rm)** (c) 3. The maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (3rm) and 71.47 (3rm) is \$900,000, as allocated under s. 238.21 or s. 560.209, 2009 stats.

SECTION 582. 71.28 (3rn) (b) of the statutes is amended to read:

71.28 **(3rn)** (b) *Filing claims.* Subject to the limitations provided in this subsection and s. ~~506.2056~~ 238.17 or s. 560.2056, 2009 stats., for taxable years beginning after December 31, 2009, and before January 1, 2017, a claimant may claim as a credit against the tax imposed under s. 71.23, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for food processing or food warehousing modernization or expansion related to the operation of the claimant's food processing plant or food warehouse.

SECTION 583. 71.28 (3rn) (c) 3. a. of the statutes is amended to read:

71.28 (3rn) (c) 3. a. The maximum amount of the credits that may be allocated under this subsection and ss. 71.07 (3rn) and 71.47 (3rn) in fiscal year 2009-10 is \$1,000,000, as allocated under s. 560.2056, 2009 stats.

SECTION 584. 71.28 (3rn) (c) 3. b. of the statutes is amended to read:

71.28 (3rn) (c) 3. b. The maximum amount of the credits that may be allocated under this subsection and ss. 71.07 (3rn) and 71.47 (3rn) in fiscal year 2010-11 is \$1,200,000, as allocated under s. 560.2056, 2009 stats.

SECTION 585. 71.28 (3rn) (c) 3. c. of the statutes is amended to read:

71.28 (3rn) (c) 3. c. The maximum amount of the credits that may be allocated under this subsection and ss. 71.07 (3rn) and 71.47 (3rn) in fiscal year 2011-12, and in each year thereafter, is \$700,000, as allocated under s. 238.17 or s. 560.2056, 2009 stats.

SECTION 586. 71.28 (3rn) (c) 6. of the statutes is amended to read:

71.28 (3rn) (c) 6. No credit may be allowed under this subsection unless the claimant submits with the claimant's return a copy of the claimant's credit certification and allocation under s. 238.17 or s. 560.2056, 2009 stats.

SECTION 587. 71.28 (3t) (b) of the statutes is amended to read:

71.28 (3t) (b) *Credit.* Subject to the limitations provided in this subsection and in s. 560.28, 2009 stats., for taxable years beginning after December 31, 2007, a claimant may claim as a credit, amortized over 15 taxable years starting with the taxable year beginning after December 31, 2007, against the tax imposed under s. 71.23, up to the amount of the tax, an amount equal to the claimant's unused credits under s. 71.28 (3).

SECTION 588. 71.28 (3t) (c) 1. of the statutes is amended to read:

71.28 (3t) (c) 1. No credit may be claimed under this subsection unless the claimant submits with the claimant's return a copy of the claimant's certification by the department of commerce under s. 560.28, 2009 stats., except that, with regard to credits claimed by partners of a partnership, members of a limited liability company, or shareholders of a tax-option corporation, the entity shall provide a copy of its certification under s. 560.28, 2009 stats., to the partner, member, or shareholder to submit with his or her return.

SECTION 589. 71.28 (3w) (a) 2. of the statutes is amended to read:

71.28 (3w) (a) 2. "Claimant" means a person who is certified to claim tax benefits under s. 238.399 (5) or s. 560.799 (5), 2009 stats., and who files a claim under this subsection.

SECTION 590. 71.28 (3w) (a) 3. of the statutes is amended to read:

71.28 (3w) (a) 3. "Full-time employee" means a full-time employee, as defined in s. 238.399 (1) (am) or s. 560.799 (1) (am), 2009 stats.

SECTION 591. 71.28 (3w) (a) 4. of the statutes is amended to read:

71.28 (3w) (a) 4. "Enterprise zone" means a zone designated under s. 238.399 or s. 560.799, 2009 stats.

SECTION 592. 71.28 (3w) (a) 5d. of the statutes is amended to read:

71.28 (3w) (a) 5d. "Tier I county or municipality" means a tier I county or municipality, as determined ~~by the department of commerce~~ under s. 238.399 or s. 560.799, 2009 stats.

SECTION 593. 71.28 (3w) (a) 5e. of the statutes is amended to read:

71.28 (3w) (a) 5e. "Tier II county or municipality" means a tier II county or municipality, as determined ~~by the department of commerce~~ under s. 238.399 or s. 560.799, 2009 stats.

SECTION 594. 71.28 (3w) (b) (intro.) of the statutes is amended to read:

71.28 (3w) (b) *Filing claims; payroll.* (intro.) Subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.23 an amount calculated as follows:

SECTION 595. 71.28 (3w) (b) 5. of the statutes is amended to read:

71.28 (3w) (b) 5. Multiply the amount determined under subd. 4. by the percentage determined ~~by the department of commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent.

SECTION 596. 71.28 (3w) (bm) 1. of the statutes is amended to read:

71.28 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.23 an amount equal to a percentage, as determined ~~by the department of commerce~~ under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade or improve the job-related skills of any of the claimant's full-time employees, to train any of the claimant's full-time employees on the use of job-related new technologies, or to provide job-related training to any full-time employee whose employment with the claimant represents the employee's first full-time job. This subdivision does not apply to employees who do not work in an enterprise zone.

SECTION 597. 71.28 (3w) (bm) 2. of the statutes is amended to read:

71.28 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under

s. 71.23 an amount equal to the percentage, as determined by the department of commerce under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full-time employees whose annual wages are greater than \$20,000 in a tier I county or municipality, not including the wages paid to the employees determined under par. (b) 1., or greater than \$30,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year. A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.

SECTION 598. 71.28 (3w) (bm) 3. of the statutes is amended to read:

71.28 (3w) (bm) 3. In addition to the credits under par. (b) and subs. 1., 2., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.23 up to 10 percent of the claimant's significant capital expenditures, as determined by the department of commerce under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

SECTION 599. 71.28 (3w) (bm) 4. of the statutes is amended to read:

71.28 (3w) (bm) 4. In addition to the credits under par. (b) and subs. 1., 2., and 3., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.23, up to 1 percent of the amount that the claimant paid in the taxable year to purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from

Wisconsin vendors, as determined by the department of commerce under s. 238.399 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under this subdivision and subd. 3. for the same expenditures.

SECTION 600. 71.28 (3w) (c) 3. of the statutes is amended to read:

71.28 (3w) (c) 3. No credit may be allowed under this subsection unless the claimant includes with the claimant's return a copy of the claimant's certification for tax benefits under s. 238.399 (5) or (5m) or s. 560.799 (5) or (5m), 2009 stats.

SECTION 601. 71.28 (3w) (d) of the statutes is amended to read:

71.28 (3w) (d) *Administration.* Subsection (4) (g) and (h), as it applies to the credit under sub. (4), applies to the credit under this subsection. Claimants shall include with their returns a copy of their certification for tax benefits, and a copy of the verification of their expenses, from the department of commerce or the Wisconsin Economic Development Corporation.

SECTION 602. 71.28 (4) (am) 1. of the statutes is amended to read:

71.28 (4) (am) 1. In addition to the credit under par. (ad), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. II of ch. 238 or subch. VI of ch. 560, 2009 stats., except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" do not include compensation used in computing the credit under sub. (1dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 238.365 (3) or s.

560.765 (3), 2009 stats., the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., and a statement from the department of commerce or the Wisconsin Economic Development Corporation verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this subdivision. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this subdivision. Section 41 (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 603. 71.28 (4) (am) 2. of the statutes is amended to read:

71.28 (4) (am) 2. The development zones credit under subd. 1., as it applies to a person certified under s. 238.365 (3) or s. 560.765 (3), 2009 stats., applies to a corporation that conducts economic activity in a development opportunity zone under s. 238.395 (1) or s. 560.795 (1), 2009 stats., and that is entitled to tax benefits under s. 238.395 (3) or s. 560.795 (3), 2009 stats., subject to the limits under s. 238.395 (2) or s. 560.795 (2), 2009 stats. A development opportunity zone credit under this subdivision may be calculated using expenses incurred by a claimant beginning on the effective date under s. 238.395 (2) (a) or s. 560.795 (2) (a), 2009

stats., of the development opportunity zone designation of the area in which the claimant conducts economic activity.

SECTION 604. 71.28 (5b) (a) 2. of the statutes is amended to read:

71.28 (5b) (a) 2. “Fund manager” means an investment fund manager certified under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

SECTION 605. 71.28 (5b) (b) 1. of the statutes is amended to read:

71.28 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject to the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may claim as a credit against the tax imposed under s. 71.23, up to the amount of those taxes, 25 percent of the claimant’s investment paid to a fund manager that the fund manager invests in a business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

SECTION 606. 71.28 (5b) (b) 2. of the statutes is amended to read:

71.28 (5b) (b) 2. In the case of a partnership, limited liability company, or tax-option corporation, the computation of the 25 percent limitation under subd. 1. shall be determined at the entity level rather than the claimant level and may be allocated among the claimants who make investments in the manner set forth in the entity’s organizational documents. The entity shall provide to the department of revenue and to the department of commerce or the Wisconsin Economic Development Corporation the names and tax identification numbers of the claimants, the amounts of the credits allocated to the claimants, and the computation of the allocations.

SECTION 607. 71.28 (5f) (a) 1. (intro.) of the statutes is amended to read:

71.28 (5f) (a) 1. (intro.) “Accredited production” means a film, video, broadcast advertisement, or television production, as approved by the department of commerce

or the department of tourism, for which the aggregate salary and wages included in the cost of the production for the period ending 12 months after the month in which the principal filming or taping of the production begins exceeds \$50,000. “Accredited production” also means an electronic game, as approved by the department of commerce or the department of tourism, for which the aggregate salary and wages included in the cost of the production for the period ending 36 months after the month in which the principal programming, filming, or taping of the production begins exceeds \$100,000. “Accredited production” does not include any of the following, regardless of the production costs:

SECTION 608. 71.28 (5f) (a) 3. of the statutes is amended to read:

71.28 **(5f)** (a) 3. “Production expenditures” means any expenditures that are incurred in this state and directly used to produce an accredited production, including expenditures for set construction and operation, wardrobes, make-up, clothing accessories, photography, sound recording, sound synchronization, sound mixing, lighting, editing, film processing, film transferring, special effects, visual effects, renting or leasing facilities or equipment, renting or leasing motor vehicles, food, lodging, and any other similar expenditure as determined by the department of commerce or the department of tourism. “Production expenditures” do not include salary, wages, or labor-related contract payments.

SECTION 609. 71.28 (5f) (c) 6. of the statutes is amended to read:

71.28 **(5f)** (c) 6. No credit may be allowed under this subsection unless the claimant files an application with the department of commerce or the department of tourism, at the time and in the manner prescribed by the department of commerce or the department of tourism, and the department of commerce or the department of tourism approves the application. The claimant shall submit a fee with the

application in an amount equal to 2 percent of the claimant's budgeted production expenditures or to \$5,000, whichever is less. The claimant shall submit a copy of the approved application with the claimant's return.

SECTION 610. 71.28 (5h) (c) 4. of the statutes is amended to read:

71.28 **(5h)** (c) 4. No claim may be allowed under this subsection unless the department of commerce or the department of tourism certifies, in writing, that the credits claimed under this subsection are for expenses related to establishing or operating a film production company in this state and the claimant submits a copy of the certification with the claimant's return.

SECTION 611. 71.28 (5i) (c) 1. of the statutes is amended to read:

71.28 **(5i)** (c) 1. The maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (5i) and 71.47 (5i) in a taxable year is \$10,000,000, as allocated under s. 238.14 or s. 560.204, 2009 stats.

SECTION 612. 71.28 (5j) (a) 2d. of the statutes is amended to read:

71.28 **(5j)** (a) 2d. "Diesel replacement renewable fuel" includes biodiesel and any other fuel derived from a renewable resource that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel and that the department of commerce or the department of safety and professional services designates by rule as a diesel replacement renewable fuel.

SECTION 613. 71.28 (5j) (a) 2m. of the statutes is amended to read:

71.28 **(5j)** (a) 2m. "Gasoline replacement renewable fuel" includes ethanol and any other fuel derived from a renewable resource that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel and that the department of commerce or the department of safety and professional services designates by rule as a gasoline replacement renewable fuel.

SECTION 614. 71.28 (5j) (c) 3. of the statutes is amended to read:

71.28 **(5j)** (c) 3. The department of commerce or the department of safety and professional services shall establish standards to adequately prevent, in the distribution of conventional fuel to an end user, the inadvertent distribution of fuel containing a higher percentage of renewable fuel than the maximum percentage established by the federal environmental protection agency for use in conventionally-fueled engines.

SECTION 615. 71.47 (1dd) (b) of the statutes is amended to read:

71.47 **(1dd)** (b) Except as provided in s. 73.03 (35), for any taxable year for which that person is certified under s. 560.765 (3), 2009 stats., and begins business operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified or entitled a person may credit against taxes otherwise due under this subchapter employment-related day care expenses, up to \$1,200 for each qualifying individual.

SECTION 616. 71.47 (1de) (a) (intro.) of the statutes is amended to read:

71.47 **(1de)** (a) (intro.) Except as provided in s. 73.03 (35), for any taxable year for which a person is certified under s. 560.765 (3), 2009 stats., and begins business operations in a zone under s. 560.71, 2009 stats., after July 29, 1995, or certified under s. 560.797 (4) (a), 2009 stats., for each zone for which the person is certified or entitled the person may claim as a credit against taxes otherwise due under this subchapter an amount equal to 7.5% of the amount that the person expends to remove or contain environmental pollution, as defined in s. 299.01 (4), in the zone or to restore soil or groundwater that is affected by environmental pollution, as defined in s. 299.01 (4), in the zone if the person fulfills all of the following requirements:

SECTION 617. 71.47 (1de) (a) 1. of the statutes is amended to read:

71.47 (1de) (a) 1. Begins the work, other than planning and investigating, for which the credit is claimed after the area that includes the site where the work is done is designated a development zone under s. 560.71, 2009 stats., or an enterprise development zone under s. 560.797, 2009 stats., and after the claimant is certified under s. 560.765 (3), 2009 stats., or certified under s. 560.797 (4) (a), 2009 stats.

SECTION 618. 71.47 (1di) (a) (intro.) of the statutes is amended to read:

71.47 (1di) (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35), for any taxable year for which the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits, any person may claim as a credit against taxes otherwise due under this chapter 2.5% of the purchase price of depreciable, tangible personal property, or 1.75% of the purchase price of depreciable, tangible personal property that is expensed under section 179 of the internal revenue code for purposes of the taxes under this chapter, except that:

SECTION 619. 71.47 (1di) (a) 1. of the statutes is amended to read:

71.47 (1di) (a) 1. The investment must be in property that is purchased after the person is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits and that is used for at least 50% of its use in the conduct of the person's business operations at a location in a development zone under subch. VI of ch. 560, 2009 stats., or, if the property is mobile, the base of operations of the property for at least 50% of its use must be a location in a development zone.

SECTION 620. 71.47 (1di) (b) 2. of the statutes is amended to read:

71.47 (1di) (b) 2. If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1), 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit

under this subsection exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft.

SECTION 621. 71.47 (1di) (b) 3. of the statutes is amended to read:

71.47 **(1di)** (b) 3. Partnerships, limited liability companies and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners or members. The corporation, partnership or limited liability company shall compute the amount of the credit that may be claimed by each of its shareholders, partners or members and shall provide that information to each of its shareholders, partners or members. Partners, members of limited liability companies and shareholders of tax-option corporations may claim the credit based on the partnership's, company's or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's or corporation's business operations in the development zone; except that a claimant in a development zone under s. 560.795 (1) (e), 2009 stats., may offset the credit, including any credits carried over, against the amount of the tax otherwise due under this chapter attributable to all of the claimant's income; and against the tax attributable to their income from the partnership's, company's or corporation's directly related business operations.

SECTION 622. 71.47 (1di) (d) 1. of the statutes is amended to read:

71.47 **(1di)** (d) 1. A copy of a verification from the department of commerce that the claimant may claim tax benefits under s. 560.795 (3), 2009 stats.

SECTION 623. 71.47 (1di) (f) of the statutes is amended to read:

71.47 **(1di)** (f) If a person who is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits becomes ineligible for such tax benefits, that person may claim no credits under this subsection for the taxable year that includes the day on which the person becomes ineligible for tax benefits or succeeding taxable years and that person may carry over no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which the person becomes ineligible for tax benefits or succeeding taxable years.

SECTION 624. 71.47 (1di) (g) of the statutes is amended to read:

71.47 **(1di)** (g) If a person who is entitled under s. 560.795 (3), 2009 stats., to claim tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

SECTION 625. 71.47 (1dj) (am) (intro.) of the statutes is amended to read:

71.47 **(1dj)** (am) (intro.) Except as provided under par. (f) or s. 73.03 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009 stats., for tax benefits, any person may claim as a credit against taxes otherwise due under this chapter an amount calculated as follows:

SECTION 626. 71.47 (1dj) (am) 4. a. of the statutes is amended to read:

71.47 **(1dj)** (am) 4. a. If certified under s. 560.765 (3), 2009 stats., for tax benefits before January 1, 1992, modify “qualified wages” as defined in section 51 (b) of the internal revenue code to exclude wages paid before the claimant is certified for tax benefits and to exclude wages that are paid to employees for work at any location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes

of this subd. 4. a., mobile employees work at their base of operations and leased or rented employees work at the location where they perform services.

SECTION 627. 71.47 (1dj) (am) 4. b. of the statutes is amended to read:

71.47 (1dj) (am) 4. b. If certified under s. 560.765 (3), 2009 stats., for tax benefits after December 31, 1991, modify “qualified wages” as defined in section 51 (b) of the internal revenue code to exclude wages paid before the claimant is certified for tax benefits and to exclude wages that are paid to employees for work at any location that is not in a development zone under subch. VI of ch. 560, 2009 stats. For purposes of this subd. 4. b., mobile employees and leased or rented employees work at their base of operations.

SECTION 628. 71.47 (1dj) (am) 4c. of the statutes is amended to read:

71.47 (1dj) (am) 4c. Modify the rule for ineligible individuals under section 51 (i) (1) of the internal revenue code to allow credit for the wages of related individuals paid by an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal enterprise, as defined in s. 71.07 (2di) (b) 2., if the Indian business or tribal enterprise is located in a development zone designated under s. 560.71 (3) (c) 2., 2009 stats.

SECTION 629. 71.47 (1dj) (am) 4t. of the statutes is amended to read:

71.47 (1dj) (am) 4t. If certified under s. 560.765 (3), 2009 stats., for tax benefits before January 1, 1992, modify section 51 (i) (3) of the internal revenue code so that for leased or rented employees, except employees of a leasing agency certified for tax benefits who perform services directly for the agency in a development zone, the minimum employment periods apply to the time that they perform services in a development zone for a single lessee or renter, not to their employment by the leasing agency.

SECTION 630. 71.47 (1dj) (e) 1. of the statutes is amended to read:

71.47 (1dj) (e) 1. A copy of the claimant's certification for tax benefits under s. 560.765 (3), 2009 stats.

SECTION 631. 71.47 (1dj) (e) 3. a. of the statutes is amended to read:

71.47 (1dj) (e) 3. a. If certified under s. 560.765 (3), 2009 stats., for tax benefits before January 1, 1992, a statement from the department of commerce verifying the amount of qualifying wages and verifying that the employees were hired for work only in a development zone or are mobile employees whose base of operations is in a development zone.

SECTION 632. 71.47 (1dj) (e) 3. b. of the statutes is amended to read:

71.47 (1dj) (e) 3. b. If certified under s. 560.765 (3), 2009 stats., for tax benefits after December 31, 1991, a statement from the department of commerce verifying the amount of qualifying wages and verifying that the employees were hired for work only in a development zone or are mobile employees or leased or rented employees whose base of operations is in a development zone.

SECTION 633. 71.47 (1dL) (a) of the statutes is amended to read:

71.47 (1dL) (a) Except as provided in pars. (ag), (ar), (bm) and (f) and s. 73.03 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009 stats., for tax benefits, any person may claim as a credit against taxes otherwise due under this subchapter an amount equal to 2.5% of the amount expended by that person to acquire, construct, rehabilitate or repair real property in a development zone under subch. VI of ch. 560, 2009 stats.

SECTION 634. 71.47 (1dL) (ag) of the statutes is amended to read:

71.47 (1dL) (ag) If the credit under par. (a) is claimed for an amount expended to construct, rehabilitate, remodel or repair property, the claimant must have begun the physical work of construction, rehabilitation, remodeling or repair, or any

demolition or destruction in preparation for the physical work, after the place where the property is located was designated a development zone under s. 560.71, 2009 stats., and the completed project must be placed in service after the claimant is certified for tax benefits under s. 560.765 (3), 2009 stats. In this paragraph, “physical work” does not include preliminary activities such as planning, designing, securing financing, researching, developing specifications or stabilizing the property to prevent deterioration.

SECTION 635. 71.47 (1dL) (ar) of the statutes is amended to read:

71.47 (1dL) (ar) If the credit under par. (a) is claimed for an amount expended to acquire property, the property must have been acquired by the claimant after the place where the property is located was designated a development zone under s. 560.71, 2009 stats., and the completed project must be placed in service after the claimant is certified for tax benefits under s. 560.765 (3), 2009 stats., and the property must not have been previously owned by the claimant or a related person during the 2 years prior to the designation of the development zone under s. 560.71, 2009 stats. No credit is allowed for an amount expended to acquire property until the property, either in its original state as acquired by the claimant or as subsequently constructed, rehabilitated, remodeled or repaired, is placed in service.

SECTION 636. 71.47 (1dL) (bm) of the statutes is amended to read:

71.47 (1dL) (bm) In calculating the credit under par. (a) a claimant shall reduce the amount expended to acquire property by a percentage equal to the percentage of the area of the real property not used for the purposes for which the claimant is certified to claim tax benefits under s. 560.765 (3), 2009 stats., and shall reduce the amount expended for other purposes by the amount expended on the part of the

property not used for the purposes for which the claimant is certified to claim tax benefits under s. 560.765 (3), 2009 stats.

SECTION 637. 71.47 (1dL) (c) of the statutes is amended to read:

71.47 (1dL) (c) If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), 2009 stats., and is an American Indian, as defined in s. 560.86 (1), 2009 stats., an Indian business, as defined in s. 560.86 (4), 2009 stats., or a tribal enterprise, as defined in s. 71.07 (2di) (b) 2., and if the allowable amount of the credit under par. (a) exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft.

SECTION 638. 71.47 (1dm) (a) 1. of the statutes is amended to read:

71.47 (1dm) (a) 1. "Certified" means entitled under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

SECTION 639. 71.47 (1dm) (a) 3. of the statutes is amended to read:

71.47 (1dm) (a) 3. "Development zone" means a development opportunity zone under s. 238.395 (1) (e) and (f) or 238.398 or s. 560.795 (1) (e) and (f), 2009 stats., or s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s. 560.7995, 2009 stats.

SECTION 640. 71.47 (1dm) (a) 4. of the statutes is amended to read:

71.47 (1dm) (a) 4. "Previously owned property" means real property that the claimant or a related person owned during the 2 years prior to the department of commerce or the Wisconsin Economic Development Corporation designating the

place where the property is located as a development zone and for which the claimant may not deduct a loss from the sale of the property to, or an exchange of the property with, the related person under section 267 of the Internal Revenue Code, except that section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns any part of the property, rather than 50% ownership, the claimant is subject to section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

SECTION 641. 71.47 (1dm) (f) 1. of the statutes is amended to read:

71.47 (1dm) (f) 1. A copy of ~~a the verification from the department of commerce~~ that the claimant may claim tax benefits under s. ~~238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats.,~~ or is certified under s. ~~238.395 (5), 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.~~

SECTION 642. 71.47 (1dm) (f) 2. of the statutes is amended to read:

71.47 (1dm) (f) 2. A statement from the department of commerce or the Wisconsin Economic Development Corporation verifying the purchase price of the investment and verifying that the investment fulfills the requirements under par. (b).

SECTION 643. 71.47 (1dm) (i) of the statutes is amended to read:

71.47 (1dm) (i) Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or limited liability company shall compute the amount of credit that may be claimed by each of its shareholders, partners, or members and provide that information to its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the

credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's, or corporation's business operations in the development zone; except that partners, members, and shareholders in a development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax attributable to their income.

SECTION 644. 71.47 (1dm) (j) of the statutes is amended to read:

71.47 (**1dm**) (j) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats. to claim tax benefits becomes ineligible for such tax benefits, or if a person's certification under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is revoked, that person may claim no credits under this subsection for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years, and that person may carry over no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years.

SECTION 645. 71.47 (1dm) (k) of the statutes is amended to read:

71.47 (**1dm**) (k) If a person who is entitled under s. 238.395 (3) (a) 4. or s. 560.795 (3) (a) 4., 2009 stats. to claim tax benefits or certified under s. 238.395 (5), 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused

credits from the taxable year during which operations cease or from previous taxable years.

SECTION 646. 71.47 (1ds) (a) 1. of the statutes is amended to read:

71.47 (1ds) (a) 1. "Development zone" means a zone designated under s. 560.71, 2009 stats.

SECTION 647. 71.47 (1ds) (b) of the statutes is amended to read:

71.47 (1ds) (b) Except as provided in pars. (dm) and (e) and s. 73.03 (35), for any taxable year for which the person is certified under s. 560.765 (3), 2009 stats., for tax benefits, any person may claim as a credit against taxes otherwise due under this chapter the taxes paid under subchs. III and V of ch. 77 on their purchases, leases and rentals of eligible property. Partnerships, limited liability companies and tax-option corporations may not claim the credit under this subsection but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their partners, members or shareholders. The partnership, limited liability company or corporation shall compute the amount of the credit that may be claimed by each of its partners, members or shareholders and shall provide that information to each of its partners, members or shareholders. Partners, members of limited liability companies and shareholders of tax-option corporations may claim the credit based on the partnership's, company's or corporation's activities in proportion to their ownership interest.

SECTION 648. 71.47 (1ds) (d) 1. of the statutes is amended to read:

71.47 (1ds) (d) 1. A copy of the claimant's certification for tax benefits under s. 560.765 (3), 2009 stats.

SECTION 649. 71.47 (1dx) (a) 2. of the statutes is amended to read:

71.47 (1dx) (a) 2. “Development zone” means a development zone under s. 238.30 or s. 560.70, 2009 stats., a development opportunity zone under s. 238.395 or s. 560.795, 2009 stats., or an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., an agricultural development zone under s. 238.398 or s. 560.798, 2009 stats., or an airport development zone under s. 238.3995 or s. 560.7995, 2009 stats.

SECTION 650. 71.47 (1dx) (b) (intro.) of the statutes is amended to read:

71.47 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and in s. 73.03 (35), and subject to s. 238.385 or s. 560.785, 2009 stats., for any taxable year for which the person is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against the taxes otherwise due under this chapter the following amounts:

SECTION 651. 71.47 (1dx) (b) 2. of the statutes is amended to read:

71.47 (1dx) (b) 2. The amount determined by multiplying the amount determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 652. 71.47 (1dx) (b) 3. of the statutes is amended to read:

71.47 (1dx) (b) 3. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time jobs created in a development zone and not filled by a member of a

targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 653. 71.47 (1dx) (b) 4. of the statutes is amended to read:

71.47 (1dx) (b) 4. The amount determined by multiplying the amount determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 654. 71.47 (1dx) (b) 5. of the statutes is amended to read:

71.47 (1dx) (b) 5. The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 655. 71.47 (1dx) (be) of the statutes is amended to read:

71.47 (1dx) (be) *Offset.* A claimant in a development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., may offset any credits claimed under this subsection, including any credits carried over, against the amount of the tax otherwise due under this subchapter attributable to all of the claimant's income and

against the tax attributable to income from directly related business operations of the claimant.

SECTION 656. 71.47 (1dx) (bg) of the statutes is amended to read:

71.47 (1dx) (bg) *Other entities.* For claimants in a development zone under s. 238.395 (1) (e) or s. 560.795 (1) (e), 2009 stats., partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or company shall compute the amount of the credit that may be claimed by each of its shareholders, partners, or members and shall provide that information to each of its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income.

SECTION 657. 71.47 (1dx) (c) of the statutes is amended to read:

71.47 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 238.395 (3) or s. 560.795 (3), 2009 stats., that person may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years and that person may not carry over unused credits from previous years to offset tax under this chapter for the

taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 658. 71.47 (1dx) (d) of the statutes is amended to read:

71.47 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), 238.398 (3), or 238.3995 (4) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

SECTION 659. 71.47 (1dy) (a) of the statutes is amended to read:

71.47 (1dy) (a) *Definition.* In this subsection, “claimant” means a person who files a claim under this subsection and is certified under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703, 2009 stats.

SECTION 660. 71.47 (1dy) (b) of the statutes is amended to read:

71.47 (1dy) (b) *Filing claims.* Subject to the limitations under this subsection and ss. 238.301 to 238.306 or s. 560.701 to 560.706, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.43, up to the amount of the tax, the amount authorized for the claimant under s. 238.303 or s. 560.703, 2009 stats.

