



State of Wisconsin
2015 - 2016 LEGISLATURE

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2015 SENATE BILL 148

May 7, 2015 - Introduced by Senators GUDEX and TIFFANY, cosponsored by Representatives HUTTON, SPIROS, MURPHY, ROHRKASTE, NEYLON and ALLEN. Referred to Committee on Economic Development and Commerce.

1 **AN ACT** *to repeal* 13.94 (1) (ms), 19.42 (10) (sm), 19.42 (13) (om), 20.192, 20.490,
2 25.17 (70) (d), 106.16 (3), chapter 234 (title), 234.01 (1), 234.01 (2), 234.01 (3),
3 234.01 (4m), 234.01 (4n), 234.02, 234.03, 234.032, 234.08 (5), 234.08 (6), 234.13
4 (1), 234.13 (2), 234.17, 234.25, 234.255, 234.60 (4), 234.622 (2m), 234.65, 234.84
5 (1), 234.84 (5) (a), chapter 238 (title), subchapter I (title) of chapter 238
6 [precedes 238.01], 238.01 (intro.) and (1), 238.01 (2), 238.02, 238.03 (1), 238.04,
7 238.045, 238.05, 238.08, 238.125, 238.25 and 238.26; *to renumber* 234.01 (4),
8 234.01 (5), 234.01 (5k), 234.01 (7), 234.034, 234.05, 234.06, 234.08 (title), 234.08
9 (2), 234.08 (3), 234.08 (4), 234.08 (7), 234.19, 234.20, 234.23, 234.24, 234.26,
10 234.29, 234.30, 234.31, 234.32, 234.35, 234.36, 234.60 (title), 234.60 (3),
11 234.621, 234.622 (1), 234.622 (3), 234.622 (3m), 234.622 (4), 234.624,
12 subchapter II (title) of chapter 234 [precedes 234.67], 234.84 (title), 234.92,
13 subchapter III (title) of chapter 234 [precedes 234.94], 234.96, 234.98, 238.01
14 (3) and subchapter II (title) of chapter 238 [precedes 238.30]; *to renumber and*

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1 *amend* subchapter I (title) of chapter 234 [precedes 234.01], 234.01 (intro.),
2 234.01 (3m), 234.01 (5m), 234.01 (6), 234.01 (7m), 234.01 (8), 234.01 (9), 234.01
3 (10), 234.04, 234.07, 234.08 (1), 234.09, 234.10, 234.11, 234.12, 234.13 (intro.),
4 234.14, 234.15, 234.16, 234.165, 234.18, 234.21, 234.22, 234.265, 234.28,
5 234.40, 234.41, 234.42, 234.43, 234.44, 234.49, 234.50, 234.51, 234.52, 234.53,
6 234.54, 234.55, 234.59, 234.592, 234.60 (1), 234.60 (2), 234.60 (5), 234.60 (9),
7 234.605, 234.61, 234.622 (intro.), 234.622 (5), 234.622 (6), 234.622 (7), 234.623,
8 234.625, 234.626, 234.67, 234.75, 234.83, 234.84 (2), 234.84 (3), 234.84 (4),
9 234.84 (5) (b), 234.86, 234.88, 234.90, 234.905, 234.907, 234.91, 234.93,
10 234.932, 234.933, 234.94, 234.95, 234.97, 238.03 (title), 238.03 (2), 238.03 (3),
11 238.046, 238.06, 238.07, 238.09, 238.10, 238.11, 238.12, 238.127, 238.13,
12 238.133, 238.135, 238.15, 238.16, 238.17, 238.23, 238.30, 238.301, 238.302,
13 238.303, 238.304, 238.3045, 238.305, 238.306, 238.31, 238.315, 238.32,
14 238.325, 238.335, 238.34, 238.345, 238.35, 238.363, 238.365, 238.368, 238.37,
15 238.38, 238.385, 238.395, 238.397, 238.398, 238.399 and 238.3995; *to amend*
16 1.12 (1) (b), 7.33 (1) (c), 13.172 (1), 13.48 (10) (b) 6., 13.48 (12) (b) 5., 13.48 (13)
17 (a), 13.62 (2), 13.625 (9), 13.94 (1) (dr), 13.94 (1s) (c) 5., 13.94 (4) (a) 1., 13.95
18 (intro.), 15.137 (2) (a) 3m., 15.435 (1) (a) 1., 16.002 (2), 16.004 (4), 16.004 (5),
19 16.004 (12) (a), 16.01 (1), 16.045 (1) (a), 16.15 (1) (ab), 16.287 (2) (a), 16.41 (4),
20 16.417 (1) (b), 16.52 (7), 16.528 (1) (a), 16.53 (2), 16.54 (9) (a) 1., 16.70 (2), 16.765
21 (1), 16.765 (2), 16.765 (5), 16.765 (6), 16.765 (7) (intro.), 16.765 (7) (d), 16.765
22 (8), 16.838 (1) (b), 16.85 (2), 16.865 (8), 16.98 (1), 19.42 (10) (h), 19.42 (13) (g),
23 19.56 (2) (b) 6., 19.56 (3) (e) (intro.), 19.56 (3) (e) 1., 19.56 (3) (f), 19.57, 20.320
24 (2) (s), 20.320 (2) (x), 20.370 (2) (mr), 20.370 (9) (ny), 20.485 (3) (b), 20.485 (3)
25 (e), 23.167 (2) (intro.), 23.169 (1), 23.169 (2), 23.175 (1) (b), 25.17 (2) (c), 25.41

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1 (1), 25.41 (2), 25.50 (1) (d), 26.37 (1) (b), 26.37 (2), 30.121 (3w) (b), 34.01 (1), 34.01
2 (4), 36.09 (1) (am) (intro.), 36.11 (29r) (b) 1., 36.11 (29r) (b) 2., 36.25 (24), 38.04
3 (1m) (b) (intro.), 38.04 (10m) (a), 38.04 (10m) (b), 40.02 (54) (b), 40.05 (4) (b),
4 40.05 (4) (bm), 40.05 (5) (b) 4., 40.62 (2), 40.95 (1) (a) 1., 41.11 (1g) (b) (intro.),
5 41.11 (1r) (a), 41.11 (1r) (b), 41.60 (1) (c), 45.31 (2), 45.34 (1) (a) 2., 45.37 (6) (b),
6 46.28 (1) (a), 46.28 (3), 46.28 (4), 59.57 (1) (a), 60.23 (4) (c), 66.1015 (2) (intro.),
7 66.1103 (4m) (a) 1., 66.1103 (4m) (a) 2., 66.1103 (4m) (b), 66.1103 (4s) (a) 1.,
8 66.1103 (4s) (b) 3., 66.1103 (4s) (b) 4., 66.1103 (4s) (d), 66.1103 (10) (c), 66.1103
9 (10) (g), 66.1107 (2) (a), 66.1201 (16) (a), 66.1205 (3), 66.1213 (7) (b), 70.11 (4b)
10 (b), 70.11 (4b) (c), 70.11 (38r), 71.05 (1) (c) 1., 71.05 (1) (c) 1m., 71.05 (1) (c) 10.
11 a., 71.05 (1) (c) 12., 71.07 (2dm) (a) 1., 71.07 (2dm) (a) 3., 71.07 (2dm) (a) 4., 71.07
12 (2dm) (f) 1., 71.07 (2dm) (f) 2., 71.07 (2dm) (i), 71.07 (2dm) (j), 71.07 (2dm) (k),
13 71.07 (2dx) (a) 2., 71.07 (2dx) (a) 4., 71.07 (2dx) (b) (intro.), 2., 3., 4. and 5., 71.07
14 (2dx) (be), 71.07 (2dx) (bg), 71.07 (2dx) (c), 71.07 (2dx) (d), 71.07 (2dy) (a), 71.07
15 (2dy) (b), 71.07 (2dy) (c) 1., 71.07 (2dy) (c) 2., 71.07 (2dy) (d) 2., 71.07 (3g) (a)
16 (intro.), 71.07 (3g) (b), 71.07 (3g) (e) 2., 71.07 (3g) (f) 1., 71.07 (3g) (f) 2., 71.07
17 (3q) (a) 1., 71.07 (3q) (a) 2., 71.07 (3q) (b) (intro.), 71.07 (3q) (b) 1., 71.07 (3q) (b)
18 2., 71.07 (3q) (c) 2., 71.07 (3q) (c) 3., 71.07 (3w) (a) 2., 71.07 (3w) (a) 3., 71.07 (3w)
19 (a) 4., 71.07 (3w) (a) 5d., 71.07 (3w) (a) 5e., 71.07 (3w) (b) (intro.), 71.07 (3w) (b)
20 5., 71.07 (3w) (bm) 1., 71.07 (3w) (bm) 2., 71.07 (3w) (bm) 3., 71.07 (3w) (bm) 4.,
21 71.07 (3w) (c) 3., 71.07 (3w) (d), 71.07 (5b) (a) 2., 71.07 (5b) (b) 1., 71.07 (5b) (b)
22 2., 71.07 (5b) (d) 3., 71.07 (5d) (a) 1. (intro.), 71.07 (5d) (a) 2m., 71.07 (5d) (a) 3.,
23 71.07 (5d) (b) (intro.), 71.07 (5d) (b) 1., 71.07 (5d) (b) 2., 71.07 (5d) (c) 2., 71.07
24 (5d) (d) 1., 71.07 (9m) (c) (intro.), 71.26 (1) (be), 71.26 (1m) (e), 71.26 (1m) (em),
25 71.26 (1m) (k) 1., 71.26 (1m) (m), 71.28 (1) (a), 71.28 (1dm) (a) 1., 71.28 (1dm)

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1 (a) 3., 71.28 (1dm) (a) 4., 71.28 (1dm) (f) 1., 71.28 (1dm) (f) 2., 71.28 (1dm) (i),
2 71.28 (1dm) (j), 71.28 (1dm) (k), 71.28 (1dx) (a) 2., 71.28 (1dx) (a) 4., 71.28 (1dx)
3 (b) (intro.), 71.28 (1dx) (b) 2., 71.28 (1dx) (b) 3., 71.28 (1dx) (b) 4., 71.28 (1dx) (b)
4 5., 71.28 (1dx) (be), 71.28 (1dx) (bg), 71.28 (1dx) (c), 71.28 (1dx) (d), 71.28 (1dy)
5 (a), 71.28 (1dy) (b), 71.28 (1dy) (c) 1., 71.28 (1dy) (c) 2., 71.28 (1dy) (d) 2., 71.28
6 (3g) (a) (intro.), 71.28 (3g) (b), 71.28 (3g) (e) 2., 71.28 (3g) (f) 1., 71.28 (3g) (f) 2.,
7 71.28 (3q) (a) 1., 71.28 (3q) (a) 2., 71.28 (3q) (b), 71.28 (3q) (c) 2., 71.28 (3q) (c)
8 3., 71.28 (3w) (a) 2., 71.28 (3w) (a) 3., 71.28 (3w) (a) 4., 71.28 (3w) (a) 5d., 71.28
9 (3w) (a) 5e., 71.28 (3w) (b) (intro.), 71.28 (3w) (b) 5., 71.28 (3w) (bm) 1., 71.28
10 (3w) (bm) 2., 71.28 (3w) (bm) 3., 71.28 (3w) (bm) 4., 71.28 (3w) (c) 3., 71.28 (3w)
11 (d), 71.28 (4) (am) 1., 71.28 (4) (am) 2., 71.28 (5b) (a) 2., 71.28 (5b) (b) 1., 71.28
12 (5b) (b) 2., 71.28 (5b) (d) 3., 71.28 (6) (c) (intro.), 71.36 (1m) (b) 2., 71.36 (1m) (b)
13 5., 71.45 (1t) (e), 71.45 (1t) (em), 71.45 (1t) (k) 1., 71.45 (1t) (m), 71.47 (1) (a),
14 71.47 (1dm) (a) 1., 71.47 (1dm) (a) 3., 71.47 (1dm) (a) 4., 71.47 (1dm) (f) 1., 71.47
15 (1dm) (f) 2., 71.47 (1dm) (i), 71.47 (1dm) (j), 71.47 (1dm) (k), 71.47 (1dx) (a) 2.,
16 71.47 (1dx) (a) 4., 71.47 (1dx) (b) (intro.), 71.47 (1dx) (b) 2., 71.47 (1dx) (b) 3.,
17 71.47 (1dx) (b) 4., 71.47 (1dx) (b) 5., 71.47 (1dx) (be), 71.47 (1dx) (bg), 71.47 (1dx)
18 (c), 71.47 (1dx) (d), 71.47 (1dy) (a), 71.47 (1dy) (b), 71.47 (1dy) (c) 1., 71.47 (1dy)
19 (c) 2., 71.47 (1dy) (d) 2., 71.47 (3g) (a) (intro.), 71.47 (3g) (b), 71.47 (3g) (e) 2.,
20 71.47 (3g) (f) 1., 71.47 (3g) (f) 2., 71.47 (3q) (a) 1., 71.47 (3q) (a) 2., 71.47 (3q) (b)
21 (intro.), 71.47 (3q) (b) 1., 71.47 (3q) (b) 2., 71.47 (3q) (c) 2., 71.47 (3q) (c) 3., 71.47
22 (3w) (a) 2., 71.47 (3w) (a) 3., 71.47 (3w) (a) 4., 71.47 (3w) (a) 5d., 71.47 (3w) (a)
23 5e., 71.47 (3w) (b) (intro.), 71.47 (3w) (b) 5., 71.47 (3w) (bm) 1., 71.47 (3w) (bm)
24 2., 71.47 (3w) (bm) 3., 71.47 (3w) (bm) 4., 71.47 (3w) (c) 3., 71.47 (3w) (d), 71.47
25 (4) (am), 71.47 (5b) (a) 2., 71.47 (5b) (b) 1., 71.47 (5b) (b) 2., 71.47 (5b) (d) 3., 71.47

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1 (6) (c) (intro.), 71.78 (4) (m), 73.03 (35), 73.03 (35m), 73.03 (63), 75.106 (1) (a),
2 76.636 (1) (b) 1., 76.636 (1) (b) 2., 76.636 (1) (b) 3., 76.636 (1) (b) 4., 76.636 (1)
3 (d), 76.636 (2) (intro.), 76.636 (2) (b), 76.636 (2) (c), 76.636 (2) (d), 76.636 (2) (e),
4 76.636 (4) (intro.), 76.636 (5), 76.636 (6), 76.637 (1), 76.637 (2), 76.637 (3),
5 76.637 (4), 76.638 (1), 76.638 (2), 77.54 (9a) (a), 79.04 (7) (a), 84.01 (6m) (b)
6 (intro.), 84.01 (11m) (a), 84.01 (11m) (b), 85.25 (2) (a), 93.07 (3), 93.07 (18) (b)
7 (intro.), 93.07 (20) (a), 93.07 (20) (b), 93.33 (5) (intro.), 93.42 (5), 100.45 (1) (dm),
8 106.16 (2), 106.27 (2m), 109.09 (2) (c) 1. a., 114.31 (6), 196.49 (4), 196.491 (3) (a)
9 2m. b., 196.491 (3) (d) 8., 224.71 (1br) (intro.), 230.03 (3), 281.625 (2), 281.625
10 (3), 281.625 (4), 281.625 (5), 281.75 (4) (b) 3., 285.59 (1) (b), 292.11 (7) (d) 1m.
11 b., 292.255, 292.63 (4) (cc) 2. b., 600.01 (1) (b) 8. and 620.25 (2); and **to create**
12 20.885, chapter 235 (title) and subchapter I of chapter 235 [precedes 235.001],
13 235.001, 235.01, 235.011, 235.012, 235.013, 235.0255 (2), 235.028, subchapter
14 II (title) of chapter 235 [precedes 235.03], 235.03 (3) (ad), (ah), (ap) and (at),
15 235.04, 235.402, 235.403 (7) and 235.404 (6) of the statutes; **relating to:**
16 merger of the Wisconsin Economic Development Corporation and the
17 Wisconsin Housing and Economic Development Authority and, as the successor
18 of those entities, creation of the Forward Wisconsin Development Authority,
19 establishment of the Wisconsin housing finance fund, accounting and reporting

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1 requirements for recipients of economic development grants or loans, and
2 making appropriations.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT

HOUSING AND ECONOMIC DEVELOPMENT

Under current law, the Wisconsin Economic Development Corporation (WEDC) is an authority, which is a public body corporate and politic, that has as its primary function the development, implementation, and administration of economic development programs in Wisconsin. Also under current law, the Wisconsin Housing and Economic Development Authority (WHEDA) is an authority whose primary function is to establish and administer housing programs in Wisconsin, especially housing programs for persons and families of low and moderate income. Like WEDC, WHEDA is also tasked with developing, implementing, and administering economic development programs in the state.

This bill merges WEDC and WHEDA into a new, successor authority to be known as the Forward Wisconsin Development Authority (authority). Under the bill, the authority is governed by a 12-member board of directors (board). Eight members of the board are public members nominated by the governor and appointed with the advice and consent of the senate to serve four-year terms. Two members of the board are appointed by the speaker of the assembly, consisting of one majority and one minority party assembly representative, and two members of the board are appointed by the senate majority leader, consisting of one majority and one minority party senator.

The bill also requires the governor to nominate a chief executive officer and chief operating officer of the authority. The chief executive officer must be approved by the board and appointed with the advice and consent of the senate. The chief operating officer is appointed upon approval of the board. Both officers serve at the pleasure of the governor. The board may delegate to the chief executive officer and the chief operating officer any powers and duties the board considers proper.

Under the bill, the board has all powers necessary or convenient to carry out the authority's purposes and other powers specified in the bill. The bill generally does not alter the existing housing and economic development programs that will be administered by the new authority, except as follows. Under current law, a recipient of a WEDC grant or loan of at least \$100,000 must provide WEDC a schedule of expenditures within 120 days after the end of the fiscal year in which the grant or loan funds were expended and must engage an independent certified public accountant to determine whether the grant or loan funds and any matching cash or in-kind match were expended in accordance with the grant or loan contract.

Under the bill, any recipient of a grant or loan under an economic development program administered by the authority, regardless of the amount of the grant or loan, must, within the timeframe specified above or at a different time established in policies and procedures approved by the board, submit to the authority an

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attestation verifying that the grant or loan funds and any matching cash or in-kind match were expended in accordance with the grant or loan contract. The grant or loan recipient must make the documents supporting the attestation available for inspection by the authority. Additionally, the bill requires a recipient of an economic development grant or loan of at least \$500,000 to engage an independent certified public accountant to determine whether the grant or loan funds and any matching cash or in-kind match were expended in accordance with the grant or loan contract. The bill exempts from all of these requirements a state department, independent agency, or authority and the University of Wisconsin System.

The bill also establishes a Wisconsin housing finance fund under the jurisdiction and control of the authority. The primary purpose of fund is to segregate the authority's assets in connection with the authority's housing-related purposes. The bill transfers most of WHEDA's assets to the Wisconsin housing finance fund.