SECTION 661. 71.47 (1dy) (c) 1. of the statutes is amended to read:

71.47 (1dy) (c) 1. No credit may be allowed under this subsection unless the claimant includes with the claimant's return a copy of the claimant's certification under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy of the claimant's notice of eligibility to receive tax benefits under s. 238.303 (3) or s. 560.703 (3), 2009 stats.

SECTION 662. 71.47 (1dy) (c) 2. of the statutes is amended to read:

71.47 (1dy) (c) 2. Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their authorization to claim tax benefits under s. 238.303 or s. 560.703, 2009 stats. A partnership, limited liability company, or tax-option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit in proportion to their ownership interests.

SECTION 663. 71.47 (1dy) (d) 2. of the statutes is amended to read:

71.47 (1dy) (d) 2. If a claimant's certification is revoked under s. 238.305 or s. 560.705, 2009 stats., or if a claimant becomes ineligible for tax benefits under s. 238.302 or s. 560.702, 2009 stats., the claimant may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the claimant becomes ineligible for tax benefits; or succeeding taxable years and the claimant may not carry over unused credits from previous years to offset the tax imposed under s. 71.43 for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the claimant becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 664. 71.47 (3g) (a) (intro.) of the statutes is amended to read:

71.47 **(3g)** (a) (intro.) Subject to the limitations under this subsection and ss. 73.03 (35m); and 238.23 and s. 560.96, 2009 stats., a business that is certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats., may claim as a credit against the taxes imposed under s. 71.43 an amount equal to the sum of the following, as established under s. 238.23 (3) (c) or s. 560.96 (3) (c), 2009 stats.:

SECTION 665. 71.47 (3g) (b) of the statutes is amended to read:

71.47 **(3g)** (b) The department of revenue shall notify the department of commerce or the Wisconsin Economic Development Corporation of all claims under this subsection.

SECTION 666. 71.47 (3g) (e) 2. of the statutes is amended to read:

71.47 **(3g)** (e) 2. The investments that relate to the amount described under par. (a) 2. for which a claimant makes a claim under this subsection must be retained for use in the technology zone for the period during which the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats.

SECTION 667. 71.47 (3g) (f) 1. of the statutes is amended to read:

71.47 **(3g)** (f) 1. A copy of ~~a~~ the verification ~~from the department of commerce~~ that the claimant's business is certified under s. 238.23 (3) or s. 560.96 (3), 2009 stats., and that the business ~~and the department of commerce have~~ has entered into an agreement under s. 238.23 (3) (d) or s. 560.96 (3) (d), 2009 stats.

SECTION 668. 71.47 (3g) (f) 2. of the statutes is amended to read:

71.47 **(3g)** (f) 2. A statement from the department of commerce or the Wisconsin Economic Development Corporation verifying the purchase price of the investment described under par. (a) 2. and verifying that the investment fulfills the requirement under par. (e) 2.

SECTION 669. 71.47 (3p) (b) of the statutes is amended to read:

71.47 **(3p)** (b) *Filing claims.* Subject to the limitations provided in this subsection and s. 93.535 or s. 560.207, 2009 stats., except as provided in par. (c) 5., for taxable years beginning after December 31, 2006, and before January 1, 2015, a claimant may claim as a credit against the taxes imposed under s. 71.43, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for dairy manufacturing modernization or expansion related to the claimant's dairy manufacturing operation.

SECTION 670. 71.47 (3p) (c) 2m. a. of the statutes is amended to read:

71.47 **(3p)** (c) 2m. a. The maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (3p) and 71.28 (3p) in fiscal year 2007-08 is \$600,000, as allocated under s. 560.207, 2009 stats.

SECTION 671. 71.47 (3p) (c) 2m. b. of the statutes is amended to read:

71.47 **(3p)** (c) 2m. b. The maximum amount of the credits that may be claimed by all claimants, other than members of dairy cooperatives, under this subsection and ss. 71.07 (3p) and 71.28 (3p) in fiscal year 2008-09, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

SECTION 672. 71.47 (3p) (c) 2m. bm. of the statutes is amended to read:

71.47 **(3p)** (c) 2m. bm. The maximum amount of the credits that may be claimed by members of dairy cooperatives under this subsection and ss. 71.07 (3p) and 71.28 (3p) in fiscal year 2009-10 is \$600,000, as allocated under s. 560.207, 2009 stats., and the maximum amount of the credits that may be claimed by members of dairy cooperatives under this subsection and ss. 71.07 (3p) and 71.28 (3p) in fiscal year 2010-11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 93.535 or s. 560.207, 2009 stats.

SECTION 673. 71.47 (3p) (c) 6. of the statutes is amended to read:

71.47 **(3p)** (c) 6. No credit may be allowed under this subsection unless the claimant submits with the claimant's return a copy of the claimant's credit certification and allocation under s. 93.535 or s. 560.207, 2009 stats.

SECTION 674. 71.47 (3q) (a) 1. of the statutes is amended to read:

71.47 **(3q)** (a) 1. "Claimant" means a person certified to receive tax benefits under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

SECTION 675. 71.47 (3q) (a) 2. of the statutes is amended to read:

71.47 **(3q)** (a) 2. "Eligible employee" means, for taxable years beginning before January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for taxable years beginning after December 31, 2010, and eligible employee under s. 238.16 (1) (b).

SECTION 676. 71.47 (3q) (b) (intro.) of the statutes is amended to read:

71.47 **(3q)** (b) *Filing claims.* (intro.) Subject to the limitations provided in this subsection and s. 238.16 or s. 560.2055, 2009 stats., for taxable years beginning after December 31, 2009, a claimant may claim as a credit against the taxes imposed under s. 71.43 any of the following:

SECTION 677. 71.47 (3q) (b) 1. of the statutes is amended to read:

71.47 **(3q)** (b) 1. The amount of wages that the claimant paid to an eligible employee in the taxable year, not to exceed 10 percent of such wages, as determined by the department of commerce under s. 238.16 or s. 560.2055, 2009 stats.

SECTION 678. 71.47 (3q) (b) 2. of the statutes is amended to read:

71.47 (3q) (b) 2. The amount of the costs incurred by the claimant in the taxable year, as determined under s. 238.16 or s. 560.2055, 2009 stats., to undertake the training activities described under s. 238.16 (3) (c) or s. 560.2055 (3) (c), 2009 stats.

SECTION 679. 71.47 (3q) (c) 2. of the statutes is amended to read:

71.47 (3q) (c) 2. No credit may be allowed under this subsection unless the claimant includes with the claimant's return a copy of the claimant's certification for tax benefits under s. 238.16 (2) or s. 560.2055 (2), 2009 stats.

SECTION 680. 71.47 (3q) (c) 3. of the statutes is amended to read:

71.47 (3q) (c) 3. The maximum amount of credits that may be awarded under this subsection and ss. 71.07 (3q) and 71.28 (3q) for the period beginning on January 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of any credits reallocated under s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats.

SECTION 681. 71.47 (3r) (b) of the statutes is amended to read:

71.47 (3r) (b) *Filing claims.* Subject to the limitations provided in this subsection and s. 238.19 or s. 560.208, 2009 stats., for taxable years beginning after December 31, 2008, and before January 1, 2017, a claimant may claim as a credit against the taxes imposed under s. 71.43, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for meat processing modernization or expansion related to the claimant's meat processing operation.

SECTION 682. 71.47 (3r) (c) 3. a. of the statutes is amended to read:

71.47 (3r) (c) 3. a. The maximum amount of the credits that may be allocated under this subsection and ss. 71.07 (3r) and 71.28 (3r) in fiscal year 2009-10 is \$300,000, as allocated under s. 560.208, 2009 stats.

SECTION 683. 71.47 (3r) (c) 3. b. of the statutes is amended to read:

71.47 (3r) (c) 3. b. The maximum amount of the credits that may be allocated under this subsection and ss. 71.07 (3r) and 71.28 (3r) in fiscal year 2010-11, and in each fiscal year thereafter, is \$700,000, as allocated under s. 238.19 or s. 560.208, 2009 stats.

SECTION 684. 71.47 (3r) (c) 6. of the statutes is amended to read:

71.47 (3r) (c) 6. No credit may be allowed under this subsection unless the claimant submits with the claimant's return a copy of the claimant's credit certification and allocation under s. 238.19 or s. 560.208, 2009 stats.

SECTION 685. 71.47 (3rm) (b) of the statutes is amended to read:

71.47 (3rm) (b) *Filing claims.* Subject to the limitations provided in this subsection and s. 238.21 or s. 560.209, 2009 stats., for taxable years beginning after December 31, 2009, and before January 1, 2016, a claimant may claim as a credit against the taxes imposed under s. 71.43, up to the amount of the tax, an amount equal to 10 percent of the amount the claimant paid in the taxable year for equipment that is used primarily to harvest or process woody biomass that is used as fuel or as a component of fuel.

SECTION 686. 71.47 (3rm) (c) 3. of the statutes is amended to read:

71.47 (3rm) (c) 3. The maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (3rm) and 71.28 (3rm) is \$900,000, as allocated under s. 238.21 or s. 560.209, 2009 stats.

SECTION 687. 71.47 (3rn) (b) of the statutes is amended to read:

71.47 (3rn) (b) *Filing claims.* Subject to the limitations provided in this subsection and s. 238.17 or s. ~~506.2056~~ 560.2056, 2009 stats., for taxable years beginning after December 31, 2009, and before January 1, 2017, a claimant may claim as a credit against the tax imposed under s. 71.43, up to the amount of the tax,

an amount equal to 10 percent of the amount the claimant paid in the taxable year for food processing or food warehousing modernization or expansion related to the operation of the claimant's food processing plant or food warehouse.

SECTION 688. 71.47 (3rn) (c) 3. a. of the statutes is amended to read:

71.47 **(3rn)** (c) 3. a. The maximum amount of the credits that may be allocated under this subsection and ss. 71.07 (3rn) and 71.28 (3rn) in fiscal year 2009-10 is \$1,000,000, as allocated under s. 560.2056, 2009 stats.

SECTION 689. 71.47 (3rn) (c) 3. b. of the statutes is amended to read:

71.47 **(3rn)** (c) 3. b. The maximum amount of the credits that may be allocated under this subsection and ss. 71.07 (3rn) and 71.28 (3rn) in fiscal year 2010-11 is \$1,200,000, as allocated under s. 560.2056, 2009 stats.

SECTION 690. 71.47 (3rn) (c) 3. c. of the statutes is amended to read:

71.47 **(3rn)** (c) 3. c. The maximum amount of the credits that may be allocated under this subsection and ss. 71.07 (3rn) and 71.28 (3rn) in fiscal year 2011-12, and in each year thereafter, is \$700,000, as allocated under s. 238.17 or s. 560.2056, 2009 stats.

SECTION 691. 71.47 (3rn) (c) 6. of the statutes is amended to read:

71.47 **(3rn)** (c) 6. No credit may be allowed under this subsection unless the claimant submits with the claimant's return a copy of the claimant's credit certification and allocation under s. 238.17 or s. 560.2056, 2009 stats.

SECTION 692. 71.47 (3t) (b) of the statutes is amended to read:

71.47 **(3t)** (b) *Credit.* Subject to the limitations provided in this subsection and in s. 560.28, 2009 stats., for taxable years beginning after December 31, 2007, a claimant may claim as a credit, amortized over 15 taxable years starting with the taxable year beginning after December 31, 2007, against the tax imposed under s.

71.43, up to the amount of the tax, an amount equal to the claimant's unused credits under s. 71.47 (3).

SECTION 693. 71.47 (3t) (c) 1. of the statutes is amended to read:

71.47 (3t) (c) 1. No credit may be claimed under this subsection unless the claimant submits with the claimant's return a copy of the claimant's certification by the department of commerce under s. 560.28, 2009 stats., except that, with regard to credits claimed by partners of a partnership, members of a limited liability company, or shareholders of a tax-option corporation, the entity shall provide a copy of its certification under s. 560.28, 2009 stats., to the partner, member, or shareholder to submit with his or her return.

SECTION 694. 71.47 (3w) (a) 2. of the statutes is amended to read:

71.47 (3w) (a) 2. "Claimant" means a person who is certified to claim tax benefits under s. 238.399 (5) or s. 560.799 (5), 2009 stats., and who files a claim under this subsection.

SECTION 695. 71.47 (3w) (a) 3. of the statutes is amended to read:

71.47 (3w) (a) 3. "Full-time employee" means a full-time employee, as defined in s. 238.399 (1) (am) or s. 560.799 (1) (am), 2009 stats.

SECTION 696. 71.47 (3w) (a) 4. of the statutes is amended to read:

71.47 (3w) (a) 4. "Enterprise zone" means a zone designated under s. 238.399 or s. 560.799, 2009 stats.

SECTION 697. 71.47 (3w) (a) 5d. of the statutes is amended to read:

71.47 (3w) (a) 5d. "Tier I county or municipality" means a tier I county or municipality, as determined by the department of commerce under s. 238.399 or s. 560.799, 2009 stats.

SECTION 698. 71.47 (3w) (a) 5e. of the statutes is amended to read:

71.47 (3w) (a) 5e. “Tier II county or municipality” means a tier II county or municipality, as determined by the department of commerce under s. 238.399 or s. 560.799, 2009 stats.

SECTION 699. 71.47 (3w) (b) (intro.) of the statutes is amended to read:

71.47 (3w) (b) *Filing claims; payroll.* (intro.) Subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.43 an amount calculated as follows:

SECTION 700. 71.47 (3w) (b) 5. of the statutes is amended to read:

71.47 (3w) (b) 5. Multiply the amount determined under subd. 4. by the percentage determined by the department of commerce under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent.

SECTION 701. 71.47 (3w) (bm) 1. of the statutes is amended to read:

71.47 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.43 an amount equal to a percentage, as determined by the department of commerce under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade or improve the job-related skills of any of the claimant’s full-time employees, to train any of the claimant’s full-time employees on the use of job-related new technologies, or to provide job-related training to any full-time employee whose employment with the claimant represents the employee’s first full-time job. This subdivision does not apply to employees who do not work in an enterprise zone.

SECTION 702. 71.47 (3w) (bm) 2. of the statutes is amended to read:

71.47 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.43 an amount equal to the percentage, as determined by the department of commerce under s. 238.399 or s. 560.799, 2009 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the claimant's full-time employees whose annual wages are greater than \$20,000 in a tier I county or municipality, not including the wages paid to the employees determined under par. (b) 1., or greater than \$30,000 in a tier II county or municipality, not including the wages paid to the employees determined under par. (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if the total number of such employees is equal to or greater than the total number of such employees in the base year. A claimant may claim a credit under this subdivision for no more than 5 consecutive taxable years.

SECTION 703. 71.47 (3w) (bm) 3. of the statutes is amended to read:

71.47 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1., 2., and 4., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.43 up to 10 percent of the claimant's significant capital expenditures, as determined by the department of commerce under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

SECTION 704. 71.47 (3w) (bm) 4. of the statutes is amended to read:

71.47 (3w) (bm) 4. In addition to the credits under par. (b) and subds. 1., 2., and 3., and subject to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31, 2009, a claimant

may claim as a credit against the tax imposed under s. 71.43, up to 1 percent of the amount that the claimant paid in the taxable year to purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or services from Wisconsin vendors, as determined by the department of commerce under s. 238.399 (5) (e) or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under this subdivision and subd. 3. for the same expenditures.

SECTION 705. 71.47 (3w) (c) 3. of the statutes is amended to read:

71.47 (3w) (c) 3. No credit may be allowed under this subsection unless the claimant includes with the claimant's return a copy of the claimant's certification for tax benefits under s. 238.399 (5) or (5m) or s. 560.799 (5) or (5m), 2009 stats.

SECTION 706. 71.47 (3w) (d) of the statutes is amended to read:

71.47 (3w) (d) *Administration.* Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection. Claimants shall include with their returns a copy of their certification for tax benefits, and a copy of the verification of their expenses, from the department of commerce or the Wisconsin Economic Development Corporation.

SECTION 707. 71.47 (4) (am) of the statutes is amended to read:

71.47 (4) (am) *Development zone additional research credit.* In addition to the credit under par. (ad), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. II of ch. 238 or subch. VI of ch. 560, 2009 stats., except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election

applies until the department permits its revocation and except that “qualified research expenses” do not include compensation used in computing the credit under sub. (1dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., the corporation’s base amount, as defined in section 41 (c) of the Internal Revenue Code, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., in a development zone, if the claimant submits with the claimant’s return a copy of the claimant’s certification for tax benefits under s. 238.365 (3) or s. 560.765 (3), 2009 stats., and a statement from the department of commerce or the Wisconsin Economic Development Corporation verifying the claimant’s qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this paragraph. Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph. No credit may be claimed under this paragraph for taxable years that begin on January 1, 1998, or thereafter. Credits under this paragraph for taxable years that begin before January 1, 1998, may be carried forward to taxable years that begin on January 1, 1998, or thereafter.

SECTION 708. 71.47 (5b) (a) 2. of the statutes is amended to read:

71.47 (5b) (a) 2. “Fund manager” means an investment fund manager certified under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

SECTION 709. 71.47 (5b) (b) 1. of the statutes is amended to read:

71.47 **(5b)** (b) 1. For taxable years beginning after December 31, 2004, subject to the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may claim as a credit against the tax imposed under s. 71.43, up to the amount of those taxes, 25 percent of the claimant's investment paid to a fund manager that the fund manager invests in a business certified under s. 238.15 (1) or s. 560.205 (1), 2009 stats.

SECTION 710. 71.47 (5b) (b) 2. of the statutes is amended to read:

71.47 **(5b)** (b) 2. In the case of a partnership, limited liability company, or tax-option corporation, the computation of the 25 percent limitation under subd. 1. shall be determined at the entity level rather than the claimant level and may be allocated among the claimants who make investments in the manner set forth in the entity's organizational documents. The entity shall provide to the department of revenue and to the department of commerce or the Wisconsin Economic Development Corporation the names and tax identification numbers of the claimants, the amounts of the credits allocated to the claimants, and the computation of the allocations.

SECTION 711. 71.47 (5f) (a) 1. (intro.) of the statutes is amended to read:

71.47 **(5f)** (a) 1. (intro.) "Accredited production" means a film, video, broadcast advertisement, or television production, as approved by the department of commerce or the department of tourism, for which the aggregate salary and wages included in the cost of the production for the period ending 12 months after the month in which the principal filming or taping of the production begins exceeds \$50,000. "Accredited production" also means an electronic game, as approved by the department of commerce or the department of tourism, for which the aggregate salary and wages

SECTION 711

included in the cost of the production for the period ending 36 months after the month in which the principal programming, filming, or taping of the production begins exceeds \$100,000. "Accredited production" does not include any of the following, regardless of the production costs:

SECTION 712. 71.47 (5f) (a) 3. of the statutes is amended to read:

71.47 **(5f)** (a) 3. "Production expenditures" means any expenditures that are incurred in this state and directly used to produce an accredited production, including expenditures for set construction and operation, wardrobes, make-up, clothing accessories, photography, sound recording, sound synchronization, sound mixing, lighting, editing, film processing, film transferring, special effects, visual effects, renting or leasing facilities or equipment, renting or leasing motor vehicles, food, lodging, and any other similar expenditure as determined by the department of commerce or the department of tourism. "Production expenditures" do not include salary, wages, or labor-related contract payments.

SECTION 713. 71.47 (5f) (c) 6. of the statutes is amended to read:

71.47 **(5f)** (c) 6. No credit may be allowed under this subsection unless the claimant files an application with the department of commerce or the department of tourism, at the time and in the manner prescribed by the department of commerce or the department of tourism, and the department of commerce or the department of tourism approves the application. The claimant shall submit a fee with the application in an amount equal to 2 percent of the claimant's budgeted production expenditures or to \$5,000, whichever is less. The claimant shall submit a copy of the approved application with the claimant's return.

SECTION 714. 71.47 (5h) (c) 4. of the statutes is amended to read:

71.47 (5h) (c) 4. No claim may be allowed under this subsection unless the department of commerce or the department of tourism certifies, in writing, that the credits claimed under this subsection are for expenses related to establishing or operating a film production company in this state and the claimant submits a copy of the certification with the claimant's return.

SECTION 715. 71.47 (5i) (c) 1. of the statutes is amended to read:

71.47 (5i) (c) 1. The maximum amount of the credits that may be claimed under this subsection and ss. 71.07 (5i) and 71.28 (5i) in a taxable year is \$10,000,000, as allocated under s. 238.14 or s. 560.204, 2009 stats.

SECTION 716. 71.47 (5j) (a) 2d. of the statutes is amended to read:

71.47 (5j) (a) 2d. "Diesel replacement renewable fuel" includes biodiesel and any other fuel derived from a renewable resource that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel and that the department of ~~commerce~~ safety and professional services designates by rule as a diesel replacement renewable fuel.

SECTION 717. 71.47 (5j) (a) 2m. of the statutes is amended to read:

71.47 (5j) (a) 2m. "Gasoline replacement renewable fuel" includes ethanol and any other fuel derived from a renewable resource that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel and that the department of ~~commerce~~ safety and professional services designates by rule as a gasoline replacement renewable fuel.

SECTION 718. 71.47 (5j) (c) 3. of the statutes is amended to read:

71.47 (5j) (c) 3. The department of ~~commerce~~ safety and professional services shall establish standards to adequately prevent, in the distribution of conventional fuel to an end user, the inadvertent distribution of fuel containing a higher

percentage of renewable fuel than the maximum percentage established by the federal environmental protection agency for use in conventionally-fueled engines.

SECTION 719. 71.78 (4) (m) of the statutes is amended to read:

71.78 (4) (m) ~~The secretary of commerce~~ chief executive officer of the Wisconsin Economic Development Corporation and employees of that ~~department~~ the corporation to the extent necessary to administer the development zone program under subch. ~~VI of ch. 560~~ II of ch. 238.

SECTION 720. 73.03 (35) of the statutes is amended to read:

73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dm), (2dr), (2ds), or (2dx), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), or (4) (am), 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), or (4) (am), or 76.636 if granting the full amount claimed would violate a requirement under s. 238.385 or s. 560.785, 2009 stats., or would bring the total of the credits granted to that claimant under all of those subsections over the limit for that claimant under s. 238.368, 238.395 (2) (b), or 238.397 (5) (b) or s. 560.768, 2009 stats., s. 560.795 (2) (b), 2009 stats., or s. 560.797 (5) (b), 2009 stats.

SECTION 721. 73.03 (35m) of the statutes is amended to read:

73.03 (35m) To deny a portion of a credit claimed under s. 71.07 (3g), 71.28 (3g), or 71.47 (3g), if granting the full amount claimed would violate a requirement under s. 238.23 or s. 560.96, 2009 stats., or would bring the total of the credits claimed under ss. 71.07 (3g), 71.28 (3g), and 71.47 (3g) over the limit for all claimants under s. 238.23 (2) or s. 560.96 (2), 2009 stats.

SECTION 722. 73.03 (63) of the statutes is amended to read:

73.03 (63) Notwithstanding the amount limitations specified under ss. s. 71.07 (5d) (c) 1. and s. 238.15 (3) (d) or s. 560.205 (3) (d), 2009 stats., in consultation with

the department of commerce or the Wisconsin Economic Development Corporation, to carry forward to subsequent taxable years unclaimed credit amounts of the early stage seed investment credits under ss. 71.07 (5b), 71.28 (5b), 71.47 (5b), and 76.638 and the angel investment credit under s. 71.07 (5d). Annually, no later than July 1, the department of commerce or the Wisconsin Economic Development Corporation shall submit to the department of revenue its recommendations for the carry forward of credit amounts as provided under this subsection.

SECTION 723. 73.0301 (1) (b) of the statutes is amended to read:

73.0301 (1) (b) “Credentialing board” means a board, examining board or affiliated credentialing board in the department of ~~regulation and licensing~~ safety and professional services that grants a credential.

SECTION 724. 73.0301 (1) (e) of the statutes is amended to read:

73.0301 (1) (e) “Licensing department” means the department of administration; the board of commissioners of public lands; ~~the department of commerce~~; the department of children and families; the government accountability board; the department of financial institutions; the department of health services; the department of natural resources; the department of public instruction; ~~the department of regulation and licensing~~; the department of safety and professional services; the department of workforce development; the office of the commissioner of insurance; or the department of transportation.

SECTION 725. 73.0301 (2) (a) 1. of the statutes is amended to read:

73.0301 (2) (a) 1. Request the department of revenue to certify whether an applicant for a license or license renewal or continuation is liable for delinquent taxes. With respect to an applicant for a license granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services shall

make a request under this subdivision. This subdivision does not apply to the department of transportation with respect to licenses described in sub. (1) (d) 7.

SECTION 726. 73.0301 (2) (a) 2. of the statutes is amended to read:

73.0301 (2) (a) 2. Request the department of revenue to certify whether a license holder is liable for delinquent taxes. With respect to a holder of a license granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services shall make a request under this subdivision.

SECTION 727. 73.0301 (2) (b) 1. a. of the statutes is amended to read:

73.0301 (2) (b) 1. a. If, after a request is made under par. (a) 1. or 2., the department of revenue certifies that the license holder or applicant for a license or license renewal or continuation is liable for delinquent taxes, revoke the license or deny the application for the license or license renewal or continuation. The department of transportation may suspend licenses described in sub. (1) (d) 7. in lieu of revoking those licenses. A suspension, revocation or denial under this subd. 1. a. is not subject to administrative review or, except as provided in subd. 2. and sub. (5) (am), judicial review. With respect to a license granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services shall make a revocation or denial under this subd. 1. a. With respect to a license to practice law, the department of revenue shall not submit a certification under this subd. 1. a. to the supreme court until after the license holder or applicant has exhausted his or her remedies under sub. (5) (a) and (am) or has failed to make use of such remedies.

SECTION 728. 73.0301 (2) (b) 1. b. of the statutes is amended to read:

73.0301 (2) (b) 1. b. Mail a notice of suspension, revocation or denial under subd. 1. a. to the license holder or applicant. The notice shall include a statement of the facts that warrant the suspension, revocation or denial and a statement that

the license holder or applicant may, within 30 days after the date on which the notice of denial, suspension or revocation is mailed, file a written request with the department of revenue to have the certification of tax delinquency on which the suspension, revocation or denial is based reviewed at a hearing under sub. (5) (a). With respect to a license granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services shall mail a notice under this subd. 1. b. With respect to a license to practice law, the department of revenue shall mail a notice under this subd. 1. b. and the notice shall indicate that the license holder or applicant may request a hearing under sub. (5) (a) and (am) and that the department of revenue shall submit a certificate of delinquency to suspend, revoke, or deny a license to practice law to the supreme court after the license holder or applicant has exhausted his or her remedies under sub. (5) (a) and (am) or has failed to make use of such remedies. A notice sent to a person who holds a license to practice law or who is an applicant for a license to practice law shall also indicate that the department of revenue may not submit a certificate of delinquency to the supreme court if the license holder or applicant pays the delinquent tax in full or enters into an agreement with the department of revenue to satisfy the delinquency.

SECTION 729. 73.0301 (2) (b) 2. of the statutes is amended to read:

73.0301 (2) (b) 2. Except as provided in subd. 2m., if notified by the department of revenue that the department of revenue has affirmed a certification of tax delinquency after a hearing under sub. (5) (a), affirm a suspension, revocation or denial under subd. 1. a. A license holder or applicant may seek judicial review under ss. 227.52 to 227.60, except that the review shall be in the circuit court for Dane County, of an affirmation of a revocation or denial under this subdivision. With respect to a license granted by a credentialing board, the department of ~~regulation~~

and licensing safety and professional services shall make an affirmation under this subdivision.

SECTION 730. 73.0301 (2) (b) 3. of the statutes is amended to read:

73.0301 (2) (b) 3. If a person submits a nondelinquency certificate issued under sub. (5) (b) 1., reinstate the license or grant the application for the license or license renewal or continuation, unless there are other grounds for suspending or revoking the license or for denying the application for the license or license renewal or continuation. If reinstatement is required under this subdivision, a person is not required to submit a new application or other material or to take a new test. No separate fee may be charged for reinstatement of a license under this subdivision. With respect to a license granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services shall reinstate a license or grant an application under this subdivision.

SECTION 731. 73.0301 (2) (b) 4. of the statutes is amended to read:

73.0301 (2) (b) 4. If a person whose license has been suspended or revoked or whose application for a license or license renewal or continuation has been denied under subd. 1. a. submits a nondelinquency certificate issued under sub. (3) (a) 2., reinstate the license or grant the person's application for the license or license renewal or continuation, unless there are other grounds for not reinstating the license or for denying the application for the license or license renewal or continuation. With respect to a license granted by a credentialing board, the department of ~~regulation and licensing~~ safety and professional services shall reinstate a license or grant an application under this subdivision.

SECTION 732. 75.106 (1) (a) of the statutes is amended to read:

75.106 (1) (a) “Brownfield” has the meaning given in s. ~~560.13~~ 238.13 (1) (a), except that, for purposes of this section, “brownfield” also means abandoned, idle, or underused residential facilities or sites, the expansion or redevelopment of which is adversely affected by actual or perceived environmental contamination.

SECTION 733. 76.635 (1) (a) of the statutes is amended to read:

76.635 (1) (a) “Certified capital company” has the meaning given in s. 560.29 (1) (a), 2009 stats.

SECTION 734. 76.635 (1) (b) of the statutes is amended to read:

76.635 (1) (b) “Certified capital investment” has the meaning given in s. 560.29 (1) (b), 2009 stats.

SECTION 735. 76.635 (1) (c) of the statutes is amended to read:

76.635 (1) (c) “Investment date” has the meaning given in s. 560.29 (1) (d), 2009 stats.

SECTION 736. 76.635 (1) (d) of the statutes is amended to read:

76.635 (1) (d) “Investment pool” has the meaning given in s. 560.29 (1) (e), 2009 stats.

SECTION 737. 76.635 (1) (e) of the statutes is amended to read:

76.635 (1) (e) “Qualified investment” has the meaning given in s. 560.29 (1) (g), 2009 stats.

SECTION 738. 76.636 (1) (b) 1. of the statutes is amended to read:

76.636 (1) (b) 1. A development zone under s. 238.30 or s. 560.70, 2009 stats.

SECTION 739. 76.636 (1) (b) 2. of the statutes is amended to read:

76.636 (1) (b) 2. A development opportunity zone under s. 238.395 or s. 560.795, 2009 stats.

SECTION 740. 76.636 (1) (b) 3. of the statutes is amended to read:

76.636 (1) (b) 3. An enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.

SECTION 741. 76.636 (1) (b) 4. of the statutes is amended to read:

76.636 (1) (b) 4. An agricultural development zone under s. 238.398 or s. 560.798, 2009 stats.

SECTION 742. 76.636 (2) (intro.) of the statutes is amended to read:

76.636 (2) CREDITS. (intro.) Except as provided in s. 73.03 (35), and subject to s. 238.385 or s. 560.785, 2009 stats., for any taxable year for which an insurer is entitled under s. 238.395 or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., the insurer may claim as a credit against the fees due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the following amounts:

SECTION 743. 76.636 (2) (b) of the statutes is amended to read:

76.636 (2) (b) The amount determined by multiplying the amount determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 744. 76.636 (2) (c) of the statutes is amended to read:

76.636 (2) (c) The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time jobs created in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 745. 76.636 (2) (d) of the statutes is amended to read:

76.636 (2) (d) The amount determined by multiplying the amount determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 746. 76.636 (2) (e) of the statutes is amended to read:

76.636 (2) (e) The amount determined by multiplying the amount determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3m) (c) for those jobs.

SECTION 747. 76.636 (4) (intro.) of the statutes is amended to read:

76.636 (4) CREDIT PRECLUDED. (intro.) If the certification of a person for tax benefits under s. 238.365 (3), 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., is revoked, or if the person becomes ineligible for tax benefits under s. 238.395 (3) or s. 560.795 (3), 2009 stats., that person may not do any of the following:

SECTION 748. 76.636 (5) of the statutes is amended to read:

76.636 (5) CARRY-OVER PRECLUDED. If a person who is entitled under s. 238.395 (3) or s. 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 238.365 (3), 238.397 (4), or 238.398 (3) or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., for tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

SECTION 749. 76.636 (6) of the statutes is amended to read:

76.636 (6) ADMINISTRATION. Any insurer who claims a credit under sub. (2) shall include with the insurer's annual return under s. 76.64 a copy of its certification for tax benefits and a copy of its verification of expenses from the department of commerce or the Wisconsin Economic Development Corporation.

SECTION 750. 76.637 (1) of the statutes is amended to read:

76.637 (1) DEFINITION. In this section, "claimant" means an insurer who files a claim under this section and is certified under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits under s. 238.303 or s. 560.703, 2009 stats.

SECTION 751. 76.637 (2) of the statutes is amended to read:

76.637 (2) FILING CLAIMS. Subject to the limitations under this section, ss. 238.301 to 238.306, and ss. 560.701 to 560.706, 2009 stats., for taxable years beginning after December 31, 2008, a claimant may claim as a credit against the fees due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the amount authorized for the claimant under s. 238.303 or s. 560.703, 2009 stats.

SECTION 752. 76.637 (3) of the statutes is amended to read:

76.637 (3) LIMITATIONS. No credit may be allowed under this section unless the insurer includes with the insurer's annual return under s. 76.64 a copy of the claimant's certification under s. 238.301 (2) or s. 560.701 (2), 2009 stats., and a copy of the claimant's notice of eligibility to receive tax benefits under s. 238.303 (3) or s. 560.703 (3), 2009 stats.

SECTION 753. 76.637 (4) of the statutes is amended to read:

76.637 (4) ADMINISTRATION. If an insurer's certification is revoked under s. 238.305 or s. 560.705, 2009 stats., or if an insurer becomes ineligible for tax benefits under s. 238.302 or s. 560.702, 2009 stats., the insurer may not claim credits under this section for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the insurer becomes ineligible for tax benefits; or succeeding taxable years and the insurer may not carry over unused credits from previous years to offset the fees imposed under ss. 76.60, 76.63, 76.65, 76.66, or 76.67 for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the insurer becomes ineligible for tax benefits; or succeeding taxable years.

SECTION 754. 76.638 (1) of the statutes is amended to read:

76.638 (1) DEFINITIONS. In this section, "fund manager" means an investment fund manager certified under s. 238.15 (2) or s. 560.205 (2), 2009 stats.

SECTION 755. 76.638 (2) of the statutes is amended to read:

76.638 (2) FILING CLAIMS. For taxable years beginning after December 31, 2008, subject to the limitations provided under this subsection and s. 238.15 or s. 560.205, 2009 stats., an insurer may claim as a credit against the fees imposed under s. 76.60, 76.63, 76.65, 76.66, or 76.67, 25 percent of the insurer's investment paid to a fund

manager that the fund manager invests in a business certified under s. 238.15 or s. 560.205 (1), 2009 stats.

SECTION 756. 77.22 (2) (d) of the statutes is amended to read:

77.22 (2) (d) If the real estate transferred is not subject to certification under s. 101.122 (4) (a), waiver under s. 101.122 (4) (b) or stipulation under s. 101.122 (4) (c), the reason why it is not so subject or the form prescribed by the department of ~~commerce~~ safety and professional services under s. 101.122 (6).

SECTION 757. 79.04 (7) (a) of the statutes is amended to read:

79.04 (7) (a) Beginning with payments in 2005, if a production plant, as described in sub. (6) (a), other than a nuclear-powered production plant, is built on the site of, or on a site adjacent to, an existing or decommissioned production plant; or is built on a site purchased by a public utility before January 1, 1980, that was identified in an advance plan as a proposed site for a production plant; or is built on, or on a site adjacent to, brownfields, as defined in s. 238.13 (1) (a) or s. 560.13 (1) (a), 2009 stats., after December 31, 2003, and has a name-plate capacity of at least one megawatt, each municipality and county in which such a production plant is located shall receive annually from the public utility account a payment in an amount that is equal to the number of megawatts that represents the production plant's name-plate capacity, multiplied by \$600.

SECTION 758. 84.01 (6m) (b) (intro.) of the statutes is amended to read:

84.01 (6m) (b) (intro.) The department, in consultation with the department of ~~commerce~~ Wisconsin Economic Development Corporation, shall do all of the following for each economic development program administered by the department:

SECTION 759. 84.01 (11m) (title) of the statutes is amended to read:

84.01 (11m) (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND REPORTING.

SECTION 760. 84.01 (11m) of the statutes is renumbered 84.01 (11m) (b) and amended to read:

84.01 (11m) (b) Annually, no later than October 1, the department shall submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs, as defined in sub. (6m) (a), administered by the department. The report shall include all of the information required under s. ~~560.01 (2) (am)~~ 238.07 (2). The department shall collaborate with the ~~department of commerce~~ Wisconsin Economic Development Corporation to make readily accessible to the public on an Internet-based system the information required under this subsection.

SECTION 761. 84.01 (11m) (a) of the statutes is created to read:

84.01 (11m) (a) The department shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation.

SECTION 762. 84.013 (9) of the statutes is amended to read:

84.013 (9) If the department, ~~in consultation with the department of commerce,~~ determines that a business development having a payroll exceeding \$10,000,000 in a calendar year is being located within a 3-mile radius of the intersection of I 90 and Town Line Road in Rock County, the department shall construct an interchange funded from the appropriations under s. 20.395 (3) (cq) to (cx) off of I 90 to Town Line Road.

SECTION 763. 84.075 (1c) (a) of the statutes is amended to read:

84.075 (1c) (a) “Disabled veteran–owned business” means a business certified by the department of commerce safety and professional services under s. 560.0335 490.02 (3).

SECTION 764. 84.075 (1c) (b) of the statutes is amended to read:

84.075 (1c) (b) “Minority business” means a business certified by the department of commerce safety and professional services under s. 560.036 490.04 (2).

SECTION 765. 84.075 (3) of the statutes is amended to read:

84.075 (3) The department shall at least semiannually, or more often if required by the department of administration, report to the department of administration the total amount of money it has paid to contractors, subcontractors, and vendors that are minority businesses and that are disabled veteran–owned businesses under ss. 84.01 (13), 84.06, and 84.07 and the number of contacts with minority businesses and disabled veteran–owned businesses in connection with proposed purchases and contracts. In its reports, the department shall include only amounts paid to businesses certified by the department of commerce safety and professional services as minority businesses or disabled veteran–owned businesses.

SECTION 766. 84.076 (1) (c) of the statutes is amended to read:

84.076 (1) (c) “Minority business” has the meaning given under s. 560.036 490.04 (1) (e) 1.

SECTION 767. 84.076 (1) (d) of the statutes is amended to read:

84.076 (1) (d) “Minority group member” has the meaning given under s. 560.036 490.04 (1) (f).

SECTION 768. 84.09 (5) (a) of the statutes is amended to read:

84.09 (5) (a) Subject to pars. (b) and (c) and to the approval of the governor, the department may sell at public or private sale property of whatever nature owned by

the state and under the jurisdiction of the department when the department determines that the property is no longer necessary for the state's use for transportation purposes and, if real property, the real property is not the subject of a petition under s. 560.9810 (2). The department shall present to the governor a full and complete report of the property to be sold, the reason for the sale, and the minimum price for which the same should be sold, together with an application for the governor's approval of the sale. The governor shall thereupon make such investigation as he or she may deem necessary and approve or disapprove the application. Upon such approval and receipt of the full purchase price, the department shall by appropriate deed or other instrument transfer the property to the purchaser. The approval of the governor is not required for public or private sale of property having an appraised value at the time of sale of not more than \$15,000, for the transfer of surplus state real property to the department of administration under s. 560.9810, or for the transfer of surplus state personal property to the department of tourism under sub. (5s). The funds derived from sales under this subsection shall be deposited in the transportation fund, and the expense incurred by the department in connection with the sale shall be paid from such fund.

SECTION 769. 84.09 (5) (b) of the statutes is amended to read:

84.09 (5) (b) Subject to the approval of the governor in the manner, scope, and form specified in par. (a), with respect to the sale of property acquired by the department for a project that is completed after May 25, 2006, the department shall, and with respect to the sale of property acquired by the department for a project that is completed before May 25, 2006, the department may offer for sale or transfer ownership of the property that the department determines is no longer necessary for the state's use for transportation purposes, if the property is not the subject of a

~~petition under s. 560.9810 (2).~~ This disposition process shall take place within 24 months of the completion of the transportation project for which the property was acquired. Except as provided in par. (c) 3., the department shall offer limited and general marketable properties at appraised value, as determined by a state-certified or licensed appraiser, for not less than 12 months. If the department does not sell the property at or above its appraised value, the department shall offer the property for sale by means of sealed bids or public auction. For the purposes of this paragraph, a project is completed when final payment is made under the contract for the project.

SECTION 770. 84.09 (5r) of the statutes is amended to read:

84.09 (5r) In lieu of the sale or conveyance of property under sub. (5) or (5m), the department may, subject to the approval of the governor, donate real property that is adjacent to the veterans memorial site located at The Highground in Clark County and owned by the state and under the jurisdiction of the department to the Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans memorial site located at The Highground in Clark County for the purpose of a memorial hall specified in s. 70.11 (9). The department may donate property under this subsection only when the department determines that the property is no longer necessary for the state's use for transportation purposes ~~and is not the subject of a petition under s. 560.9810 (2)~~ and is transferred with a restriction that the donee may not subsequently transfer the real property to any person except to this state, which shall not be charged for any improvements thereon. Such restriction shall be recorded in the office of the register of deeds in the county in which the property is located. The department shall present to the governor a full and complete report of the property to be donated, the reason for the donation, and the minimum price for which the property could likely be sold under sub. (5), together with an application

for the governor's approval of the donation. The governor shall thereupon make such investigation as he or she considers necessary and approve or disapprove the application. Upon such approval, the department shall by appropriate deed or other instrument transfer the property to the donee. The approval of the governor is not required for donation of property having an appraised value at the time of donation of not more than \$15,000. Any expense incurred by the department in connection with the donation shall be paid from the transportation fund.

SECTION 771. 84.185 (1) (a) of the statutes is amended to read:

84.185 (1) (a) "Business" ~~has the meaning given in s. 560.60 (2)~~ means a company located in this state, a company that has made a firm commitment to locate a facility in this state, or a group of companies at least 80 percent of which are located in this state.

SECTION 772. 84.185 (1) (b) of the statutes is amended to read:

84.185 (1) (b) "Governing body" ~~has the meaning specified in s. 560.60 (6)~~ means a county board, city council, village board, town board, regional planning commission or transit commission under s. 59.58 (2) or 66.1021.

SECTION 773. 84.185 (1) (ce) of the statutes is amended to read:

84.185 (1) (ce) "Job" ~~has the meaning specified in s. 560.17 (1) (bm)~~ means a position providing full-time equivalent employment. "Job" does not include initial training before an employment position begins.

SECTION 774. 85.09 (4i) of the statutes is amended to read:

85.09 (4i) DISPOSAL OF RAIL PROPERTY. The department shall sell at public or private sale rail property acquired under sub. (4) when the department determines that the rail property is not necessary for a public purpose ~~and, if real property, the real property is not the subject of a petition under s. 560.9810 (2).~~ Upon receipt of

the full purchase price, the department shall, by appropriate deed or other instrument, transfer the rail property to the purchaser. The funds derived from sales under this subsection shall be deposited in the transportation fund, and the expense incurred by the department in connection with the sale shall be paid from the appropriation under s. 20.395 (2) (bq). This subsection does not apply to real property that is sold under s. 16.848.

SECTION 775. 85.09 (4m) of the statutes is amended to read:

85.09 (4m) RELOCATION PLAN. The department is exempt from s. 32.25 (1) if the department determines that acquiring rail property under this section will not result in any displaced persons as defined in s. 32.19 (2) (e). The department shall file a statement of its determinations with the ~~department of commerce~~ Wisconsin Housing and Economic Development Authority.

SECTION 776. 85.095 (2) (b) of the statutes is repealed.

SECTION 777. 85.25 (2) (c) 1m. b. of the statutes is amended to read:

85.25 (2) (c) 1m. b. It is currently performing a useful business function as defined in s. ~~560.036~~ 490.04 (1) (h).

SECTION 778. 92.07 (15) of the statutes is amended to read:

92.07 (15) ADMINISTRATION AND ENFORCEMENT OF ORDINANCES. A land conservation committee may, if authorized by the county board, administer and enforce those provisions of an ordinance enacted under s. 101.65 (1) (a) related to construction site erosion, a zoning ordinance enacted under s. 59.693 or an ordinance enacted under authority granted under s. ~~281.33 (3m)~~ 101.1206.

SECTION 779. 93.07 (3) of the statutes is amended to read:

93.07 (3) PROMOTION OF AGRICULTURE. To promote the interests of agriculture, dairying, horticulture, manufacturing, commercial fishing and the domestic arts and

to advertise Wisconsin and its dairy, food, and agricultural products by conducting campaigns of education throughout the United States and in foreign markets. Such campaigns shall include the distribution of educational and advertising material concerning Wisconsin and its plant, animal, food, and dairy products. The department shall coordinate efforts by the state to advertise and promote agricultural products of this state, with the ~~department of commerce~~ Wisconsin Economic Development Corporation where appropriate. The department shall submit its request and plan for market development program expenditures for each biennium with its biennial budget request. The plan shall include the identification and priority of expenditures for each market development program activity.

SECTION 780. 93.07 (18) (b) (intro.) of the statutes is amended to read:

93.07 **(18)** (b) (intro.) In consultation with the ~~department of commerce~~ Wisconsin Economic Development Corporation, to do all of the following for each economic development program administered by the department of agriculture, trade and consumer protection:

SECTION 781. 93.07 (20) (title) of the statutes is amended to read:

93.07 **(20)** (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND REPORTING.

SECTION 782. 93.07 (20) of the statutes is renumbered 93.07 (20) (b) and amended to read:

93.07 **(20)** (b) Annually, no later than October 1, to submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs, as defined in sub. (18) (a), administered by the department. The report shall include all of the information required under s. ~~560.01 (2) (am)~~

238.07 (2). The department shall collaborate with the ~~department of commerce~~ Wisconsin Economic Development Corporation to make readily accessible to the public on an Internet-based system the information required under this subsection.

SECTION 783. 93.07 (20) (a) of the statutes is created to read:

93.07 (20) (a) The department shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation.

SECTION 784. 93.33 (5) (intro.) of the statutes is amended to read:

93.33 (5) ANNUAL REPORT. (intro.) In September of each year, the council shall submit a report to the appropriate standing committees of the legislature as determined by the speaker of the assembly and the president of the senate, under s. 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection, the state superintendent of public instruction, the secretary of workforce development, the secretary of natural resources, the ~~secretary of commerce~~ chief executive officer of the Wisconsin Economic Development Corporation, the president of the University of Wisconsin System, the director of the technical college system, the chancellor of the University of Wisconsin-Extension, the chancellor of the University of Wisconsin-Madison, the chancellor of the University of Wisconsin-Platteville, the chancellor of the University of Wisconsin-River Falls, and the chancellor of the University of Wisconsin-Stevens Point. The council shall include all of the following in the report:

SECTION 785. 93.42 (1) (e) of the statutes is amended to read:

93.42 (1) (e) Cooperating with the ~~department of commerce~~ Wisconsin Economic Development Corporation in promoting the state's products through the state's foreign trade offices.

SECTION 786. 93.42 (3) of the statutes is repealed.

SECTION 787. 93.80 of the statutes is amended to read:

93.80 Arsenic in wood. The department, jointly with the department of ~~commerce~~ safety and professional services, shall review scientific evidence to determine whether there is a substantial likelihood that wood treated with copper, chromium, and arsenic is harmful to the environment or to human health.

SECTION 788. 100.20 (2) (c) of the statutes is created to read:

100.20 (2) (c) 1. Notwithstanding par. (a), beginning on the effective date of this subdivision [LRB inserts date], the department may not issue any order or promulgate any rule, or enforce any order or rule, that regulates unfair methods of competition or unfair trade practices relating to any of the following activities:

- a. Remodeling or otherwise improving residential or noncommercial property.
- b. Basement waterproofing.
- c. Real estate advertising.
- d. Renting of mobile home sites and sales of mobile homes.
- e. Renting of residential dwelling units and mobile homes.

2. Beginning of the effective date of this subdivision [LRB inserts date], the department of safety and professional services may promulgate rules and issue orders regulating the unfair methods and practices described in subd. 1.

3. All rules promulgated by the department of agriculture, trade and consumer protection regulating the unfair methods or practices as described in subd. 1. that are in effect on the effective date of this subdivision [LRB inserts date], remain in effect until their specified expiration date or until amended or repealed by the department of safety and professional services. All orders issued by the department of agriculture, trade and consumer protection regulating the unfair methods or practices as described in subd. 1. that are in effect on the effective date of this

SECTION 788

subdivision [LRB inserts date], remain in effect until their specified expiration date or until modified or rescinded by the department of safety and professional services and shall be enforced by the department of safety and professional services.

SECTION 789. 100.60 (1) (b) 2. of the statutes is amended to read:

100.60 (1) (b) 2. Any other fuel that can substitute for petroleum-based diesel fuel, that is derived from a renewable resource, that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel, and that the department of ~~commerce~~ safety and professional services designates as a diesel-replacement renewable fuel under sub. (7) (a).

SECTION 790. 100.60 (1) (c) 2. of the statutes is amended to read:

100.60 (1) (c) 2. Any other fuel that can substitute for gasoline, that is derived from a renewable resource, that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel, and that the department of ~~commerce~~ safety and professional services designates as a gasoline-replacement renewable fuel under sub. (7) (b).

SECTION 791. 100.60 (3) (a) of the statutes is amended to read:

100.60 (3) (a) Annually, beginning in 2011, the department, in cooperation with and with assistance from the department of ~~commerce~~, safety and professional services and the department of revenue, and ~~the office of energy independence~~, shall determine whether the annual goals for sales of renewable fuels in sub. (2) (b) and (c), for the previous year, were met in the state in that year.

****NOTE: This is reconciled s. 100.60 (3) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-1224/P2 and LRB-1465/P3.

SECTION 792. 100.60 (6) (a) of the statutes is amended to read:

100.60 (6) (a) The department shall consult with the department of ~~commerce, safety and professional services and~~ the department of revenue, and the office of ~~energy independence~~ to determine if information necessary to make a determination under sub. (3) (a) or an assessment under sub. (4) is being collected by these agencies under laws in effect on June 2, 2010. If the information is not being collected, the department may request the department of ~~commerce, safety and professional services and~~ the department of revenue, ~~or the office of energy independence~~ to collect the information if collection by one of these agencies is more cost-effective for state government and less burdensome for the persons subject to the reporting requirements than collection of the information by the department.

****NOTE: This is reconciled s. 100.60 (6) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-1224/P2 and LRB-1465/P3.

SECTION 793. 100.60 (7) (title) of the statutes is amended to read:

100.60 (7) (title) DEPARTMENT OF ~~COMMERCE~~ SAFETY AND PROFESSIONAL SERVICES
AUTHORITY.

SECTION 794. 100.60 (7) (a) of the statutes is amended to read:

100.60 (7) (a) The department of ~~commerce~~ safety and professional services may promulgate a rule designating a fuel that can substitute for petroleum-based diesel fuel, that is derived from a renewable resource, and that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel as a diesel-replacement renewable fuel for the purposes of this section.

SECTION 795. 100.60 (7) (b) of the statutes is amended to read:

100.60 (7) (b) The department of ~~commerce~~ safety and professional services may promulgate a rule designating a fuel that can substitute for gasoline, that is derived from a renewable resource, and that meets all of the applicable requirements

of the American Society for Testing and Materials for that fuel as a gasoline-replacement renewable fuel for the purposes of this section.

SECTION 796. Chapter 101 (title) of the statutes is amended to read:

CHAPTER 101

**DEPARTMENT OF COMMERCE SAFETY AND
PROFESSIONAL SERVICES — REGULATION OF
INDUSTRY, BUILDINGS AND SAFETY**

SECTION 797. 101.01 (1m) of the statutes is amended to read:

101.01 (**1m**) “Department” means the department of ~~commerce~~ safety and professional services.

SECTION 798. 101.01 (14) of the statutes is amended to read:

101.01 (**14**) “Secretary” means the secretary of ~~commerce~~ safety and professional services.

SECTION 799. 101.02 (18m) of the statutes is amended to read:

101.02 (**18m**) The department may perform, or contract for the performance of, testing of petroleum products other than testing provided under ch. 168. The department may establish a schedule of fees for such petroleum product testing services. The department shall credit all revenues received from fees established under this subsection to the appropriation account under s. ~~20.143(3)~~ 20.165(2) (ga). Revenues from fees established under this subsection may be used by the department to pay for testing costs, including laboratory supplies and equipment amortization, for such products.

SECTION 800. 101.02 (20) (a) of the statutes is amended to read:

101.02 (**20**) (a) For purposes of this subsection, “license” means a license, permit, or certificate of certification or registration issued by the department under

ss. 101.09 (3) (c), 101.122 (2) (c), ~~101.136~~, 101.143 (2) (g), 101.147, 101.15 (2) (e), 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or 167.10 (6m).

SECTION 801. 101.02 (20) (b) of the statutes is amended to read:

101.02 (20) (b) Except as provided in par. (e), the department of ~~commerce~~ safety and professional services may not issue or renew a license unless each applicant who is an individual provides the department of ~~commerce~~ safety and professional services with his or her social security number and each applicant that is not an individual provides the department of ~~commerce~~ safety and professional services with its federal employer identification number. The department of ~~commerce~~ safety and professional services may not disclose the social security number or the federal employer identification number of an applicant for a license or license renewal except to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 802. 101.02 (20) (c) of the statutes is amended to read:

101.02 (20) (c) The department of ~~commerce~~ safety and professional services may not issue or renew a license if the department of revenue certifies under s. 73.0301 that the applicant or licensee is liable for delinquent taxes.

SECTION 803. 101.02 (20) (d) of the statutes is amended to read:

101.02 (20) (d) The department of ~~commerce~~ safety and professional services shall revoke a license if the department of revenue certifies under s. 73.0301 that the licensee is liable for delinquent taxes.

SECTION 804. 101.02 (20) (e) 1. of the statutes is amended to read:

101.02 (20) (e) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license shall submit a statement made or subscribed under oath or affirmation to the department of ~~commerce~~ safety and professional services that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of children and families.

SECTION 805. 101.02 (21) (a) of the statutes is amended to read:

101.02 (21) (a) In this subsection, "license" means a license, permit, or certificate of certification or registration issued by the department under s. 101.09 (3) (c), 101.122 (2) (c), ~~101.136~~, 101.143 (2) (g), 101.147, 101.15 (2) (e), 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or 167.10 (6m).

SECTION 806. 101.02 (21) (b) of the statutes is amended to read:

101.02 (21) (b) As provided in the memorandum of understanding under s. 49.857 and except as provided in par. (e), the department of ~~commerce~~ safety and professional services may not issue or renew a license unless the applicant provides the department of ~~commerce~~ safety and professional services with his or her social security number. The department of ~~commerce~~ safety and professional services may not disclose the social security number except that the department of ~~commerce~~ safety and professional services may disclose the social security number of an applicant for a license under par. (a) or a renewal of a license under par. (a) to the department of children and families for the sole purpose of administering s. 49.22.

SECTION 807. 101.02 (21) (e) 1. of the statutes is amended to read:

101.02 (21) (e) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license shall submit a statement made or subscribed under oath or affirmation to the department of ~~commerce~~ safety and professional services that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of children and families.

SECTION 808. 101.1206 (title) of the statutes is created to read:

101.1206 (title) **Erosion control; construction of public buildings and buildings that are places of employment.**

SECTION 809. 101.136 of the statutes is repealed.

SECTION 810. 101.143 (2) (d) of the statutes is amended to read:

101.143 (2) (d) The department shall reserve a portion, not to exceed 20%, of the amount annually appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) for awards under this section to be used to fund emergency remedial action and claims that exceed the amount initially anticipated.

SECTION 811. 101.143 (2) (h) (intro.) of the statutes is amended to read:

101.143 (2) (h) (intro.) The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules designed to facilitate effective and cost-efficient administration of the program under this section that specify all of the following:

SECTION 812. 101.143 (2) (i) (intro.) of the statutes is amended to read:

101.143 (2) (i) (intro.) The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules specifying procedures for evaluating remedial action plans and procedures to be used by employees of the department of ~~commerce~~ safety and professional services and the

department of natural resources while remedial actions are being conducted. The departments shall specify procedures that include all of the following:

SECTION 813. 101.143 (2) (j) (intro.) of the statutes is amended to read:

101.143 (2) (j) (intro.) The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules specifying all of the following:

SECTION 814. 101.143 (2) (k) of the statutes is amended to read:

101.143 (2) (k) In promulgating rules under pars. (h) to (j), the department of ~~commerce~~ safety and professional services and the department of natural resources shall attempt to reach an agreement that is consistent with those provisions. If the department of ~~commerce~~ safety and professional services and the department of natural resources are unable to reach an agreement, they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with pars. (h) to (j). The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules incorporating any agreement between the department of ~~commerce~~ safety and professional services and the department of natural resources under this paragraph and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

SECTION 815. 101.143 (2) (L) of the statutes is amended to read:

101.143 (2) (L) The department may promulgate rules for the assessment and collection of fees to recover its costs for providing approval under sub. (3) (c) 4. and for providing other assistance requested by applicants under this section. Any

moneys collected under this paragraph shall be credited to the appropriation account under s. ~~20.143 (3)~~ 20.165 (2) (Lm).

SECTION 816. 101.143 (2e) (a) of the statutes is amended to read:

101.143 (2e) (a) The department of ~~commerce~~ safety and professional services and the department of natural resources shall attempt to agree on a method, which shall include individualized consideration of the routes for migration of petroleum product contamination at each site, for determining the risk to public health, safety and welfare and to the environment posed by discharges for which the department of ~~commerce~~ safety and professional services receives notification under sub. (3) (a) 3.