For further information see the *state* 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:

1 **SECTION 1.** 1.12 (1) (b) of the statutes is amended to read:

2 1.12 (1) (b) "State agency" means an office, department, agency, institution of
3 higher education, the legislature, a legislative service agency, the courts, a judicial
4 branch agency, an association, society, or other body in state government that is
5 created or authorized to be created by the constitution or by law, for which
6 appropriations are made by law, excluding the ~~Wisconsin Economic Development~~
7 ~~Corporation~~ Forward Wisconsin Development Authority.

8 **SECTION 2.** 7.33 (1) (c) of the statutes is amended to read:

9 7.33 (1) (c) "State agency" has the meaning given under s. 20.001 (1) and
10 includes an authority created under subch. II of ch. 114 or ch. 231, 232, 233, 234, or
11 237.

12 **SECTION 3.** 13.172 (1) of the statutes is amended to read:

13 13.172 (1) In this section, "agency" means an office, department, agency,
14 institution of higher education, association, society, or other body in state

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1 government created or authorized to be created by the constitution or any law, that
2 is entitled to expend moneys appropriated by law, including the legislature and the
3 courts, and any authority created in subch. II of ch. 114 or in ch. 231, 233, ~~234, 238~~
4 235, or 279.

5 **SECTION 4.** 13.48 (10) (b) 6. of the statutes is amended to read:

6 13.48 (10) (b) 6. Projects of the ~~Wisconsin Economic Development Corporation~~
7 Forward Wisconsin Development Authority.

8 **SECTION 5.** 13.48 (12) (b) 5. of the statutes is amended to read:

9 13.48 (12) (b) 5. A facility constructed by or for the ~~Wisconsin Economic~~
10 ~~Development Corporation~~ Forward Wisconsin Development Authority.

11 **SECTION 6.** 13.48 (13) (a) of the statutes is amended to read:

12 13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or
13 facility that is constructed for the benefit of or use of the state, any state agency,
14 board, commission or department, the University of Wisconsin Hospitals and Clinics
15 Authority, the Fox River Navigational System Authority, the ~~Wisconsin Economic~~
16 ~~Development Corporation~~ Forward Wisconsin Development Authority, or any local
17 professional baseball park district created under subch. III of ch. 229 if the
18 construction is undertaken by the department of administration on behalf of the
19 district, shall be in compliance with all applicable state laws, rules, codes and
20 regulations but the construction is not subject to the ordinances or regulations of the
21 municipality in which the construction takes place except zoning, including without
22 limitation because of enumeration ordinances or regulations relating to materials
23 used, permits, supervision of construction or installation, payment of permit fees, or
24 other restrictions.

25 **SECTION 7.** 13.62 (2) of the statutes is amended to read:

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1 13.62 (2) “Agency” means any board, commission, department, office, society,
2 institution of higher education, council, or committee in the state government, or any
3 authority created in subch. II of ch. 114 or in ch. 231, 232, 233, ~~234~~ 235, 237, ~~238~~, or
4 279, except that the term does not include a council or committee of the legislature.

5 **SECTION 8.** 13.625 (9) of the statutes is amended to read:

6 13.625 (9) This section does not apply to the solicitation, acceptance, or
7 furnishing of anything of pecuniary value by the ~~Wisconsin Economic Development~~
8 ~~Corporation~~ Forward Wisconsin Development Authority, or to a principal furnishing
9 anything of pecuniary value to the ~~Wisconsin Economic Development Corporation~~
10 Forward Wisconsin Development Authority, under s. 19.56 (3) (e) or (f) for the
11 activities specified in s. 19.56 (3) (e).

12 **SECTION 9.** 13.94 (1) (dr) of the statutes is amended to read:

13 13.94 (1) (dr) Biennially, beginning in ~~2013~~ 2017, conduct a ~~financial audit of~~
14 ~~the Wisconsin Economic Development Corporation and a~~ program evaluation audit
15 of the economic development programs administered by the ~~Wisconsin Economic~~
16 ~~Development Corporation under ch. 238~~ Forward Wisconsin Development Authority
17 and funded by moneys appropriated under s. 20.885 or another appropriation. The
18 legislative audit bureau shall file a copy of each audit report under this paragraph
19 with the distributees specified in par. (b).

20 **SECTION 10.** 13.94 (1) (ms) of the statutes is repealed.

21 **SECTION 11.** 13.94 (1s) (c) 5. of the statutes is amended to read:

22 13.94 (1s) (c) 5. The ~~Wisconsin Economic Development Corporation~~ Forward
23 Wisconsin Development Authority for the cost of the audit required to be performed
24 under sub. (1) (dr).

25 **SECTION 12.** 13.94 (4) (a) 1. of the statutes is amended to read:

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1 13.94 (4) (a) 1. Every state department, board, examining board, affiliated
2 credentialing board, commission, independent agency, council or office in the
3 executive branch of state government; all bodies created by the legislature in the
4 legislative or judicial branch of state government; any public body corporate and
5 politic created by the legislature including specifically the Fox River Navigational
6 System Authority, the Lower Fox River Remediation Authority, the Wisconsin
7 Aerospace Authority, the ~~Wisconsin Economic Development Corporation~~ Forward
8 Wisconsin Development Authority, a professional baseball park district, a local
9 professional football stadium district, a local cultural arts district and a long-term
10 care district under s. 46.2895; every Wisconsin works agency under subch. III of ch.
11 49; every provider of medical assistance under subch. IV of ch. 49; technical college
12 district boards; every county department under s. 51.42 or 51.437; every nonprofit
13 corporation or cooperative or unincorporated cooperative association to which
14 moneys are specifically appropriated by state law; and every corporation, institution,
15 association or other organization which receives more than 50% of its annual budget
16 from appropriations made by state law, including subgrantee or subcontractor
17 recipients of such funds.

18 **SECTION 13.** 13.95 (intro.) of the statutes is amended to read:

19 **13.95 Legislative fiscal bureau.** (intro.) There is created a bureau to be
20 known as the "Legislative Fiscal Bureau" headed by a director. The fiscal bureau
21 shall be strictly nonpartisan and shall at all times observe the confidential nature
22 of the research requests received by it; however, with the prior approval of the
23 requester in each instance, the bureau may duplicate the results of its research for
24 distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director's
25 designated employees shall at all times, with or without notice, have access to all

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1 state agencies, the University of Wisconsin Hospitals and Clinics Authority, the
2 Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the
3 ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin Development
4 Authority, and the Fox River Navigational System Authority, and to any books,
5 records, or other documents maintained by such agencies or authorities and relating
6 to their expenditures, revenues, operations, and structure.

7 **SECTION 14.** 15.137 (2) (a) 3m. of the statutes is amended to read:

8 15.137 (2) (a) 3m. The chief executive officer of the ~~Wisconsin Economic~~
9 ~~Development Corporation~~ Forward Wisconsin Development Authority or his or her
10 designee.

11 **SECTION 15.** 15.435 (1) (a) 1. of the statutes is amended to read:

12 15.435 (1) (a) 1. The chief executive officer of the ~~Wisconsin Economic~~
13 ~~Development Corporation~~ Forward Wisconsin Development Authority and the
14 secretary of revenue or their designees.

15 **SECTION 16.** 16.002 (2) of the statutes is amended to read:

16 16.002 (2) "Departments" means constitutional offices, departments, and
17 independent agencies and includes all societies, associations, and other agencies of
18 state government for which appropriations are made by law, but not including
19 authorities created in subch. II of ch. 114 or in ch. 231, 232, 233, ~~234~~ 235, 237, ~~238~~,
20 or 279.

21 **SECTION 17.** 16.004 (4) of the statutes is amended to read:

22 16.004 (4) FREEDOM OF ACCESS. The secretary and such employees of the
23 department as the secretary designates may enter into the offices of state agencies
24 and authorities created under subch. II of ch. 114 and under chs. 231, 233, ~~234~~ 235,
25 237, ~~238~~, and 279, and may examine their books and accounts and any other matter

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1 that in the secretary's judgment should be examined and may interrogate the
2 agency's employees publicly or privately relative thereto.

3 **SECTION 18.** 16.004 (5) of the statutes is amended to read:

4 16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and
5 authorities created under subch. II of ch. 114 and under chs. 231, 233, ~~234~~ 235, 237,
6 ~~238~~, and 279, and their officers and employees, shall cooperate with the secretary
7 and shall comply with every request of the secretary relating to his or her functions.

8 **SECTION 19.** 16.004 (12) (a) of the statutes is amended to read:

9 16.004 (12) (a) In this subsection, "state agency" means an association,
10 authority, board, department, commission, independent agency, institution, office,
11 society, or other body in state government created or authorized to be created by the
12 constitution or any law, including the legislature, the office of the governor, and the
13 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,
14 the Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the
15 ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin Development
16 Authority, and the Fox River Navigational System Authority.

17 **SECTION 20.** 16.01 (1) of the statutes is amended to read:

18 16.01 (1) In this section, "agency" means any office, department, agency,
19 institution of higher education, association, society, or other body in state
20 government created or authorized to be created by the constitution or any law which
21 is entitled to expend moneys appropriated by law, including the legislature and the
22 courts, and any authority created under subch. II of ch. 114 or ch. 231, 233, or ~~234~~
23 235.

24 **SECTION 21.** 16.045 (1) (a) of the statutes is amended to read:

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1 16.045 (1) (a) “Agency” means an office, department, independent agency,
2 institution of higher education, association, society, or other body in state
3 government created or authorized to be created by the constitution or any law, that
4 is entitled to expend moneys appropriated by law, including the legislature and the
5 courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 232,
6 233, ~~234~~ 235, 237, ~~238~~, or 279.

7 **SECTION 22.** 16.15 (1) (ab) of the statutes is amended to read:

8 16.15 (1) (ab) “Authority” has the meaning given under s. 16.70 (2), but
9 excludes the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox
10 River Remediation Authority, and the ~~Wisconsin Economic Development~~
11 ~~Corporation~~ Forward Wisconsin Development Authority.

12 **SECTION 23.** 16.287 (2) (a) of the statutes is amended to read:

13 16.287 (2) (a) For the purposes of ss. 16.75 (3m), 16.855 (10m), 16.87 (2), 18.16,
14 18.64, 18.77, 25.185, 119.495 (2), 200.57, and 231.27 ~~and 234.35~~, the department
15 shall establish and periodically update a list of certified minority businesses,
16 minority financial advisers and minority investment firms. Any business, financial
17 adviser or investment firm may apply to the department for certification. For
18 purposes of this paragraph, unless the context otherwise requires, a “business”
19 includes a financial adviser or investment firm.

20 **SECTION 24.** 16.41 (4) of the statutes is amended to read:

21 16.41 (4) In this section, “authority” means a body created under subch. II of
22 ch. 114 or under ch. 231, 233, ~~234~~ 235, 237, ~~238~~, or 279.

23 **SECTION 25.** 16.417 (1) (b) of the statutes is amended to read:

24 16.417 (1) (b) “Authority” means a body created under subch. II of ch. 114 or
25 ch. 231, 232, 233, ~~234~~ 235, 237, ~~238~~, or 279.

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1 **SECTION 26.** 16.52 (7) of the statutes is amended to read:

2 16.52 (7) PETTY CASH ACCOUNT. With the approval of the secretary, each agency
3 that is authorized to maintain a contingent fund under s. 20.920 may establish a
4 petty cash account from its contingent fund. The procedure for operation and
5 maintenance of petty cash accounts and the character of expenditures therefrom
6 shall be prescribed by the secretary. In this subsection, “agency” means an office,
7 department, independent agency, institution of higher education, association,
8 society, or other body in state government created or authorized to be created by the
9 constitution or any law, that is entitled to expend moneys appropriated by law,
10 including the legislature and the courts, but not including an authority created in
11 subch. II of ch. 114 or in ch. 231, 233, ~~234~~ 235, 237, ~~238~~, or 279.

12 **SECTION 27.** 16.528 (1) (a) of the statutes is amended to read:

13 16.528 (1) (a) “Agency” means an office, department, independent agency,
14 institution of higher education, association, society, or other body in state
15 government created or authorized to be created by the constitution or any law, that
16 is entitled to expend moneys appropriated by law, including the legislature and the
17 courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 233,
18 ~~234~~ 235, 237, ~~238~~, or 279.

19 **SECTION 28.** 16.53 (2) of the statutes is amended to read:

20 16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed
21 invoice, the agency shall notify the sender of the invoice within 10 working days after
22 it receives the invoice of the reason it is improperly completed. In this subsection,
23 “agency” means an office, department, independent agency, institution of higher
24 education, association, society, or other body in state government created or
25 authorized to be created by the constitution or any law, that is entitled to expend

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1 moneys appropriated by law, including the legislature and the courts, but not
2 including an authority created in subch. II of ch. 114 or in ch. 231, 233, ~~234~~ 235, 237,
3 ~~238~~, or 279.

4 **SECTION 29.** 16.54 (9) (a) 1. of the statutes is amended to read:

5 16.54 (9) (a) 1. “Agency” means an office, department, independent agency,
6 institution of higher education, association, society or other body in state
7 government created or authorized to be created by the constitution or any law, which
8 is entitled to expend moneys appropriated by law, including the legislature and the
9 courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 233,
10 ~~234~~ 235, 237, ~~238~~, or 279.

11 **SECTION 30.** 16.70 (2) of the statutes is amended to read:

12 16.70 (2) “Authority” means a body created under subch. II of ch. 114 or under
13 ch. 231, 232, 233, ~~234~~, 237, or 279.

14 **SECTION 31.** 16.765 (1) of the statutes is amended to read:

15 16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and
16 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
17 Aerospace Authority, the Lower Fox River Remediation Authority, ~~the Wisconsin~~
18 ~~Economic Development Corporation~~, and the Bradley Center Sports and
19 Entertainment Corporation shall include in all contracts executed by them a
20 provision obligating the contractor not to discriminate against any employee or
21 applicant for employment because of age, race, religion, color, handicap, sex, physical
22 condition, developmental disability as defined in s. 51.01 (5), sexual orientation as
23 defined in s. 111.32 (13m), or national origin and, except with respect to sexual
24 orientation, obligating the contractor to take affirmative action to ensure equal
25 employment opportunities.

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1 **SECTION 32.** 16.765 (2) of the statutes is amended to read:

2 16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and
3 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
4 Aerospace Authority, the Lower Fox River Remediation Authority, ~~the Wisconsin~~
5 ~~Economic Development Corporation,~~ and the Bradley Center Sports and
6 Entertainment Corporation shall include the following provision in every contract
7 executed by them: "In connection with the performance of work under this contract,
8 the contractor agrees not to discriminate against any employee or applicant for
9 employment because of age, race, religion, color, handicap, sex, physical condition,
10 developmental disability as defined in s. 51.01 (5), sexual orientation or national
11 origin. This provision shall include, but not be limited to, the following: employment,
12 upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or
13 termination; rates of pay or other forms of compensation; and selection for training,
14 including apprenticeship. Except with respect to sexual orientation, the contractor
15 further agrees to take affirmative action to ensure equal employment opportunities.
16 The contractor agrees to post in conspicuous places, available for employees and
17 applicants for employment, notices to be provided by the contracting officer setting
18 forth the provisions of the nondiscrimination clause".

19 **SECTION 33.** 16.765 (5) of the statutes is amended to read:

20 16.765 (5) The head of each contracting agency and the boards of directors of
21 the University of Wisconsin Hospitals and Clinics Authority, the Fox River
22 Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox
23 River Remediation Authority, ~~the Wisconsin Economic Development Corporation,~~
24 and the Bradley Center Sports and Entertainment Corporation shall be primarily
25 responsible for obtaining compliance by any contractor with the nondiscrimination

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1 and affirmative action provisions prescribed by this section, according to procedures
2 recommended by the department. The department shall make recommendations to
3 the contracting agencies and the boards of directors of the University of Wisconsin
4 Hospitals and Clinics Authority, the Fox River Navigational System Authority, the
5 Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, ~~the~~
6 ~~Wisconsin Economic Development Corporation,~~ and the Bradley Center Sports and
7 Entertainment Corporation for improving and making more effective the
8 nondiscrimination and affirmative action provisions of contracts. The department
9 shall promulgate such rules as may be necessary for the performance of its functions
10 under this section.

11 **SECTION 34.** 16.765 (6) of the statutes is amended to read:

12 16.765 (6) The department may receive complaints of alleged violations of the
13 nondiscrimination provisions of such contracts. The department shall investigate
14 and determine whether a violation of this section has occurred. The department may
15 delegate this authority to the contracting agency, the University of Wisconsin
16 Hospitals and Clinics Authority, the Fox River Navigational System Authority, the
17 Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, ~~the~~
18 ~~Wisconsin Economic Development Corporation,~~ or the Bradley Center Sports and
19 Entertainment Corporation for processing in accordance with the department's
20 procedures.

21 **SECTION 35.** 16.765 (7) (intro.) of the statutes is amended to read:

22 16.765 (7) (intro.) When a violation of this section has been determined by the
23 department, the contracting agency, the University of Wisconsin Hospitals and
24 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
25 Aerospace Authority, the Lower Fox River Remediation Authority, ~~the Wisconsin~~

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1 ~~Economic Development Corporation~~, or the Bradley Center Sports and
2 Entertainment Corporation, the contracting agency, the University of Wisconsin
3 Hospitals and Clinics Authority, the Fox River Navigational System Authority, the
4 Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the
5 ~~Wisconsin Economic Development Corporation~~, or the Bradley Center Sports and
6 Entertainment Corporation shall:

7 **SECTION 36.** 16.765 (7) (d) of the statutes is amended to read:

8 16.765 (7) (d) Direct the violating party to take immediate steps to prevent
9 further violations of this section and to report its corrective action to the contracting
10 agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River
11 Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox
12 River Remediation Authority, ~~the Wisconsin Economic Development Corporation~~, or
13 the Bradley Center Sports and Entertainment Corporation.

14 **SECTION 37.** 16.765 (8) of the statutes is amended to read:

15 16.765 (8) If further violations of this section are committed during the term
16 of the contract, the contracting agency, the Fox River Navigational System Authority,
17 the Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the
18 ~~Wisconsin Economic Development Corporation~~, or the Bradley Center Sports and
19 Entertainment Corporation may permit the violating party to complete the contract,
20 after complying with this section, but thereafter the contracting agency, the Fox
21 River Navigational System Authority, the Wisconsin Aerospace Authority, the Lower
22 Fox River Remediation Authority, ~~the Wisconsin Economic Development~~
23 ~~Corporation~~, or the Bradley Center Sports and Entertainment Corporation shall
24 request the department to place the name of the party on the ineligible list for state
25 contracts, or the contracting agency, the Fox River Navigational System Authority,

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1 the Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the
2 Wisconsin Economic Development Corporation, or the Bradley Center Sports and
3 Entertainment Corporation may terminate the contract without liability for the
4 uncompleted portion or any materials or services purchased or paid for by the
5 contracting party for use in completing the contract.

6 **SECTION 38.** 16.838 (1) (b) of the statutes is amended to read:

7 16.838 (1) (b) “Authority” means a body created under subch. II of ch. 114 or
8 ch. 231, 232, 233, ~~234~~, or 237.