SECTION 817. 101.143 (2e) (b) of the statutes is amended to read:

101.143 (2e) (b) If the department of ~~commerce~~ safety and professional services and the department of natural resources are unable to reach an agreement under par. (a), they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with par. (a). The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules incorporating any agreement between the department of ~~commerce~~ safety and professional services and the department of natural resources under par. (a) and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

SECTION 818. 101.143 (2e) (c) of the statutes is amended to read:

101.143 (2e) (c) The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of ~~commerce~~ safety and professional

services shall apply the method in the rules promulgated under par. (b) to determine the risk posed by a discharge for which the department of commerce safety and professional services receives notification under sub. (3) (a) 3.

SECTION 819. 101.143 (2m) of the statutes is amended to read:

101.143 **(2m)** INTERDEPARTMENTAL COORDINATION. Whenever the department of commerce safety and professional services receives a notification under sub. (3) (a) 3. or the department of natural resources receives a notification of a petroleum product discharge under s. 292.11, the department receiving the notification shall contact the other department and shall schedule a meeting of the owner or operator or person owning a home oil tank system and representatives of both departments.

SECTION 820. 101.143 (3) (c) 4. of the statutes is amended to read:

101.143 **(3)** (c) 4. Receive written approval from the department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), from the department of commerce safety and professional services that the remedial action activities performed under subd. 3. meet the requirements of s. 292.11.

SECTION 821. 101.143 (3) (cm) of the statutes is amended to read:

101.143 **(3)** (cm) *Monitoring as remedial action.* An owner or operator or person owning a home oil tank system may, with the approval of the department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of commerce safety and professional services, satisfy the requirements of par. (c) 2. and 3. by proposing and implementing monitoring to ensure the effectiveness of natural attenuation of petroleum product contamination.

SECTION 822. 101.143 (3) (cp) 1. of the statutes is amended to read:

101.143 **(3)** (cp) 1. Except as provided in subds. 2. to 5., if the department of natural resources or, if the site is covered under s. 101.144 (2) (b), the department of

~~commerce~~ safety and professional services estimates that the cost to complete a site investigation, remedial action plan and remedial action for an occurrence exceeds \$60,000, the department of ~~commerce~~ safety and professional services shall implement a competitive public bidding process to obtain information to assist in making the determination under par. (cs).

SECTION 823. 101.143 (3) (cp) 2. of the statutes is amended to read:

101.143 (3) (cp) 2. The department of ~~commerce~~ safety and professional services or the department of natural resources may waive the requirement under subd. 1. if an enforcement standard is exceeded in groundwater within 1,000 feet of a well operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any other well used to provide water for human consumption.

SECTION 824. 101.143 (3) (cp) 5. of the statutes is amended to read:

101.143 (3) (cp) 5. The department of ~~commerce~~ safety and professional services or the department of natural resources may waive the requirement under subd. 1. after providing notice to the other department.

SECTION 825. 101.143 (3) (cp) 6. of the statutes is amended to read:

101.143 (3) (cp) 6. The department of ~~commerce~~ safety and professional services may disqualify a bid received under subd. 1. if, based on information available to the department and experience with remedial action at other sites, the bid is unlikely to establish an amount to sufficiently fund remedial action that will comply with par. (c) 3. and with enforcement standards.

SECTION 826. 101.143 (3) (cp) 7. of the statutes is amended to read:

101.143 (3) (cp) 7. The department of ~~commerce~~ safety and professional services may disqualify a person from submitting bids under subd. 1. if, based on past

performance of the bidder, the department determines that the person has demonstrated an inability to complete remedial action within established cost limits.

SECTION 827. 101.143 (3) (cs) 1. of the statutes is amended to read:

101.143 (3) (cs) 1. The department of ~~commerce~~ safety and professional services shall review the remedial action plan for a site that is classified as low or medium risk under s. 101.144 and shall determine the least costly method of complying with par. (c) 3. and with enforcement standards. The department shall notify the owner or operator of its determination of the least costly method and shall notify the owner or operator that reimbursement for remedial action under this section is limited to the amount necessary to implement that method.

SECTION 828. 101.143 (3) (cs) 2. of the statutes is amended to read:

101.143 (3) (cs) 2. The department of natural resources and the department of ~~commerce~~ safety and professional services shall review the remedial action plan for a site that is classified as high risk under s. 101.144 and shall jointly determine the least costly method of complying with par. (c) 3. and with enforcement standards. The departments shall notify the owner or operator of their determination of the least costly method and shall notify the owner or operator that reimbursement for remedial action under this section is limited to the amount necessary to implement that method.

SECTION 829. 101.143 (3) (cs) 3. of the statutes is amended to read:

101.143 (3) (cs) 3. In making determinations under subds. 1. and 2., the department of natural resources and the department of ~~commerce~~ safety and professional services shall determine whether natural attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

SECTION 830. 101.143 (3) (cs) 4. of the statutes is amended to read:

101.143 (3) (cs) 4. The department of ~~commerce~~ safety and professional services may review and modify an amount established under subd. 1. if the department determines that new circumstances, including newly discovered contamination at a site, warrant those actions. The department of ~~commerce~~ safety and professional services and the department of natural resources may review and modify an amount established under subd. 2. if the departments determine that new circumstances, including newly discovered contamination at a site, warrant those actions.

SECTION 831. 101.143 (3) (cw) 1. of the statutes is amended to read:

101.143 (3) (cw) 1. The department of ~~commerce~~ safety and professional services shall conduct the annual review required under sub. (2) (i) 1. for a site that is classified as low or medium risk under s. 101.144 and shall determine the least costly method of completing remedial action at the site in order to comply with par. (c) 3. and with enforcement standards. The department shall notify the owner or operator of its determination of the least costly method and shall notify the owner or operator that reimbursement under this section for any remedial action conducted after the date of the notice is limited to the amount necessary to implement that method.

SECTION 832. 101.143 (3) (cw) 2. of the statutes is amended to read:

101.143 (3) (cw) 2. The department of natural resources and the department of ~~commerce~~ safety and professional services shall conduct the annual review required under sub. (2) (i) 1. for a site that is classified as high risk under s. 101.144 and shall jointly determine the least costly method of completing remedial action at the site in order to comply with par. (c) 3. and with enforcement standards. The departments shall notify the owner or operator of their determination of the least

costly method and shall notify the owner or operator that reimbursement under this section for remedial action conducted after the date of the notice is limited to the amount necessary to implement that method.

SECTION 833. 101.143 (3) (cw) 3. of the statutes is amended to read:

101.143 (3) (cw) 3. In making determinations under subds. 1. and 2., the department of natural resources and the department of ~~commerce~~ safety and professional services shall determine whether natural attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

SECTION 834. 101.143 (3) (cw) 4. of the statutes is amended to read:

101.143 (3) (cw) 4. The department of ~~commerce~~ safety and professional services may review and modify an amount established under subd. 1. if the department determines that new circumstances, including newly discovered contamination at a site, warrant those actions. The department of ~~commerce~~ safety and professional services and the department of natural resources may review and modify an amount established under subd. 2. if the departments determine that new circumstances, including newly discovered contamination at a site, warrant those actions.

SECTION 835. 101.143 (3) (d) of the statutes is amended to read:

101.143 (3) (d) *Final review of remedial action activities.* The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of ~~commerce~~ safety and professional services shall complete a final review of the remedial action activities within 60 days after the claimant notifies the appropriate department that the remedial action activities are completed.

SECTION 836. 101.143 (3) (f) 5. of the statutes is amended to read:

101.143 (3) (f) 5. The written approval of the department of natural resources or the department of ~~commerce~~ safety and professional services under par. (c) 4.

SECTION 837. 101.143 (3) (g) of the statutes is amended to read:

101.143 (3) (g) *Emergency situations.* Notwithstanding pars. (a) 3. and (c) 1. and 2., an owner or operator or the person may submit a claim for an award under sub. (4) after notifying the department under par. (a) 3., without completing an investigation under par. (c) 1. and without preparing a remedial action plan under par. (c) 2. if an emergency existed which made the investigation under par. (c) 1. and the remedial action plan under par. (c) 2. inappropriate and, before conducting remedial action, the owner or operator or person notified the department of ~~commerce~~ safety and professional services and the department of natural resources of the emergency and the department of ~~commerce~~ safety and professional services and the department of natural resources authorized emergency action.

SECTION 838. 101.143 (4) (a) 6. of the statutes is amended to read:

101.143 (4) (a) 6. In any fiscal year, the department may not award more than 5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for petroleum product storage systems described in par. (ei).

SECTION 839. 101.143 (4) (a) 7. of the statutes is amended to read:

101.143 (4) (a) 7. In any fiscal year, the department may not award more than 5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for petroleum product storage systems that are owned by school districts and that are used for storing heating oil for consumptive use on the premises where stored.

SECTION 840. 101.143 (4) (cc) 2. b. of the statutes is amended to read:

101.143 (4) (cc) 2. b. An applicant that is engaged in the expansion or redevelopment of brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a), if federal or state

financial assistance other than under this section, has been provided for that expansion or redevelopment.

SECTION 841. 101.143 (4) (ei) 2m. of the statutes is amended to read:

101.143 (4) (ei) 2m. The owner or operator of the farm tank has received a letter or notice from the department of ~~commerce~~ safety and professional services or department of natural resources indicating that the owner or operator must conduct a site investigation or remedial action because of a discharge from the farm tank or an order to conduct such an investigation or remedial action.

SECTION 842. 101.143 (4) (es) 1. of the statutes is amended to read:

101.143 (4) (es) 1. The department shall issue an award for a claim filed after August 9, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987, by an owner or operator or a person owning a home oil tank system in investigating the existence of a discharge or investigating the presence of petroleum products in soil or groundwater if the investigation is undertaken at the written direction of the department of ~~commerce~~ safety and professional services or the department of natural resources and no discharge or contamination is found.

SECTION 843. 101.144 (3) (b) of the statutes is amended to read:

101.144 (3) (b) The department of ~~commerce~~ safety and professional services requests the department of natural resources to take the action or issue the order.

SECTION 844. 101.144 (3) (c) of the statutes is amended to read:

101.144 (3) (c) The secretary of natural resources approves the action or order in advance after notice to the secretary of ~~commerce~~ safety and professional services.

SECTION 845. 101.144 (3g) (a) of the statutes is amended to read:

101.144 (3g) (a) If, on December 1, 1999, more than 35% of sites classified under this section, excluding sites that are contaminated by a hazardous substance

other than a petroleum product or an additive to a petroleum product, are classified as high-risk sites, the department of ~~commerce~~ safety and professional services and the department of natural resources shall attempt to reach an agreement that specifies standards for determining whether the site of a discharge of a petroleum product from a petroleum storage tank is classified as high risk. The standards shall be designed to classify no more than 35% of those sites as high-risk sites and may not classify all sites at which an enforcement standard is exceeded as high-risk sites. If the department of ~~commerce~~ safety and professional services and the department of natural resources are unable to reach an agreement, they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with this paragraph. The department of ~~commerce~~ safety and professional services shall promulgate rules incorporating any agreement between the department of ~~commerce~~ safety and professional services and the department of natural resources under this paragraph and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

SECTION 846. 101.144 (3g) (b) of the statutes is amended to read:

101.144 **(3g)** (b) If, 6 months after rules under par. (a) are in effect, more than 35% of the sites classified under this section, excluding sites that are contaminated by a hazardous substance other than a petroleum product or an additive to a petroleum product, are classified as high-risk sites, the department of ~~commerce~~ safety and professional services shall revise the rules using the procedure for promulgating the rules in par. (a).

SECTION 847. 101.144 (3m) (a) (intro.) of the statutes is amended to read:

101.144 (3m) (a) (intro.) The department of ~~commerce~~ safety and professional services and the department of natural resources shall enter into a memorandum of understanding that does all of the following:

SECTION 848. 101.144 (3m) (b) of the statutes is amended to read:

101.144 (3m) (b) The department of ~~commerce~~ safety and professional services and the department of natural resources shall submit a memorandum of understanding under this subsection to the secretary of administration for review. A memorandum of understanding under this subsection does not take effect until it is approved by the secretary of administration.

SECTION 849. 101.149 (6) (b) of the statutes is amended to read:

101.149 (6) (b) The department shall promulgate rules, in consultation with the department of health services, under which the department of ~~commerce~~ safety and professional services shall authorize certified heating, ventilating, and air conditioning inspectors to conduct regular inspections of sealed combustion units, as required under par. (5) (c), for carbon monoxide emissions in residential buildings other than hotels, tourist rooming houses, and bed and breakfast establishments. The rules shall specify conditions under which it may issue orders as specified under sub. (8) (a). The rules may not require the department of ~~commerce~~ safety and professional services to authorize inspection of sealed combustion units during the period in which the sealed combustion units are covered by a manufacturer's warranty against defects.

SECTION 850. 101.149 (8) (a) of the statutes is amended to read:

101.149 (8) (a) If the department of ~~commerce~~ safety and professional services or the department of health services determines after an inspection of a building under this section or s. 254.74 (1g) that the owner of the building has violated sub.

(2) or (3), the respective department shall issue an order requiring the person to correct the violation within 5 days or within such shorter period as the respective department determines is necessary to protect public health and safety. If the person does not correct the violation within the time required, he or she shall forfeit \$50 for each day of violation occurring after the date on which the respective department finds that the violation was not corrected.

SECTION 851. 101.563 (2) (b) 1. of the statutes is amended to read:

101.563 (2) (b) 1. 'Payments from calendar year 2001 dues.' Notwithstanding s. 101.573 (3) (a), by the 30th day following July 30, 2002, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), subtract the total amount due to be paid under par. (a), withhold 0.5%, and certify to the secretary of administration the proper amount to be paid from the appropriation under s. ~~20.143(3)~~ 20.165(2) (L) to each city, village, and town entitled to a proportionate share of fire department dues as provided under sub. (1) (b) and s. 101.575. If the department has previously certified an amount to the secretary of administration under s. 101.573 (3) (a) during calendar year 2002, the department shall recertify the amount in the manner provided under this subdivision. On or before August 1, 2002, the secretary of administration shall pay the amounts certified or recertified by the department under this subdivision to each city, village, and town entitled to a proportionate share of fire department dues as provided under sub. (1) and s. 101.575. The secretary of administration may combine any payment due under this subdivision with any amount due to be paid on or before August 1, 2002, to the same city, village, or town under par. (a).

SECTION 852. 101.563 (2) (b) 2. of the statutes is amended to read:

101.563 (2) (b) 2. 'Payments from dues for calendar years 2002 to 2004.' Notwithstanding s. 101.573 (3) (a) and except as otherwise provided in this subdivision, on or before May 1 in each year, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), withhold 0.5% and certify to the secretary of administration the proper amount to be paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town entitled to a proportionate share of fire department dues as provided under sub. (1) (b) and s. 101.575. Annually, on or before August 1, the secretary of administration shall pay the amounts certified by the department to each such city, village, and town. This paragraph applies only to payment of a proportionate share of fire department dues collected for calendar years 2002 to 2004.

SECTION 853. 101.573 (3) (a) of the statutes is amended to read:

101.573 (3) (a) On or before May 1 in each year, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5% and certify to the secretary of administration the proper amount to be paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, or town entitled to fire department dues under s. 101.575. Annually, on or before August 1, the secretary of administration shall pay the amounts certified by the department to the cities, villages and towns eligible under s. 101.575.

SECTION 854. 101.573 (5) of the statutes is amended to read:

101.573 (5) The department shall promulgate a rule defining "administrative expenses" for purposes of s. ~~20.143 (3)~~ 20.165 (2) (La).

SECTION 855. 101.657 (5) of the statutes is amended to read:

101.657 (5) From the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j), beginning with fiscal year 2005-06, the department shall allocate \$100,000 annually for the contract required under sub. (2) and at least \$600,000 annually for the contract required under sub. (3).

SECTION 856. 101.935 (2) (e) of the statutes is amended to read:

101.935 (2) (e) Section 254.69 (2), as it applies to an agent for the department of health services in the administration of s. 254.47, applies to an agent for the department of ~~commerce~~ safety and professional services in the administration of this section.

SECTION 857. 101.951 (7) (a) of the statutes is amended to read:

101.951 (7) (a) The department of ~~commerce~~ safety and professional services may, without notice, deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for the denial. Within 30 days after such notice, the applicant may petition the department of administration to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness. The division of hearings and appeals shall conduct the hearing. This paragraph does not apply to denials of applications for licenses under s. 101.02 (21).

SECTION 858. 101.951 (7) (b) of the statutes is amended to read:

101.951 (7) (b) No license may be suspended or revoked except after a hearing thereon. The department of ~~commerce~~ safety and professional services shall give the licensee at least 5 days' notice of the time and place of the hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the department of ~~commerce~~ safety and professional services, when in its opinion the

best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations brought before the department of ~~commerce~~ safety and professional services shall be heard and decided upon by the department of administration. The division of hearings and appeals shall conduct the hearing. This paragraph does not apply to licenses that are suspended or revoked under s. 101.02 (21).

SECTION 859. 101.951 (7) (c) of the statutes is amended to read:

101.951 (7) (c) The department of ~~commerce~~ safety and professional services may inspect the pertinent books, records, letters and contracts of a licensee. The actual cost of each such examination shall be paid by such licensee so examined within 30 days after demand therefor by the department, and the department may maintain an action for the recovery of such costs in any court of competent jurisdiction.

SECTION 860. 101.953 (1) (a) of the statutes is amended to read:

101.953 (1) (a) A statement that the manufactured home meets those standards prescribed by law or administrative rule of the department of administration or of the department of ~~commerce~~ safety and professional services that are in effect at the time of the manufacture of the manufactured home.

SECTION 861. 101.973 (8) of the statutes is amended to read:

101.973 (8) Deposit the moneys received from the fees under sub. (7) in the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j).

SECTION 862. 106.16 (3) of the statutes is amended to read:

106.16 (3) A state agency or an authority under ch. 231 or 234 shall notify the department of ~~commerce~~ Wisconsin Economic Development Corporation if it makes a loan or grant to a company.

SECTION 863. 106.20 (1) (e) of the statutes is amended to read:

106.20 (1) (e) “Minority business” has the meaning given in s. ~~560.036~~ 490.04 (1) (e).

SECTION 864. 106.30 (2) of the statutes is amended to read:

106.30 (2) SURVEY FORM. Each odd-numbered year, the department of workforce development shall develop and submit to the department of ~~regulation and licensing~~ safety and professional services a survey form to gather data under s. 441.01 (7) (a) 1. to assist the department of workforce development in evaluating the supply of, demand for, and turnover among nurses in this state and in determining whether there are any regional shortages of nurses, shortages of nurses in any speciality areas, or impediments to entering the nursing profession in this state.

SECTION 865. 106.30 (5) (a) of the statutes is amended to read:

106.30 (5) (a) From the appropriation account under s. 20.445 (1) (km), the department of workforce development shall award grants equal to the amount appropriated under s. 20.445 (1) (km) minus the amount expended under sub. (4) to a nonprofit statewide nursing center that is comprised of and led by nurses and that has demonstrated coordination with constituent groups within the nursing community, including professional nursing organizations; organizations representing nurse educators, staff nurses, and nurse managers or executives; labor organizations representing nurses; the department of ~~regulation and licensing~~ safety and professional services; the department of health services; and legislators who are concerned with issues affecting the nursing profession.

SECTION 866. 106.30 (5) (b) of the statutes is amended to read:

106.30 (5) (b) A statewide nursing center that receives a grant under par. (a) shall use the grant moneys to develop strategies to ensure that there is a nursing workforce that is adequate to meet the current and future health care needs of this state. The statewide nursing center may use those moneys to fund activities that are aimed at ensuring such a nursing workforce, including monitoring trends in the applicant pool for nursing education programs; evaluating the effectiveness of nursing education programs in increasing access to those programs and in enhancing career mobility for nurses, especially for populations that are underrepresented in the nursing profession; and facilitating partnerships between the nursing community and other health care providers, the department of ~~regulation and licensing~~ safety and professional services, the business community, the legislature, and educators to promote diversity within the nursing profession, enhance career mobility and leadership development for nurses, and achieve consensus regarding policies aimed at ensuring an adequate nursing workforce in this state.

SECTION 867. 106.50 (6) (a) 3. of the statutes is amended to read:

106.50 (6) (a) 3. The complaint may be filed by an aggrieved person, by an interested person, by the department of workforce development under par. (b) or, if the complaint charges a violation of sub. (2r) (c), by the department of ~~commerce~~ safety and professional services. The department of workforce development shall, upon request, provide appropriate assistance in completing and filing complaints.

SECTION 868. 106.50 (6) (b) of the statutes is amended to read:

106.50 (6) (b) *Powers and duties of department.* The department of workforce development and its duly authorized agents may hold hearings, subpoena witnesses,

take testimony and make investigations as provided in this subsection. The department of workforce development may test and investigate for the purpose of establishing violations of sub. (2), (2m) or (2r) and may make, sign and file complaints alleging violations of sub. (2), (2m) or (2r). In addition, the department of ~~commerce~~ safety and professional services may make, sign and file complaints alleging violations of sub. (2r) (c). The department of workforce development shall employ examiners to hear and decide complaints of discrimination under this section, and to assist in the administration of this section. The examiners may make findings and issue orders under this subsection. The department of workforce development shall develop and implement an investigation manual for use in conducting investigations under par. (c).

SECTION 869. 107.30 (4) of the statutes is amended to read:

107.30 (4) “Department” means the department of ~~commerce~~ safety and professional services.

SECTION 870. 107.30 (10) of the statutes is amended to read:

107.30 (10) “Mining damage appropriation” means the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (a).

SECTION 871. 107.31 (5) (a) (intro.) of the statutes is amended to read:

107.31 (5) (a) *Calculation.* (intro.) The mining damage reserve accumulation is calculated by subtracting the total amount of all mining damages awards paid from the appropriation under s. 20.445 (4) (a), 2001 stats., beginning on May 22, 1980 or paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (a) from the sum of:

SECTION 872. 108.02 (21e) (intro.) of the statutes is amended to read:

108.02 (21e) PROFESSIONAL EMPLOYER ORGANIZATION. (intro.) “Professional employer organization” means any person who is currently registered as a

professional employer organization with the department of ~~regulation and licensing~~ safety and professional services in accordance with ch. 461, who contracts to provide the nontemporary, ongoing employee workforce of more than one client under a written leasing contract, the majority of whose clients are not under the same ownership, management, or control as the person other than through the terms of the contract, and who under contract and in fact:

SECTION 873. 109.07 (1m) (b) of the statutes is amended to read:

109.07 **(1m)** (b) The department shall promptly provide a copy of the notice required under par. (a) ~~to the department of commerce and to the office of the commissioner of insurance and shall cooperate with the department of commerce in the performance of its responsibilities under s. 560.15 and with the office of the commissioner of insurance in the performance of its responsibilities under s. 601.41~~ (7).

SECTION 874. 114.31 (6) of the statutes is amended to read:

114.31 **(6)** TECHNICAL SERVICES TO MUNICIPALITIES. The secretary may, insofar as is reasonably possible, offer the engineering or other technical service of the department, to any municipality desiring them in connection with the construction, maintenance or operation or proposed construction, maintenance or operation of an airport. The secretary may assess reasonable costs for services including services performed while acting as agent for a municipality. Such assessment shall include properly allocated administrative costs. Municipalities are authorized to cooperate with the secretary in the development of aeronautics and aeronautical facilities in this state. ~~The department of commerce~~ Wisconsin Economic Development Corporation and all other agencies are authorized and directed to make available

such facilities and services, and to cooperate as far as possible to promote the best interests of aeronautics of the state.

SECTION 875. 114.33 (10) of the statutes is amended to read:

114.33 (10) Subject to the approval of the governor under this subsection, the secretary may sell at public or private sale property of whatever nature owned by the state and under the jurisdiction of the secretary when the secretary determines that the property is no longer necessary for the state's use for airport purposes ~~and, if real property, the real property is not the subject of a petition under s. 560.9810.~~ The secretary shall present to the governor a full and complete report of the property to be sold, the reason for the sale, and the minimum price for which the property should be sold, together with an application for the governor's approval of the sale. The governor shall investigate the proposed sale as he or she deems necessary and approve or disapprove the application. Upon approval and receipt of the full purchase price, the secretary shall by appropriate deed or other instrument transfer the property to the purchaser. The funds derived from the sale shall be deposited in the appropriate airport fund, and the expense incurred by the secretary in connection with the sale shall be paid from that fund. This subsection does not apply to real property that is sold under s. 16.848.

SECTION 876. 115.33 (2) (a) (intro.) of the statutes is amended to read:

115.33 (2) (a) (intro.) The state superintendent may request the department of ~~commerce~~ safety and professional services to inspect a public school if any of the following occurs:

SECTION 877. 115.33 (2) (b) of the statutes is amended to read:

115.33 (2) (b) The department of ~~commerce~~ safety and professional services shall inspect the school within 30 days after receiving a request from the state superintendent under par. (a).

SECTION 878. 115.33 (3) (a) of the statutes is amended to read:

115.33 (3) (a) If the state superintendent determines that a school is not in compliance, and the department of ~~commerce~~ safety and professional services, based on its inspection of the school, concurs in the determination, the state superintendent may order the school board to repair, improve, remodel or close the school by a stated date. An order issued under this paragraph constitutes a preliminary finding of noncompliance with the standard under s. 121.02 (1) (i).

SECTION 879. 115.33 (3) (b) 1. of the statutes is amended to read:

115.33 (3) (b) 1. If the state superintendent determines that a school is not in compliance and is not worth repairing, and the department of ~~commerce~~ safety and professional services, based on its inspection of the school, concurs in the determination, the state superintendent may order the school board to develop a plan that describes how the school board will achieve compliance with the standard under s. 121.02 (1) (i). The plan shall specify the time within which compliance with the standard under s. 121.02 (1) (i) shall be achieved. The state superintendent shall hold a public hearing on the plan in the school district and may, as a result of the hearing, recommend changes to the plan. The state superintendent may withhold up to 25% of the school district's state aid if the school district fails to achieve compliance with the standard under s. 121.02 (1) (i) within the period specified in the plan.

SECTION 880. 118.07 (2) (b) of the statutes is amended to read:

118.07 (2) (b) In each community having a recognized fire department, the person having direct charge of any public or private school shall annually file a report pertaining to such drills, on a form furnished by the department of ~~eommeree~~ safety and professional services, with the chief of the fire department. When no fire drill is held during any month, or when only one or no tornado or other hazard drill is held in a year, the person having direct charge of the school shall state the reasons in the report.

SECTION 881. 118.075 (2) (a) 2. of the statutes is amended to read:

118.075 (2) (a) 2. The secretary of ~~eommeree~~ safety and professional services or his or her designee.

SECTION 882. 118.135 (2) of the statutes is amended to read:

118.135 (2) A pupil who complies with a request under sub. (1) shall provide evidence of an eye examination or evaluation by December 31 following the pupil's enrollment in kindergarten. The school board or charter school shall provide pupils with the form distributed by the department of ~~regulation and licensing~~ safety and professional services under s. 440.03 (16) for that purpose.

SECTION 883. 119.495 (2) of the statutes is amended to read:

119.495 (2) The board shall include in its budget transmitted to the common council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing to be authorized in the budget for the ensuing year. The common council shall issue the notes and levy a direct annual irrevocable tax sufficient to pay the principal and interest on the notes as they become due. The common council may issue the notes by private sale. The common council shall make every effort to involve a minority investment firm certified under s. ~~560.036~~ 490.04 as managing underwriter of the

notes or to engage a minority financial adviser certified under s. ~~560.036~~ 490.04 to advise the city regarding any public sale of the notes.

SECTION 884. 119.496 (2) of the statutes is amended to read:

119.496 (2) The board shall include in its budget transmitted to the common council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing to be authorized in the budget for the ensuing year. The common council shall issue the notes and levy a direct annual irrevocable tax sufficient to pay the principal and interest on the notes as they become due. The common council may issue the notes by private sale. The common council shall establish goals of involving minority investment firms certified under s. ~~560.036~~ 490.04 as managing underwriters for at least 50% of the total amount financed by the notes and of engaging a minority financial adviser certified under s. ~~560.036~~ 490.04 to advise the city regarding any public sale of the notes.

SECTION 885. 145.01 (4) of the statutes is amended to read:

145.01 (4) DEPARTMENT. "Department" means the department of ~~commerce~~ safety and professional services.

SECTION 886. 145.02 (4) (a) of the statutes is amended to read:

145.02 (4) (a) The department shall prescribe rules as to the qualifications, examination and licensing of master and journeyman plumbers and restricted plumber licensees, for the licensing of utility contractors, for the registration of plumbing apprentices and pipe layers and for the registration and training of registered learners. The plumbers council, created under s. ~~15.157 (6)~~ 15.407 (16), shall advise the department in formulating the rules.

SECTION 887. 145.17 (2) of the statutes is amended to read:

145.17 (2) The department shall prescribe rules as to the qualifications, examination and licensing of journeymen automatic fire sprinkler system fitters and automatic fire sprinkler contractors and for the registration and training of automatic fire sprinkler system apprentices. The automatic fire sprinkler system contractors and journeymen council, created under s. 15.157 (9) 15.407 (17), shall advise the department in formulating the rules.