9 **SECTION 39.** 16.85 (2) of the statutes is amended to read:

10 16.85 (2) To furnish engineering, architectural, project management, and other
11 building construction services whenever requisitions therefor are presented to the
12 department by any agency. The department may deposit moneys received from the
13 provision of these services in the account under s. 20.505 (1) (kc) or in the general
14 fund as general purpose revenue — earned. In this subsection, “agency” means an
15 office, department, independent agency, institution of higher education, association,
16 society, or other body in state government created or authorized to be created by the
17 constitution or any law, which is entitled to expend moneys appropriated by law,
18 including the legislature and the courts, but not including an authority created in
19 subch. II of ch. 114 or in ch. 231, 233, ~~234~~ 235, 237, ~~238~~, or 279.

20 **SECTION 40.** 16.865 (8) of the statutes is amended to read:

21 16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a
22 proportionate share of the estimated costs attributable to programs administered by
23 the agency to be paid from the appropriation under s. 20.505 (2) (k). The department
24 may charge premiums to agencies to finance costs under this subsection and pay the
25 costs from the appropriation on an actual basis. The department shall deposit all

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1 collections under this subsection in the appropriation account under s. 20.505 (2) (k).
2 Costs assessed under this subsection may include judgments, investigative and
3 adjustment fees, data processing and staff support costs, program administration
4 costs, litigation costs, and the cost of insurance contracts under sub. (5). In this
5 subsection, “agency” means an office, department, independent agency, institution
6 of higher education, association, society, or other body in state government created
7 or authorized to be created by the constitution or any law, that is entitled to expend
8 moneys appropriated by law, including the legislature and the courts, but not
9 including an authority created in subch. II of ch. 114 or in ch. 231, 232, 233, ~~234~~ 235,
10 ~~237~~, ~~238~~, or 279.

11 **SECTION 41.** 16.98 (1) of the statutes is amended to read:

12 16.98 (1) The department shall engage in such activities as the secretary deems
13 necessary to ensure the maximum utilization of federal resources by state agencies
14 and institutions and other eligible organizations and units of government, including
15 community development corporations as defined in s. ~~234.94~~ 235.94 (2). The
16 department shall acquire excess and surplus real and personal property at such cost
17 to the recipient as is necessary to amortize expenditures for transportation, packing,
18 crating, handling and program overhead, except that the department may transfer
19 any excess or surplus personal property to the department of tourism, upon request
20 of the department of tourism, at no cost, subject to any limitation or restriction
21 imposed by federal law.

22 **SECTION 42.** 19.42 (10) (h) of the statutes is amended to read:

23 19.42 (10) (h) The members of the board of directors and employees of the
24 Forward Wisconsin Housing and Economic Development Authority, except clerical
25 employees.

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1 **SECTION 43.** 19.42 (10) (sm) of the statutes is repealed.

2 **SECTION 44.** 19.42 (13) (g) of the statutes is amended to read:

3 19.42 (13) (g) The members of the board of directors and employees of the
4 Forward Wisconsin Housing and Economic Development Authority, except clerical
5 employees.

6 **SECTION 45.** 19.42 (13) (om) of the statutes is repealed.

7 **SECTION 46.** 19.56 (2) (b) 6. of the statutes is amended to read:

8 19.56 (2) (b) 6. Is made available to the official by the ~~Wisconsin Economic~~
9 ~~Development Corporation~~ Forward Wisconsin Development Authority or the
10 department of tourism in accordance with sub. (3) (e), (em) or (f).

11 **SECTION 47.** 19.56 (3) (e) (intro.) of the statutes is amended to read:

12 19.56 (3) (e) (intro.) A state public official who is an officer or employee of the
13 ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin Development
14 Authority may solicit, receive and retain on behalf of the state anything of value for
15 the purpose of any of the following:

16 **SECTION 48.** 19.56 (3) (e) 1. of the statutes is amended to read:

17 19.56 (3) (e) 1. The sponsorship by the ~~Wisconsin Economic Development~~
18 ~~Corporation~~ Forward Wisconsin Development Authority of a trip to a foreign country
19 primarily to promote trade between that country and this state that the ~~Wisconsin~~
20 ~~Economic Development Corporation~~ Forward Wisconsin Development Authority can
21 demonstrate through clear and convincing evidence is primarily for the benefit of
22 this state.

23 **SECTION 49.** 19.56 (3) (f) of the statutes is amended to read:

24 19.56 (3) (f) A state public official may receive and retain from the ~~Wisconsin~~
25 ~~Economic Development Corporation~~ Forward Wisconsin Development Authority

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1 anything of value which the ~~Wisconsin Economic Development Corporation~~ Forward
2 Wisconsin Development Authority is authorized to provide under par. (e) and may
3 receive and retain from the department of tourism anything of value which the
4 department of tourism is authorized to provide under par. (em).

5 **SECTION 50.** 19.57 of the statutes is amended to read:

6 **19.57 Conferences, visits and economic development activities.** The
7 ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin Development
8 Authority shall file a report with the board no later than April 30 annually, specifying
9 the source and amount of anything of value received by the ~~Wisconsin Economic~~
10 ~~Development Corporation~~ Forward Wisconsin Development Authority during the
11 preceding calendar year for a purpose specified in s. 19.56 (3) (e), and the program
12 or activity in connection with which the thing is received, together with the location
13 and date of that program or activity.

14 **SECTION 51.** 20.192 of the statutes is repealed.

15 **SECTION 52.** 20.320 (2) (s) of the statutes is amended to read:

16 20.320 (2) (s) *Safe drinking water loan programs financial assistance.* From
17 the environmental improvement fund, a sum sufficient for financial assistance
18 under the safe drinking water loan program under s. 281.61, for other drinking water
19 quality activities under s. 281.62 and to transfer funds to the Wisconsin drinking
20 water reserve fund under s. ~~234.933~~ 235.933, as authorized under s. 281.625 (4).

21 **SECTION 53.** 20.320 (2) (x) of the statutes is amended to read:

22 20.320 (2) (x) *Safe drinking water loan programs financial assistance; federal.*
23 From the safe drinking water loan program federal revolving loan fund account in
24 the environmental improvement fund, all moneys received from the federal
25 government to provide financial assistance under the safe drinking water loan

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1 program under s. 281.61, for other drinking water quality activities under s. 281.62
2 and for drinking water loan guarantees under s. ~~234.86~~ 235.86, as authorized by the
3 governor under s. 16.54, for financial assistance under the safe drinking water loan
4 program under s. 281.61, other drinking water quality activities under s. 281.62 and
5 to transfer funds to the Wisconsin drinking water reserve fund under s. ~~234.933~~
6 235.933, as authorized under s. 281.625 (4).

7 **SECTION 54.** 20.370 (2) (mr) of the statutes is amended to read:

8 20.370 (2) (mr) *General program operations — brownfields.* From the
9 environmental fund, the amounts in the schedule for administration of activities
10 related to brownfields, as defined in s. ~~238.13~~ 235.13 (1) (a).

11 **SECTION 55.** 20.370 (9) (ny) of the statutes is amended to read:

12 20.370 (9) (ny) *Aids administration — safe drinking water loan programs;*
13 *federal funds.* From the safe drinking water loan program federal revolving loan
14 fund account in the environmental improvement fund, all moneys received from the
15 federal government to administer the safe drinking water loan program, as
16 authorized by the governor under s. 16.54, for the administration of the safe drinking
17 water loan program under s. 281.59 or 281.61, the drinking water loan guarantee
18 program under ss. ~~234.86~~ 235.86 and 281.625 and other drinking water quality
19 activities under s. 281.62.

20 **SECTION 56.** 20.485 (3) (b) of the statutes is amended to read:

21 20.485 (3) (b) *Self insurance.* A sum sufficient to cover deficiencies in the
22 amounts necessary to repay principal and interest on veterans housing loans made
23 under s. 45.37 and financed by bonds sold under s. ~~234.40~~ 235.409.

24 **SECTION 57.** 20.485 (3) (e) of the statutes is amended to read:

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1 20.485 (3) (e) *General program deficiency*. A sum sufficient to pay any general
2 program deficiency under s. 45.37, including any deficiency in the capital reserve
3 fund requirement under s. ~~234.42~~ 235.42.

4 **SECTION 58.** 20.490 of the statutes is repealed.

5 **SECTION 59.** 20.885 of the statutes is created to read:

6 **20.885 Grants to Forward Wisconsin Development Authority.** There is
7 appropriated to the department of administration for the following programs:

8 **(2) HOUSING PROGRAMS.** (a) *General program operations*. As a continuing
9 appropriation, the amounts in the schedule for grants to the Forward Wisconsin
10 Development Authority, for the authority's housing general program operations
11 under subch. IV of ch. 235.

12 (ad) *Housing rehabilitation loan program*. As a continuing appropriation, the
13 amounts in the schedule for grants to the Forward Wisconsin Development
14 Authority, for general program operations under s. 235.51.

15 (ah) *Capital reserve fund deficiency*. As a continuing appropriation, the
16 amounts in the schedule for grants to the Forward Wisconsin Development
17 Authority to restore the capital reserve fund requirement in accordance with s.
18 235.403 (4) or 235.54.

19 (at) *Homeowner eviction lien protection program*. As a continuing
20 appropriation, the amounts in the schedule for grants to the Forward Wisconsin
21 Development Authority, for the authority to operate the homeowner eviction and lien
22 protection program under s. 235.605.

23 (m) *Federal aid related to housing*. All moneys received from the federal
24 government as authorized by the governor under s. 16.54, for grants to the Forward

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1 Wisconsin Development Authority to carry out its housing-related purposes, as
2 defined in s. 235.01 (3).

3 (q) *Loan-loss reserve fund.* As a continuing appropriation, from the state
4 housing authority reserve fund, the amounts in the schedule for grants to the
5 Forward Wisconsin Development Authority, which the Forward Wisconsin
6 Development Authority shall use for a loan-loss reserve fund in accordance with s.
7 235.52.

8 **(3) ECONOMIC DEVELOPMENT PROGRAMS.** (a) *General program operations.* As a
9 continuing appropriation, the amounts in the schedule for grants to the Forward
10 Wisconsin Development Authority, for the Forward Wisconsin Development
11 Authority's economic development programs developed, implemented, and operated
12 under subchs. II and III of ch. 235.

13 (ah) *Economic development capital reserve fund deficiency.* As a continuing
14 appropriation, the amounts in the schedule for grants to the Forward Wisconsin
15 Development Authority to restore the capital reserve fund requirement in
16 accordance with s. 235.04.

17 (ap) *Wisconsin development reserve fund.* As a continuing appropriation, the
18 amounts in the schedule for grants to the Forward Wisconsin Development
19 Authority, which the Forward Wisconsin Development Authority shall deposit in the
20 Wisconsin development reserve fund under s. 235.93.

21 (m) *Federal aid related to economic development.* All moneys received from the
22 federal government as authorized by the governor under s. 16.54, for grants to the
23 Forward Wisconsin Development Authority to carry out its purposes related to
24 economic development, which the authority shall use for the purposes for which
25 received.

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1 (qm) *Environmental fund transfer to Wisconsin development reserve fund.*
2 From the environmental fund, as a continuing appropriation, the amounts in the
3 schedule for grants to the Forward Wisconsin Development Authority, which the
4 Forward Wisconsin Development Authority shall deposit in the Wisconsin
5 development reserve fund under s. 235.93.

6 (r) *Agrichemical management fund transfer to Wisconsin development reserve*
7 *fund.* From the agrichemical management fund, as a continuing appropriation, the
8 amounts in the schedule for grants to the Forward Wisconsin Development
9 Authority, which the Forward Wisconsin Development Authority shall deposit in the
10 Wisconsin development reserve fund under s. 235.93.

11 (s) *Petroleum inspection fund transfer to Wisconsin development reserve fund.*
12 From the petroleum inspection fund, the amounts in the schedule for grants to the
13 Forward Wisconsin Development Authority, which the Forward Wisconsin
14 Development Authority shall deposit in the Wisconsin development reserve fund
15 under s. 235.93.

16 (t) *Economic development fund; programs.* From the economic development
17 fund, as a continuing appropriation, the amounts in the schedule for grants to the
18 Forward Wisconsin Development Authority for funding economic development
19 programs administered by the Forward Wisconsin Development Authority under ch.
20 235.

21 (u) *Brownfield site assessment grants.* Biennially, from the environmental
22 fund, the amounts in the schedule for grants to the Forward Wisconsin Development
23 Authority for brownfield site assessment grants under s. 235.133.

24 **SECTION 60.** 23.167 (2) (intro.) of the statutes is amended to read:

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1 23.167 (2) (intro.) The department, in consultation with the ~~Wisconsin~~
2 ~~Economic Development Corporation~~ Forward Wisconsin Development Authority,
3 shall do all of the following for each economic development program administered by
4 the department:

5 **SECTION 61.** 23.169 (1) of the statutes is amended to read:

6 23.169 (1) The department shall coordinate any economic development
7 assistance with the ~~Wisconsin Economic Development Corporation~~ Forward
8 Wisconsin Development Authority.

9 **SECTION 62.** 23.169 (2) of the statutes is amended to read:

10 23.169 (2) Annually, no later than October 1, the department shall submit to
11 the joint legislative audit committee and to the appropriate standing committees of
12 the legislature under s. 13.172 (3) a comprehensive report assessing economic
13 development programs, as defined in s. 23.167 (1), administered by the department.
14 The report shall include all of the information required under s. ~~238.07~~ 235.016 (2).
15 The department shall collaborate with the ~~Wisconsin Economic Development~~
16 ~~Corporation~~ Forward Wisconsin Development Authority to make readily accessible
17 to the public on an Internet-based system the information required under this
18 section.

19 **SECTION 63.** 23.175 (1) (b) of the statutes is amended to read:

20 23.175 (1) (b) “State agency” means any office, department, agency, institution
21 of higher education, association, society or other body in state government created
22 or authorized to be created by the constitution or any law which is entitled to expend
23 moneys appropriated by law, including any authority created under subch. II of ch.
24 114 or ch. 231, 233, ~~234~~ 235, or 237 but not including the legislature or the courts.

25 **SECTION 64.** 25.17 (2) (c) of the statutes is amended to read:

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1 25.17 (2) (c) Invest the State Housing Authority reserve fund as directed by the
2 Forward Wisconsin Housing and Economic Development Authority in housing
3 rehabilitation loan program bonds of the authority including subordinated bonds
4 that may also be special obligations of the authority. In making the investment, the
5 board shall accept the terms and conditions as the authority specifies and is relieved
6 of any obligations relative to prudent investment of the fund, including those set
7 forth under ch. 881.

8 **SECTION 65.** 25.17 (70) (d) of the statutes is repealed.

9 **SECTION 66.** 25.41 (1) of the statutes is amended to read:

10 25.41 (1) All moneys appropriated or transferred by law; all moneys received
11 from the federal government, from the ~~state housing and economic development~~
12 ~~authority~~ Forward Wisconsin Development Authority, or from any other source for
13 the purpose of the state housing authority reserve fund; and all income or interest
14 earned by, or increment to the state housing authority reserve fund due to the
15 investment thereof shall constitute the state housing authority reserve fund which
16 shall be used only as provided in this section.

17 **SECTION 67.** 25.41 (2) of the statutes is amended to read:

18 25.41 (2) Except for the purpose of investment as provided in s. 25.17 (2) (c),
19 moneys in the fund shall be used only for the purpose of funding the appropriation
20 to the housing rehabilitation loan program loan loss reserve fund under s. ~~20.490~~
21 20.885 (2) (q). Nothing in this section may be construed as limiting the power of the
22 legislature, at any time, to abolish the fund.

23 **SECTION 68.** 25.50 (1) (d) of the statutes is amended to read:

24 25.50 (1) (d) "Local government" means any county, town, village, city, power
25 district, sewerage district, drainage district, town sanitary district, public inland

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1 lake protection and rehabilitation district, local professional baseball park district
2 created under subch. III of ch. 229, long-term care district under s. 46.2895, local
3 professional football stadium district created under subch. IV of ch. 229, local
4 cultural arts district created under subch. V of ch. 229, public library system, school
5 district or technical college district in this state, any commission, committee, board
6 or officer of any governmental subdivision of this state, any court of this state, other
7 than the court of appeals or the supreme court, or any authority created under s.
8 114.61, 231.02, 233.02, or ~~234.02~~ 235.011.

9 **SECTION 69.** 26.37 (1) (b) of the statutes is amended to read:

10 26.37 (1) (b) Establish an implementation committee for the consortium.
11 Members of the committee may include one or more representatives from the
12 department of natural resources, the ~~Wisconsin Economic Development Corporation~~
13 Forward Wisconsin Development Authority, and the forest products industry.

14 **SECTION 70.** 26.37 (2) of the statutes is amended to read:

15 26.37 (2) The department of natural resources may not expend moneys from
16 the appropriations under s. 20.370 (5) (ax) or (6) (bt), 1997 stats., unless the
17 department of natural resources and the ~~Wisconsin Economic Development~~
18 ~~Corporation~~ Forward Wisconsin Development Authority first submit to the joint
19 committee on finance the plan required under sub. (1). If the cochairpersons of the
20 joint committee on finance do not notify the department of natural resources within
21 14 working days after the date of the submittal of the plan that the committee has
22 scheduled a meeting to review the plan, the plan may be implemented and moneys
23 may be expended as proposed by the department of natural resources. If, within 14
24 days after the date of the submittal of the plan, the cochairpersons of the committee
25 notify the department of natural resources that the committee has scheduled a

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1 meeting to review the plan, moneys may be expended only after the plan has been
2 approved by the committee.

3 **SECTION 71.** 30.121 (3w) (b) of the statutes is amended to read:

4 30.121 (3w) (b) The boathouse is located on land zoned exclusively for
5 commercial or industrial purposes or the boathouse is located on a brownfield, as
6 defined in s. ~~238.13~~ 235.13 (1) (a), or in a blighted area, as defined in s. 66.1331 (3)
7 (a).

8 **SECTION 72.** 34.01 (1) of the statutes is amended to read:

9 34.01 (1) "Governing board" means the investment board in the case of the
10 state, the ~~housing and economic development authority~~ Forward Wisconsin
11 Development Authority if the authority elects to be bound by all or part of this
12 chapter under s. ~~234.32~~ 235.0289 (2), the county board or committee designated by
13 the county board to designate public depositories in the case of a county, the city
14 council in the case of a city, the village board in the case of a village, the town board
15 in the case of a town, the school board in the case of a school district, the board of
16 control in the case of a cooperative educational service agency, the clerk of court in
17 the case of any court in this state, and any other commission, committee, board or
18 officer of any governmental subdivision of the state not mentioned in this subsection.

19 **SECTION 73.** 34.01 (4) of the statutes is amended to read:

20 34.01 (4) "Public depositor" means the state or any county, city, village, town,
21 drainage district, power district, school district, cooperative educational service
22 agency, sewer district, or any commission, committee, board or officer of any
23 governmental subdivision of the state or any court of this state, a corporation
24 organized under s. 39.33 or the ~~housing and economic development authority~~
25 Forward Wisconsin Development Authority if the authority elects to be bound by all

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1 or part of this chapter under s. ~~234.32~~ 235.0289 (2), which deposits any moneys in
2 a public depository.

3 **SECTION 74.** 36.09 (1) (am) (intro.) of the statutes is amended to read:

4 36.09 (1) (am) (intro.) The board, in consultation with the ~~Wisconsin Economic~~
5 ~~Development Corporation~~ Forward Wisconsin Development Authority, shall do all
6 of the following for each economic development program, as defined in s. 36.11 (29r)
7 (a), administered by the board:

8 **SECTION 75.** 36.11 (29r) (b) 1. of the statutes is amended to read:

9 36.11 (29r) (b) 1. The board shall coordinate any economic development
10 assistance with the ~~Wisconsin Economic Development Corporation~~ Forward
11 Wisconsin Development Authority.

12 **SECTION 76.** 36.11 (29r) (b) 2. of the statutes is amended to read:

13 36.11 (29r) (b) 2. Annually, no later than October 1, the board shall submit to
14 the joint legislative audit committee and to the appropriate standing committees of
15 the legislature under s. 13.172 (3) a comprehensive report assessing economic
16 development programs administered by the board. The report shall include all of the
17 information required under s. ~~238.07~~ 235.016 (2). The board shall collaborate with
18 the ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin
19 Development Authority to make readily accessible to the public on an
20 Internet-based system the information required under this subsection.

21 **SECTION 77.** 36.25 (24) of the statutes is amended to read:

22 36.25 (24) ~~EMPLOYEE-OWNED BUSINESSES PROGRAM.~~ Through the University of
23 Wisconsin small business development center, in cooperation with the ~~Wisconsin~~
24 ~~Economic Development Corporation~~ Forward Wisconsin Development Authority,
25 the technical college system board and the University of Wisconsin-Extension, the

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1 board shall create, as needed, educational programs to provide training in the
2 management of employee-owned businesses and shall provide technical assistance
3 to employee-owned businesses in matters affecting their management and business
4 operations, including assistance with governmental relations and assistance in
5 obtaining management, technical and financial assistance.

6 **SECTION 78.** 38.04 (1m) (b) (intro.) of the statutes is amended to read:

7 38.04 **(1m)** (b) (intro.) The board, in consultation with the ~~Wisconsin Economic~~
8 ~~Development Corporation~~ Forward Wisconsin Development Authority, shall do all
9 of the following for each economic development program administered by the board:

10 **SECTION 79.** 38.04 (10m) (a) of the statutes is amended to read:

11 38.04 **(10m)** (a) The board shall coordinate any economic development
12 assistance with the ~~Wisconsin Economic Development Corporation~~ Forward
13 Wisconsin Development Authority.

14 **SECTION 80.** 38.04 (10m) (b) of the statutes is amended to read:

15 38.04 **(10m)** (b) Annually, no later than October 1, the board shall submit to
16 the joint legislative audit committee and to the appropriate standing committees of
17 the legislature under s. 13.172 (3) a comprehensive report assessing economic
18 development programs, as defined in sub. (1m) (a), administered by the board. The
19 report shall include all of the information required under s. ~~238.07~~ 235.016 (2). The
20 board shall collaborate with the ~~Wisconsin Economic Development Corporation~~
21 Forward Wisconsin Development Authority to make readily accessible to the public
22 on an Internet-based system the information required under this subsection.

23 **SECTION 81.** 40.02 (54) (b) of the statutes is amended to read:

24 40.02 **(54)** (b) The Forward Wisconsin ~~Housing and Economic Development~~
25 ~~Authority~~.

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1 **SECTION 82.** 40.05 (4) (b) of the statutes is amended to read:

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

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1 insured dependents are covered by a comparable health insurance plan or policy
2 during the period beginning on the date of the conversion and ending on the date on
3 which the employee or surviving insured dependents later elect to initiate
4 deductions from those credits. If an employee or an employee's surviving insured
5 dependents elect to delay initiation of deductions from those credits, an employee or
6 the employee's surviving insured dependents may only later elect to initiate
7 deductions from those credits during the annual enrollment period under par. (be).
8 A health insurance plan or policy is considered comparable if it provides hospital and
9 medical benefits that are substantially equivalent to the standard health insurance
10 plan established under s. 40.52 (1).

11 **SECTION 83.** 40.05 (4) (bm) of the statutes is amended to read:

12 40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick
13 leave under ss. 36.30 and 230.35 (2), or 233.10, or 238.04 (8) of any eligible employee,
14 and of any eligible employee of the Forward Wisconsin Development Authority, shall,
15 upon request of the employee at the time the employee is subject to layoff under s.
16 40.02 (40), be converted at the employee's highest basic pay rate he or she received
17 while employed by the state to credits for payment of health insurance premiums on
18 behalf of the employee. Any supplemental compensation that is paid to a state
19 employee who is classified under the state classified civil service as a teacher, teacher
20 supervisor or education director for the employee's completion of educational courses
21 that have been approved by the employee's employer is considered as part of the
22 employee's basic pay for purposes of this paragraph. The full amount of the required
23 employee contribution for any eligible employee who is insured at the time of the
24 layoff shall be deducted from the credits until the credits are exhausted, the

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1 employee is reemployed, or 5 years have elapsed from the date of layoff, whichever
2 occurs first.

3 **SECTION 84.** 40.05 (5) (b) 4. of the statutes is amended to read:

4 40.05 (5) (b) 4. The accrual and crediting of sick leave shall be determined in
5 accordance with ss. 13.121 (4), 36.30, 230.35 (2), 233.10, ~~238.04 (8)~~, and 757.02 (5)
6 and subch. V of ch. 111 and in accordance with the policies and procedures of the
7 Forward Wisconsin Development Authority for any of its employees it deems eligible.

8 **SECTION 85.** 40.62 (2) of the statutes is amended to read:

9 40.62 (2) Sick leave accumulation shall be determined in accordance with rules
10 of the department, any collective bargaining agreement under subch. V of ch. 111,
11 and ss. 13.121 (4), 36.30, 49.825 (4) (d) and (5) (d), 49.826 (4) (d), 230.35 (2), 233.10,
12 ~~238.04 (8)~~, 757.02 (5) and 978.12 (3) and in accordance with the policies and
13 procedures of the Forward Wisconsin Development Authority for any of its
14 employees it deems eligible.

15 **SECTION 86.** 40.95 (1) (a) 1. of the statutes is amended to read:

16 40.95 (1) (a) 1. The employee accrues accumulated unused sick leave under s.
17 13.121 (4), 36.30, 230.35 (2), 233.10, ~~238.04~~ 235.03 (8), or 757.02 (5).

18 **SECTION 87.** 41.11 (1g) (b) (intro.) of the statutes is amended to read:

19 41.11 (1g) (b) (intro.) The department, in consultation with the Wisconsin
20 ~~Economic Development Corporation~~ Forward Wisconsin Development Authority,
21 shall do all of the following for each economic development program administered by
22 the department:

23 **SECTION 88.** 41.11 (1r) (a) of the statutes is amended to read:

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1 41.11 (1r) (a) The department shall coordinate any economic development
2 assistance with the ~~Wisconsin Economic Development Corporation~~ Forward
3 Wisconsin Development Authority.

4 **SECTION 89.** 41.11 (1r) (b) of the statutes is amended to read:

5 41.11 (1r) (b) Annually, no later than October 1, the department shall submit
6 to the joint legislative audit committee and to the appropriate standing committees
7 of the legislature under s. 13.172 (3) a comprehensive report assessing economic
8 development programs, as defined in sub. (1g) (a), administered by the department.
9 The report shall include all of the information required under s. ~~238.07~~ 235.016 (2).
10 The department shall collaborate with the ~~Wisconsin Economic Development~~
11 ~~Corporation~~ Forward Wisconsin Development Authority to make readily accessible
12 to the public on an Internet-based system the information required under this
13 subsection.

14 **SECTION 90.** 41.60 (1) (c) of the statutes is amended to read:

15 41.60 (1) (c) “Nonprofit business development organization” means a housing
16 and community development authority created under s. 66.1335 (1), redevelopment
17 corporation, as defined in s. 66.1301 (3) (s), redevelopment authority created under
18 s. 66.1333 (3), community development corporation, as defined in s. ~~234.94~~ 235.94
19 (2), or any nonprofit organization whose primary purpose is to promote the economic
20 development of a particular area or region in the state.

21 **SECTION 91.** 45.31 (2) of the statutes is amended to read:

22 45.31 (2) “Authority” means the Forward Wisconsin Housing and Economic
23 Development Authority.

24 **SECTION 92.** 45.34 (1) (a) 2. of the statutes is amended to read:

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1 45.34 (1) (a) 2. A home and eligible rehabilitation of a home, as defined in s.
2 ~~234.49~~ 235.49 (1) (d).

3 **SECTION 93.** 45.37 (6) (b) of the statutes is amended to read:

4 45.37 (6) (b) Loans made under this section may be purchased by the authority
5 from the veterans housing loan fund under s. ~~234.41~~ 235.41. All receipts of interest,
6 except amounts retained as servicing fees by the authorized lenders servicing the
7 loans purchased by the authority, and principal on the loans, payments of losses by
8 insurers not used for restoration of the property securing the loans, and any other
9 collections, shall be deposited by the authority into the veterans housing bond
10 redemption fund under s. ~~234.43~~ 235.43 and shall be disbursed from the fund as
11 provided in s. ~~234.43~~ 235.43 (2).

12 **SECTION 94.** 46.28 (1) (a) of the statutes is amended to read:

13 46.28 (1) (a) "Authority" means the Forward Wisconsin Housing and Economic
14 Development Authority created under ch. ~~234~~ 235.

15 **SECTION 95.** 46.28 (3) of the statutes is amended to read:

16 46.28 (3) The department may authorize the authority to issue revenue bonds
17 under s. ~~234.61~~ 235.61 to finance any residential facility it approves under sub. (2).

18 **SECTION 96.** 46.28 (4) of the statutes is amended to read:

19 46.28 (4) The department may charge sponsors for administrative costs and
20 expenses it incurs in exercising its powers and duties under this section and under
21 s. ~~234.61~~ 235.61.

22 **SECTION 97.** 59.57 (1) (a) of the statutes is amended to read:

23 59.57 (1) (a) Subject to par. (b), the board may appropriate money for and create
24 a county industrial development agency or to any nonprofit agency organized to
25 engage or engaging in activities described in this paragraph, appoint an executive

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1 officer and provide a staff and facilities to promote and develop the resources of the
2 county and of its component municipalities. To this end the agency may, without
3 limitation because of enumeration, develop data regarding the industrial needs,
4 advantages and sites in the county, acquaint the purchaser with the products of the
5 county by promotional activities, coordinate its work with that of the county
6 planning commission, the ~~Wisconsin Economic Development Corporation~~ Forward
7 Wisconsin Development Authority, and private credit development corporations,
8 and do all things necessary to provide for the continued improvement of the
9 industrial climate of the county.

10 **SECTION 98.** 60.23 (4) (c) of the statutes is amended to read:

11 60.23 (4) (c) Coordinate its activities with the county planning commission, the
12 ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin Development
13 Authority, and private credit development organizations.

14 **SECTION 99.** 66.1015 (2) (intro.) of the statutes is amended to read:

15 66.1015 (2) (intro.) This section does not prohibit a city, village, town, county,
16 or housing authority or the Forward Wisconsin Housing and Economic Development
17 Authority from doing any of the following:

18 **SECTION 100.** 66.1103 (4m) (a) 1. of the statutes is amended to read:

19 66.1103 (4m) (a) 1. The person, at least 30 days prior to entering into the
20 revenue agreement, has given a notice of intent to enter into the agreement, on a
21 form prescribed under s. ~~238.11~~ 235.11 (1), to the ~~Wisconsin Economic Development~~
22 ~~Corporation~~ Forward Wisconsin Development Authority and to any collective
23 bargaining agent in this state with whom the person has a collective bargaining
24 agreement.

25 **SECTION 101.** 66.1103 (4m) (a) 2. of the statutes is amended to read:

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1 66.1103 (4m) (a) 2. The municipality or county has received an estimate issued
2 under s. ~~238.11~~ 235.11 (5), and the ~~Wisconsin Economic Development Corporation~~
3 Forward Wisconsin Development Authority has estimated whether the project
4 which the municipality or county would finance under the revenue agreement is
5 expected to eliminate, create, or maintain jobs on the project site and elsewhere in
6 this state and the net number of jobs expected to be eliminated, created, or
7 maintained as a result of the project.

8 **SECTION 102.** 66.1103 (4m) (b) of the statutes is amended to read:

9 66.1103 (4m) (b) Any revenue agreement which an eligible participant enters
10 into with a municipality or county to finance a project shall require the eligible
11 participant to submit to the ~~Wisconsin Economic Development Corporation~~ Forward
12 Wisconsin Development Authority within 12 months after the project is completed
13 or 2 years after a revenue bond is issued to finance the project, whichever is sooner,
14 on a form prescribed under s. ~~238.11~~ 235.11 (1), the net number of jobs eliminated,
15 created, or maintained on the project site and elsewhere in this state as a result of
16 the project.

17 **SECTION 103.** 66.1103 (4s) (a) 1. of the statutes is amended to read:

18 66.1103 (4s) (a) 1. “Corporation” “Authority” means the ~~Wisconsin Economic~~
19 ~~Development Corporation~~ Forward Wisconsin Development Authority.

20 **SECTION 104.** 66.1103 (4s) (b) 3. of the statutes is amended to read:

21 66.1103 (4s) (b) 3. The employer shall certify compliance with this subsection
22 to the ~~corporation~~ authority, to the governing body of each municipality or county
23 within which a lost job exists and to any collective bargaining agent in this state with
24 which the employer has a collective bargaining agreement at the project site or at a
25 site where a lost job exists.

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1 **SECTION 105.** 66.1103 (4s) (b) 4. of the statutes is amended to read:

2 66.1103 (4s) (b) 4. The employer shall submit a report to the ~~corporation~~
3 authority every 3 months during the first year after the construction of the project
4 is completed. The reports shall provide information about new jobs, lost jobs, and
5 offers of employment made to persons who were formerly employed at lost jobs. The
6 4th report shall be the final report. The form and content of the reports shall be
7 prescribed by the ~~corporation~~ authority under par. (d).

8 **SECTION 106.** 66.1103 (4s) (d) of the statutes is amended to read:

9 66.1103 (4s) (d) The ~~corporation~~ authority shall administer this subsection and
10 shall prescribe forms for certification and reports under par. (b).

11 **SECTION 107.** 66.1103 (10) (c) of the statutes is amended to read:

12 66.1103 (10) (c) A copy of the initial resolution together with a statement
13 indicating when the public notice required under par. (b) was published shall be filed
14 with the ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin
15 Development Authority within 20 days following publication of notice. Prior to the
16 closing of the bond issue, the ~~corporation~~ authority may require additional
17 information from the eligible participant or the municipality or county. After the
18 closing of the bond issue, the ~~corporation~~ authority shall be notified of the closing
19 date, any substantive changes made to documents previously filed with the
20 ~~corporation~~ authority, and the principal amount of the financing.

21 **SECTION 108.** 66.1103 (10) (g) of the statutes is amended to read:

22 66.1103 (10) (g) Bonds may not be issued unless prior to adoption of an initial
23 resolution a document which provides a good faith estimate of attorney fees which
24 will be paid from bond proceeds is filed with the clerk of the municipality or county

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1 and the ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin
2 Development Authority.

3 **SECTION 109.** 66.1107 (2) (a) of the statutes is amended to read:

4 66.1107 (2) (a) Holding of a public hearing by the planning commission or by
5 the local governing body at which interested parties are afforded a reasonable
6 opportunity to express their views on the proposed designation and boundaries of a
7 reinvestment neighborhood or area. Notice of the hearing shall be published as a
8 class 2 notice, under ch. 985. Before publication, a copy of the notice shall be sent
9 by 1st class mail to the Forward Wisconsin Housing and Economic Development
10 Authority, and a copy shall be posted in each school building and in at least 3 other
11 places of public assembly within the reinvestment neighborhood or area proposed to
12 be designated.

13 **SECTION 110.** 66.1201 (16) (a) of the statutes is amended to read:

14 66.1201 (16) (a) In this subsection, “government” includes the Forward
15 Wisconsin Housing and Economic Development Authority.

16 **SECTION 111.** 66.1205 (3) of the statutes is amended to read:

17 66.1205 (3) Subsection (1) (a) and (c) does not apply in the case of housing
18 projects to the financing of which the Forward Wisconsin Housing and Economic
19 Development Authority is a party, as to which ch. ~~234~~ 235 shall be controlling.

20 **SECTION 112.** 66.1213 (7) (b) of the statutes is amended to read:

21 66.1213 (7) (b) As set down by the Forward Wisconsin Housing and Economic
22 Development Authority in accordance with ch. ~~234~~ 235 in the case of housing projects
23 to the financing of which it is a party.

24 **SECTION 113.** 70.11 (4b) (b) of the statutes is amended to read:

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1 70.11 (4b) (b) It is financed by the Housing and Economic Development
2 Authority under s. 234.03 (13), 2013 stats.

3 **SECTION 114.** 70.11 (4b) (c) of the statutes is amended to read:

4 70.11 (4b) (c) The ~~Housing and Economic~~ Forward Wisconsin Development
5 Authority holds a first-lien mortgage security interest on it.

6 **SECTION 115.** 70.11 (38r) of the statutes is amended to read:

7 70.11 (38r) ~~ECONOMIC DEVELOPMENT CORPORATION~~ FORWARD AUTHORITY. All
8 property owned by the ~~Wisconsin Economic Development Corporation~~ Forward
9 Wisconsin Development Authority, provided that use of the property is primarily
10 related to the purposes of the ~~Wisconsin Economic Development Corporation~~
11 Forward Wisconsin Development Authority.

12 **SECTION 116.** 71.05 (1) (c) 1. of the statutes is amended to read:

13 71.05 (1) (c) 1. The Wisconsin Housing and Economic Development Authority
14 under s. 234.65, 2013 stats., if the bonds are used to fund an economic development
15 loan to finance construction, renovation, or development of property that would be
16 exempt under s. 70.11 (36).

17 **SECTION 117.** 71.05 (1) (c) 1m. of the statutes is amended to read:

18 71.05 (1) (c) 1m. The Wisconsin Housing and Economic Development Authority
19 under s. 234.08, 2013 stats., or s. 234.61, 2013 stats., on or after January 1, 2004, or
20 the Forward Wisconsin Development Authority under s. 235.02 or 235.61, if the
21 bonds or notes are issued to fund multifamily affordable housing projects or elderly
22 housing projects.

23 **SECTION 118.** 71.05 (1) (c) 10. a. of the statutes is amended to read:

24 71.05 (1) (c) 10. a. The bonds or notes are used to fund multifamily affordable
25 housing projects or elderly housing projects in this state, and the Wisconsin Housing

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1 and Economic Development Authority under ch. 234, 2013 stats., or the Forward
2 Wisconsin Development Authority has the authority to issue its bonds or notes for
3 the project being funded.

4 **SECTION 119.** 71.05 (1) (c) 12. of the statutes is amended to read:

5 71.05 (1) (c) 12. The Wisconsin Housing and Economic Development Authority
6 or the Forward Wisconsin Development Authority, if the bonds or notes are issued
7 to provide loans to a public affairs network under s. 234.75 (4), 2013 stats., or s.
8 235.75 (4).