SECTION 888. 145.20 (5) (c) of the statutes is amended to read:

145.20 (5) (c) The department of natural resources may suspend or revoke a license issued under s. 281.48 or a certificate issued under s. 281.17 (3) to the operator of a septage servicing vehicle if the department of natural resources finds that the licensee or operator falsified information on inspection forms. The department of ~~commerce~~ safety and professional services may suspend or revoke the license of a plumber licensed under this chapter if the department finds that the plumber falsified information on inspection forms.

SECTION 889. 145.245 (12m) (e) of the statutes is amended to read:

145.245 (12m) (e) The department of ~~commerce~~ safety and professional services and the department of administration may enter into a financial assistance agreement with a governmental unit that applies for a loan under this subsection and meets the eligibility requirements for a loan, including the requirements under par. (d).

SECTION 890. 145.245 (12m) (f) of the statutes is amended to read:

145.245 (12m) (f) The department of administration, in consultation with the department of ~~commerce~~ safety and professional services, may establish those terms and conditions of a financial assistance agreement that relate to its financial management, including what type of municipal obligation is required for the

SECTION 890

repayment of the financial assistance. In setting the terms and conditions, the department of administration may consider factors that the department of administration finds are relevant, including the type of obligation evidencing the loan, the pledge of security for the obligation and the applicant's creditworthiness.

SECTION 891. 145.245 (12m) (g) of the statutes is amended to read:

145.245 (12m) (g) The department of administration shall make and disburse a loan to an applicant that has entered into a financial assistance agreement under par. (e). The department of administration, in consultation with the department of ~~commerce~~ safety and professional services, shall establish procedures for disbursing loans.

SECTION 892. 145.245 (12m) (h) of the statutes is amended to read:

145.245 (12m) (h) If a governmental unit fails to make a principal repayment after its due date, the department of administration shall place on file a certified statement of all amounts due under this subsection. After consulting the department of ~~commerce~~ safety and professional services, the department of administration may collect all amounts due by deducting those amounts from any state payments due the governmental unit or may add a special charge to the amount of taxes apportioned to and levied upon the county under s. 70.60. If the department of administration collects amounts due, it shall remit those amounts to the fund to which they are due and notify the department of ~~commerce~~ safety and professional services of that action.

SECTION 893. 146.085 (3) of the statutes is amended to read:

146.085 (3) ENFORCEMENT. The department, the department of ~~commerce~~ safety and professional services, and the public service commission shall enforce this section within their respective jurisdictions.

SECTION 894. 146.40 (4r) (em) of the statutes is amended to read:

146.40 (4r) (em) If the department receives a report under par. (a) or (am) and determines that an individual who is the subject of the report holds a credential that is related to the individual's employment at, or contract with, the entity, the department shall refer the report to the department of ~~regulation and licensing~~ safety and professional services.

SECTION 895. 150.84 (3) of the statutes is amended to read:

150.84 (3) "Health care provider" means any person licensed, registered, permitted or certified by the department or by the department of ~~regulation and licensing~~ safety and professional services to provide health care services in this state.

SECTION 896. 153.60 (1) of the statutes is amended to read:

153.60 (1) The department shall, by the first October 1 after the commencement of each fiscal year, estimate the total amount of expenditures under this subchapter for the department for that fiscal year for data collection, database development and maintenance, generation of data files and standard reports, orientation and training provided under s. 153.05 (9) (a) and contracting with the data organization under s. 153.05 (2r). The department shall assess the estimated total amount for that fiscal year, less the estimated total amount to be received for purposes of administration of this subchapter under s. 20.435 (1) (hi) during the fiscal year and the unencumbered balance of the amount received for purposes of administration of this subchapter under s. 20.435 (1) (hi) from the prior fiscal year, to health care providers, other than hospitals and ambulatory surgery centers, who are in a class of health care providers from whom the department collects data under this subchapter in a manner specified by the department by rule. The department shall work together with the department of ~~regulation and licensing~~ safety and

professional services to develop a mechanism for collecting assessments from health care providers other than hospitals and ambulatory surgery centers. No health care provider that is not a facility may be assessed under this subsection an amount that exceeds \$75 per fiscal year. All payments of assessments shall be credited to the appropriation under s. 20.435 (1) (hg).

SECTION 897. 157.061 (5) of the statutes is amended to read:

157.061 (5) “Department” means the department of ~~regulation and licensing~~ safety and professional services.

SECTION 898. 157.11 (9m) of the statutes is amended to read:

157.11 (9m) ACTION BY DISTRICT ATTORNEY. If any money or property is not turned over when required by this section, or default occurs under a bond, the district attorney, upon the request of the department of ~~regulation and licensing~~ safety and professional services, shall bring action to recover.

SECTION 899. 157.12 (1) of the statutes is amended to read:

157.12 (1) DEFINITION. Notwithstanding s. 157.061 (5), in this section, “department” means the department of ~~commerce~~ safety and professional services.

SECTION 900. 157.12 (3) (b) of the statutes is amended to read:

157.12 (3) (b) The cemetery’s treasurer is the custodian of the fund. The treasurer shall file with the cemetery, at the cemetery’s expense, a bond with sureties approved by the department of ~~regulation and licensing~~ safety and professional services to indemnify the cemetery against loss if the treasurer fails to maintain the fund. No indemnity is required if the terms of sale of a mausoleum space require the purchaser to pay directly to a trust company in the state, designated by the cemetery as custodian of the fund. The fund shall be invested as provided in s. 157.19. Income from investment may be used only to maintain the mausoleum, except that if the

amount of income exceeds the amount necessary to properly maintain the mausoleum the excess amount may be used to maintain any portion of the cemetery.

SECTION 901. 157.65 (1) (a) of the statutes is amended to read:

157.65 (1) (a) If the department of ~~regulation and licensing~~ safety and professional services has reason to believe that any person is violating or has violated this subchapter or any rule promulgated under this subchapter and that the continuation of that activity might cause injury to the public interest, the department of ~~regulation and licensing~~ safety and professional services may investigate.

SECTION 902. 157.65 (1) (b) of the statutes is amended to read:

157.65 (1) (b) If the department of ~~commerce~~ safety and professional services has reason to believe that any person is violating s. 157.12 or any rule promulgated under s. 157.12 and that the continuation of that activity might cause injury to the public interest, the department of ~~commerce~~ safety and professional services may investigate.

SECTION 903. 157.65 (2) of the statutes is amended to read:

157.65 (2) The department of justice or any district attorney, upon informing the department of justice, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this subchapter. The court may, prior to entry of final judgment, make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, if proof of such loss is submitted to the satisfaction of the court. The department of justice may subpoena persons and require the production of books and other documents, and may request the board described in s. 15.405 (3m) or the department of ~~commerce~~ safety and professional

services to exercise its authority under sub. (1) to aid in the investigation of alleged violations of this subchapter.

SECTION 904. 160.01 (7) of the statutes is amended to read:

160.01 (7) "Regulatory agency" means the department of agriculture, trade and consumer protection, the department of ~~commerce~~ safety and professional services, the department of transportation, the department of natural resources and other state agencies which regulate activities, facilities or practices which are related to substances which have been detected in or have a reasonable probability of entering the groundwater resources of the state.

SECTION 905. 165.25 (4) (ag) of the statutes is amended to read:

165.25 (4) (ag) The department of justice shall furnish legal services upon request of the department of ~~commerce~~ safety and professional services under s. 167.35 (7).

SECTION 906. 165.25 (4) (am) of the statutes is amended to read:

165.25 (4) (am) The department of justice shall furnish legal services to the department of ~~regulation and licensing~~ safety and professional services in all proceedings under s. 440.21 (3), together with any other services, including stenographic and investigational, as are necessarily connected with the legal services.

SECTION 907. 165.825 of the statutes is amended to read:

165.825 Information link; department of health services. The department of justice shall cooperate with the departments of ~~regulation and licensing~~ safety and professional services and health services in developing and maintaining a computer linkup to provide access to the information obtained from a criminal history search.

SECTION 908. 167.10 (3) (b) 2. of the statutes is amended to read:

167.10 (3) (b) 2. The possession or use of explosives in accordance with rules or general orders of the department of ~~commerce~~ safety and professional services.

SECTION 909. 167.10 (6m) (a) of the statutes is amended to read:

167.10 (6m) (a) No person may manufacture in this state fireworks or a device listed under sub. (1) (e), (f) or (i) to (n) without a fireworks manufacturing license issued by the department of ~~commerce~~ safety and professional services under par. (d).

SECTION 910. 167.10 (6m) (b) of the statutes is amended to read:

167.10 (6m) (b) No person may manufacture in this state fireworks or a device listed under sub. (1) (e), (f) or (i) to (n) unless the person complies with the rules of the department of ~~commerce~~ safety and professional services promulgated under par. (e).

SECTION 911. 167.10 (6m) (c) of the statutes is amended to read:

167.10 (6m) (c) Any person who manufactures in this state fireworks or a device listed under sub. (1) (e), (f) or (i) to (n) shall provide the department of ~~commerce~~ safety and professional services with a copy of each federal license issued under [18 USC 843](#) to that person.

SECTION 912. 167.10 (6m) (d) of the statutes is amended to read:

167.10 (6m) (d) The department of ~~commerce~~ safety and professional services shall issue a license to manufacture fireworks or devices listed under sub. (1) (e), (f) or (i) to (n) to a person who complies with the rules of the department promulgated under par. (e). The department may not issue a license to a person who does not comply with the rules promulgated under par. (e). The department may revoke a license under this subsection for the refusal to permit an inspection at reasonable

times by the department or for a continuing violation of the rules promulgated under par. (e).

SECTION 913. 167.10 (6m) (e) of the statutes is amended to read:

167.10 **(6m)** (e) The department of ~~commerce~~ safety and professional services shall promulgate rules to establish safety standards for the manufacture in this state of fireworks and devices listed under sub. (1) (e), (f) or (i) to (n).

SECTION 914. 167.10 (6m) (f) of the statutes is amended to read:

167.10 **(6m)** (f) The department of ~~commerce~~ safety and professional services may inspect at reasonable times the premises on which each person licensed under this subsection manufactures fireworks or devices listed under sub. (1) (e), (f) or (i) to (n).

SECTION 915. 167.21 (1) (b) of the statutes is amended to read:

167.21 **(1)** (b) "Department" means the department of ~~commerce~~ safety and professional services.

SECTION 916. 167.27 (5) of the statutes is amended to read:

167.27 **(5)** Whenever any mine shaft, exploration shaft or test well is abandoned or its use discontinued, the operator or contractor shall promptly fill same to grade or enclose the same with a fence of strong woven wire not less than 46 inches wide with one barbwire above or cap same with a reinforced concrete slab at least 6 inches thick or with a native boulder at least 3 times the diameter of the top of the shaft or test well bore. The strands of the woven wire shall not be smaller than No. 12 wire and the cross wires and meshes shall not be smaller than No. 16 wire; the strands shall not be more than 12 inches apart, and the meshes shall not exceed 8 inches square. All wires must be tightly stretched and securely fastened to sufficient posts firmly set not more than 8 feet apart. In case any person shall neglect

to repair or rebuild such fence which the person is so required to build and maintain, any person may complain to the department of ~~eommerce~~ safety and professional services or to the local governing body, which shall give notice in writing to the person who is required to build and maintain such fence. The department of ~~eommerce~~ safety and professional services or the local governing body shall then proceed to examine the fence, and if it shall determine that such fence is insufficient, it shall notify the person responsible for its erection and maintenance and direct the person to repair or rebuild the fence within such time as it shall deem reasonable. Any person refusing to comply with such order shall be subject to the penalties provided.

SECTION 917. 167.27 (8) of the statutes is amended to read:

167.27 (8) Any violation of this section coming to the attention of the department of ~~eommerce~~ safety and professional services or municipal authorities shall be reported to the attorney general or district attorney for prosecution.

SECTION 918. 167.31 (4) (a) 4. b. of the statutes is amended to read:

167.31 (4) (a) 4. b. He or she holds a certificate of proficiency to carry a firearm issued by the department of ~~regulation and licensing~~ safety and professional services.

SECTION 919. 167.31 (4) (a) 4. e. of the statutes is amended to read:

167.31 (4) (a) 4. e. His or her firearm is in plain view, as defined by rule by the department of ~~regulation and licensing~~ safety and professional services.

SECTION 920. 167.35 (1) (b) of the statutes is amended to read:

167.35 (1) (b) "Department" means the department of ~~eommerce~~ safety and professional services unless the context requires otherwise.

SECTION 921. 167.35 (7) (b) of the statutes is amended to read:

SECTION 921

167.35 (7) (b) The department of revenue, in the course of conducting any inspection or examination authorized under s. 139.39, may inspect cigarettes to determine if the cigarettes are marked as provided under sub. (4), and the department of revenue shall notify the department of ~~commerce~~ safety and professional services of any unmarked cigarettes.

SECTION 922. 167.35 (7) (c) of the statutes is amended to read:

167.35 (7) (c) Authorized personnel from the department of justice, from the department of ~~commerce~~ safety and professional services, and from the department of revenue, and any sheriff, police officer, or other law enforcement personnel, within their respective jurisdictions, may enter and inspect any premises where cigarettes are made, sold, offered for sale, or stored to determine if the cigarettes comply with this section. An inspection under this paragraph includes examining the books, papers, invoices, and other records of any person who is subject to this section and who is in control, possession, or occupancy of the premises.

SECTION 923. 168.01 (1) of the statutes is amended to read:

168.01 (1) “Department” means the department of ~~commerce~~ safety and professional services.

SECTION 924. 170.12 (3) (dm) of the statutes is repealed.

SECTION 925. 182.0175 (1m) (e) 2. of the statutes is amended to read:

182.0175 (1m) (e) 2. The department of ~~commerce~~ safety and professional services may promulgate a rule that requires retail suppliers, as defined in s. 101.16 (1) (d), of propane to inform their customers each year of the obligation of owners of transmission facilities under this section.

SECTION 926. 196.374 (2) (a) 2. e. of the statutes is amended to read:

196.374 (2) (a) 2. e. Components to implement energy efficiency or renewable energy measures in facilities of manufacturing businesses in this state that are consistent with ~~the objectives under s. 560.128 (1) (a)~~ the implementation of energy efficiency or renewable energy measures in manufacturing facilities to enhance their competitiveness, the retooling of existing facilities to manufacture products that support the green economy, the expansion or establishment of domestic clean energy manufacturing operations, and creating or retaining jobs for workers engaged in such activities.

SECTION 927. 196.374 (2) (a) 4. of the statutes is repealed.

SECTION 928. 196.374 (3) (a) of the statutes is amended to read:

196.374 (3) (a) *In general.* The commission shall have oversight of programs under sub. (2). The commission shall maximize coordination of program delivery, including coordination between programs under subs. (2) (a) 1., (b) 1. and 2., and (c) and (7), ordered programs, low-income weatherization programs under s. 16.957, renewable resource programs under s. 196.378, and other energy efficiency or renewable resource programs. The commission shall cooperate with the department of natural resources to ensure coordination of energy efficiency and renewable resource programs with air quality programs and to maximize and document the air quality improvement benefits that can be realized from energy efficiency and renewable resource programs. ~~The commission shall cooperate with the department of commerce to ensure coordination of energy efficiency and renewable resource programs under sub. (2) (a) 2. e. with the loan program under s. 560.128 (1) (a).~~

SECTION 929. 196.49 (4) of the statutes is amended to read:

196.49 (4) The commission may not issue a certificate under sub. (1), (2), or (3) for the construction of electric generating equipment and associated facilities unless

the commission determines that brownfields, as defined in s. 238.13 (1) (a) or s. 560.13 (1) (a), 2009 stats., are used to the extent practicable.

SECTION 930. 196.491 (2) (b) 2. of the statutes is amended to read:

196.491 (2) (b) 2. Department of ~~commerce~~ safety and professional services.

SECTION 931. 196.491 (2) (e) of the statutes is amended to read:

196.491 (2) (e) ~~Any state agency, as defined in s. 560.9810 (1), office, commission, department, or independent agency in the executive branch of state government or any county, municipality, town, or person may submit written comments to the commission on a strategic energy assessment within 90 days after copies of the draft are issued under par. (b).~~

SECTION 932. 196.491 (3) (a) 2m. b. of the statutes is amended to read:

196.491 (3) (a) 2m. b. The applicant proposes alternative construction sites for the facility that are contiguous or proximate, provided that at least one of the proposed sites is a brownfield, as defined in s. ~~560.13~~ 238.13 (1) (a), or the site of a former or existing large electric generating facility.

SECTION 933. 196.491 (3) (d) 8. of the statutes is amended to read:

196.491 (3) (d) 8. For a large electric generating facility, brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a), are used to the extent practicable.

SECTION 934. 200.49 (1) (b) of the statutes is amended to read:

200.49 (1) (b) “Minority group member” has the meaning given under s. ~~560.036~~ 490.04 (1) (f).

SECTION 935. 200.57 (1) (a) of the statutes is amended to read:

200.57 (1) (a) “Disabled veteran-owned financial adviser” and “disabled veteran-owned investment firm” mean a financial adviser and investment firm,

respectively, certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 936. 200.57 (1) (b) of the statutes is amended to read:

200.57 (1) (b) “Minority financial adviser” and “minority investment firm” mean a financial adviser and investment firm, respectively, certified by the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 937. 214.48 (4) (a) of the statutes is amended to read:

214.48 (4) (a) An independent qualified appraiser, designated by the board of directors, who is properly licensed and certified by the department of ~~regulation and licensing~~ safety and professional services or by another entity authorized to govern appraisal licensure and certification and who meets the requirements of title XI of the financial institutions reform, recovery and enforcement act of 1989, 12 USC 3331 to 3351 and regulations adopted pursuant to those sections.

SECTION 938. 218.11 (2) (am) 3. of the statutes is amended to read:

218.11 (2) (am) 3. The department of ~~commerce~~ may not disclose any information received under subd. 1. to any person except to the department of children and families for purposes of administering s. 49.22 or to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 939. 218.12 (2) (am) 2. of the statutes is amended to read:

218.12 (2) (am) 2. The department of ~~commerce~~ may not disclose a social security number obtained under par. (a) to any person except to the department of children and families for the sole purpose of administering s. 49.22 or to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 940. 227.114 (5) of the statutes is repealed.

SECTION 941. 227.115 of the statutes is repealed.

SECTION 942. 227.116 (1) of the statutes is renumbered 227.116 (1r) and amended to read:

227.116 (1r) Each proposed rule submitted to the legislative council under s. 227.15 that includes a requirement for a business to obtain a permit, ~~as defined in s. 560.41 (2)~~, shall specify the number of business days, calculated beginning on the day a permit application is received, within which the agency will review and make a determination on a permit application.

SECTION 943. 227.116 (1g) of the statutes is created to read:

227.116 (1g) In this section, “permit” means any approval of an agency required as a condition of operating a business in this state.

SECTION 944. 227.116 (2) of the statutes is amended to read:

227.116 (2) If any existing rule does not comply with sub. ~~(1)~~ (1r), the agency that promulgated the rule shall submit to the legislative council a proposed revision of the rule that will bring the rule into compliance with sub. ~~(1)~~ (1r). The legislative council staff’s review of the proposed revision is limited to determining whether or not the agency has complied with this subsection.

SECTION 945. 227.116 (3) of the statutes is amended to read:

227.116 (3) Subsections ~~(1)~~ (1r) and (2) do not apply to a rule if the rule, or a law under which the rule was promulgated, effective prior to November 17, 1983, contains a specification of a time period for review and determination on a permit application.

SECTION 946. 227.116 (4) (intro.) of the statutes is amended to read:

227.116 (4) (intro.) If an agency fails to review and make a determination on a permit application within the time period specified in a rule or law, for each such

failure the agency shall prepare a report and submit it to the department of commerce safety and professional services within 5 business days of the last day of the time period specified, setting forth all of the following:

SECTION 947. 227.116 (5) of the statutes is amended to read:

227.116 (5) If an agency fails to review and make a determination on a permit application within the time period specified in a rule or law, upon completion of the review and determination for that application, the agency shall notify the department of commerce safety and professional services.

SECTION 948. 227.137 (1) of the statutes is amended to read:

227.137 (1) In this section, “agency” means the departments of agriculture, trade, and consumer protection; commerce safety and professional services; natural resources; transportation; and workforce development.

SECTION 949. 227.137 (3) (intro.) of the statutes is amended to read:

227.137 (3) (intro.) An economic impact report shall contain information on the effect of the proposed rule on specific businesses, business sectors, and the state’s economy. When preparing the report, the agency shall solicit information and advice from the ~~department of commerce~~ Wisconsin Economic Development Corporation, and from governmental units, associations, businesses, and individuals that may be affected by the proposed rule. The agency may request information that is reasonably necessary for the preparation of an economic impact report from other state agencies, governmental units, associations, businesses, and individuals. The economic impact report shall include all of the following:

SECTION 950. 227.19 (3) (g) of the statutes is repealed.

SECTION 951. 227.59 of the statutes is amended to read:

227.59 Certification of certain cases from the circuit court of Dane County to other circuits. Any action or proceeding for the review of any order of an administrative officer, commission, department or other administrative tribunal of the state required by law to be instituted in or taken to the circuit court of Dane County except an action or appeal for the review of any order of the department of workforce development or the department of ~~commerce~~ safety and professional services or findings and orders of the labor and industry review commission which is instituted or taken and is not called for trial or hearing within 6 months after the proceeding or action is instituted, and the trial or hearing of which is not continued by stipulation of the parties or by order of the court for cause shown, shall on the application of either party on 5 days' written notice to the other be certified and transmitted for trial to the circuit court of the county of the residence or principal place of business of the plaintiff or petitioner, where the action or proceeding shall be given preference. Unless written objection is filed within the 5-day period, the order certifying and transmitting the proceeding shall be entered without hearing. The plaintiff or petitioner shall pay to the clerk of the circuit court of Dane County a fee of \$2 for transmitting the record.

SECTION 952. 229.46 (1) (ag) of the statutes is amended to read:

229.46 (1) (ag) "Disabled veteran-owned business" means a business certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 953. 229.46 (1) (b) of the statutes is amended to read:

229.46 (1) (b) "Minority group member" has the meaning given in s. ~~560.036~~ 490.04 (1) (f).

SECTION 954. 229.70 (1) (ag) of the statutes is amended to read:

229.70 (1) (ag) “Disabled veteran–owned business” means a business certified by the department of commerce safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 955. 229.70 (1) (am) of the statutes is amended to read:

229.70 (1) (am) “Minority business” has the meaning given in s. ~~560.036~~ 490.04 (1) (e).

SECTION 956. 229.70 (1) (b) of the statutes is amended to read:

229.70 (1) (b) “Minority group member” has the meaning given in s. ~~560.036~~ 490.04 (1) (f).

SECTION 957. 229.8273 (1) (am) of the statutes is amended to read:

229.8273 (1) (am) “Disabled veteran–owned business” means a business certified by the department of commerce safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 958. 229.8273 (1) (b) of the statutes is amended to read:

229.8273 (1) (b) “Minority business” has the meaning given in s. ~~560.036~~ 490.04 (1) (e).

SECTION 959. 229.8273 (1) (c) of the statutes is amended to read:

229.8273 (1) (c) “Minority group member” has the meaning given in s. ~~560.036~~ 490.04 (1) (f).

SECTION 960. 229.845 (1) (ag) of the statutes is amended to read:

229.845 (1) (ag) “Disabled veteran–owned business” means a business certified by the department of commerce safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 961. 229.845 (1) (am) of the statutes is amended to read:

229.845 (1) (am) “Minority business” has the meaning given in s. ~~560.036~~
490.04 (1) (e).

SECTION 962. 230.08 (2) (e) 10. of the statutes is repealed.

SECTION 963. 230.08 (2) (e) 11m. of the statutes is created to read:

230.08 (2) (e) 11m. Safety and professional services — 7.

SECTION 964. 230.08 (2) (v) of the statutes is amended to read:

230.08 (2) (v) Not more than ~~5~~ 10 bureau directors in the department of
~~regulation and licensing~~ safety and professional services.

SECTION 965. 230.08 (2) (yc) of the statutes is repealed.

SECTION 966. 230.339 of the statutes is created to read:

230.339 Rights of certain employees of the department of safety and professional services. (1) Notwithstanding s. 230.08 (2) (e) 11m. and (v), all of the employees holding the following positions in the classified service at the department of commerce on the day before the effective date of this subsection [LRB inserts date], who have achieved permanent status in class on or before that date shall, upon employment by the department of safety and professional services, retain, while serving in the unclassified service at the department of safety and professional services, those protections afforded employees in the classified service under ss. 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff, or reduction in base pay:

(a) Administrator of the division of administrative services.

(b) Director of the bureau of petroleum environmental cleanup fund administration in the division of environmental and regulatory services.

(c) Director of the bureau of petroleum products and tanks in the division of environmental and regulatory services.

(d) Director of the bureau of integrated services in the division of safety and buildings.

(e) Director of the bureau of program development in the division of safety and buildings.

(2) Each employee specified under sub. (1) shall also have reinstatement privileges to the classified service as provided under s. 230.33 (1).

SECTION 967. 231.20 of the statutes is amended to read:

231.20 Waiver of construction and bidding requirements. In exercising its powers under s. 101.12, the department of ~~commerce~~ safety and professional services or any city, village, town, or county may, within its discretion for proper cause shown, waive any particular requirements relating to public buildings, structures, grounds, works, and improvements imposed by law upon projects under this chapter; the requirements of s. 101.13 may not be waived, however. If, however, the prospective lessee so requests in writing, the authority shall, through the participating health institution, participating educational institution, participating research institution, or participating child care provider as its agent, call for construction bids in such manner as is determined by the authority with the approval of the lessee.

SECTION 968. 231.27 (1) of the statutes is amended to read:

231.27 (1) In this section, “minority business”, “minority financial adviser” and “minority investment firm” mean a business, financial adviser and investment firm, respectively, certified by the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 969. 231.29 (1) of the statutes is amended to read:

231.29 (1) In this section, “business,” “financial adviser,” and “investment firm” mean a business, financial adviser, and investment firm certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 970. 231.35 (6) (a) of the statutes is amended to read:

231.35 (6) (a) The authority shall enter into a guarantee agreement with any person who makes loans described under sub. (3) (b) and who wishes to have those loans guaranteed under this section. The guarantee agreement shall comply with the rules promulgated by the department of ~~commerce~~ administration under sub. (7) (b).

SECTION 971. 231.35 (6) (b) of the statutes is amended to read:

231.35 (6) (b) The authority may use money from the rural hospital loan fund to guarantee loans made for the purposes described in sub. (3) (b), if the authority sets out the terms and conditions of the guarantee in a guarantee agreement that complies with the rules promulgated by the department of ~~commerce~~ administration under sub. (7) (b).

SECTION 972. 231.35 (7) (intro.) of the statutes is amended to read:

231.35 (7) (intro.) With the advice of the rural health development council, the department of ~~commerce~~ administration shall promulgate rules specifying all of the following:

SECTION 973. 234.01 (4n) (a) 3m. e. of the statutes is amended to read:

234.01 (4n) (a) 3m. e. The facility is located in a targeted area, as determined by the authority after considering the factors set out in s. 560.605 (2m) (c), 2005 stats., s. 560.605 (2m) (d), 2005 stats., s. 560.605 (2m) (e), 2005 stats., s. 560.605 (2m) (g), 2007 stats., and s. 560.605 (2m) (a), (b), (f), and (h), 2009 stats.

SECTION 974. 234.02 (1) of the statutes is amended to read:

234.02 (1) There is created a public body corporate and politic to be known as the “Wisconsin Housing and Economic Development Authority.” The members of the authority shall be the ~~secretary of commerce~~ chief executive officer of the Wisconsin Economic Development Corporation or his or her designee and the secretary of administration or his or her designee, and 6 public members nominated by the governor, and with the advice and consent of the senate appointed, for staggered 4-year terms commencing on the dates their predecessors’ terms expire. In addition, one senator of each party and one representative to the assembly of each party appointed as are the members of standing committees in their respective houses shall serve as members of the authority. A member of the authority shall receive no compensation for services but shall be reimbursed for necessary expenses, including travel expenses, incurred in the discharge of duties. Subject to the bylaws of the authority respecting resignations, each member shall hold office until a successor has been appointed and has qualified. A certificate of appointment or reappointment of any member shall be filed with the authority and the certificate shall be conclusive evidence of the due and proper appointment.

SECTION 975. 234.032 (2) (intro.) of the statutes is amended to read:

234.032 (2) (intro.) The authority, in consultation with the ~~department of commerce~~ Wisconsin Economic Development Corporation, shall do all of the following for each economic development program administered by the authority:

SECTION 976. 234.034 of the statutes is amended to read:

234.034 Consistency with state housing strategy plan. Subject to agreements with bondholders or noteholders, the authority shall exercise its powers and perform its duties related to housing consistent with the state housing strategy plan under s. ~~560.9802~~ 234.5602.

SECTION 977. 234.06 (1) of the statutes is amended to read:

234.06 (1) The authority may, as authorized in the state housing strategy plan under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund to make temporary loans to eligible sponsors, with or without interest, and with such security for repayment, if any, as the authority determines reasonably necessary and practicable, solely from the housing development fund, to defray development costs for the construction of proposed housing projects for occupancy by persons and families of low and moderate income. No temporary loan may be made unless the authority may reasonably anticipate that satisfactory financing may be obtained by the eligible sponsor for the permanent financing of the housing project.