9 **SECTION 120.** 71.07 (2dm) (a) 1. of the statutes is amended to read:

10 71.07 (2dm) (a) 1. “Certified” means entitled under s. 235.395 (3) (a) 4. or s.
11 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits
12 or certified under s. 235.395 (5), 235.398 (5), or 235.3995 (4) or s. 238.395 (5), 2013
13 stats., s. 238.398 (5), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009
14 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

15 **SECTION 121.** 71.07 (2dm) (a) 3. of the statutes is amended to read:

16 71.07 (2dm) (a) 3. “Development zone” means a development opportunity zone
17 under s. 235.395 (1) (e) and (f) or 235.398 or s. 238.395 (1) (e) and (f), 2013 stats., or
18 s. 238.398, 2013 stats., or s. 560.795 (1) (e) and (f), 2009 stats., or s. 560.798, 2009
19 stats., or an airport development zone under s. 235.3995 or s. 238.3995, 2013 stats.,
20 or s. 560.7995, 2009 stats.

21 **SECTION 122.** 71.07 (2dm) (a) 4. of the statutes is amended to read:

22 71.07 (2dm) (a) 4. “Previously owned property” means real property that the
23 claimant or a related person owned during the 2 years prior to the department of
24 commerce or the Wisconsin Economic Development Corporation or the Forward
25 Wisconsin Development Authority designating the place where the property is

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1 located as a development zone and for which the claimant may not deduct a loss from
2 the sale of the property to, or an exchange of the property with, the related person
3 under section 267 of the Internal Revenue Code, except that section 267 (b) of the
4 Internal Revenue Code is modified so that if the claimant owns any part of the
5 property, rather than 50% ownership, the claimant is subject to section 267 (a) (1) of
6 the Internal Revenue Code for purposes of this subsection.

7 **SECTION 123.** 71.07 (2dm) (f) 1. of the statutes is amended to read:

8 71.07 **(2dm)** (f) 1. A copy of the verification that the claimant may claim tax
9 benefits under s. 235.395 (3) (a) 4. or s. 238.395 (3) (a) 4., 2013 stats., or s. 560.795
10 (3) (a) 4., 2009 stats., or is certified under s. 235.395 (5), 235.398 (3), or 235.3995 (4)
11 or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats.,
12 or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

13 **SECTION 124.** 71.07 (2dm) (f) 2. of the statutes is amended to read:

14 71.07 **(2dm)** (f) 2. A statement from the department of commerce or the
15 Wisconsin Economic Development Corporation or the Forward Wisconsin
16 Development Authority verifying the purchase price of the investment and verifying
17 that the investment fulfills the requirements under par. (b).

18 **SECTION 125.** 71.07 (2dm) (i) of the statutes is amended to read:

19 71.07 **(2dm)** (i) Partnerships, limited liability companies, and tax-option
20 corporations may not claim the credit under this subsection, but the eligibility for,
21 and the amount of, that credit shall be determined on the basis of their economic
22 activity, not that of their shareholders, partners, or members. The corporation,
23 partnership, or limited liability company shall compute the amount of credit that
24 may be claimed by each of its shareholders, partners, or members and provide that
25 information to its shareholders, partners, or members. Partners, members of limited

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1 liability companies, and shareholders of tax-option corporations may claim the
2 credit based on the partnership's, company's, or corporation's activities in proportion
3 to their ownership interest and may offset it against the tax attributable to their
4 income from the partnership's, company's, or corporation's business operations in the
5 development zone; except that partners, members, and shareholders in a
6 development zone under s. 235.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s.
7 560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax
8 attributable to their income.

9 **SECTION 126.** 71.07 (2dm) (j) of the statutes is amended to read:

10 71.07 **(2dm)** (j) If a person who is entitled under s. 235.395 (3) (a) 4. or s. 238.395
11 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits becomes
12 ineligible for such tax benefits, or if a person's certification under s. 235.395 (5),
13 235.398 (3), or 235.3995 (4) or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats.,
14 or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,
15 or s. 560.7995 (4), 2009 stats., is revoked, that person may claim no credits under this
16 subsection for the taxable year that includes the day on which the person becomes
17 ineligible for tax benefits, the taxable year that includes the day on which the
18 certification is revoked, or succeeding taxable years, and that person may carry over
19 no unused credits from previous years to offset tax under this chapter for the taxable
20 year that includes the day on which the person becomes ineligible for tax benefits,
21 the taxable year that includes the day on which the certification is revoked, or
22 succeeding taxable years.

23 **SECTION 127.** 71.07 (2dm) (k) of the statutes is amended to read:

24 71.07 **(2dm)** (k) If a person who is entitled under s. 235.395 (3) (a) 4. or s.
25 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits

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1 or certified under s. 235.395 (5), 235.398 (3), or 235.3995 (4) or s. 238.395 (5), 2013
2 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009
3 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., ceases business
4 operations in the development zone during any of the taxable years that that zone
5 exists, that person may not carry over to any taxable year following the year during
6 which operations cease any unused credits from the taxable year during which
7 operations cease or from previous taxable years.

8 **SECTION 128.** 71.07 (2dx) (a) 2. of the statutes is amended to read:

9 71.07 **(2dx)** (a) 2. "Development zone" means a development zone under s.
10 235.30 or s. 238.30, 2013 stats., or s. 560.70, 2009 stats., a development opportunity
11 zone under s. 235.395 or s. 238.395, 2013 stats., or s. 560.795, 2009 stats., an
12 enterprise development zone under s. 235.397 or s. 238.397, 2013 stats., or s.
13 560.797, 2009 stats., an agricultural development zone under s. 235.398 or s.
14 238.398, 2013 stats., or s. 560.798, 2009 stats., or an airport development zone under
15 s. 235.3995 or s. 238.3995, 2013 stats., or s. 560.7995, 2009 stats.

16 **SECTION 129.** 71.07 (2dx) (a) 4. of the statutes is amended to read:

17 71.07 **(2dx)** (a) 4. "Full-time job" has the meaning given in s. ~~238.30~~ 235.30
18 (2m).

19 **SECTION 130.** 71.07 (2dx) (b) (intro.), 2., 3., 4. and 5. of the statutes are amended
20 to read:

21 71.07 **(2dx)** (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and
22 in s. 73.03 (35), and subject to s. 235.385 or s. 238.385, 2013 stats., or s. 560.785, 2009
23 stats., for any taxable year for which the person is entitled under s. 235.395 (3) or s.
24 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits or certified
25 under s. 235.365 (3), 235.397 (4), 235.398 (3), or 235.3995 or s. 238.365 (3), 2013

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1 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013
2 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009
3 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against the
4 taxes otherwise due under this chapter the following amounts:

5 2. The amount determined by multiplying the amount determined under s.
6 235.385 (1) (b) or s. 238.385 (1) (b), 2013 stats., or s. 560.785 (1) (b), 2009 stats., by
7 the number of full-time jobs created in a development zone and filled by a member
8 of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a)
9 for those jobs.

10 3. The amount determined by multiplying the amount determined under s.
11 235.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1) (c), 2009 stats., by the
12 number of full-time jobs created in a development zone and not filled by a member
13 of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a)
14 for those jobs.

15 4. The amount determined by multiplying the amount determined under s.
16 235.385 (1) (bm) or s. 238.385 (1) (bm), 2013 stats., or s. 560.785 (1) (bm), 2009 stats.,
17 by the number of full-time jobs retained, as provided ~~in the rules~~ under s. 235.385
18 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., excluding jobs for which a credit
19 has been claimed under sub. (2dj), in an enterprise development zone under s.
20 235.397 or s. 238.397, 2013 stats., or s. 560.797, 2009 stats., and for which significant
21 capital investment was made and by then subtracting the subsidies paid under s.
22 49.147 (3) (a) for those jobs.

23 5. The amount determined by multiplying the amount determined under s.
24 235.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1) (c), 2009 stats., by the
25 number of full-time jobs retained, as provided ~~in the rules~~ under s. 235.385 or s.

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1 238.385, 2013 stats., or s. 560.785, 2009 stats., excluding jobs for which a credit has
2 been claimed under sub. (2dj), in a development zone and not filled by a member of
3 a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a)
4 for those jobs.

5 **SECTION 131.** 71.07 (2dx) (be) of the statutes is amended to read:

6 71.07 (2dx) (be) *Offset.* A claimant in a development zone under s. 235.395 (1)
7 (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats., may offset any
8 credits claimed under this subsection, including any credits carried over, against the
9 amount of the tax otherwise due under this subchapter attributable to all of the
10 claimant's income and against the tax attributable to income from directly related
11 business operations of the claimant.

12 **SECTION 132.** 71.07 (2dx) (bg) of the statutes is amended to read:

13 71.07 (2dx) (bg) *Other entities.* For claimants in a development zone under s.
14 235.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats.,
15 partnerships, limited liability companies, and tax-option corporations may not
16 claim the credit under this subsection, but the eligibility for, and amount of, that
17 credit shall be determined on the basis of their economic activity, not that of their
18 shareholders, partners, or members. The corporation, partnership, or company shall
19 compute the amount of the credit that may be claimed by each of its shareholders,
20 partners, or members and shall provide that information to each of its shareholders,
21 partners, or members. Partners, members of limited liability companies, and
22 shareholders of tax-option corporations may claim the credit based on the
23 partnership's, company's, or corporation's activities in proportion to their ownership
24 interest and may offset it against the tax attributable to their income.

25 **SECTION 133.** 71.07 (2dx) (c) of the statutes is amended to read:

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1 71.07 (2dx) (c) *Credit precluded.* If the certification of a person for tax benefits
2 under s. 235.365 (3), 235.397 (4), 235.398 (3), or 235.3995 (4) or s. 238.365 (3), 2013
3 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013
4 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009
5 stats., or s. 560.7995 (4), 2009 stats., is revoked, or if the person becomes ineligible
6 for tax benefits under s. 235.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3),
7 2009 stats., that person may not claim credits under this subsection for the taxable
8 year that includes the day on which the certification is revoked; the taxable year that
9 includes the day on which the person becomes ineligible for tax benefits; or
10 succeeding taxable years and that person may not carry over unused credits from
11 previous years to offset tax under this chapter for the taxable year that includes the
12 day on which certification is revoked; the taxable year that includes the day on which
13 the person becomes ineligible for tax benefits; or succeeding taxable years.

14 **SECTION 134.** 71.07 (2dx) (d) of the statutes is amended to read:

15 71.07 (2dx) (d) *Carry-over precluded.* If a person who is entitled under s.
16 235.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax
17 benefits or certified under s. 235.365 (3), 235.397 (4), 235.398 (4), or 235.3995 (4) or
18 s. 238.365 (3), 2013 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or
19 s. 238.3995 (4), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats.,
20 s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for tax benefits ceases
21 business operations in the development zone during any of the taxable years that
22 that zone exists, that person may not carry over to any taxable year following the
23 year during which operations cease any unused credits from the taxable year during
24 which operations cease or from previous taxable years.

25 **SECTION 135.** 71.07 (2dy) (a) of the statutes is amended to read:

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1 71.07 (2dy) (a) *Definition*. In this subsection, “claimant” means a person who
2 files a claim under this subsection and is certified under s. 235.301 (2) or s. 238.301
3 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits
4 under s. 235.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

5 **SECTION 136.** 71.07 (2dy) (b) of the statutes is amended to read:

6 71.07 (2dy) (b) *Filing claims*. Subject to the limitations under this subsection
7 and ss. 235.301 to 235.306 or ss. 238.301 to 238.306, 2013 stats., or ss. 560.701 to
8 560.706, 2009 stats., for taxable years beginning after December 31, 2008, a claimant
9 may claim as a credit against the tax imposed under s. 71.02 or 71.08, up to the
10 amount of the tax, the amount authorized for the claimant under s. 235.303 or s.
11 238.303, 2013 stats., or s. 560.703, 2009 stats.

12 **SECTION 137.** 71.07 (2dy) (c) 1. of the statutes is amended to read:

13 71.07 (2dy) (c) 1. No credit may be allowed under this subsection unless the
14 claimant includes with the claimant’s return a copy of the claimant’s certification
15 under s. 235.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and
16 a copy of the claimant’s notice of eligibility to receive tax benefits under s. 235.303
17 (3) or s. 238.303 (3), 2013 stats., or s. 560.703 (3), 2009 stats.

18 **SECTION 138.** 71.07 (2dy) (c) 2. of the statutes is amended to read:

19 71.07 (2dy) (c) 2. Partnerships, limited liability companies, and tax-option
20 corporations may not claim the credit under this subsection, but the eligibility for,
21 and the amount of, the credit are based on their authorization to claim tax benefits
22 under s. 235.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats. A partnership,
23 limited liability company, or tax-option corporation shall compute the amount of
24 credit that each of its partners, members, or shareholders may claim and shall
25 provide that information to each of them. Partners, members of limited liability

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1 companies, and shareholders of tax-option corporations may claim the credit in
2 proportion to their ownership interests.

3 **SECTION 139.** 71.07 (2dy) (d) 2. of the statutes is amended to read:

4 71.07 (2dy) (d) 2. If a claimant's certification is revoked under s. 235.305 or s.
5 238.305, 2013 stats., or s. 560.705, 2009 stats., or if a claimant becomes ineligible for
6 tax benefits under s. 235.302 or s. 238.302, 2013 stats., or s. 560.702, 2009 stats., the
7 claimant may not claim credits under this subsection for the taxable year that
8 includes the day on which the certification is revoked; the taxable year that includes
9 the day on which the claimant becomes ineligible for tax benefits; or succeeding
10 taxable years and the claimant may not carry over unused credits from previous
11 years to offset the tax imposed under s. 71.02 or 71.08 for the taxable year that
12 includes the day on which certification is revoked; the taxable year that includes the
13 day on which the claimant becomes ineligible for tax benefits; or succeeding taxable
14 years.

15 **SECTION 140.** 71.07 (3g) (a) (intro.) of the statutes is amended to read:

16 71.07 (3g) (a) (intro.) Subject to the limitations under this subsection and ss.
17 73.03 (35m) and 235.23 and s. 238.23, 2013 stats., and s. 560.96, 2009 stats., a
18 business that is certified under s. 235.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96
19 (3), 2009 stats., may claim as a credit against the taxes imposed under s. 71.02 an
20 amount equal to the sum of the following, as established under s. 235.23 (3) (c) or s.
21 238.23 (3) (c), 2013 stats., or s. 560.96 (3) (c), 2009 stats.:

22 **SECTION 141.** 71.07 (3g) (b) of the statutes is amended to read:

23 71.07 (3g) (b) The department of revenue shall notify the ~~department of~~
24 ~~commerce or the Wisconsin Economic Development Corporation~~ Forward Wisconsin
25 Development Authority of all claims under this subsection.

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1 **SECTION 142.** 71.07 (3g) (e) 2. of the statutes is amended to read:

2 71.07 **(3g)** (e) 2. The investments that relate to the amount described under par.
3 (a) 2. for which a claimant makes a claim under this subsection must be retained for
4 use in the technology zone for the period during which the claimant's business is
5 certified under s. 235.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats.

6 **SECTION 143.** 71.07 (3g) (f) 1. of the statutes is amended to read:

7 71.07 **(3g)** (f) 1. A copy of the verification that the claimant's business is
8 certified under s. 235.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats.,
9 and that the business has entered into an agreement under s. 235.23 (3) (d) or s.
10 238.23 (3) (d), 2013 stats., or s. 560.96 (3) (d), 2009 stats.

11 **SECTION 144.** 71.07 (3g) (f) 2. of the statutes is amended to read:

12 71.07 **(3g)** (f) 2. A statement from the department of commerce or the Wisconsin
13 Economic Development Corporation or the Forward Wisconsin Development
14 Authority verifying the purchase price of the investment described under par. (a) 2.
15 and verifying that the investment fulfills the requirement under par. (e) 2.

16 **SECTION 145.** 71.07 (3q) (a) 1. of the statutes is amended to read:

17 71.07 **(3q)** (a) 1. "Claimant" means a person certified to receive tax benefits
18 under s. 235.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009 stats.

19 **SECTION 146.** 71.07 (3q) (a) 2. of the statutes is amended to read:

20 71.07 **(3q)** (a) 2. "Eligible employee" means, for taxable years beginning before
21 January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who
22 satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for
23 taxable years beginning after December 31, 2010, an eligible employee under s.
24 ~~238.16~~ 235.16 (1) (b) who satisfies the wage requirements under s. ~~238.16~~ 235.16 (3)
25 (a) or (b).

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1 **SECTION 147.** 71.07 (3q) (b) (intro.) of the statutes is amended to read:

2 71.07 (3q) (b) *Filing claims.* (intro.) Subject to the limitations provided in this
3 subsection and s. 235.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats., for
4 taxable years beginning after December 31, 2009, a claimant may claim as a credit
5 against the taxes imposed under ss. 71.02 and 71.08 any of the following:

6 **SECTION 148.** 71.07 (3q) (b) 1. of the statutes is amended to read:

7 71.07 (3q) (b) 1. The amount of wages that the claimant paid to an eligible
8 employee in the taxable year, not to exceed 10 percent of such wages, as determined
9 by the Forward Wisconsin Development Authority under s. 235.16 or the Wisconsin
10 Economic Development Corporation under s. 238.16, 2013 stats., or the department
11 of commerce under s. 560.2055, 2009 stats.

12 **SECTION 149.** 71.07 (3q) (b) 2. of the statutes is amended to read:

13 71.07 (3q) (b) 2. The amount of the costs incurred by the claimant in the taxable
14 year, as determined under s. 235.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009
15 stats., to undertake the training activities described under s. 235.16 (3) (c) or s.
16 238.16 (3) (c), 2013 stats., or s. 560.2055 (3) (c), 2009 stats.

17 **SECTION 150.** 71.07 (3q) (c) 2. of the statutes is amended to read:

18 71.07 (3q) (c) 2. No credit may be allowed under this subsection unless the
19 claimant includes with the claimant's return a copy of the claimant's certification for
20 tax benefits under s. 235.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009
21 stats.

22 **SECTION 151.** 71.07 (3q) (c) 3. of the statutes is amended to read:

23 71.07 (3q) (c) 3. The maximum amount of credits that may be awarded under
24 this subsection and ss. 71.28 (3q) and 71.47 (3q) for the period beginning on January
25 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of

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1 any credits reallocated under s. 238.15 (3) (d), 2013 stats., or s. 560.205 (3) (d), 2009
2 stats.

3 **SECTION 152.** 71.07 (3w) (a) 2. of the statutes is amended to read:

4 71.07 (3w) (a) 2. "Claimant" means a person who is certified to claim tax
5 benefits under s. 235.399 (5) or s. 238.399 (5), 2013 stats., or s. 560.799 (5), 2009
6 stats., and who files a claim under this subsection.

7 **SECTION 153.** 71.07 (3w) (a) 3. of the statutes is amended to read:

8 71.07 (3w) (a) 3. "Full-time employee" means a full-time employee, as defined
9 in s. 235.399 (1) (am) or s. 238.399 (1) (am), 2013 stats., or s. 560.799 (1) (am), 2009
10 stats.