SECTION 978. 234.06 (3) of the statutes is amended to read:

234.06 (3) The authority may, as authorized in the state housing strategy plan under s. ~~560.9802~~ 234.5602, use the moneys held in the housing development fund to establish and administer programs of grants to counties, municipalities, and eligible sponsors of housing projects for persons of low and moderate income, to pay organizational expenses, administrative costs, social services, technical services, training expenses, or costs incurred or expected to be incurred by counties, municipalities, or sponsors for land and building acquisition, construction, improvements, renewal, rehabilitation, relocation, or conservation under a plan to provide housing or related facilities, if the costs are not reimbursable from other private or public loan, grant, or mortgage sources.

SECTION 979. 234.08 (5) of the statutes is amended to read:

234.08 (5) This section does not supersede or impair the power of the ~~department of commerce~~ Wisconsin Economic Development Corporation to carry out

its program responsibilities relating to economic development which are funded by bonds or notes issued under this section.

SECTION 980. 234.08 (6) of the statutes is amended to read:

234.08 (6) The authority may reimburse the ~~department of commerce~~ Wisconsin Economic Development Corporation its operating costs to carry out its program responsibilities relating to economic development which are funded by bonds or notes issued under this section.

SECTION 981. 234.165 (2) (b) 2. of the statutes is amended to read:

234.165 (2) (b) 2. Annually before August 31 the authority shall submit to the governor a plan for expending or encumbering the actual surplus reported under subd. 1. The part of the plan related to housing shall be consistent with the state housing strategy plan under s. ~~560.9802~~ 234.5602. The plan submitted under this subdivision may be attached to and submitted as a part of the report filed under subd. 1.

SECTION 982. 234.25 (1) (e) of the statutes is amended to read:

234.25 (1) (e) An evaluation of its progress in implementing within its own housing programs the goals, policies, and objectives of the state housing strategy plan under s. ~~560.9802~~ 234.5602, and recommendations for legislation to improve its ability to carry out its programs consistent with the state housing strategy plan.

SECTION 983. 234.255 (title) of the statutes is amended to read:

234.255 (title) Economic development assistance coordination and reporting.

SECTION 984. 234.255 of the statutes is renumbered 234.255 (2) and amended to read:

234.255 (2) Annually, no later than October 1, the authority shall submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs, as defined in s. 234.032 (1), administered by the authority. The report shall include all of the information required under s. ~~560.01 (2) (am)~~ 238.07 (2). The authority shall collaborate with the ~~department of commerce~~ Wisconsin Economic Development Corporation to make readily accessible to the public on an Internet-based system the information required under this section.

SECTION 985. 234.255 (1) of the statutes is created to read:

234.255 (1) The authority shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation.

SECTION 986. 234.35 (1) of the statutes is amended to read:

234.35 (1) In this section, “minority business”, “minority financial adviser” and “minority investment firm” mean a business, financial adviser and investment firm, respectively, certified by the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 987. 234.36 (1) of the statutes is amended to read:

234.36 (1) In this section, “business,” “financial adviser,” and “investment firm” mean a business, financial adviser, and investment firm certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 988. 234.65 (1) (a) of the statutes is amended to read:

234.65 (1) (a) With the consent of the ~~department of commerce~~ Wisconsin Economic Development Corporation and subject to par. (f), the authority may issue its negotiable bonds and notes to finance its economic development activities

authorized or required under this chapter, including financing economic development loans.

SECTION 989. 234.65 (1) (f) of the statutes is amended to read:

234.65 (1) (f) The authority may not issue bonds or notes under par. (a) unless it has contracted to reimburse the ~~department of commerce~~ Wisconsin Economic Development Corporation a sum certain for the ~~department's~~ corporation's operating costs in carrying out its responsibilities to effectuate and promote the economic development programs created with the bonding authority in this chapter and its responsibilities under s. ~~560.03 (17)~~ 238.25.

SECTION 990. 234.65 (1m) of the statutes is amended to read:

234.65 (1m) The ~~department of commerce~~ Wisconsin Economic Development Corporation shall, in consultation with the authority, ~~promulgate rules and adopt rules and procedures, in accordance with the procedures under ch. 227,~~ to implement sub. (3).

SECTION 991. 234.65 (3) (a) of the statutes is amended to read:

234.65 (3) (a) The business that will receive the loan, at least 30 days prior to signing of the loan contract, has given notice of intent to sign the contract, on a form prescribed under s. ~~560.034~~ 238.11 (1), to the ~~department of commerce~~ Wisconsin Economic Development Corporation and to any collective bargaining agent in this state with whom the person has a collective bargaining agreement.

SECTION 992. 234.65 (3) (am) of the statutes is amended to read:

234.65 (3) (am) The authority has received an estimate issued under s. ~~560.034~~ 238.11 (5) (b), and the ~~department of commerce~~ Wisconsin Economic Development Corporation has estimated whether the project that the authority would finance under the loan is expected to eliminate, create, or maintain jobs on the project site

and elsewhere in this state and the net number of jobs expected to be eliminated, created, or maintained as a result of the project.

SECTION 993. 234.65 (3m) of the statutes is amended to read:

234.65 (3m) An economic development loan may not be made unless the ~~department of commerce~~ Wisconsin Economic Development Corporation complies with sub. (1m) and certifies that each loan complies with sub. (3).

SECTION 994. 234.65 (3r) of the statutes is amended to read:

234.65 (3r) Any economic development loan ~~which~~ that a business receives from the authority under this section to finance a project shall require the business to submit to the ~~department of commerce~~ Wisconsin Economic Development Corporation within 12 months after the project is completed or 2 years after a loan is issued to finance the project, whichever is sooner, on a form prescribed under s. ~~560.034~~ 234.11 (1), the net number of jobs eliminated, created, or maintained on the project site and elsewhere in this state as a result of the project. This subsection does not apply to an economic development loan to finance an economic development project described under s. 234.01 (4n) (c).

SECTION 995. 234.65 (5) (intro.) of the statutes is amended to read:

234.65 (5) (intro.) On or before July 1, 1985, and every July 1 thereafter, the ~~department of commerce~~ Wisconsin Economic Development Corporation shall submit to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), a report ~~which shall address~~ that addresses the effects of lending under this section in the following areas:

SECTION 996. 234.83 (1c) (b) of the statutes is amended to read:

234.83 (1c) (b) "Small business" means a business, as defined in s. ~~560.60~~ (2) ~~84.185~~ (1) (a), that employs 50 or fewer employees on a full-time basis.

SECTION 997. 234.84 (1) of the statutes is amended to read:

234.84 (1) DEFINITION. In this section, “~~department~~” “corporation” means the ~~department of commerce~~ Wisconsin Economic Development Corporation.

SECTION 998. 234.84 (3) (c) of the statutes is amended to read:

234.84 (3) (c) The interest rate on the loan, including any origination fees or other charges, is approved by the ~~department~~ corporation.

SECTION 999. 234.84 (4) (a) of the statutes is amended to read:

234.84 (4) (a) Subject to par. (b), the authority shall guarantee collection of a percentage of the principal of, and all interest and any other amounts outstanding on, any loan eligible for a guarantee under sub. (2). The ~~department~~ corporation shall establish the percentage of the principal of an eligible loan that will be guaranteed, using the procedures described in the agreement under s. 234.932 (3) (a). The ~~department~~ corporation may establish a single percentage for all guaranteed loans or establish different percentages for eligible loans on an individual basis.

SECTION 1000. 234.84 (5) (a) of the statutes is amended to read:

234.84 (5) (a) The program under this section shall be administered by the ~~department~~ corporation with the cooperation of the authority. The ~~department~~ corporation shall enter into a memorandum of understanding with the authority setting forth the respective responsibilities of the ~~department~~ corporation and the authority with regard to the administration of the program, including the functions and responsibilities specified in s. 234.932. The memorandum of understanding shall provide for reimbursement to the ~~department~~ corporation by the authority for costs incurred by the ~~department~~ corporation in the administration of the program.

SECTION 1001. 234.84 (5) (b) of the statutes is amended to read:

234.84 (5) (b) The ~~department~~ corporation may charge a premium, fee, or other charge to a borrower of a guaranteed loan under this section for the administration of the loan guarantee.

SECTION 1002. 234.932 (1) of the statutes is repealed.

SECTION 1003. 234.932 (2) (a) of the statutes is amended to read:

234.932 (2) (a) Moneys ~~appropriated to the authority under s. 20.490 (6) (a) and (k) or~~ received by the authority for the Wisconsin job training reserve fund from any other source.

SECTION 1004. 234.932 (3) (a) (intro.) of the statutes is amended to read:

234.932 (3) (a) (intro.) The authority ~~or department~~ shall enter into a guarantee agreement with any bank, production credit association, credit union, savings bank, savings and loan association, or other person who wishes to participate in the loan program guaranteed by the Wisconsin job training reserve fund. The authority ~~or department~~ may determine all of the following, consistent with the terms of the loan guarantee program:

SECTION 1005. 234.932 (3) (a) 2. of the statutes is amended to read:

234.932 (3) (a) 2. Any conditions upon which the authority ~~or department~~ may refuse to enter into such an agreement.

SECTION 1006. 234.932 (3) (c) of the statutes is amended to read:

234.932 (3) (c) The ~~department~~ Wisconsin Economic Development Corporation may establish an eligibility criteria review panel, consisting of experts in finance and in the subject area of the job training loan guarantee program, to provide advice about lending requirements and issues related to the job training loan guarantee program.

SECTION 1007. 234.932 (4) of the statutes is amended to read:

234.932 (4) INCREASES OR DECREASES IN LOAN GUARANTEES. The authority ~~or~~ department may request the joint committee on finance to take action under s. 13.10 to permit the authority to increase or decrease the total outstanding guaranteed principal amount of loans that it may guarantee under the job training loan guarantee program. Included with its request, the authority ~~or department~~ shall provide a projection, for the next June 30, that compares the amounts required on that date to pay outstanding claims and to fund guarantees under the job training loan guarantee program, and the balance remaining in the Wisconsin job training reserve fund on that date after deducting such amounts, if the increase or decrease is approved, with such amounts and the balance remaining, if the increase or decrease is not approved.

SECTION 1008. 234.932 (5) of the statutes is amended to read:

234.932 (5) ANNUAL REPORT. Annually, the authority ~~or department~~ shall report on the number and total dollar amount of guaranteed loans under the job training loan guarantee program, the default rate on the loans and any other information on the program that the authority ~~or department~~ determines is significant.

SECTION 1009. 235.02 (2) (d) of the statutes is amended to read:

235.02 (2) (d) The ~~secretary of commerce, or the secretary's~~ chief executive officer of the Wisconsin Economic Development Corporation, or his or her designee.

SECTION 1010. 236.12 (2) (a) of the statutes is amended to read:

236.12 (2) (a) Two copies for each of the state agencies required to review the plat to the department which shall examine the plat for compliance with ss. 236.15, 236.16, 236.20 and 236.21 (1) and (2). If the subdivision abuts or adjoins a state trunk highway or connecting highway, the department shall transmit 2 copies to the department of transportation so that agency may determine whether it has any

objection to the plat on the basis of its rules as provided in s. 236.13. If the subdivision is not served by a public sewer and provision for that service has not been made, the department shall transmit 2 copies to the department of ~~commerce~~ safety and professional services so that that agency may determine whether it has any objection to the plat on the basis of its rules as provided in s. 236.13. In lieu of this procedure the agencies may designate local officials to act as their agents in examining the plats for compliance with the statutes or their rules by filing a written delegation of authority with the approving body.

SECTION 1011. 236.13 (1) (d) of the statutes is amended to read:

236.13 (1) (d) The rules of the department of ~~commerce~~ safety and professional services relating to lot size and lot elevation necessary for proper sanitary conditions in a subdivision not served by a public sewer, where provision for public sewer service has not been made;

SECTION 1012. 236.13 (2m) of the statutes is amended to read:

236.13 (2m) As a further condition of approval when lands included in the plat lie within 500 feet of the ordinary high-water mark of any navigable stream, lake or other body of navigable water or if land in the proposed plat involves lake or stream shorelands referred to in s. 236.16, the department of natural resources, to prevent pollution of navigable waters, or the department of ~~commerce~~ safety and professional services, to protect the public health and safety, may require assurance of adequate drainage areas for private sewage disposal systems and building setback restrictions, or provisions by the owner for public sewage disposal facilities for waters of the state, as defined in s. 281.01 (18), industrial wastes, as defined in s. 281.01 (5), and other wastes, as defined in s. 281.01 (7). The public sewage disposal facilities may consist of one or more systems as the department of natural resources

or the department of ~~commerce~~ safety and professional services determines on the basis of need for prevention of pollution of the waters of the state or protection of public health and safety.

SECTION 1013. 236.335 of the statutes is amended to read:

236.335 Prohibited subdividing; forfeit. No lot or parcel in a recorded plat may be divided, or used if so divided, for purposes of sale or building development if the resulting lots or parcels do not conform to this chapter, to any applicable ordinance of the approving authority or to the rules of the department of ~~commerce~~ safety and professional services under s. 236.13. Any person making or causing such a division to be made shall forfeit not less than \$100 nor more than \$500 to the approving authority, or to the state if there is a violation of this chapter or the rules of the department of ~~commerce~~ safety and professional services.

SECTION 1014. Subchapter I (title) of chapter 238 [precedes 238.01] of the statutes is created to read:

CHAPTER 238

SUBCHAPTER I

GENERAL PROVISIONS

SECTION 1015. 238.08 of the statutes is created to read:

238.08 Records of the corporation. All records of the corporation are open to the public as provided in s. 19.35 (1) except those records relating to pending grants, loans, or economic development projects that, in the opinion of the corporation, must remain confidential to protect the competitive nature of the grant, loan, or project.

SECTION 1016. 238.135 of the statutes is created to read:

238.135 Grants to regional economic development organizations. The corporation shall award annual grants to regional economic development organizations to fund marketing activities. The amount of each grant may not exceed \$100,000 or the amount of matching funds the organization obtains from sources other than the corporation or the state, whichever is less.

SECTION 1017. 238.16 (3) (am) of the statutes is created to read:

238.16 (3) (am) The person increases net employment in the person's business.

SECTION 1018. Subchapter II (title) of chapter 238 [precedes 238.30] of the statutes is created to read:

CHAPTER 238

SUBCHAPTER II

TAX INCENTIVES FOR BUSINESS

DEVELOPMENT

SECTION 1019. 252.12 (2) (a) 9. of the statutes is amended to read:

252.12 (2) (a) 9. 'Grant for family resource center.' The department shall award a grant to develop and implement an African-American family resource center in the city of Milwaukee that targets activities toward the prevention and treatment of HIV infection and related infections, including hepatitis C virus infection, of minority group members, as defined in s. ~~560.036~~ 490.04 (1) (f).

SECTION 1020. 252.12 (2) (c) 2. of the statutes is amended to read:

252.12 (2) (c) 2. From the appropriation account under s. 20.435 (1) (am), the department shall award \$75,000 in each fiscal year as grants for services to prevent HIV infection and related infections, including hepatitis C virus infection. Criteria for award of the grants shall include the criteria specified under subd. 1. The department shall award 60% of the funding to applying organizations that receive

funding under par. (a) 8. and 40% of the funding to applying community-based organizations that are operated by minority group members, as defined in s. ~~560.036~~ 490.04 (1) (f).

SECTION 1021. 252.15 (5g) (c) of the statutes is amended to read:

252.15 (5g) (c) A physician, physician assistant, or advanced practice nurse prescriber, based on information provided to the physician, physician assistant, or advanced practice nurse prescriber, determines and certifies in writing that the person has had contact that constitutes a significant exposure. The certification shall accompany the request for HIV testing and disclosure. If the person is a physician, physician assistant, or advanced practice nurse prescriber, he or she may not make this determination or certification. The information that is provided to a physician, physician assistant, or advanced practice nurse prescriber to document the occurrence of the contact that constitutes a significant exposure and the physician's, physician assistant's, or advanced practice nurse prescriber's certification that the person has had contact that constitutes a significant exposure, shall be provided on a report form that is developed by the department of ~~commerce~~ safety and professional services under s. 101.02 (19) (a) or on a report form that the department of ~~commerce~~ safety and professional services determines, under s. 101.02 (19) (b), is substantially equivalent to the report form that is developed under s. 101.02 (19) (a).

SECTION 1022. 253.15 (1) (c) of the statutes is amended to read:

253.15 (1) (c) "Health care provider" means any person who is licensed, registered, permitted, or certified by the department of health services or the department of ~~regulation and licensing~~ safety and professional services to provide health care services in this state.

SECTION 1023. 254.02 (3) (a) of the statutes is amended to read:

254.02 (3) (a) The department of agriculture, trade and consumer protection, the department of corrections, the department of ~~commerce~~ safety and professional services, and the department of natural resources shall enter into memoranda of understanding with the department to establish protocols for the department to review proposed rules of those state agencies relating to air and water quality, occupational health and safety, institutional sanitation, toxic substances, indoor air quality, food protection or waste handling and disposal.

SECTION 1024. 254.176 (2) (e) of the statutes is amended to read:

254.176 (2) (e) A person who engages in the business of installing or servicing heating, ventilating or air conditioning equipment if the person is registered with the department of ~~commerce~~ safety and professional services and if the person engages in activities that constitute lead hazard reduction, only to the extent that the activities are within the scope of his or her registration.

SECTION 1025. 254.22 (4) of the statutes is amended to read:

254.22 (4) Assist the department of ~~commerce~~ safety and professional services with the enforcement of s. 101.123.

SECTION 1026. 254.51 (2) of the statutes is amended to read:

254.51 (2) The department shall enter into memoranda of understanding with the department of agriculture, trade and consumer protection, the department of ~~commerce~~ safety and professional services, and the department of natural resources regarding the investigation and control of animal-borne and vector-borne disease.

SECTION 1027. 254.73 (1) of the statutes is amended to read:

254.73 (1) Every hotel with sleeping accommodations with more than 12 bedrooms above the first story shall, between the hours of 12 midnight and 6 a.m.

provide a system of security personnel patrol, or of mechanical and electrical devices, or both, adequate, according to standards established by the department of ~~commerce~~ safety and professional services, to warn all guests and employees in time to permit their evacuation in case of fire.

SECTION 1028. 254.74 (1) (am) of the statutes is amended to read:

254.74 (1) (am) Promulgate rules, in consultation with the department of ~~commerce~~ safety and professional services, under which the department of health services shall conduct regular inspections of sealed combustion units, as required under s. 101.149 (5) (c), for carbon monoxide emissions in hotels, tourist rooming houses, and bed and breakfast establishments. The rules shall specify conditions under which it may issue orders as specified under s. 101.149 (8) (a). The rules may not require the department of health services to inspect sealed combustion units during the period in which the sealed combustion units are covered by a manufacturer's warranty against defects.

SECTION 1029. 254.78 of the statutes is amended to read:

254.78 Authority of department of ~~commerce~~ safety and professional services. Nothing in this chapter shall affect the authority of the department of ~~commerce~~ safety and professional services relative to places of employment, elevators, boilers, fire escapes, fire protection, or the construction of public buildings.

SECTION 1030. 254.79 of the statutes is amended to read:

254.79 Joint employment. The department and the department of ~~commerce~~ safety and professional services may employ experts, inspectors or other assistants jointly.

SECTION 1031. 256.35 (3m) (h) of the statutes is amended to read:

SECTION 1031

256.35 (3m) (h) *Other charges prohibited.* No local government or state agency, as defined in s. 560.9810 (1) and no office, commission, department, or independent agency in the executive branch of state government, except the commission, may require a wireless provider to collect or pay a surcharge or fee related to wireless emergency telephone service.

SECTION 1032. 281.33 (2) of the statutes is amended to read:

281.33 (2) STATE STORM WATER MANAGEMENT PLAN. The department, in consultation with the department of ~~commerce~~ safety and professional services, shall promulgate by rule a state storm water management plan. This state plan is applicable to activities contracted for or conducted by any agency, as defined under s. 227.01 (1) but also including the office of district attorney, unless that agency enters into a memorandum of understanding with the department of natural resources in which that agency agrees to regulate activities related to storm water management. The department shall coordinate the activities of agencies, as defined under s. 227.01 (1), in storm water management and make recommendations to these agencies concerning activities related to storm water management.

SECTION 1033. 281.33 (3m) (title) of the statutes is repealed.

SECTION 1034. 281.33 (3m) (a) of the statutes is renumbered 101.1206 (1).

SECTION 1035. 281.33 (3m) (b) of the statutes is renumbered 101.1206 (2) and amended to read:

101.1206 (2) The department shall require the submission of plans for erosion control at construction sites described in ~~par. (a)~~ sub. (1) to the department or to a county, city, village, or town to which the department has delegated authority under ~~par. (d)~~ sub. (4) and shall require approval of those plans by the department or the county, city, village, or town.

SECTION 1036. 281.33 (3m) (c) of the statutes is renumbered 101.1206 (3) and amended to read:

101.1206 (3) The department shall require inspection of erosion control activities and structures at construction sites described in ~~par. (a) sub. (1)~~ by the department or a county, city, village, or town to which the department has delegated authority under ~~par. (d) sub. (4)~~.

SECTION 1037. 281.33 (3m) (d) of the statutes is renumbered 101.1206 (4).

SECTION 1038. 281.33 (3m) (e) of the statutes is renumbered 101.1206 (5) and amended to read:

101.1206 (5) Except as provided in ~~par. (f) sub. (5m)~~, the authority of a county, city, village, or town with respect to erosion control at sites described in ~~par. (a) sub. (1)~~ is limited to that authority delegated under ~~par. (d) sub. (4)~~ and any other authority provided in rules promulgated under this ~~subsection~~ section.

SECTION 1039. 281.33 (3m) (f) of the statutes is renumbered 101.1206 (5m) and amended to read:

101.1206 (5m) Notwithstanding ~~pars. (a) subs. (1) and (e) (5)~~, a county, city, village, or town that has in effect on January 1, 1994, an ordinance that establishes standards for erosion control at building sites for the construction of public buildings and buildings that are places of employment may continue to administer and enforce that ordinance if the standards in the ordinance are more stringent than the standards established under ~~par. (a) sub. (1)~~.

SECTION 1040. 281.33 (3m) (g) of the statutes is renumbered 101.1206 (6) and amended to read:

101.1206 (6) The department, or a county, city, village, or town to which the department delegates the authority to act under this ~~paragraph~~ subsection, may

issue a special order directing the immediate cessation of work on a construction site described in ~~par. (a)~~ sub. (1) until any required plan approval is obtained or until the site complies with standards established by rules promulgated under this ~~subsection~~ section.

SECTION 1041. 281.33 (3m) (h) of the statutes is renumbered 101.1206 (7).

SECTION 1042. 281.344 (8) (a) of the statutes is amended to read:

281.344 (8) (a) *Goals and objectives.* The department shall specify water conservation and efficiency goals and objectives for the waters of the state. The department shall specify goals and objectives for the waters of the Great Lakes basin that are consistent with the goals under s. 281.343 (4b) (a) and the objectives identified by the regional body under Article 304 (1) of the Great Lakes — St. Lawrence River Basin Sustainable Water Resources Agreement. In specifying these goals and objectives, the department shall consult with the department of ~~commerce~~ safety and professional services and the public service commission.

SECTION 1043. 281.344 (8) (b) (intro.) of the statutes is amended to read:

281.344 (8) (b) *Statewide program.* (intro.) In cooperation with the department of ~~commerce~~ safety and professional services and the public service commission, the department shall develop and implement a statewide water conservation and efficiency program that includes all of the following:

SECTION 1044. 281.344 (8) (b) 3. of the statutes is amended to read:

281.344 (8) (b) 3. Water conservation and efficiency measures that the department of ~~commerce~~ safety and professional services requires or authorizes to be implemented under chs. 101 and 145.

SECTION 1045. 281.346 (8) (a) of the statutes is amended to read:

281.346 (8) (a) *Goals and objectives.* The department shall specify water conservation and efficiency goals and objectives for the waters of the state and for the waters of the Great Lakes basin. The department shall specify goals and objectives for the waters of the Great Lakes basin that are consistent with the goals under s. 281.343 (4b) (a) and the objectives identified by the Great Lakes council under s. 281.343 (4b) (a) and (c). In specifying these goals and objectives, the department shall consult with the department of ~~commerce~~ safety and professional services and the public service commission and consider the water conservation and efficiency goals and objectives developed in any pilot program conducted by the department in cooperation with the regional body.

SECTION 1046. 281.346 (8) (b) (intro.) of the statutes is amended to read:

281.346 (8) (b) *Statewide program.* (intro.) In cooperation with the department of ~~commerce~~ safety and professional services and the public service commission, the department shall develop and implement a statewide water conservation and efficiency program that includes all of the following:

SECTION 1047. 281.346 (8) (b) 3. of the statutes is amended to read:

281.346 (8) (b) 3. Water conservation and efficiency measures that the department of ~~commerce~~ safety and professional services requires or authorizes to be implemented under chs. 101 and 145.

SECTION 1048. 281.57 (7) (c) 1. of the statutes is amended to read:

281.57 (7) (c) 1. Metropolitan sewerage districts that serve 1st class cities are limited in each fiscal year to receiving total grant awards not to exceed 33% of the sum of the amounts in the schedule for that fiscal year for the appropriation under s. ~~20.143(3)~~ 20.165(2) (de) and the amount authorized under sub. (10) for that fiscal year plus the unencumbered balance at the end of the preceding fiscal year for the

amount authorized under sub. (10). This subdivision is not applicable to grant awards provided during fiscal years 1985-86, 1986-87, 1988-89 and 1989-90.

SECTION 1049. 281.60 (6) of the statutes is amended to read:

281.60 (6) PRIORITY LIST. The department shall establish a priority list that ranks each land recycling loan program project. The department shall promulgate rules for determining project rankings based on the potential of projects to reduce environmental pollution and threats to human health and, for sites and facilities that are not landfills, the extent to which projects will prevent the development of undeveloped land by making land available for redevelopment after a cleanup is conducted. Before the department establishes the priority list, the department shall consider the recommendations of the department of administration and the department of commerce Wisconsin Economic Development Corporation.

SECTION 1050. 281.75 (18) of the statutes is amended to read:

281.75 (18) SUSPENSION OR REVOCATION OF LICENSES. The department may suspend or revoke a license issued under ch. 280 if the department finds that the licensee falsified information submitted under this section. The department of commerce safety and professional services may suspend or revoke the license of a plumber licensed under ch. 145 if the department of commerce safety and professional services finds that the plumber falsified information submitted under this section.

SECTION 1051. 285.39 (4) of the statutes is amended to read:

285.39 (4) REPORT ON NEW REPLENISHMENT MECHANISMS. After expiration of the replenishment implementation period, if the department reports under sub. (2) (b) 1. or determines at any other time that the growth accommodation is less than 3,500 tons, the department shall, with the advice of the department of commerce safety and

professional services, submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees of the legislature under s. 13.172 (3) on how to most effectively and equitably replenish the growth accommodation. The report shall review existing studies and data to evaluate the accuracy of this state's state implementation plan with respect to the effect of emissions from inside and outside the volatile organic compound accommodation area on the ambient air quality within the area.

SECTION 1052. 285.79 (3) (intro.) of the statutes is amended to read:

285.79 (3) ASSISTANCE PROGRAM. (intro.) The department shall, ~~in cooperation with the small business ombudsman clearinghouse under s. 560.03 (9),~~ develop and administer a small business stationary source technical and environmental compliance assistance program. The program shall include all of the following:

SECTION 1053. 292.11 (2) (e) of the statutes is amended to read:

292.11 (2) (e) The department shall report notifications that it receives under this subsection related to discharges from petroleum storage tanks, as defined in s. 101.144 (1) (bm), to the department of ~~commerce~~ safety and professional services.

SECTION 1054. 292.11 (7) (d) 1m. b. of the statutes is amended to read:

292.11 (7) (d) 1m. b. An area designated by the local governmental unit if the area consists of 2 or more properties affected by a contiguous region of groundwater contamination or contains 2 or more properties that are brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a).

SECTION 1055. 292.12 (1) (a) of the statutes is amended to read:

292.12 (1) (a) "Agency with administrative authority" means the department of agriculture, trade and consumer protection with respect to a site over which it has jurisdiction under s. 94.73 (2), the department of ~~commerce~~ safety and professional

services with respect to a site over which it has jurisdiction under s. 101.144 (2) (a), or the department of natural resources with respect to a site over which it has jurisdiction under s. 292.11 (7).

SECTION 1056. 292.255 of the statutes is amended to read:

292.255 Report on brownfield efforts. The department of natural resources, the department of administration, and the ~~department of commerce~~ Wisconsin Economic Development Corporation shall submit a report evaluating the effectiveness of this state's efforts to remedy the contamination of, and to redevelop, brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a).

SECTION 1057. 292.33 (6) of the statutes is amended to read:

292.33 (6) EXCEPTION. A local governmental unit may not recover costs under this section for remedial activities conducted on a property or portion of a property with respect to a discharge after the department of natural resources, the department of ~~commerce~~ safety and professional services, or the department of agriculture, trade and consumer protection has indicated that no further remedial activities are necessary on the property or portion of the property with respect to the discharge.