11 **SECTION 154.** 71.07 (3w) (a) 4. of the statutes is amended to read:

12 71.07 (3w) (a) 4. "Enterprise zone" means a zone designated under s. 235.399
13 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.

14 **SECTION 155.** 71.07 (3w) (a) 5d. of the statutes is amended to read:

15 71.07 (3w) (a) 5d. "Tier I county or municipality" means a tier I county or
16 municipality, as determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,
17 2009 stats.

18 **SECTION 156.** 71.07 (3w) (a) 5e. of the statutes is amended to read:

19 71.07 (3w) (a) 5e. "Tier II county or municipality" means a tier II county or
20 municipality, as determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,
21 2009 stats.

22 **SECTION 157.** 71.07 (3w) (b) (intro.) of the statutes is amended to read:

23 71.07 (3w) (b) *Filing claims; payroll.* (intro.) Subject to the limitations
24 provided in this subsection and s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,

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1 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.02
2 or 71.08 an amount calculated as follows:

3 **SECTION 158.** 71.07 (3w) (b) 5. of the statutes is amended to read:

4 71.07 (3w) (b) 5. Multiply the amount determined under subd. 4. by the
5 percentage determined by under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,
6 2009 stats., not to exceed 7 percent.

7 **SECTION 159.** 71.07 (3w) (bm) 1. of the statutes is amended to read:

8 71.07 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and
9 4., and subject to the limitations provided in this subsection and s. 235.399 or s.
10 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit
11 against the tax imposed under s. 71.02 or 71.08 an amount equal to a percentage, as
12 determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not
13 to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade
14 or improve the job-related skills of any of the claimant's full-time employees, to train
15 any of the claimant's full-time employees on the use of job-related new technologies,
16 or to provide job-related training to any full-time employee whose employment with
17 the claimant represents the employee's first full-time job. This subdivision does not
18 apply to employees who do not work in an enterprise zone.

19 **SECTION 160.** 71.07 (3w) (bm) 2. of the statutes is amended to read:

20 71.07 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and
21 4., and subject to the limitations provided in this subsection and s. 235.399 or s.
22 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit
23 against the tax imposed under s. 71.02 or 71.08 an amount equal to the percentage,
24 as determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.,
25 not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all

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1 of the claimant's full-time employees whose annual wages are greater than the
2 amount determined by multiplying 2,080 by 150 percent of the federal minimum
3 wage in a tier I county or municipality, not including the wages paid to the employees
4 determined under par. (b) 1., or greater than \$30,000 in a tier II county or
5 municipality, not including the wages paid to the employees determined under par.
6 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if
7 the total number of such employees is equal to or greater than the total number of
8 such employees in the base year. A claimant may claim a credit under this
9 subdivision for no more than 5 consecutive taxable years.

10 **SECTION 161.** 71.07 (3w) (bm) 3. of the statutes is amended to read:

11 71.07 (3w) (bm) 3. In addition to the credits under par. (b) and subs. 1., 2., and
12 4., and subject to the limitations provided in this subsection and s. 235.399 or s.
13 238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after
14 December 31, 2008, a claimant may claim as a credit against the tax imposed under
15 s. 71.02 or 71.08 up to 10 percent of the claimant's significant capital expenditures,
16 as determined under s. 235.399 (5m) or s. 238.399 (5m), 2013 stats., or s. 560.799
17 (5m), 2009 stats.

18 **SECTION 162.** 71.07 (3w) (bm) 4. of the statutes is amended to read:

19 71.07 (3w) (bm) 4. In addition to the credits under par. (b) and subs. 1., 2., and
20 3., and subject to the limitations provided in this subsection and s. 235.399 or s.
21 238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after
22 December 31, 2009, a claimant may claim as a credit against the tax imposed under
23 s. 71.02 or 71.08, up to 1 percent of the amount that the claimant paid in the taxable
24 year to purchase tangible personal property, items, property, or goods under s. 77.52
25 (1) (b), (c), or (d), or services from Wisconsin vendors, as determined under s. 235.399

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1 (5) (e) or s. 238.399 (5) (e), 2013 stats., or s. 560.799 (5) (e), 2009 stats., except that
2 the claimant may not claim the credit under this subdivision and subd. 3. for the
3 same expenditures.

4 **SECTION 163.** 71.07 (3w) (c) 3. of the statutes is amended to read:

5 71.07 (3w) (c) 3. No credit may be allowed under this subsection unless the
6 claimant includes with the claimant's return a copy of the claimant's certification for
7 tax benefits under s. 235.399 (5) or (5m) or s. 238.399 (5) or (5m), 2013 stats., or s.
8 560.799 (5) or (5m), 2009 stats.

9 **SECTION 164.** 71.07 (3w) (d) of the statutes is amended to read:

10 71.07 (3w) (d) *Administration.* Section 71.28 (4) (g) and (h), as it applies to the
11 credit under s. 71.28 (4), applies to the credit under this subsection. Claimants shall
12 include with their returns a copy of their certification for tax benefits, and a copy of
13 the verification of their expenses, from the department of commerce or the Wisconsin
14 Economic Development Corporation or the Forward Wisconsin Development
15 Authority.

16 **SECTION 165.** 71.07 (5b) (a) 2. of the statutes is amended to read:

17 71.07 (5b) (a) 2. "Fund manager" means an investment fund manager certified
18 under s. 235.15 (2) or s. 238.15 (2), 2013 stats., or s. 560.205 (2), 2009 stats.

19 **SECTION 166.** 71.07 (5b) (b) 1. of the statutes is amended to read:

20 71.07 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject
21 to the limitations provided under this subsection and s. 235.15 or s. 238.15, 2013
22 stats., or s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may
23 claim as a credit against the tax imposed under ss. 71.02 and 71.08, up to the amount
24 of those taxes, 25 percent of the claimant's investment paid to a fund manager that

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1 the fund manager invests in a business certified under s. 235.15 or s. 238.15 (1), 2013
2 stats., or s. 560.205 (1), 2009 stats.

3 **SECTION 167.** 71.07 (5b) (b) 2. of the statutes is amended to read:

4 71.07 (5b) (b) 2. In the case of a partnership, limited liability company, or
5 tax-option corporation, the computation of the 25 percent limitation under subd. 1.
6 shall be determined at the entity level rather than the claimant level and may be
7 allocated among the claimants who make investments in the manner set forth in the
8 entity's organizational documents. The entity shall provide to the department of
9 revenue and to the ~~department of commerce or the Wisconsin Economic~~
10 ~~Development Corporation~~ Forward Wisconsin Development Authority the names
11 and tax identification numbers of the claimants, the amounts of the credits allocated
12 to the claimants, and the computation of the allocations.

13 **SECTION 168.** 71.07 (5b) (d) 3. of the statutes is amended to read:

14 71.07 (5b) (d) 3. Except as provided under s. ~~238.15~~ 235.15 (3) (d) (intro.), for
15 investments made after December 31, 2007, if an investment for which a claimant
16 claims a credit under par. (b) is held by the claimant for less than 3 years, the
17 claimant shall pay to the department, in the manner prescribed by the department,
18 the amount of the credit that the claimant received related to the investment.

19 **SECTION 169.** 71.07 (5d) (a) 1. (intro.) of the statutes is amended to read:

20 71.07 (5d) (a) 1. (intro.) "Bona fide angel investment" means a purchase of an
21 equity interest, or any other expenditure, as determined ~~by rule~~ under s. 235.15 or
22 s. 238.15, 2013 stats., or s. 560.205, 2009 stats., that is made by any of the following:

23 **SECTION 170.** 71.07 (5d) (a) 2m. of the statutes is amended to read:

24 71.07 (5d) (a) 2m. "Person" means a partnership or limited liability company
25 that is a nonoperating entity, as determined by the ~~department of commerce or the~~

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1 ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin Development
2 Authority, a natural person, or fiduciary.

3 **SECTION 171.** 71.07 (5d) (a) 3. of the statutes is amended to read:

4 71.07 (5d) (a) 3. “Qualified new business venture” means a business that is
5 certified under s. 235.15 (1) or s. 238.15 (1), 2013 stats., or s. 560.205 (1), 2009 stats.

6 **SECTION 172.** 71.07 (5d) (b) (intro.) of the statutes is amended to read:

7 71.07 (5d) (b) *Filing claims.* (intro.) Subject to the limitations provided in this
8 subsection and in s. 235.15 or s. 238.15, 2013 stats., or s. 560.205, 2009 stats., a
9 claimant may claim as a credit against the tax imposed under s. 71.02 or 71.08, up
10 to the amount of those taxes, the following:

11 **SECTION 173.** 71.07 (5d) (b) 1. of the statutes is amended to read:

12 71.07 (5d) (b) 1. For taxable years beginning before January 1, 2008, in each
13 taxable year for 2 consecutive years, beginning with the taxable year as certified by
14 the department of commerce ~~or~~, the Wisconsin Economic Development Corporation,
15 or the Forward Wisconsin Development Authority, an amount equal to 12.5 percent
16 of the claimant’s bona fide angel investment made directly in a qualified new
17 business venture.

18 **SECTION 174.** 71.07 (5d) (b) 2. of the statutes is amended to read:

19 71.07 (5d) (b) 2. For taxable years beginning after December 31, 2007, for the
20 taxable year certified by the department of commerce ~~or~~, the Wisconsin Economic
21 Development Corporation, or the Forward Wisconsin Development Authority, an
22 amount equal to 25 percent of the claimant’s bona fide angel investment made
23 directly in a qualified new business venture.

24 **SECTION 175.** 71.07 (5d) (c) 2. of the statutes is amended to read:

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1 71.07 (5d) (c) 2. For taxable years beginning before January 1, 2008, the
2 maximum amount of a claimant's investment that may be used as the basis for a
3 credit under this subsection is \$2,000,000 for each investment made directly in a
4 business certified under s. 235.15 (1) or s. 238.15 (1), 2013 stats., or s. 560.205 (1),
5 2009 stats.

6 **SECTION 176.** 71.07 (5d) (d) 1. of the statutes is amended to read:

7 71.07 (5d) (d) 1. Except as provided under s. ~~238.15~~ 235.15 (3) (d) (intro.), for
8 investments made after December 31, 2007, if an investment for which a claimant
9 claims a credit under par. (b) is held by the claimant for less than 3 years, the
10 claimant shall pay to the department, in the manner prescribed by the department,
11 the amount of the credit that the claimant received related to the investment.

12 **SECTION 177.** 71.07 (9m) (c) (intro.) of the statutes is amended to read:

13 71.07 (9m) (c) (intro.) No person may claim the credit under par. (a) 2m. unless
14 the claimant includes with the claimant's return a copy of the claimant's certification
15 under s. ~~238.17~~ 235.17. For certification purposes under s. ~~238.17~~ 235.17, the
16 claimant shall provide to the ~~Wisconsin Economic Development Corporation~~
17 Forward Wisconsin Development Authority all of the following:

18 **SECTION 178.** 71.26 (1) (be) of the statutes is amended to read:

19 71.26 (1) (be) *Certain authorities.* Income of the University of Wisconsin
20 Hospitals and Clinics Authority, of the Fox River Navigational System Authority, of
21 the ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin
22 Development Authority, and of the Wisconsin Aerospace Authority.

23 **SECTION 179.** 71.26 (1m) (e) of the statutes is amended to read:

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1 71.26 (1m) (e) Those issued under s. 234.65, 2013 stats., to fund an economic
2 development loan to finance construction, renovation or development of property
3 that would be exempt under s. 70.11 (36).

4 **SECTION 180.** 71.26 (1m) (em) of the statutes is amended to read:

5 71.26 (1m) (em) Those issued under s. 234.08, 2013 stats., or s. 234.61, 2013
6 stats., on or after January 1, 2004, or the Forward Wisconsin Development Authority
7 under s. 235.02 or 235.61, if the obligations are issued to fund multifamily affordable
8 housing projects or elderly housing projects.

9 **SECTION 181.** 71.26 (1m) (k) 1. of the statutes is amended to read:

10 71.26 (1m) (k) 1. The bonds or notes are used to fund multifamily affordable
11 housing projects or elderly housing projects in this state, and the Wisconsin Housing
12 and Economic Development Authority under ch. 234, 2013 stats., or the Forward
13 Wisconsin Development Authority has the authority to issue its bonds or notes for
14 the project being funded.

15 **SECTION 182.** 71.26 (1m) (m) of the statutes is amended to read:

16 71.26 (1m) (m) Those issued by the Wisconsin Housing and Economic
17 Development Authority or the Forward Wisconsin Development Authority to
18 provide loans to a public affairs network under s. 235.75 (4) or s. 234.75 (4), 2013
19 stats.

20 **SECTION 183.** 71.28 (1) (a) of the statutes is amended to read:

21 71.28 (1) (a) Any corporation which contributes an amount to the community
22 development finance authority under s. 233.03, 1985 stats., or to the housing and
23 economic development authority under s. 234.03 (32), 2013 stats., or to the Forward
24 Wisconsin Development Authority on behalf of the community development finance
25 company under s. 235.95 and, in the same year, purchases common stock or

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1 partnership interests of the community development finance company issued under
2 s. 233.05 (2), 1985 stats., or s. 234.95 (2), 2013 stats., or 235.95 in an amount no
3 greater than the contribution to the authority may credit against taxes otherwise
4 due an amount equal to 75% of the purchase price of the stock or partnership
5 interests. The credit received under this paragraph may not exceed 75% of the
6 contribution to the community development finance authority.

7 **SECTION 184.** 71.28 (1dm) (a) 1. of the statutes is amended to read:

8 71.28 (1dm) (a) 1. "Certified" means entitled under s. 235.395 (3) (a) 4. or s.
9 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits
10 or certified under s. 235.395 (5), 235.398 (3), or 235.3995 (4) or s. 238.395 (5), 2013
11 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009
12 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

13 **SECTION 185.** 71.28 (1dm) (a) 3. of the statutes is amended to read:

14 71.28 (1dm) (a) 3. "Development zone" means a development opportunity zone
15 under s. 235.395 (1) (e) and (f) or 235.398 or s. 238.395 (1) (e) and (f), 2013 stats., or
16 s. 238.398, 2013 stats., or s. 560.795 (1) (e) and (f), 2009 stats., or s. 560.798, 2009
17 stats., or an airport development zone under s. 235.3995 or s. 238.3995, 2013 stats.,
18 or s. 560.7995, 2009 stats.

19 **SECTION 186.** 71.28 (1dm) (a) 4. of the statutes is amended to read:

20 71.28 (1dm) (a) 4. "Previously owned property" means real property that the
21 claimant or a related person owned during the 2 years prior to the department of
22 commerce or the Wisconsin Economic Development Corporation or the Forward
23 Wisconsin Development Authority designating the place where the property is
24 located as a development zone and for which the claimant may not deduct a loss from
25 the sale of the property to, or an exchange of the property with, the related person

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1 under section 267 of the Internal Revenue Code, except that section 267 (b) of the
2 Internal Revenue Code is modified so that if the claimant owns any part of the
3 property, rather than 50% ownership, the claimant is subject to section 267 (a) (1) of
4 the Internal Revenue Code for purposes of this subsection.

5 **SECTION 187.** 71.28 (1dm) (f) 1. of the statutes is amended to read:

6 71.28 (1dm) (f) 1. A copy of the verification that the claimant may claim tax
7 benefits under s. 235.395 (3) (a) 4. or s. 238.395 (3) (a) 4., 2013 stats., or s. 560.795
8 (3) (a) 4., 2009 stats., or is certified under s. 235.395 (5), 235.398 (3), or 235.3995 (4)
9 or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats.,
10 or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

11 **SECTION 188.** 71.28 (1dm) (f) 2. of the statutes is amended to read:

12 71.28 (1dm) (f) 2. A statement from the department of commerce or the
13 Wisconsin Economic Development Corporation or the Forward Wisconsin
14 Development Authority verifying the purchase price of the investment and verifying
15 that the investment fulfills the requirements under par. (b).

16 **SECTION 189.** 71.28 (1dm) (i) of the statutes is amended to read:

17 71.28 (1dm) (i) Partnerships, limited liability companies, and tax-option
18 corporations may not claim the credit under this subsection, but the eligibility for,
19 and the amount of, that credit shall be determined on the basis of their economic
20 activity, not that of their shareholders, partners, or members. The corporation,
21 partnership, or limited liability company shall compute the amount of credit that
22 may be claimed by each of its shareholders, partners, or members and provide that
23 information to its shareholders, partners, or members. Partners, members of limited
24 liability companies, and shareholders of tax-option corporations may claim the
25 credit based on the partnership's, company's, or corporation's activities in proportion

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1 to their ownership interest and may offset it against the tax attributable to their
2 income from the partnership's, company's, or corporation's business operations in the
3 development zone; except that partners, members, and shareholders in a
4 development zone under s. 235.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s.
5 560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax
6 attributable to their income.

7 **SECTION 190.** 71.28 (1dm) (j) of the statutes is amended to read:

8 71.28 (1dm) (j) If a person who is entitled under s. 235.395 (3) (a) 4. or s. 238.395
9 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits becomes
10 ineligible for such tax benefits, or if a person's certification under s. 235.395 (5),
11 235.398 (3), or 235.3995 (4) or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats.,
12 or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,
13 or s. 560.7995 (4), 2009 stats., is revoked, that person may claim no credits under this
14 subsection for the taxable year that includes the day on which the person becomes
15 ineligible for tax benefits, the taxable year that includes the day on which the
16 certification is revoked, or succeeding taxable years, and that person may carry over
17 no unused credits from previous years to offset tax under this chapter for the taxable
18 year that includes the day on which the person becomes ineligible for tax benefits,
19 the taxable year that includes the day on which the certification is revoked, or
20 succeeding taxable years.

21 **SECTION 191.** 71.28 (1dm) (k) of the statutes is amended to read:

22 71.28 (1dm) (k) If a person who is entitled under s. 235.395 (3) (a) 4. or s.
23 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits
24 or certified under s. 235.395 (5), 235.398 (3), or 235.3995 (4) or s. 238.395 (5), 2013
25 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009

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1 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., ceases business
2 operations in the development zone during any of the taxable years that that zone
3 exists, that person may not carry over to any taxable year following the year during
4 which operations cease any unused credits from the taxable year during which
5 operations cease or from previous taxable years.

6 **SECTION 192.** 71.28 (1dx) (a) 2. of the statutes is amended to read:

7 71.28 (1dx) (a) 2. “Development zone” means a development zone under s.
8 235.30 or s. 238.30, 2013 stats., or s. 560.70, 2009 stats., a development opportunity
9 zone under s. 235.395 or s. 238.395, 2013 stats., or s. 560.795, 2009 stats., an
10 enterprise development zone under s. 235.397 or s. 238.397, 2013 stats., or s.
11 560.797, 2009 stats., an agricultural development zone under s. 235.398 or s.
12 238.398, 2013 stats., or s. 560.798, 2009 stats., or an airport development zone under
13 s. 235.3995 or s. 238.3995, 2013 stats., or s. 560.7995, 2009 stats.