SECTION 1058. 292.79 (1) (a) of the statutes is amended to read:

292.79 (1) (a) "Brownfields" has the meaning given in s. ~~560.13~~ 238.13 (1) (a).

SECTION 1059. 293.11 of the statutes is amended to read:

293.11 Mine effect responsibility. The department shall serve as the central unit of state government to ensure that the air, lands, waters, plants, fish and wildlife affected by prospecting or mining in this state will receive the greatest practicable degree of protection and reclamation. The administration of occupational health and safety laws and rules that apply to mining shall remain

exclusively the responsibility of the department of ~~commerce~~ safety and professional services. The powers and duties of the geological and natural history survey under s. 36.25 (6) shall remain exclusively the responsibility of the geological and natural history survey. Nothing in this section prevents the department of ~~commerce~~ safety and professional services and the geological and natural history survey from cooperating with the department in the exercise of their respective powers and duties.

SECTION 1060. 299.13 (1m) (intro.) of the statutes is amended to read:

299.13 **(1m)** PROMOTION OF POLLUTION PREVENTION. (intro.) In carrying out the duties under this section and ~~ss. s. 36.25 (30) and 560.19~~, the department, ~~the department of commerce~~ and the center shall promote all of the following techniques for pollution prevention:

SECTION 1061. 299.83 (8) (f) of the statutes is amended to read:

299.83 **(8)** (f) The department and the department of ~~commerce~~ safety and professional services shall jointly provide information about participation contracts and environmental management systems to potential participants in the program and to other interested persons. The department shall consult with the department of ~~commerce~~ safety and professional services about the administration of the program.

SECTION 1062. 346.503 (1m) (g) of the statutes is amended to read:

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

SECTION 1063. 346.503 (4) of the statutes is amended to read:

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

SECTION 1064. Chapter 440 (title) of the statutes is amended to read:

CHAPTER 440

DEPARTMENT OF ~~REGULATION AND~~

LICENSING SAFETY AND

PROFESSIONAL SERVICES

SECTION 1065. 440.01 (1) (aj) of the statutes is amended to read:

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

SECTION 1066. 440.01 (1) (g) of the statutes is amended to read:

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

SECTION 1067. 440.01 (2) (cs) of the statutes is amended to read:

440.01 (2) (cs) “Minority group member” has the meaning given in s. ~~560.036~~ 490.04 (1) (f).

SECTION 1068. 440.03 (1m) of the statutes is amended to read:

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

SECTION 1069. 440.03 (3q) of the statutes is amended to read:

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

SECTION 1070. 440.03 (11m) (c) of the statutes is amended to read:

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

SECTION 1071. 440.03 (12m) of the statutes is amended to read:

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

SECTION 1072. 440.03 (18) (a) of the statutes is created to read:

440.03 **(18)** (a) In this subsection, “veteran” has the meaning given in s. 45.01 (12).

SECTION 1073. 440.13 (1) (b) of the statutes is amended to read:

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

SECTION 1074. 440.22 (2) of the statutes is amended to read:

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

SECTION 1075. 440.905 (1) of the statutes is amended to read:

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

SECTION 1076. 440.92 (2) (d) of the statutes is amended to read:

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

AND PROFESSIONAL SERVICES FOR APPROVAL. THE SELLER IS RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN APPROVAL OF THE PLANS BY THE DEPARTMENT OF COMMERCE SAFETY AND PROFESSIONAL SERVICES, COMPLETE THE CONSTRUCTION, AND OBTAIN CERTIFICATION OF THE CONSTRUCTION BY THE DEPARTMENT OF COMMERCE SAFETY AND PROFESSIONAL SERVICES.”

SECTION 1077. 440.945 (5) (b) of the statutes is amended to read:

440.945 (5) (b) The department of justice or any district attorney, upon informing the department of justice, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this section. The court may, prior to entry of final judgment, make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, if proof of such loss is submitted to the satisfaction of the court. The department of justice may subpoena persons and require the production of books and other documents, and may request the department of ~~regulation and licensing~~ safety and professional services to exercise its authority under par. (a) to aid in the investigation of alleged violations of this section.

SECTION 1078. 452.13 (2) (b) 1. of the statutes is amended to read:

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

SECTION 1079. 452.13 (2) (b) 2. of the statutes is amended to read:

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

SECTION 1080. 452.13 (2) (b) 3. of the statutes is amended to read:

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

SECTION 1081. 452.13 (2) (bm) of the statutes is amended to read:

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

SECTION 1082. 452.13 (2) (d) of the statutes is amended to read:

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

SECTION 1083. 452.13 (2) (e) 1. of the statutes is amended to read:

452.13 (2) (e) 1. Annually, before February 1, remit to the ~~department of commerce~~ Wisconsin Housing and Economic Development Authority the total interest or dividends, minus service charges or fees, earned on the average daily balance in the interest-bearing common trust account during the 12 months ending

on the previous December 31. A depository institution is not required to remit any amount if the total interest or dividends for that period is less than \$10 before any deduction for service charges or fees.

SECTION 1084. 452.13 (2) (e) 2. of the statutes is amended to read:

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

SECTION 1085. 452.13 (2) (f) 2. of the statutes is amended to read:

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

SECTION 1086. 452.13 (2) (f) 3. of the statutes is amended to read:

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

SECTION 1087. 452.13 (5) of the statutes is amended to read:

452.13 (5) RULES. In consultation with the ~~department of regulation and licensing, the department of commerce~~ Wisconsin Housing and Economic

Development Authority, the department of safety and professional services shall promulgate rules necessary to administer this section.

SECTION 1088. 462.01 (3) of the statutes is amended to read:

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

SECTION 1089. Chapter 490 of the statutes is created to read:

CHAPTER 490

BUSINESS ASSISTANCE PROGRAMS

SECTION 1090. 490.01 of the statutes is created to read:

490.01 Definitions. In this chapter:

(1) “Department” means the department of safety and professional services.

(2) “Secretary” means the secretary of safety and professional services.

SECTION 1091. Chapter 560 (title) of the statutes is repealed.

SECTION 1092. Subchapter I (title) of chapter 560 [precedes 560.001] of the statutes is repealed.

SECTION 1093. 560.001 of the statutes is repealed.

SECTION 1094. 560.01 (title), (1) and (2) of the statutes are repealed.

SECTION 1095. 560.01 (3) of the statutes is renumbered 238.04 (14) and amended to read:

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

SECTION 1096. 560.02 of the statutes is repealed.

SECTION 1097. 560.03 (title) of the statutes is repealed.

SECTION 1098. 560.03 (intro.) of the statutes is repealed.

SECTION 1099. 560.03 (1) of the statutes is repealed.

****NOTE: This is reconciled s. 560.03 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-0157/3 and LRB-1465/P3.

SECTION 1100. 560.03 (2) of the statutes is repealed.

SECTION 1101. 560.03 (3) of the statutes is repealed.

SECTION 1102. 560.03 (4) of the statutes is repealed.

SECTION 1103. 560.03 (4m) of the statutes is repealed.

SECTION 1104. 560.03 (5) of the statutes is repealed.

SECTION 1105. 560.03 (6) of the statutes is repealed.

SECTION 1106. 560.03 (8) of the statutes is repealed.

SECTION 1107. 560.03 (9) of the statutes is repealed.

SECTION 1108. 560.03 (10) of the statutes is repealed.

SECTION 1109. 560.03 (11) of the statutes is repealed.

SECTION 1110. 560.03 (16) of the statutes is repealed.

SECTION 1111. 560.03 (17) of the statutes is renumbered 238.25 and amended to read:

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

SECTION 1112. 560.03 (18) of the statutes is repealed.

****NOTE: This is reconciled s. 560.03 (18). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

SECTION 1113. 560.03 (19) of the statutes is repealed.

SECTION 1114. 560.03 (20) of the statutes is repealed.

SECTION 1115. 560.03 (21) of the statutes is repealed.

SECTION 1116. 560.03 (22) of the statutes is repealed.

SECTION 1117. 560.03 (23) of the statutes is repealed.

SECTION 1118. 560.03 (25) of the statutes is repealed.

****NOTE: This is reconciled s. 560.03 (25). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

SECTION 1119. 560.03 (26) of the statutes is repealed.

****NOTE: This is reconciled s. 560.03 (26). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

SECTION 1120. 560.031 of the statutes is repealed.

SECTION 1121. 560.032 of the statutes is renumbered 238.10 and amended to read:

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

(2) AMENDMENT TO ALLOCATION. At any time prior to December 31 in any year, the ~~department~~ corporation may ~~promulgate~~ adopt rules to revise the allocation system established for that year under sub. (1), except that any revision under this subsection does not apply to any allocation under which the recipient of that

allocation has adopted a resolution authorizing the issuance of a private activity bond, as defined in [26 USC 141](#) (a).

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

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

SECTION 1122. 560.033 of the statutes is repealed.

SECTION 1123. 560.0335 of the statutes is renumbered 490.02.

SECTION 1124. 560.034 of the statutes is renumbered 238.11, and 238.11 (1), (2), (3) and (5) (intro.), as renumbered, are amended to read:

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

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

the net number of jobs expected to be eliminated, created, or maintained as a result of the project.

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

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

SECTION 1125. 560.035 of the statutes is renumbered 490.03.

SECTION 1126. 560.036 of the statutes is renumbered 490.04.

SECTION 1127. 560.037 of the statutes is renumbered 490.06, and 490.06 (1) (intro.) of the statutes, as renumbered, is amended to read:

490.06 (1) (intro.) Subject to sub. (3), the department may make grants from the appropriation under s. ~~20.143~~ 20.165 (1) (fw) to the women's business initiative corporation to fund its operating costs if all of the following apply:

SECTION 1128. 560.04 of the statutes is repealed.

SECTION 1129. 560.045 of the statutes is repealed.

SECTION 1130. 560.047 of the statutes is repealed.

SECTION 1131. 560.05 of the statutes is repealed.

SECTION 1132. 560.07 of the statutes is repealed.

SECTION 1133. 560.075 of the statutes is renumbered 238.12, and 238.12 (2), as renumbered, is amended to read:

238.12 (2) The ~~department~~ corporation may not award a grant or loan under this chapter to a person or certify a person to receive tax benefits unless the

department corporation enters into an agreement with the person that requires the person to repay the grant, loan, or tax benefits if, within 5 years after receiving the grant or loan or being certified to receive tax benefits, the person ceases to conduct in this state the economic activity for which the person received the grant or loan or for which the person was certified to receive tax benefits and commences substantially the same economic activity outside this state.

SECTION 1134. 560.08 (1), (2) (intro.), (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) of the statutes are repealed.

SECTION 1135. 560.08 (2) (m) of the statutes is renumbered 238.26 and amended to read:

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

SECTION 1136. 560.081 of the statutes is repealed.

SECTION 1137. 560.082 of the statutes is repealed.

SECTION 1138. 560.09 of the statutes is repealed.

SECTION 1139. 560.097 of the statutes is renumbered 238.15 and amended to read:

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

SECTION 1140. 560.11 of the statutes is repealed.

SECTION 1141. 560.125 (title) and (1) to (3) of the statutes are renumbered 101.45 (title) and (1) to (3).

***NOTE: This is reconciled s. 560.125 (title) and (1) to (3). This SECTION has been affected by drafts with the following LRB numbers: -0200, -0201, -1465.

SECTION 1142. 560.125 (4) (a) to (e) of the statutes are renumbered 101.45 (4) (a) to (e), and 101.45 (4) (d) of the statutes, as renumbered, is amended to read:

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

***NOTE: This is reconciled s. 560.125 (4) (a) to (e). This SECTION has been affected by drafts with the following LRB numbers: -0200, -0201, -1465.

SECTION 1143. 560.125 (4) (f) and (g) of the statutes are repealed.

***NOTE: This is reconciled s. 560.125 (4) (f) and (g). This SECTION has been affected by drafts with the following LRB numbers: -0200, -0201, -1465.

SECTION 1144. 560.125 (5) to (6) of the statutes are renumbered 101.45 (5) to (6).

***NOTE: This is reconciled s. 560.125 (5) to (6). This SECTION has been affected by drafts with the following LRB numbers: -0200, -0201, -1465.

SECTION 1145. 560.126 of the statutes is repealed.

***NOTE: This is reconciled s. 560.126. This SECTION has been affected by drafts with the following LRB numbers: LRB-1224/P2 and LRB-1465/P3.

SECTION 1146. 560.128 of the statutes is repealed.

SECTION 1147. 560.13 (1), (2), (3), (5) and (6m) of the statutes are renumbered 238.13 (1), (2), (3), (5) and (6m), and 238.13 (2) (a) (intro.) and (b) 1., (3) (intro.) and (f) and (5), as renumbered, are amended to read:

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

(b) 1. The contribution required under par. (a) 3. may be in cash or in-kind. Cash contributions may be of private or public funds, ~~excluding funds obtained under~~

~~the program under s. 560.17 or under any program under subch. II or V of this chapter. In-kind contributions shall be limited to actual remediation services.~~

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

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

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

SECTION 1148. 560.13 (4) of the statutes is repealed.

SECTION 1149. 560.13 (6) of the statutes is repealed.

SECTION 1150. 560.138 of the statutes is repealed.

SECTION 1151. 560.139 of the statutes is repealed.

SECTION 1152. 560.145 of the statutes is repealed.

SECTION 1153. 560.15 of the statutes is repealed.

****NOTE: This is reconciled s. 560.15. This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

SECTION 1154. 560.155 of the statutes is repealed.

SECTION 1155. 560.157 of the statutes is repealed.

SECTION 1156. 560.165 of the statutes is repealed.

SECTION 1157. 560.167 of the statutes is repealed.

SECTION 1158. 560.17 of the statutes is repealed.

SECTION 1159. 560.19 of the statutes is repealed.

SECTION 1160. 560.203 of the statutes is repealed.

SECTION 1161. 560.204 of the statutes is renumbered 238.14 and amended to read:

238.14 Hardware and software used to maintain medical records. (1)

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

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

(3) The department corporation shall inform the department of revenue of every health care provider certified under sub. (1) and the amount of credits allocated to the health care provider.

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

SECTION 1162. 560.205 of the statutes is renumbered 238.15, and 238.15 (1) (intro.), (2), (3) (a), (b), and (d) (intro.), 1., 2. a. and b. and (e), as renumbered, are amended to read:

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

~~the department, a~~ A business may be certified under this subsection, and may maintain such certification, only if the business satisfies all of the following conditions:

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

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

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

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

under this section that are unused in any calendar year to a person eligible for tax benefits, as defined under s. ~~560.2055~~ 238.16 (1) (d), if all of the following apply:

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

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

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

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

SECTION 1163. 560.2055 (title) and (1) of the statutes are renumbered 238.16 (title) and (1).

SECTION 1164. 560.2055 (2) of the statutes is renumbered 238.16 (2), and 238.16 (2) (intro.) and (b), as renumbered, are amended to read:

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

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

SECTION 1165. 560.2055 (3) (intro.) and (c) of the statutes are renumbered 238.16 (3) (intro.) and (c) and amended to read:

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

(c) In a tier I county or municipality or a tier II county or municipality, the person increases net employment in the person's business and improves the job-related skills of any eligible employee, trains any eligible employee on the use of job-related new technologies, or provides job-related training to any eligible employee whose employment with the person represents the employee's first full-time job.

SECTION 1166. 560.2055 (3) (a) of the statutes is repealed.

SECTION 1167. 560.2055 (3) (b) of the statutes is repealed.

SECTION 1168. 560.2055 (4) (title) and (a) of the statutes are renumbered 238.16 (4) (title) and (a).

SECTION 1169. 560.2055 (4) (b) 1. (intro.) of the statutes is renumbered 238.16 (4) (b) 1. and amended to read:

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

SECTION 1170. 560.2055 (4) (b) 1. a. and b. of the statutes are repealed.

SECTION 1171. 560.2055 (4) (b) 2. and (c) of the statutes are renumbered 238.16 (4) (b) 2. and (c) and amended to read:

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

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

SECTION 1172. 560.2055 (5) of the statutes is renumbered 238.16 (5), and 238.16 (5) (title), (a), (b), (c), (d), (e) and (f) (intro.) and 1. (intro.), as renumbered, are amended to read:

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

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

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

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

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

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

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

SECTION 1173. 560.2056 of the statutes is renumbered 238.17 and amended to read:

238.17 Food processing plant and food warehouse investment credit.

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

(2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub. (1), the ~~department of commerce~~ corporation shall determine the amount of credits to allocate to that taxpayer. The total amount of food processing plant and food warehouse investment credits allocated to taxpayers in fiscal year 2009-10 may not

exceed \$600,000 and the total amount of food processing plant and food warehouse investment credits allocated to taxpayers in fiscal year 2010-11, and in each fiscal year thereafter, may not exceed \$700,000.

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

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

SECTION 1174. 560.206 of the statutes is renumbered 41.155, and 41.155 (4), as renumbered, is amended to read:

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

SECTION 1175. 560.207 of the statutes is renumbered 93.535 and amended to read:

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

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

year thereafter, may not exceed \$700,000. The total amount of dairy manufacturing facility investment credits allocated to taxpayers who are members of dairy cooperatives in fiscal year 2009-10 may not exceed \$600,000 and the total amount of dairy manufacturing facility investment credits allocated to taxpayers who are members of dairy cooperatives in fiscal year 2010-11, and in each fiscal year thereafter, may not exceed \$700,000.

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

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

SECTION 1176. 560.208 of the statutes is renumbered 238.19 and amended to read:

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

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

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

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

SECTION 1177. 560.2085 of the statutes is renumbered 238.20, and 238.20 (1) (intro.), (2) and (3), as renumbered, are amended to read:

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

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

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

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

SECTION 1178. 560.209 of the statutes is renumbered 238.21 and amended to read:

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

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

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

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

SECTION 1179. 560.21 of the statutes is repealed.

SECTION 1180. 560.25 of the statutes is repealed.

SECTION 1181. 560.255 of the statutes is repealed.

SECTION 1182. 560.27 of the statutes is repealed.

SECTION 1183. 560.275 of the statutes is repealed.

SECTION 1184. 560.276 of the statutes is repealed.

SECTION 1185. 560.277 of the statutes is repealed.

SECTION 1186. 560.28 of the statutes is repealed.

SECTION 1187. 560.285 of the statutes is repealed.

SECTION 1188. 560.29 of the statutes is repealed.

SECTION 1189. Subchapter II (title) of chapter 560 [precedes 560.30] of the statutes is repealed.

SECTION 1190. 560.30 of the statutes is repealed.

SECTION 1191. 560.301 of the statutes is repealed.

SECTION 1192. 560.302 of the statutes is repealed.

SECTION 1193. 560.303 of the statutes is repealed.

SECTION 1194. 560.304 of the statutes is repealed.

SECTION 1195. 560.305 of the statutes is repealed.

SECTION 1196. Subchapter III (title) of chapter 560 [precedes 560.41] of the statutes is repealed.

SECTION 1197. 560.41 of the statutes is repealed.

SECTION 1198. 560.42 of the statutes is repealed.

SECTION 1199. 560.43 of the statutes is repealed.

SECTION 1200. 560.44 of the statutes is repealed.

SECTION 1201. 560.45 of the statutes is renumbered 490.05, and 490.05 (1), as renumbered, is amended to read:

490.05 (1) The department may award a grant from the appropriations under s. ~~20.143~~ 20.165 (1) ~~(ie), (ig), (im), and~~ (ir) to a business for innovation and research assistance.

SECTION 1202. Subchapter IV (title) of chapter 560 [precedes 560.51] of the statutes is repealed.

SECTION 1203. 560.51 of the statutes is repealed.

SECTION 1204. 560.53 of the statutes is repealed.

SECTION 1205. 560.54 of the statutes is repealed.

SECTION 1206. Subchapter V (title) of chapter 560 [precedes 560.60] of the statutes is repealed.

SECTION 1207. 560.60 of the statutes is repealed.

SECTION 1208. 560.602 of the statutes is repealed.

SECTION 1209. 560.605 of the statutes is repealed.

SECTION 1210. 560.607 of the statutes is repealed.

SECTION 1211. 560.61 of the statutes is repealed.

SECTION 1212. 560.68 of the statutes is repealed.

SECTION 1213. Subchapter VI (title) of chapter 560 [precedes 560.70] of the statutes is repealed.

SECTION 1214. 560.70 (intro.), (2), (2g), (2m), (3), (4), (4m), (5), (6) and (7) of the statutes are renumbered 238.30 (intro.), (2), (2g), (2m), (3), (4), (4m), (5), (6) and (7), and 238.30 (intro.), (2g), (2m) (b), (4) and (7) (b) 1. and 2., (c) and (d), as renumbered, are amended to read:

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

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

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

individual, as a condition of employment, is required to work less than 37.5 hours per week.

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

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

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

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

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

****NOTE: This is reconciled s. 560.70 (4m). This SECTION has been affected by drafts with the following LRB numbers: LRB-1195/1 and LRB-1465/P3.

SECTION 1215. 560.70 (1) of the statutes is repealed.

SECTION 1216. 560.701 of the statutes is renumbered 238.301, and 238.301 (1) (intro.) and (e), (2) (a) and (b) and (3) (intro.), (b), (c), (d) and (f), as renumbered, are amended to read:

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

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

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

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

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

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

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

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

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

SECTION 1217. 560.702 of the statutes is renumbered 238.302, and 238.302 (intro.), (1), (2) and (3), as renumbered, are amended to read:

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

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

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

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

SECTION 1218. 560.703 (title) of the statutes is renumbered 238.303 (title).

SECTION 1219. 560.703 (1) (a) of the statutes, as affected by [2011 Wisconsin Act 4](#), is renumbered 238.303 (1) (a) and amended to read:

238.303 **(1) (a)** Except as provided in pars. (am) and (b), and subject to a reallocation by the ~~department~~ corporation pursuant to rules ~~promulgated~~ adopted under s. ~~560.205~~ 238.15 (3) (d), the total tax benefits available to be allocated by the ~~department~~ corporation under ss. ~~560.701 to 560.706~~ 238.301 to 238.306 may not exceed the sum of the tax benefits remaining to be allocated under ss. ~~s. 560.71 to~~

560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798, 2009 stats., s. 560.7995, 2009 stats., and s. 560.96, 2009 stats., on March 6, 2009, plus \$25,000,000.

SECTION 1220. 560.703 (1) (am) of the statutes, as created by [2011 Wisconsin Act 4](#), is renumbered 238.303 (1) (am) and amended to read:

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

SECTION 1221. 560.703 (1) (b), (2) and (3) of the statutes are renumbered 238.303 (1) (b), (2) and (3) and amended to read:

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

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

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

SECTION 1222. 560.704 of the statutes is renumbered 238.304, and 238.304 (intro.) and (1), as renumbered, are amended to read:

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

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

SECTION 1223. 560.705 of the statutes is renumbered 238.305, and 238.305 (intro.), (1) and (2), as renumbered, are amended to read:

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

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

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

SECTION 1224. 560.706 of the statutes is renumbered 238.306, and 238.306 (intro.), (1) (a) and (b), (2) (a), (b), (c), (d), (e) (intro.), (f), (g), (h), (i) and (k) and (3), as renumbered, are amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) REPORTING. Annually, 6 months after the report has been submitted under s. ~~560.01 (2) (am)~~ 238.07 (2), submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a

comprehensive report assessing the program under ss. ~~560.701 to 560.706~~ 238.301 to 238.306. The report under this subsection shall update the applicable information provided in the report under s. ~~560.01 (2) (am)~~ 238.07 (2).

SECTION 1225. 560.71 of the statutes is renumbered 238.31, and 238.31 (1) (intro.), (ac), (am), (b), (d) and (e) (intro.), 3. and 4. a., c. and d., (1m) (intro.), (a) and (h), (2) and (3) (intro.), as renumbered. are amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 1226. 560.715 of the statutes is renumbered 238.315 and amended to read:

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

SECTION 1227. 560.72 of the statutes is renumbered 238.32, and 238.32 (1) (intro.), (2) (intro.), (c), (d), (f) and (i), (3) and (5), as renumbered, are amended to read:

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

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

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

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

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

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

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

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

SECTION 1228. 560.725 of the statutes is renumbered 238.325 and amended to read:

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

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

(3) After evaluating an application submitted under s. ~~560.72~~ 238.32 (2) or (3), the department corporation may approve the application, subject to any reduction in the size of the nominated area under sub. (2). If the department corporation approves the application, the department corporation shall designate the area as a development zone, subject to s. ~~560.71~~ 238.31, and notify the local governing body.

SECTION 1229. 560.735 of the statutes is renumbered 238.335, and 238.335 (1) (a) and (c), (2), (5) (a) and (b), (6) (a) 1. and 2. and (c), (6r) and (7), as renumbered, are amended to read:

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

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

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

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

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

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

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

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

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

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

SECTION 1230. 560.737 of the statutes is repealed.

SECTION 1231. 560.74 of the statutes is renumbered 238.34, and 238.34 (1), (2), (3) (intro.) and (a), (4), (5) and (6), as renumbered, are amended to read:

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

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

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

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

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

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

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

SECTION 1232. ~~560.745~~ of the statutes is renumbered 238.345, and 238.345 (1) (a) and (b), (2) (a), (am), (b), (c) 1. and 2. and (d) and (3), as renumbered, are amended to read:

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

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

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

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

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

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

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

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

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

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

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

SECTION 1233. 560.75 of the statutes is renumbered 238.35, and 238.35 (intro.), (6), (7), (8) and (10), as renumbered, are amended to read:

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

(6) Notify University of ~~Wisconsin~~ Wisconsin-Madison and University of Wisconsin System small business development centers, the Wisconsin housing and development centers, the central administration of the University of Wisconsin-Madison campus and all University of Wisconsin System campuses and regional planning commissions about the development zone program and encourage those entities to provide advice to the department corporation or local governing bodies on ways to improve the development zone program.

****NOTE: This is reconciled s. 560.75 (6). This SECTION has been affected by drafts with the following LRB numbers: LRB-1187/P4 and LRB-1465/P3.

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

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

(10) Enter into an agreement with the local governing body of a 1st class city where a development zone is designated under s. ~~560.71 238.31~~ (3) (c) 1. to provide

efficient administration of the development zone program within the development zone.

SECTION 1234. 560.763 of the statutes is renumbered 238.363, and 238.363 (1) (intro.) and (c) and (4), as renumbered, are amended to read:

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

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

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

SECTION 1235. 560.765 of the statutes is renumbered 238.365, and 238.365 (intro.), (2), (3) (intro.), (b), (c), (e) and (j) and (5) (e), (g) and (h), as renumbered, are amended to read:

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

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

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

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

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

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

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

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

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

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

SECTION 1236. 560.768 of the statutes is renumbered 238.368, and 238.368 (1) (a) and (b), (2) (intro.) and (b) and (3) (a) (intro.) and 1. and (b), as renumbered, are amended to read:

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

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

1. Consider all of the criteria described in s. ~~560.765~~ 238.365 (3) (a) to (e).
2. Establish a limit which does not greatly exceed a recommended limit, established under rules ~~promulgated~~ adopted by the ~~department~~ corporation based

on the cost, number and types of full-time jobs that will be created, retained, or upgraded, including full-time jobs available to members of the targeted population, as a result of the economic activity of the person certified under s. ~~560.765~~ 238.365 (3).

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

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

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

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

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

SECTION 1237. 560.77 of the statutes is renumbered 238.37, and 238.37 (1) (intro.) and (b) and (2), as renumbered, are amended to read:

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

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

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

SECTION 1238. 560.78 of the statutes is renumbered 238.38, and 238.38 (1) (intro.), (1m), (2) (intro.) and (a) and (3) (a) and (b), as renumbered, are amended to read:

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

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

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

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

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

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

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

SECTION 1239. 560.785 of the statutes is renumbered 238.385, and 238.385 (1) (intro.), (b), (bm) and (c) (intro.) and (2) (intro.), (b) and (c), as renumbered, are amended to read:

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

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

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

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

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

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

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

SECTION 1240. 560.795 of the statutes is renumbered 238.395, and 238.395 (1) (a), (b), (c), (d), (e), (f), (g) and (h), (2) (c), (d) and (e), (3) (a), (b) 1., 2., 3., 4., 5., 6., 7., 8. and 9., (c) and (d), (4) (a) (intro.) and (b) and (5) (a) (intro.), 2. and 3., (b), (c), (d), (e) (intro.) and 3. and (f), as renumbered, are amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. Any ~~corporation~~ person that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (d) and that, in conjunction with the local governing body of the city in which the development opportunity zone is located, submits a project plan as described in par. (b) to the

~~department corporation~~ no later than July 1, 2000, shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 1241. 560.797 of the statutes is renumbered 238.397, and 238.397 (1) (am), (c) and (d), (2) (a) (intro.), 3. and 4. a. and d. and (b) (intro.), 1. and 8., (bg) (intro.) and 2., (br) (intro.), (c), (d) and (e), (3) (a), (b) 4., 6. and 11. and (c), (4) (a), (c), (d), (f) and (g), (5) (a), (b), (c) and (d) 1. and 2. and (6) (a) (intro.) and (b), as renumbered, are amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) 4. The amount that the person proposes to invest in a business; to spend on the construction, rehabilitation, repair, or remodeling of a building; or to spend on the removal or containment of, or the restoration of soil or groundwater affected by, environmental pollution; in the area proposed to be designated as an enterprise development zone.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 1242. 560.798 of the statutes is renumbered 238.398, and 238.398 (2) (a) and (b), (3) (a) and (b), (4) (a) (intro.) and (b) and (5) (intro.) and (e), as renumbered, are amended to read:

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

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

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

(b) When the department corporation certifies an agricultural business under this subsection, the department corporation shall establish a limit on the amount of tax benefits that the business may claim. The department corporation shall enter

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

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

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

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

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

SECTION 1243. 560.799 of the statutes is renumbered 238.399, and 238.399 (1) (am) 2., (3) (a), (b) (intro.), (bm) and (c), (5) (intro.), (b), (c) 1. a. and b., 2. b. and c., (d) 1. and (e), (5m) and (6) (a), (b) (intro.), (c), (d), (e), (f) and (g) (intro.) and 1. (intro.), as renumbered, are amended to read:

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

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

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

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

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

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

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

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

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

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

c. The business offers compensation and benefits for the same type of work to its employees working in the zone that are at least as favorable as those offered to

its employees working in this state but outside the zone, as determined by the department corporation.