14 **SECTION 193.** 71.28 (1dx) (a) 4. of the statutes is amended to read:

15 71.28 (1dx) (a) 4. “Full-time job” has the meaning given in s. ~~238.30~~ 235.30
16 (2m).

17 **SECTION 194.** 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

18 71.28 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and
19 in s. 73.03 (35), and subject to s. 235.385 or s. 238.385, 2013 stats., or s. 560.785, 2009
20 stats., for any taxable year for which the person is entitled under s. 235.395 (3) or s.
21 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits or certified
22 under s. 235.365 (3), 235.397 (4), 235.398 (3), or 235.3995 (4) or s. 238.365 (3), 2013
23 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013
24 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009

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1 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against the
2 taxes otherwise due under this chapter the following amounts:

3 **SECTION 195.** 71.28 (1dx) (b) 2. of the statutes is amended to read:

4 71.28 (1dx) (b) 2. The amount determined by multiplying the amount
5 determined under s. 235.385 (1) (b) or s. 238.385 (1) (b), 2013 stats., or s. 560.785 (1)
6 (b), 2009 stats., by the number of full-time jobs created in a development zone and
7 filled by a member of a targeted group and by then subtracting the subsidies paid
8 under s. 49.147 (3) (a) for those jobs.

9 **SECTION 196.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

10 71.28 (1dx) (b) 3. The amount determined by multiplying the amount
11 determined under s. 235.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1)
12 (c), 2009 stats., by the number of full-time jobs created in a development zone and
13 not filled by a member of a targeted group and by then subtracting the subsidies paid
14 under s. 49.147 (3) (a) for those jobs.

15 **SECTION 197.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

16 71.28 (1dx) (b) 4. The amount determined by multiplying the amount
17 determined under s. 235.385 (1) (bm) or s. 238.385 (1) (bm), 2013 stats., or s. 560.785
18 (1) (bm), 2009 stats., by the number of full-time jobs retained, as provided ~~in the~~
19 ~~rules~~ under s. 235.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., excluding
20 jobs for which a credit has been claimed under sub. (1dj), in an enterprise
21 development zone under s. 235.397 or s. 238.397, 2013 stats., or s. 560.797, 2009
22 stats., and for which significant capital investment was made and by then
23 subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

24 **SECTION 198.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

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1 71.28 (1dx) (b) 5. The amount determined by multiplying the amount
2 determined under s. 235.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1)
3 (c), 2009 stats., by the number of full-time jobs retained, as provided in the rules
4 under s. 235.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., excluding jobs
5 for which a credit has been claimed under sub. (1dj), in a development zone and not
6 filled by a member of a targeted group and by then subtracting the subsidies paid
7 under s. 49.147 (3) (a) for those jobs.

8 **SECTION 199.** 71.28 (1dx) (be) of the statutes is amended to read:

9 71.28 (1dx) (be) *Offset.* A claimant in a development zone under s. 235.395 (1)
10 (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats., may offset any
11 credits claimed under this subsection, including any credits carried over, against the
12 amount of the tax otherwise due under this subchapter attributable to all of the
13 claimant's income and against the tax attributable to income from directly related
14 business operations of the claimant.

15 **SECTION 200.** 71.28 (1dx) (bg) of the statutes is amended to read:

16 71.28 (1dx) (bg) *Other entities.* For claimants in a development zone under s.
17 235.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats.,
18 partnerships, limited liability companies, and tax-option corporations may not
19 claim the credit under this subsection, but the eligibility for, and amount of, that
20 credit shall be determined on the basis of their economic activity, not that of their
21 shareholders, partners, or members. The corporation, partnership, or company shall
22 compute the amount of the credit that may be claimed by each of its shareholders,
23 partners, or members and shall provide that information to each of its shareholders,
24 partners, or members. Partners, members of limited liability companies, and
25 shareholders of tax-option corporations may claim the credit based on the

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1 partnership's, company's, or corporation's activities in proportion to their ownership
2 interest and may offset it against the tax attributable to their income.

3 **SECTION 201.** 71.28 (1dx) (c) of the statutes is amended to read:

4 71.28 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits
5 under s. 235.365 (3), 235.397 (4), 235.398 (3), or 235.3995 (4) or s. 238.365 (3), 2013
6 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013
7 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009
8 stats., or s. 560.7995 (4), 2009 stats., is revoked, or if the person becomes ineligible
9 for tax benefits under s. 235.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3),
10 2009 stats., that person may not claim credits under this subsection for the taxable
11 year that includes the day on which the certification is revoked; the taxable year that
12 includes the day on which the person becomes ineligible for tax benefits; or
13 succeeding taxable years and that person may not carry over unused credits from
14 previous years to offset tax under this chapter for the taxable year that includes the
15 day on which certification is revoked; the taxable year that includes the day on which
16 the person becomes ineligible for tax benefits; or succeeding taxable years.

17 **SECTION 202.** 71.28 (1dx) (d) of the statutes is amended to read:

18 71.28 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s.
19 235.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax
20 benefits or certified under s. 235.365 (3), 235.397 (4), 235.398 (3), or 235.3995 (4) or
21 s. 238.365 (3), 2013 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or
22 s. 238.3995 (4), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats.,
23 s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for tax benefits ceases
24 business operations in the development zone during any of the taxable years that
25 that zone exists, that person may not carry over to any taxable year following the

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1 year during which operations cease any unused credits from the taxable year during
2 which operations cease or from previous taxable years.

3 **SECTION 203.** 71.28 (1dy) (a) of the statutes is amended to read:

4 71.28 (1dy) (a) *Definition.* In this subsection, “claimant” means a person who
5 files a claim under this subsection and is certified under s. 235.301 (2) or s. 238.301
6 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits
7 under s. 235.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

8 **SECTION 204.** 71.28 (1dy) (b) of the statutes is amended to read:

9 71.28 (1dy) (b) *Filing claims.* Subject to the limitations under this subsection
10 and ss. 235.301 to 235.306 or ss. 238.301 to 238.306, 2013 stats., or ~~s.~~ ss. 560.701 to
11 560.706, 2009 stats., for taxable years beginning after December 31, 2008, a claimant
12 may claim as a credit against the tax imposed under s. 71.23, up to the amount of the
13 tax, the amount authorized for the claimant under s. 235.303 or s. 238.303, 2013
14 stats., or s. 560.703, 2009 stats.

15 **SECTION 205.** 71.28 (1dy) (c) 1. of the statutes is amended to read:

16 71.28 (1dy) (c) 1. No credit may be allowed under this subsection unless the
17 claimant includes with the claimant’s return a copy of the claimant’s certification
18 under s. 235.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and
19 a copy of the claimant’s notice of eligibility to receive tax benefits under s. 235.303
20 (3) or s. 238.303 (3), 2013 stats., or s. 560.703 (3), 2009 stats.

21 **SECTION 206.** 71.28 (1dy) (c) 2. of the statutes is amended to read:

22 71.28 (1dy) (c) 2. Partnerships, limited liability companies, and tax-option
23 corporations may not claim the credit under this subsection, but the eligibility for,
24 and the amount of, the credit are based on their authorization to claim tax benefits
25 under s. 235.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats. A partnership,

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1 limited liability company, or tax-option corporation shall compute the amount of
2 credit that each of its partners, members, or shareholders may claim and shall
3 provide that information to each of them. Partners, members of limited liability
4 companies, and shareholders of tax-option corporations may claim the credit in
5 proportion to their ownership interests.

6 **SECTION 207.** 71.28 (1dy) (d) 2. of the statutes is amended to read:

7 71.28 (1dy) (d) 2. If a claimant's certification is revoked under s. 235.305 or s.
8 238.305, 2013 stats., or s. 560.705, 2009 stats., or if a claimant becomes ineligible for
9 tax benefits under s. 235.302 or s. 238.302, 2013 stats., or s. 560.702, 2009 stats., the
10 claimant may not claim credits under this subsection for the taxable year that
11 includes the day on which the certification is revoked; the taxable year that includes
12 the day on which the claimant becomes ineligible for tax benefits; or succeeding
13 taxable years and the claimant may not carry over unused credits from previous
14 years to offset the tax imposed under s. 71.23 for the taxable year that includes the
15 day on which certification is revoked; the taxable year that includes the day on which
16 the claimant becomes ineligible for tax benefits; or succeeding taxable years.

17 **SECTION 208.** 71.28 (3g) (a) (intro.) of the statutes is amended to read:

18 71.28 (3g) (a) (intro.) Subject to the limitations under this subsection and ss.
19 73.03 (35m) and 235.23 and s. 238.23, 2013 stats., and s. 560.96, 2009 stats., a
20 business that is certified under s. 235.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96
21 (3), 2009 stats., may claim as a credit against the taxes imposed under s. 71.23 an
22 amount equal to the sum of the following, as established under s. 235.23 (3) (c) or s.
23 238.23 (3) (c), 2013 stats., or s. 560.96 (3) (c), 2009 stats.:

24 **SECTION 209.** 71.28 (3g) (b) of the statutes is amended to read:

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1 71.28 (3g) (b) The department of revenue shall notify the department of
2 commerce or the Wisconsin Economic Development Corporation Forward Wisconsin
3 Development Authority of all claims under this subsection.

4 **SECTION 210.** 71.28 (3g) (e) 2. of the statutes is amended to read:

5 71.28 (3g) (e) 2. The investments that relate to the amount described under par.
6 (a) 2. for which a claimant makes a claim under this subsection must be retained for
7 use in the technology zone for the period during which the claimant's business is
8 certified under s. 235.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats.

9 **SECTION 211.** 71.28 (3g) (f) 1. of the statutes is amended to read:

10 71.28 (3g) (f) 1. A copy of the verification that the claimant's business is
11 certified under s. 235.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats.,
12 and that the business has entered into an agreement under s. 235.23 (3) (d) or s.
13 238.23 (3) (d), 2013 stats., or s. 560.96 (3) (d), 2009 stats.

14 **SECTION 212.** 71.28 (3g) (f) 2. of the statutes is amended to read:

15 71.28 (3g) (f) 2. A statement from the department of commerce or the Wisconsin
16 Economic Development Corporation or the Forward Wisconsin Development
17 Authority verifying the purchase price of the investment described under par. (a) 2.
18 and verifying that the investment fulfills the requirement under par. (e) 2.

19 **SECTION 213.** 71.28 (3q) (a) 1. of the statutes is amended to read:

20 71.28 (3q) (a) 1. "Claimant" means a person certified to receive tax benefits
21 under s. 235.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009 stats.

22 **SECTION 214.** 71.28 (3q) (a) 2. of the statutes is amended to read:

23 71.28 (3q) (a) 2. "Eligible employee" means, for taxable years beginning before
24 January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who
25 satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for

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1 taxable years beginning after December 31, 2010, an eligible employee under s.
2 235.16 (1) (b) or s. 238.16 (1) (b), 2013 stats., who satisfies the wage requirements
3 under s. 235.16 (3) (a) or (b) or s. 238.16 (3) (a) or (b), 2013 stats.

4 **SECTION 215.** 71.28 (3q) (b) of the statutes is amended to read:

5 71.28 **(3q)** (b) *Filing claims.* Subject to the limitations provided in this
6 subsection and s. 235.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats., for
7 taxable years beginning after December 31, 2009, a claimant may claim as a credit
8 against the taxes imposed under s. 71.23 any of the following:

9 1. The amount of wages that the claimant paid to an eligible employee in the
10 taxable year, not to exceed 10 percent of such wages, as determined under s. 235.16
11 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats.

12 2. The amount of the costs incurred by the claimant in the taxable year, as
13 determined under s. 235.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats., to
14 undertake the training activities described under s. 235.16 (3) (c) or s. 238.16 (3) (c),
15 2013 stats., or s. 560.2055 (3) (c), 2009 stats.

16 **SECTION 216.** 71.28 (3q) (c) 2. of the statutes is amended to read:

17 71.28 **(3q)** (c) 2. No credit may be allowed under this subsection unless the
18 claimant includes with the claimant's return a copy of the claimant's certification for
19 tax benefits under s. 235.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009
20 stats.

21 **SECTION 217.** 71.28 (3q) (c) 3. of the statutes is amended to read:

22 71.28 **(3q)** (c) 3. The maximum amount of credits that may be awarded under
23 this subsection and ss. 71.07 (3q) and 71.47 (3q) for the period beginning on January
24 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of

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1 any credits reallocated under 235.15 (3) (d) or s. 238.15 (3) (d), 2013 stats., or s.
2 560.205 (3) (d), 2009 stats.

3 **SECTION 218.** 71.28 (3w) (a) 2. of the statutes is amended to read:

4 71.28 (3w) (a) 2. “Claimant” means a person who is certified to claim tax
5 benefits under s. 235.399 (5) or s. 238.399 (5), 2013 stats., or s. 560.799 (5), 2009
6 stats., and who files a claim under this subsection.

7 **SECTION 219.** 71.28 (3w) (a) 3. of the statutes is amended to read:

8 71.28 (3w) (a) 3. “Full-time employee” means a full-time employee, as defined
9 in s. 235.399 (1) (am) or s. 238.399 (1) (am), 2013 stats., or s. 560.799 (1) (am), 2009
10 stats.

11 **SECTION 220.** 71.28 (3w) (a) 4. of the statutes is amended to read:

12 71.28 (3w) (a) 4. “Enterprise zone” means a zone designated under s. 235.399
13 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.

14 **SECTION 221.** 71.28 (3w) (a) 5d. of the statutes is amended to read:

15 71.28 (3w) (a) 5d. “Tier I county or municipality” means a tier I county or
16 municipality, as determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,
17 2009 stats.

18 **SECTION 222.** 71.28 (3w) (a) 5e. of the statutes is amended to read:

19 71.28 (3w) (a) 5e. “Tier II county or municipality” means a tier II county or
20 municipality, as determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,
21 2009 stats.

22 **SECTION 223.** 71.28 (3w) (b) (intro.) of the statutes is amended to read:

23 71.28 (3w) (b) *Filing claims; payroll.* (intro.) Subject to the limitations
24 provided in this subsection and s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,

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1 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.23
2 an amount calculated as follows:

3 **SECTION 224.** 71.28 (3w) (b) 5. of the statutes is amended to read:

4 71.28 (3w) (b) 5. Multiply the amount determined under subd. 4. by the
5 percentage determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799, 2009
6 stats., not to exceed 7 percent.

7 **SECTION 225.** 71.28 (3w) (bm) 1. of the statutes is amended to read:

8 71.28 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and
9 4., and subject to the limitations provided in this subsection and s. 235.399 or s.
10 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit
11 against the tax imposed under s. 71.23 an amount equal to a percentage, as
12 determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not
13 to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade
14 or improve the job-related skills of any of the claimant's full-time employees, to train
15 any of the claimant's full-time employees on the use of job-related new technologies,
16 or to provide job-related training to any full-time employee whose employment with
17 the claimant represents the employee's first full-time job. This subdivision does not
18 apply to employees who do not work in an enterprise zone.

19 **SECTION 226.** 71.28 (3w) (bm) 2. of the statutes is amended to read:

20 71.28 (3w) (bm) 2. In addition to the credits under par. (b) and subds. 1., 3., and
21 4., and subject to the limitations provided in this subsection and s. 235.399 or s.
22 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit
23 against the tax imposed under s. 71.23 an amount equal to the percentage, as
24 determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not
25 to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of

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1 the claimant's full-time employees whose annual wages are greater than the amount
2 determined by multiplying 2,080 by 150 percent of the federal minimum wage in a
3 tier I county or municipality, not including the wages paid to the employees
4 determined under par. (b) 1., or greater than \$30,000 in a tier II county or
5 municipality, not including the wages paid to the employees determined under par.
6 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if
7 the total number of such employees is equal to or greater than the total number of
8 such employees in the base year. A claimant may claim a credit under this
9 subdivision for no more than 5 consecutive taxable years.

10 **SECTION 227.** 71.28 (3w) (bm) 3. of the statutes is amended to read:

11 71.28 (3w) (bm) 3. In addition to the credits under par. (b) and subds. 1., 2., and
12 4., and subject to the limitations provided in this subsection and s. 235.399 or s.
13 238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after
14 December 31, 2008, a claimant may claim as a credit against the tax imposed under
15 s. 71.23 up to 10 percent of the claimant's significant capital expenditures, as
16 determined under s. 235.399 (5m) or s. 238.399 (5m), 2013 stats., or s. 560.799 (5m),
17 2009 stats.

18 **SECTION 228.** 71.28 (3w) (bm) 4. of the statutes is amended to read:

19 71.28 (3w) (bm) 4. In addition to the credits under par. (b) and subds. 1., 2., and
20 3., and subject to the limitations provided in this subsection and s. 235.399 or s.
21 238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after
22 December 31, 2009, a claimant may claim as a credit against the tax imposed under
23 s. 71.23, up to 1 percent of the amount that the claimant paid in the taxable year to
24 purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b),
25 (c), or (d), or services from Wisconsin vendors, as determined under s. 235.399 (5) (e)

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1 or s. 238.399 (5) (e), 2013 stats., or s. 560.799 (5) (e), 2009 stats., except that the
2 claimant may not claim the credit under this subdivision and subd. 3. for the same
3 expenditures.

4 **SECTION 229.** 71.28 (3w) (c) 3. of the statutes is amended to read:

5 71.28 (3w) (c) 3. No credit may be allowed under this subsection unless the
6 claimant includes with the claimant's return a copy of the claimant's certification for
7 tax benefits under s. 235.399 (5) or (5m) or s. 238.399 (5) or (5m), 2013 stats., or s.
8 560.799 (5) or (5m), 2009 stats.

9 **SECTION 230.** 71.28 (3w) (d) of the statutes is amended to read:

10 71.28 (3w) (d) *Administration.* Subsection (4) (g) and (h), as it applies to the
11 credit under sub. (4), applies to the credit under this subsection. Claimants shall
12 include with their returns a copy of their certification for tax benefits, and a copy of
13 the verification of their expenses, from the department of commerce or the Wisconsin
14 Economic Development Corporation or the Forward Wisconsin Development
15 Authority.