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

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

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

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

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

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

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

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

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

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

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

SECTION 1244. 560.7995 of the statutes is renumbered 238.3995, and 238.3995 (1) (b) and (c), (2) (a) (intro.) and 4., (b) (intro.) and 8., (c) 1. and 2. and (d), (3) (a), (b), (c) and (d) 1. and 2., (4) (a) (intro.) and 10., (am), (ar), (b) 1., (c) (intro.) and (d) and (5), as renumbered, are amended to read:

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

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

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

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

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

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

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

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

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

(3) (a) When the department corporation designates an area as an airport development zone, the department corporation shall specify the length of time, not

to exceed 84 months, that the designation is effective, subject to par. (d). The department corporation shall notify each person certified for tax benefits in an airport development zone, the department of revenue, the department of transportation, the Wisconsin Housing and Economic Development Authority, and the governing body of each county, city, village, town, and federally recognized American Indian tribe or band in which territory of the airport development zone is located of the designation of and expiration date of the airport development zone.

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

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

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

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

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

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

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

permanently laid off, areas in which an employer has given public notice of a plant closing or a substantial reduction in force that will result in a significant number of workers in the area being permanently laid off, and areas affected by other factors that indicate they are distressed areas, as determined by the corporation.

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

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

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

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

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

SECTION 1245. Subchapter VIII (title) of chapter 560 [precedes 560.86] of the statutes is repealed.

SECTION 1246. 560.86 of the statutes is repealed.

SECTION 1247. 560.87 of the statutes is repealed.

SECTION 1248. 560.875 of the statutes is repealed.

SECTION 1249. Subchapter IX of chapter 560 [precedes 560.90] of the statutes is repealed.

SECTION 1250. 560.90 of the statutes is repealed.

SECTION 1251. 560.905 of the statutes is repealed.

SECTION 1252. 560.92 of the statutes is repealed.

SECTION 1253. 560.93 of the statutes is repealed.

SECTION 1254. 560.96 of the statutes is renumbered 238.23, and 238.23 (2) (a) and (b), (3) (a) (intro.), (b) (intro.), (c) and (d), (4) (a) (intro.) and (b) and (5) (intro.), (e) and (g), as renumbered, are amended to read:

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

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

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

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

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

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

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

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

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

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

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

SECTION 1255. Subchapter X (title) of chapter 560 [precedes 560.9801] of the statutes is repealed.

SECTION 1256. 560.9801 of the statutes is renumbered 234.5601, and 234.5601 (2) (a), as renumbered, is amended to read:

234.5601 **(2)** (a) A housing authority organized under s. 59.53 (22), 61.73, 66.1201, or 66.1213 or ~~ch. 234~~ this chapter.

SECTION 1257. 560.9802 of the statutes is renumbered 234.5602, and 234.5602 (1) (a) and (b), (3) and (4), as renumbered, are amended to read:

234.5602 **(1)** (a) The ~~department~~ authority shall prepare a comprehensive 5-year state housing strategy plan. The ~~department~~ authority shall submit the plan to the federal department of housing and urban development.

(b) In preparing the plan, the ~~department~~ authority may obtain input from housing authorities, community-based organizations, the private housing industry and others interested in housing assistance and development.

(3) The department authority shall annually update the state housing strategy plan.

(4) Before October 1 of each year, the department authority shall submit the state housing strategy plan to the governor and to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2).

SECTION 1258. 560.9803 of the statutes is renumbered 234.5603, and 234.5603 (1) (intro.) and (a), (2) (intro.) and (e) 7. and (3), as renumbered, are amended to read:

234.5603 (1) (intro.) The department authority shall do all of the following:

(a) Subject to sub. (2), make grants or loans, directly or through agents designated under s. ~~560.9804~~ 234.5604, from the appropriation under s. ~~20.143~~ (2) 20.490 (7) (b) to persons or families of low or moderate income to defray housing costs of the person or family.

(2) (intro.) In connection with grants and loans under sub. (1), the department authority shall do all of the following:

(e) 7. Other persons or families that the department authority determines have particularly severe housing problems.

(3) (a) The department authority may make grants or loans under sub. (1) (a) directly or through agents designated under s. ~~560.9804~~ 234.5604.

(b) The department authority may administer and disburse funds from a grant or loan under sub. (1) (a) on behalf of the recipient of the grant or loan.

SECTION 1259. 560.9804 of the statutes is renumbered 234.5604, and 234.5604 (1) and (2) (intro.), as renumbered, are amended to read:

234.5604 (1) The department authority may enter into an agreement with an agent designated under sub. (2) to allow the designated agent to do any of the following:

(a) Award grants and loans under s. ~~560.9803~~ 234.5603 (1) and (2) subject to the approval of the department authority.

(b) Disburse the funds for grants and loans to persons or families of low or moderate income on terms approved by the department authority.

(c) On terms approved by the department authority, administer and disburse funds from a grant or loan under s. ~~560.9803~~ 234.5603 on behalf of the recipient of the grant or loan.

(2) (intro.) The department authority may designate any of the following as agents:

SECTION 1260. 560.9805 of the statutes is renumbered 234.5605, and 234.5605 (1) (intro.), (2) (intro.) and (c) (intro.) and (4), as renumbered, are amended to read:

234.5605 **(1)** (intro.) The department authority may make grants to a community-based organization, organization operated for profit, or housing authority to improve the ability of the community-based organization, organization operated for profit, or housing authority to provide housing opportunities, including housing-related counseling services, for persons or families of low or moderate income. The grants may be used to partially defray any of the following:

(2) (intro.) The department authority may not make a grant under sub. (1) unless all of the following apply:

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

(4) To ensure the development of housing opportunities, the department authority shall coordinate the use of grants provided under this section with projects

undertaken by housing authorities, organizations operated for profit, and community-based organizations.

SECTION 1261. 560.9806 (1), (2) and (3) of the statutes are renumbered 234.5606 (1), (2) and (3), and 234.5606 (2) (a) and (3) (intro.) and (d), as renumbered, are amended to read:

234.5606 **(2)** (a) From the appropriation under s. ~~20.143 (2)~~ 20.490 (7) (fm), the ~~department~~ authority may award a grant to an eligible applicant for the purpose of providing transitional housing and associated supportive services to homeless individuals and families if the conditions under par. (b) are satisfied. The ~~department~~ authority shall ensure that the funds for the grants are reasonably balanced among geographic areas of the state, consistent with the quality of applications submitted.

(3) (intro.) Each recipient of a grant under this section shall annually provide all of the following information to the ~~department~~ authority:

(d) Any other information that the ~~department~~ authority determines to be necessary to evaluate the effectiveness of the transitional housing program operated by the recipient.

SECTION 1262. 560.9806 (4) of the statutes is repealed.

SECTION 1263. 560.9807 of the statutes is renumbered 234.5607 and amended to read:

234.5607 Grants to alleviate homelessness. (1) GRANTS. From moneys available under s. ~~20.143 (2)~~ 20.490 (7) (h), the ~~department~~ authority shall make grants to organizations, including organizations operated for profit, that provide shelter or services to homeless individuals or families.

(2) SUPPLEMENTAL FUNDS. The department authority shall ensure that grants awarded under sub. (1) are not used to supplant other state funds available for homelessness prevention or services to homeless individuals or families.

(2m) REPORT. Annually, the department authority shall submit a report to the speaker of the assembly, the president of the senate and to the appropriate standing committees under s. 13.172 (3) that summarizes how much money was received in the previous year and how that money was distributed.

(3) RULES. The department authority shall promulgate adopt rules establishing procedures and eligibility criteria for grants under this section.

SECTION 1264. 560.9808 of the statutes is renumbered 234.5608, and 234.5608 (2) (a) and (b) (intro.), (3) (b), (3m), (4) (intro.) and (5) (intro.), as renumbered, are amended to read:

234.5608 (2) (a) From the appropriations under s. ~~20.143 (2)~~ 20.490 (7) (fm) and (h), the department authority shall award grants to eligible applicants for the purpose of supplementing the operating budgets of agencies and shelter facilities that have or anticipate a need for additional funding because of the renovation or expansion of an existing shelter facility, the development of an existing building into a shelter facility, the expansion of shelter services for homeless persons, or an inability to obtain adequate funding to continue the provision of an existing level of services.

(b) (intro.) The department authority shall allocate funds from the appropriations under s. ~~20.143 (2)~~ 20.490 (7) (fm) and (h) for temporary shelter for homeless individuals and families as follows:

(3) (b) Applications shall be submitted in the form required by the department authority and shall be accompanied by the current or proposed operating budget or

both, as required by the department authority, of each shelter facility or agency which that will, directly or indirectly, receive any of the grant money, and an explanation of why the shelter facility or agency has or anticipates a need for additional funding.

(3m) GRANT ELIGIBILITY. In awarding grants under this section, the department authority shall consider whether the community in which an eligible applicant provides services has a coordinated system of services for homeless individuals and families.

(4) (intro.) ~~RULE-MAKING~~ RULES REQUIRED. The department authority shall ~~promulgate by rule~~ adopt rules establishing both of the following:

(5) (intro.) PROHIBITED USES. The department authority may not provide a grant for any of the following purposes:

SECTION 1265. 560.9809 of the statutes is renumbered 234.5609, and 234.5609 (1), (2) and (3) (intro.), as renumbered, are amended to read:

234.5609 **(1)** The department authority may administer housing programs, including the housing improvement grant program and the initial rehabilitation grant program, that are funded by a community development block grant, [42 USC 5301 to 5320](#).

(2) The department authority may ~~promulgate~~ adopt rules to administer this section.

(3) (intro.) Notwithstanding sub. (2), the department authority shall ~~promulgate~~ adopt rules that specify that an applicant for funds under a program under this section shall be eligible to receive funds under the program in the year following the year for which the applicant submits an application, without having to submit another application for that following year, if all of the following apply:

SECTION 1266. 560.9810 of the statutes is repealed.

SECTION 1267. 560.9811 of the statutes is renumbered 234.5611, and 234.5611 (2), as renumbered, is amended to read:

234.5611 (2) From the appropriation under s. ~~20.143 (2)~~ 20.490 (7) (fr), the department authority may not award more than \$45,000 in each fiscal year to applying public or nonprofit private entities for the costs of providing certain mental health services to homeless individuals with serious and persistent mental illness. Entities that receive funds awarded by the department authority under this subsection shall provide the mental health services required under [42 USC 290cc-24](#). The amount that the department authority awards to an applying entity may not exceed 50% of the amount of matching funds required under [42 USC 290cc-23](#).

SECTION 1268. 560.9815 of the statutes is renumbered 234.5615 and amended to read:

234.5615 Federal housing assistance programs. Notwithstanding s. 16.54 (2) (a), the department authority shall administer federal funds made available to this state under the Stewart B. McKinney homeless assistance act housing assistance programs, [42 USC 11361 to 11402](#).

SECTION 1269. 563.05 (3) of the statutes is amended to read:

563.05 (3) The department may promulgate rules specifying the number of business days within which the department must review and make a determination on an application for a permit, as defined in s. ~~560.41 (2)~~ 227.116 (1g), that is issued under this chapter.

SECTION 1270. 565.01 (4d) of the statutes is amended to read:

565.01 (4d) “Minority business” means a business certified by the department of commerce safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 1271. 565.01 (4e) of the statutes is amended to read:

565.01 (4e) “Minority group member” has the meaning given in s. ~~560.036~~ 490.04 (1) (f).

SECTION 1272. 601.93 (2) of the statutes is amended to read:

601.93 (2) Every insurer doing a fire insurance business in this state shall, before March 1 in each year, file with the commissioner a statement, showing the amount of premiums upon fire insurance due for the preceding calendar year. Return premiums may be deducted in determining the premium on which the fire department dues are computed. Payments of quarterly installments of the total estimated payment for the then current calendar year under this subsection are due on or before April 15, June 15, September 15 and December 15. On March 1 the insurer shall pay any additional amounts due for the preceding calendar year. Overpayments will be credited on the amount due April 15. The commissioner shall, prior to May 1 each year, report to the department of commerce safety and professional services the amount of dues paid under this subsection and to be paid under s. 101.573 (1).

SECTION 1273. 610.70 (1) (a) of the statutes is amended to read:

610.70 (1) (a) “Health care provider” means any person licensed, registered, permitted or certified by the department of health services or the department of ~~regulation and licensing~~ safety and professional services to provide health care services, items or supplies in this state.

SECTION 1274. 632.10 (1) of the statutes is amended to read:

632.10 (1) "Building and safety standards" means the requirements of chs. 101 and 145 and of any rule promulgated by the department of ~~commerce~~ safety and professional services under ch. 101 or 145, and standards of a 1st class city relating to the health and safety of occupants of buildings.

SECTION 1275. 704.05 (5) (a) 2. of the statutes is amended to read:

704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail addressed to the tenant's last-known address, of the landlord's intent to dispose of the personal property by sale or other appropriate means if the property is not repossessed by the tenant. If the tenant fails to repossess the property within 30 days after the date of personal service or the date of the mailing of the notice, the landlord may dispose of the property by private or public sale or any other appropriate means. The landlord may deduct from the proceeds of sale any costs of sale and any storage charges if the landlord has first stored the personalty under subd. 1. If the proceeds minus the costs of sale and minus any storage charges are not claimed within 60 days after the date of the sale of the personalty, the landlord is not accountable to the tenant for any of the proceeds of the sale or the value of the property. The landlord shall send the proceeds of the sale minus the costs of the sale and minus any storage charges to the department of administration for deposit in the appropriation under s. ~~20.143 (2)~~ 20.490 (7) (h).

SECTION 1276. 709.03 (form) C. 8. of the statutes is amended to read:

709.03 (form)

- C. 8. I am aware of underground or aboveground fuel storage tanks on the property. (If "yes", the owner, by law, may have to register the tanks with the department of ~~commerce~~ safety and professional services at P.O. Box 7970, Madison, Wisconsin, 53707, whether the tanks are in use or not. Regulations of the department of ~~commerce~~ safety and professional services may require the closure or removal of unused tanks.

SECTION 1277. 893.925 (2) (a) of the statutes is amended to read:

893.925 (2) (a) An action to recover damages for mining-related injuries under s. 107.32 shall be brought within 3 years of the date on which the death or injury occurs unless the department of ~~commerce~~ safety and professional services gives written notice within the time specified in this subsection that a claim has been filed with it under sub. (1), in which case an action based on the claim may be brought against the person to whom the notice is given within one year after the final resolution, including any appeal, of the claim or within the time specified in this subsection, whichever is longer.

SECTION 1278. 895.07 (13) of the statutes is amended to read:

895.07 (13) BROCHURE. The department of ~~commerce~~ safety and professional services shall prepare a brochure explaining the process under this section and shall provide that brochure to contractors.

SECTION 1279. 895.441 (5) of the statutes is amended to read:

895.441 (5) SILENCE AGREEMENTS. Any provision in a contract or agreement relating to the settlement of any claim by a patient against a therapist that limits or eliminates the right of the patient to disclose sexual contact by the therapist to a subsequent therapist, the department of ~~regulation and licensing~~ safety and

professional services, the department of health services, the injured patients and families compensation fund peer review council, or a district attorney is void.

SECTION 1280. 938.78 (2) (g) of the statutes is amended to read:

938.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing information about an individual in its care or legal custody on the written request of the department of ~~regulation and licensing~~ safety and professional services or of any interested examining board or affiliated credentialing board in that department for use in any investigation or proceeding relating to any alleged misconduct by any person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457. Unless authorized by an order of the court, the department of ~~regulation and licensing~~ safety and professional services and any examining board or affiliated credentialing board in that department shall keep confidential any information obtained under this paragraph and may not disclose the name of or any other identifying information about the individual who is the subject of the information disclosed, except to the extent that redisclosure of that information is necessary for the conduct of the investigation or proceeding for which that information was obtained.

SECTION 1281. 940.20 (7) (a) 3. of the statutes is amended to read:

940.20 (7) (a) 3. "Health care provider" means any person who is licensed, registered, permitted or certified by the department of health services or the department of ~~regulation and licensing~~ safety and professional services to provide health care services in this state.

SECTION 1282. 940.207 (title) of the statutes is amended to read:

940.207 (title) Battery or threat to department of ~~commerce~~ safety and professional services or department of workforce development employee.

SECTION 1283. 940.207 (2) (intro.) of the statutes is amended to read:

940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to cause bodily harm to the person or family member of any department of ~~eommeree~~ safety and professional services or department of workforce development official, employee or agent under all of the following circumstances is guilty of a Class H felony:

SECTION 1284. 940.207 (2) (a) of the statutes is amended to read:

940.207 (2) (a) At the time of the act or threat, the actor knows or should have known that the victim is a department of ~~eommeree~~ safety and professional services or department of workforce development official, employee or agent or a member of his or her family.

SECTION 1285. 940.22 (1) (a) of the statutes is amended to read:

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

SECTION 1286. 961.01 (20g) of the statutes is amended to read:

961.01 (20g) "Public housing project" means any housing project or development administered by a housing authority, as defined in s. ~~560.9801~~ 234.5601 (2).

SECTION 1287. 961.36 (1m) of the statutes is amended to read:

961.36 (1m) At the request of the department of ~~regulation and licensing~~ safety and professional services or a board, examining board or affiliated credentialing board in the department of ~~regulation and licensing~~ safety and professional services, the controlled substances board shall provide advice and assistance in matters related to the controlled substances law to the department or to the board, examining

board or affiliated credentialing board in the department making the request for advice or assistance.

SECTION 1288. 978.05 (6) (b) of the statutes is amended to read:

978.05 (6) (b) Enforce the provisions of all general orders of the department of commerce safety and professional services relating to the sale, transportation and storage of explosives.

SECTION 9110. Nonstatutory provisions; Commerce.

(1) HOUSING ASSISTANCE TRANSFER.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, shall become the assets and liabilities of the Wisconsin Housing and Economic Development Authority.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, is transferred to the Wisconsin Housing and Economic Development Authority.

(c) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, remain in effect and are transferred to the Wisconsin Housing and Economic Development Authority. The Wisconsin Housing and Economic Development Authority shall carry out any obligations under

such a contract until the contract is modified or rescinded by the Wisconsin Housing and Economic Development Authority to the extent allowed under the contract.

(2) TRANSFER OF BUSINESS ASSISTANCE PROGRAMS.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to disabled veteran-owned business certifications, woman-owned business certifications, minority business certifications, women's business initiative corporation grants, small business innovation research assistance grants, or diesel truck idling reduction grants, as determined by the secretary of administration, shall become the assets and liabilities of the department of safety and professional services.

(b) *Employee transfers.* All positions and all incumbent employees holding those positions in the department of commerce performing duties primarily related to disabled veteran-owned business certifications, woman-owned business certifications, minority business certifications, women's business initiative corporation grants, small business innovation research assistance grants, or diesel truck idling reduction grants, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of safety and professional services.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of safety and professional services that they enjoyed in the department of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to disabled veteran-owned business certifications, woman-owned business certifications, minority business certifications, women's business initiative corporation grants, small business innovation research assistance grants, or diesel truck idling reduction grants, as determined by the secretary of administration, is transferred to the department of safety and professional services.

(e) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to disabled veteran-owned business certifications, woman-owned business certifications, minority business certifications, women's business initiative corporation grants, small business innovation research assistance grants, or diesel truck idling reduction grants, as determined by the secretary of administration, remain in effect and are transferred to the department of safety and professional services. The department of safety and professional services shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of safety and professional services to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the department of commerce that relate to disabled veteran-owned business certifications, woman-owned business certifications, minority business certifications, women's business initiative corporation grants, small business innovation research assistance grants, or diesel truck idling reduction grants, that are in effect on the effective date of this subsection, remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All orders issued

by the department of commerce relating to such business certifications or grants that are in effect on the effective date of this subsection remain in effect until their specified expiration dates or until modified or rescinded by the department of safety and professional services.

(g) *Pending matters.* Any matter pending with the department of commerce on the effective date of this paragraph that is primarily related to disabled veteran-owned business certifications, woman-owned business certifications, minority business certifications, women's business initiative corporation grants, small business innovation research assistance grants, or diesel truck idling reduction grants, as determined by the secretary of administration, is transferred to the department of safety and professional services and all materials submitted to or actions taken by the department of commerce with respect to the pending matters are considered as having been submitted to or taken by the department of safety and professional services.

(3) TRANSFER OF THE DIVISIONS OF SAFETY AND BUILDINGS AND ENVIRONMENTAL AND REGULATORY SERVICES.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, shall become the assets and liabilities of the department of safety and professional services.

(b) *Employee transfers.* All positions and all incumbent employees holding those positions in the department of commerce performing duties primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of

administration, are transferred on the effective date of this paragraph to the department of safety and professional services.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of safety and professional services that they enjoyed in the department of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, is transferred to the department of safety and professional services.

(e) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, remain in effect and are transferred to the department of safety and professional services. The department of safety and professional services shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of safety and professional services to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the department of commerce that are in effect on the effective date of this paragraph and that are primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of

administration, remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All orders issued by the department of commerce that are in effect on the effective date of this paragraph and that are primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, remain in effect until their specified expiration dates or until modified or rescinded by the department of safety and professional services.

(g) *Pending matters.* Any matter pending with the department of commerce on the effective date of this paragraph that is primarily related to the functions of the division of safety and buildings and the division of environmental and regulatory services, as determined by the secretary of administration, is transferred to the department of safety and professional services and all materials submitted to or actions taken by the department of commerce with respect to the pending matters are considered as having been submitted to or taken by the department of safety and professional services.

(4) TRANSFER OF CERTAIN ADMINISTRATIVE POSITIONS FROM THE DEPARTMENT OF COMMERCE.

(a) The positions, and the incumbent employees holding those positions, in the division of administrative services in the department of commerce that the secretary of administration determines shall be transferred to the department of safety and professional services, are transferred on the effective date of this paragraph.

(b) Employees transferred under paragraph (a) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of safety and professional services that they enjoyed in the department

of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(5) REALLOCATION OF FUNDING WITHIN THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES.

(a) In this subsection:

1. "Schedule" means the schedule under section 20.005 of the statutes, as affected by this act.

2. "Secretary" means the secretary of administration.

(b) Before July 1, 2013, the secretary may transfer moneys from any appropriation under section 20.165 of the statutes, as affected by this act, to any other appropriation under section 20.165 of the statutes, as affected by this act, and may increase or decrease the amounts shown in the schedule for any appropriation under section 20.165 of the statutes, as affected by this act, if necessary to reallocate funding in accordance with the transfer of functions or personnel from the department of commerce to the department of safety and professional services, except that the secretary may not adjust the amounts shown in the schedule in a manner so that the total amounts appropriated under the adjusted appropriations exceed the total amounts shown in the schedule for those appropriations on the effective date of this act. The secretary shall submit a report to the joint committee on finance before July 1, 2013, that identifies the actions taken by the secretary under this subsection.

(6) ECONOMIC DEVELOPMENT TRANSFER.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to the functions of the

department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009 stats., as determined by the secretary of administration, shall become the assets and liabilities of the Wisconsin Economic Development Corporation.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009 stats., except the tangible personal property, including records, transferred to the department of agriculture, trade and consumer protection under subsection (7) (a) and except the tangible personal property, including records, transferred to the department of administration under subsection (8) (b), as determined by the secretary of administration, is transferred to the Wisconsin Economic Development Corporation.

(c) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009 stats., as determined by the secretary of administration, remain in effect and are transferred to the Wisconsin Economic Development Corporation. The Wisconsin Economic Development Corporation shall carry out any obligations under such a contract until the contract is modified or rescinded by the Wisconsin Economic Development Corporation to the extent allowed under the contract.

(7) DAIRY MANUFACTURING FACILITY INVESTMENT CREDIT; TRANSFER.

(a) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department of commerce with respect to

section 560.207, 2009 stats., as determined by the secretary of administration, is transferred to the department of agriculture, trade and consumer protection.

(b) *Rules.* All rules promulgated by the department of commerce under section 560.207 (4), 2009 stats., that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the department of agriculture, trade and consumer protection.

(8) RURAL HOSPITAL LOAN GUARANTEE; TRANSFER.

(a) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department of commerce with respect to section 231.35, 2009 stats., as determined by the secretary of administration, is transferred to the department of administration.

(b) *Rules.* All rules promulgated by the department of commerce under section 231.35 (7), 2009 stats., that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the department of administration.

SECTION 9135. Nonstatutory provisions; Natural Resources.

(1) COMMERCIAL CONSTRUCTION SITE EROSION CONTROL.

(a) In this subsection, “commercial building site” means a building site for construction of public buildings and buildings that are places of employment.

(b) All rules promulgated by the department of natural resources under section 281.33 (3m), 2009 stats., related to erosion control for commercial building sites that are in effect on the effective date of this paragraph, as determined by the secretary of administration, remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All

orders issued by the department of natural resources that are in effect on the effective date of this paragraph and that are primarily related to erosion control for commercial building sites, as determined by the secretary of administration, remain in effect until their specified expiration dates or until modified or rescinded by the department of safety and professional services.

(c) Any matter pending with the department of natural resources on the effective date of this paragraph that is primarily related to its commercial building site erosion control responsibilities under section 281.33 (3m), 2009 stats., as determined by the secretary of administration, is transferred to the department of safety and professional services and all materials submitted to or actions taken by the department of natural resources with respect to the pending matters are considered as having been submitted to or taken by the department of safety and professional services.

(d) Any delegation of the authority to act under section 281.33 (3m), 2009 stats., made by the department of natural resources to a county, city, village, or town that is in effect on the effective date of this paragraph remains in effect until revoked by the department of safety and professional services.

SECTION 9153. Nonstatutory provisions; Veterans Affairs.

(1) STATE APPROVAL AGENCY DESIGNATION.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of veterans affairs primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, shall become the assets and liabilities of the department of safety and professional services.

(b) *Employee transfers.* All positions, and the incumbent employees holding those positions, in the department of veterans affairs performing duties primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the department of safety and professional services.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of safety and professional services that they enjoyed in the department of veterans affairs immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of veterans affairs that is primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, is transferred to the department of safety and professional services.

(e) *Contracts.* All contracts entered into by the department of veterans affairs in effect on the effective date of this paragraph that are primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, remain in effect and are transferred to the department of safety and professional services. The department of safety and professional services shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of safety and professional services to the extent allowed under the contract.

(f) *Rules and orders.* All rules promulgated by the department of veterans affairs that are in effect on the effective date of this paragraph and that are primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All orders issued by the department of veterans affairs that are in effect on the effective date of this paragraph and that are primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, remain in effect until their specified expiration dates or until modified or rescinded by the department of safety and professional services.

(g) *Pending matters.* Any matter pending with the department of veterans affairs on the effective date of this paragraph that is primarily related to functions as the state approval agency for the education of veterans and other eligible persons, as determined by the secretary of administration, is transferred to the department of safety and professional services and all materials submitted to or actions taken by the department of veterans affairs with respect to the pending matters are considered as having been submitted to or taken by the department of safety and professional services.

SECTION 9210. Fiscal changes; Commerce.

(1) ECONOMIC DEVELOPMENT TRANSFER. The unencumbered balances in the appropriation accounts under section 20.143 (1) (a), (b), (bk), (bt), (c), (cf), (d), (dr), (e), (em), (er), (ew), (fi), (fj), (fy), (g), (gc), (gh), (gm), (gv), (h), (hm), (hr), (ie), (ig), (io), (ir), (jp), (k), (k), (kb), (kc), (kf), (kg), (kh), (kj), and (kt) of the statutes are transferred to the appropriation account under section 20.192 (1) (k) of the statutes.

SECTION 9210

(2) ECONOMIC DEVELOPMENT TRANSFER; FEDERAL MONEYS. The unencumbered balances in the appropriation accounts under section 20.143 (1) (m), (mr), (n), and (o) of the statutes are transferred to the appropriation account under section 20.192 (1) (m) of the statutes.

(END)