16 **SECTION 231.** 71.28 (4) (am) 1. of the statutes is amended to read:

17 71.28 (4) (am) 1. In addition to the credit under par. (ad), any corporation may
18 credit against taxes otherwise due under this chapter an amount equal to 5 percent
19 of the amount obtained by subtracting from the corporation's qualified research
20 expenses, as defined in section 41 of the Internal Revenue Code, except that
21 "qualified research expenses" include only expenses incurred by the claimant in a
22 development zone under subch. III of ch. 235 or subch. II of ch. 238, 2013 stats., or
23 subch. VI of ch. 560, 2009 stats., except that a taxpayer may elect the alternative
24 computation under section 41 (c) (4) of the Internal Revenue Code and that election
25 applies until the department permits its revocation and except that "qualified

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1 research expenses” do not include compensation used in computing the credit under
2 sub. (1dj) nor research expenses incurred before the claimant is certified for tax
3 benefits under s. 235.365 (3) or s. 238.365 (3), 2013 stats., or s. 560.765 (3), 2009
4 stats., the corporation’s base amount, as defined in section 41 (c) of the Internal
5 Revenue Code, in a development zone, except that gross receipts used in calculating
6 the base amount means gross receipts from sales attributable to Wisconsin under s.
7 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh) 1., 2., and 3., (dj), and (dk) and research
8 expenses used in calculating the base amount include research expenses incurred
9 before the claimant is certified for tax benefits under s. 235.365 (3) or s. 238.365 (3),
10 2013 stats., or s. 560.765 (3), 2009 stats., in a development zone, if the claimant
11 submits with the claimant’s return a copy of the claimant’s certification for tax
12 benefits under s. 235.365 (3) or s. 238.365 (3), 2013 stats., or s. 560.765 (3), 2009
13 stats., and a statement from the department of commerce or the Wisconsin Economic
14 Development Corporation or Forward Wisconsin Development Authority verifying
15 the claimant’s qualified research expenses for research conducted exclusively in a
16 development zone. The rules under s. 73.03 (35) apply to the credit under this
17 subdivision. The rules under sub. (1di) (f) and (g) as they apply to the credit under
18 that subsection apply to claims under this subdivision. Section 41 (h) of the Internal
19 Revenue Code does not apply to the credit under this subdivision.

20 **SECTION 232.** 71.28 (4) (am) 2. of the statutes is amended to read:

21 71.28 (4) (am) 2. The development zones credit under subd. 1., as it applies to
22 a person certified under s. 235.365 or s. 238.365 (3), 2013 stats., or s. 560.765 (3), 2009
23 stats., applies to a corporation that conducts economic activity in a development
24 opportunity zone under s. 235.395 (1) or s. 238.395 (1), 2013 stats., or s. 560.795 (1),
25 2009 stats., and that is entitled to tax benefits under s. 235.395 (3) or s. 238.395 (3),

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1 2013 stats., or s. 560.795 (3), 2009 stats., subject to the limits under s. 235.395 (2) or
2 s. 238.395 (2), 2013 stats., or s. 560.795 (2), 2009 stats. A development opportunity
3 zone credit under this subdivision may be calculated using expenses incurred by a
4 claimant beginning on the effective date under s. 235.395 (2) (a) or s. 238.395 (2) (a),
5 2013 stats., or s. 560.795 (2) (a), 2009 stats., of the development opportunity zone
6 designation of the area in which the claimant conducts economic activity.

7 **SECTION 233.** 71.28 (5b) (a) 2. of the statutes is amended to read:

8 71.28 (5b) (a) 2. “Fund manager” means an investment fund manager certified
9 under s. 235.15 (2) or s. 238.15 (2), 2013 stats., or s. 560.205 (2), 2009 stats.

10 **SECTION 234.** 71.28 (5b) (b) 1. of the statutes is amended to read:

11 71.28 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject
12 to the limitations provided under this subsection and s. 235.15 or s. 238.15, 2013
13 stats., or s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may
14 claim as a credit against the tax imposed under s. 71.23, up to the amount of those
15 taxes, 25 percent of the claimant’s investment paid to a fund manager that the fund
16 manager invests in a business certified under s. 235.15 (1) or s. 238.15 (1), 2013
17 stats., or s. 560.205 (1), 2009 stats.

18 **SECTION 235.** 71.28 (5b) (b) 2. of the statutes is amended to read:

19 71.28 (5b) (b) 2. In the case of a partnership, limited liability company, or
20 tax-option corporation, the computation of the 25 percent limitation under subd. 1.
21 shall be determined at the entity level rather than the claimant level and may be
22 allocated among the claimants who make investments in the manner set forth in the
23 entity’s organizational documents. The entity shall provide to the department of
24 revenue and to the ~~department of commerce or the Wisconsin Economic~~
25 ~~Development Corporation~~ Forward Wisconsin Development Authority the names

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1 and tax identification numbers of the claimants, the amounts of the credits allocated
2 to the claimants, and the computation of the allocations.

3 **SECTION 236.** 71.28 (5b) (d) 3. of the statutes is amended to read:

4 71.28 **(5b)** (d) 3. Except as provided under s. ~~238.15~~ 235.15 (3) (d) (intro.), for
5 investments made after December 31, 2007, if an investment for which a claimant
6 claims a credit under par. (b) is held by the claimant for less than 3 years, the
7 claimant shall pay to the department, in the manner prescribed by the department,
8 the amount of the credit that the claimant received related to the investment.

9 **SECTION 237.** 71.28 (6) (c) (intro.) of the statutes is amended to read:

10 71.28 **(6)** (c) (intro.) No person may claim the credit under par. (a) 2m. unless
11 the claimant includes with the claimant's return a copy of the claimant's certification
12 under s. ~~238.17~~ 235.17. For certification purposes under s. ~~238.17~~ 235.17, the
13 claimant shall provide to the ~~Wisconsin Economic Development Corporation~~
14 Forward Wisconsin Development Authority all of the following:

15 **SECTION 238.** 71.36 (1m) (b) 2. of the statutes is amended to read:

16 71.36 **(1m)** (b) 2. Interest on obligations issued under s. 66.0304 by a
17 commission if the bonds or notes are used to fund multifamily affordable housing
18 projects or elderly housing projects in this state, and the Forward Wisconsin Housing
19 ~~and Economic Development Authority~~ has the authority to issue its bonds or notes
20 for the project being funded, or if the bonds or notes are used by a health facility, as
21 defined in s. 231.01 (5), to fund the acquisition of information technology hardware
22 or software, in this state, and the Wisconsin Health and Educational Facilities
23 Authority has the authority to issue its bonds or notes for the project being funded,
24 or if the bonds or notes are issued to fund a redevelopment project in this state or a

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1 housing project in this state, and the authority exists for bonds or notes to be issued
2 by an entity described under s. 66.1201, 66.1333, or 66.1335.

3 **SECTION 239.** 71.36 (1m) (b) 5. of the statutes is amended to read:

4 71.36 **(1m)** (b) 5. Interest on obligations issued under s. 234.65, 2013 stats., to
5 fund an economic development loan to finance construction, renovation or
6 development of property that would be exempt under s. 70.11 (36).

7 **SECTION 240.** 71.45 (1t) (e) of the statutes is amended to read:

8 71.45 **(1t)** (e) Those issued under s. 234.65, 2013 stats., to fund an economic
9 development loan to finance construction, renovation or development of property
10 that would be exempt under s. 70.11 (36).

11 **SECTION 241.** 71.45 (1t) (em) of the statutes is amended to read:

12 71.45 **(1t)** (em) Those issued under s. 234.08, 2013 stats., or s. 234.61, 2013
13 stats., on or after January 1, 2004, or the Forward Wisconsin Development Authority
14 under s. 235.02 or 235.61, if the obligations are issued to fund multifamily affordable
15 housing projects or elderly housing projects.

16 **SECTION 242.** 71.45 (1t) (k) 1. of the statutes is amended to read:

17 71.45 **(1t)** (k) 1. The bonds or notes are used to fund multifamily affordable
18 housing projects or elderly housing projects in this state, and the Wisconsin Housing
19 and Economic Development Authority under ch. 234, 2013 stats., or the Forward
20 Wisconsin Development Authority has the authority to issue its bonds or notes for
21 the project being funded.

22 **SECTION 243.** 71.45 (1t) (m) of the statutes is amended to read:

23 71.45 **(1t)** (m) Those issued by the Wisconsin Housing and Economic
24 Development Authority or the Forward Wisconsin Development Authority to

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1 provide loans to a public affairs network under s. 234.75 (4), 2013 stats., or s. 235.75
2 (4).

3 **SECTION 244.** 71.47 (1) (a) of the statutes is amended to read:

4 71.47 (1) (a) Any corporation which contributes an amount to the community
5 development finance authority under s. 233.03, 1985 stats., or to the housing and
6 economic development authority under s. 234.03 (32), 2013 stats., or to the Forward
7 Wisconsin Development Authority on behalf of the community development finance
8 company under s. 235.95 and in the same year purchases common stock or
9 partnership interests of the community development finance company issued under
10 s. 233.05 (2), 1985 stats., or s. 234.95 (2), 2013 stats., or s. 235.95 (2) in an amount
11 no greater than the contribution to the authority, may credit against taxes otherwise
12 due an amount equal to 75% of the purchase price of the stock or partnership
13 interests. The credit received under this paragraph may not exceed 75% of the
14 contribution ~~to the community development finance authority.~~

15 **SECTION 245.** 71.47 (1dm) (a) 1. of the statutes is amended to read:

16 71.47 (1dm) (a) 1. "Certified" means entitled under s. 235.395 (3) (a) 4. or s.
17 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits
18 or certified under s. 235.395 (5), 235.398 (3), or 235.3995 (4) or s. 238.395 (5), 2013
19 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009
20 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

21 **SECTION 246.** 71.47 (1dm) (a) 3. of the statutes is amended to read:

22 71.47 (1dm) (a) 3. "Development zone" means a development opportunity zone
23 under s. 235.395 (1) (e) and (f) or 235.398 or s. 238.395 (1) (e) and (f), 2013 stats., or
24 s. 238.398, 2013 stats. or s. 560.795 (1) (e) and (f), 2009 stats., or s. 560.798, 2009

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1 stats., or an airport development zone under s. 235.3995 or s. 238.3995, 2013 stats.,
2 or s. 560.7995, 2009 stats.

3 **SECTION 247.** 71.47 (1dm) (a) 4. of the statutes is amended to read:

4 71.47 **(1dm)** (a) 4. “Previously owned property” means real property that the
5 claimant or a related person owned during the 2 years prior to the department of
6 commerce or the Wisconsin Economic Development Corporation or the Forward
7 Wisconsin Development Authority designating the place where the property is
8 located as a development zone and for which the claimant may not deduct a loss from
9 the sale of the property to, or an exchange of the property with, the related person
10 under section 267 of the Internal Revenue Code, except that section 267 (b) of the
11 Internal Revenue Code is modified so that if the claimant owns any part of the
12 property, rather than 50% ownership, the claimant is subject to section 267 (a) (1) of
13 the Internal Revenue Code for purposes of this subsection.

14 **SECTION 248.** 71.47 (1dm) (f) 1. of the statutes is amended to read:

15 71.47 **(1dm)** (f) 1. A copy of the verification that the claimant may claim tax
16 benefits under s. 235.395 (3) (a) 4. or s. 238.395 (3) (a) 4., 2013 stats., or s. 560.795
17 (3) (a) 4., 2009 stats., or is certified under s. 235.395 (5), 235.398 (3), or 235.3995 (4)
18 or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats.,
19 or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats.

20 **SECTION 249.** 71.47 (1dm) (f) 2. of the statutes is amended to read:

21 71.47 **(1dm)** (f) 2. A statement from the department of commerce or the
22 Wisconsin Economic Development Corporation or the Forward Wisconsin
23 Development Authority verifying the purchase price of the investment and verifying
24 that the investment fulfills the requirements under par. (b).

25 **SECTION 250.** 71.47 (1dm) (i) of the statutes is amended to read:

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1 71.47 **(1dm)** (i) Partnerships, limited liability companies, and tax-option
2 corporations may not claim the credit under this subsection, but the eligibility for,
3 and the amount of, that credit shall be determined on the basis of their economic
4 activity, not that of their shareholders, partners, or members. The corporation,
5 partnership, or limited liability company shall compute the amount of credit that
6 may be claimed by each of its shareholders, partners, or members and provide that
7 information to its shareholders, partners, or members. Partners, members of limited
8 liability companies, and shareholders of tax-option corporations may claim the
9 credit based on the partnership's, company's, or corporation's activities in proportion
10 to their ownership interest and may offset it against the tax attributable to their
11 income from the partnership's, company's, or corporation's business operations in the
12 development zone; except that partners, members, and shareholders in a
13 development zone under s. 235.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s.
14 560.795 (1) (e), 2009 stats., may offset the credit against the amount of the tax
15 attributable to their income.

16 **SECTION 251.** 71.47 (1dm) (j) of the statutes is amended to read:

17 71.47 **(1dm)** (j) If a person who is entitled under s. 235.395 (3) (a) 4. or s. 238.395
18 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits becomes
19 ineligible for such tax benefits, or if a person's certification under s. 235.395 (5),
20 235.398 (3), or 235.3995 (4) or s. 238.395 (5), 2013 stats., s. 238.398 (3), 2013 stats.,
21 or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009 stats.,
22 or s. 560.7995 (4), 2009 stats., is revoked, that person may claim no credits under this
23 subsection for the taxable year that includes the day on which the person becomes
24 ineligible for tax benefits, the taxable year that includes the day on which the
25 certification is revoked, or succeeding taxable years, and that person may carry over

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1 no unused credits from previous years to offset tax under this chapter for the taxable
2 year that includes the day on which the person becomes ineligible for tax benefits,
3 the taxable year that includes the day on which the certification is revoked, or
4 succeeding taxable years.

5 **SECTION 252.** 71.47 (1dm) (k) of the statutes is amended to read:

6 71.47 **(1dm)** (k) If a person who is entitled under s. 235.395 (3) (a) 4. or s.
7 238.395 (3) (a) 4., 2013 stats., or s. 560.795 (3) (a) 4., 2009 stats., to claim tax benefits
8 or certified under s. 235.395 (5), 235.398 (3), or 235.3995 (4) or s. 238.395 (5), 2013
9 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013 stats., or s. 560.795 (5), 2009
10 stats., s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., ceases business
11 operations in the development zone during any of the taxable years that that zone
12 exists, that person may not carry over to any taxable year following the year during
13 which operations cease any unused credits from the taxable year during which
14 operations cease or from previous taxable years.

15 **SECTION 253.** 71.47 (1dx) (a) 2. of the statutes is amended to read:

16 71.47 **(1dx)** (a) 2. “Development zone” means a development zone under s.
17 235.30 or s. 238.30, 2013 stats., or s. 560.70, 2009 stats., a development opportunity
18 zone under s. 235.395 or s. 238.395, 2013 stats., or s. 560.795, 2009 stats., or an
19 enterprise development zone under s. 235.397 or s. 238.397, 2013 stats., or s.
20 560.797, 2009 stats., an agricultural development zone under s. 235.398 or s.
21 238.398, 2013 stats., or s. 560.798, 2009 stats., or an airport development zone under
22 s. 235.3995 or s. 238.3995, 2013 stats., or s. 560.7995, 2009 stats.

23 **SECTION 254.** 71.47 (1dx) (a) 4. of the statutes is amended to read:

24 71.47 **(1dx)** (a) 4. “Full-time job” has the meaning given in s. ~~238.30~~ 235.30
25 (2m).

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1 **SECTION 255.** 71.47 (1dx) (b) (intro.) of the statutes is amended to read:

2 71.47 **(1dx)** (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and
3 in s. 73.03 (35), and subject to s. 235.385 or s. 238.385, 2013 stats., or s. 560.785, 2009
4 stats., for any taxable year for which the person is entitled under s. 235.395 (3) or s.
5 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits or certified
6 under s. 235.365 (3), 235.397 (4), 235.398 (3), or 235.3995 (4) or s. 238.365 (3), 2013
7 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013
8 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009
9 stats., or s. 560.7995 (4), 2009 stats., any person may claim as a credit against the
10 taxes otherwise due under this chapter the following amounts:

11 **SECTION 256.** 71.47 (1dx) (b) 2. of the statutes is amended to read:

12 71.47 **(1dx)** (b) 2. The amount determined by multiplying the amount
13 determined under s. 235.385 (1) (b) or s. 238.385 (1) (b), 2013 stats., or s. 560.785 (1)
14 (b), 2009 stats., by the number of full-time jobs created in a development zone and
15 filled by a member of a targeted group and by then subtracting the subsidies paid
16 under s. 49.147 (3) (a) for those jobs.

17 **SECTION 257.** 71.47 (1dx) (b) 3. of the statutes is amended to read:

18 71.47 **(1dx)** (b) 3. The amount determined by multiplying the amount
19 determined under s. 235.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1)
20 (c), 2009 stats., by the number of full-time jobs created in a development zone and
21 not filled by a member of a targeted group and by then subtracting the subsidies paid
22 under s. 49.147 (3) (a) for those jobs.

23 **SECTION 258.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

24 71.47 **(1dx)** (b) 4. The amount determined by multiplying the amount
25 determined under s. 235.385 (1) (bm) or s. 238.385 (1) (bm), 2013 stats., or s. 560.785

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1 (1) (bm), 2009 stats., by the number of full-time jobs retained, as provided in the
2 rules under s. 235.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., excluding
3 jobs for which a credit has been claimed under sub. (1dj), in an enterprise
4 development zone under s. 235.397 or s. 238.397, 2013 stats., or s. 560.797, 2009
5 stats., and for which significant capital investment was made and by then
6 subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

7 **SECTION 259.** 71.47 (1dx) (b) 5. of the statutes is amended to read:

8 71.47 (1dx) (b) 5. The amount determined by multiplying the amount
9 determined under s. 235.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1)
10 (c), 2009 stats., by the number of full-time jobs retained, as provided in the rules
11 under s. 235.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., excluding jobs
12 for which a credit has been claimed under sub. (1dj), in a development zone and not
13 filled by a member of a targeted group and by then subtracting the subsidies paid
14 under s. 49.147 (3) (a) for those jobs.

15 **SECTION 260.** 71.47 (1dx) (be) of the statutes is amended to read:

16 71.47 (1dx) (be) *Offset.* A claimant in a development zone under s. 235.395 (1)
17 (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats., may offset any
18 credits claimed under this subsection, including any credits carried over, against the
19 amount of the tax otherwise due under this subchapter attributable to all of the
20 claimant's income and against the tax attributable to income from directly related
21 business operations of the claimant.

22 **SECTION 261.** 71.47 (1dx) (bg) of the statutes is amended to read:

23 71.47 (1dx) (bg) *Other entities.* For claimants in a development zone under s.
24 235.395 (1) (e) or s. 238.395 (1) (e), 2013 stats., or s. 560.795 (1) (e), 2009 stats.,
25 partnerships, limited liability companies, and tax-option corporations may not

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1 claim the credit under this subsection, but the eligibility for, and amount of, that
2 credit shall be determined on the basis of their economic activity, not that of their
3 shareholders, partners, or members. The corporation, partnership, or company shall
4 compute the amount of the credit that may be claimed by each of its shareholders,
5 partners, or members and shall provide that information to each of its shareholders,
6 partners, or members. Partners, members of limited liability companies, and
7 shareholders of tax-option corporations may claim the credit based on the
8 partnership's, company's, or corporation's activities in proportion to their ownership
9 interest and may offset it against the tax attributable to their income.

10 **SECTION 262.** 71.47 (1dx) (c) of the statutes is amended to read:

11 71.47 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits
12 under s. 235.365 (3), 235.397 (4), 235.398 (3), or 235.3995 (4) or s. 238.365 (3), 2013
13 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or s. 238.3995 (4), 2013
14 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., s. 560.798 (3), 2009
15 stats., or s. 560.7995 (4), 2009 stats., is revoked, or if the person becomes ineligible
16 for tax benefits under s. 235.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3),
17 2009 stats., that person may not claim credits under this subsection for the taxable
18 year that includes the day on which the certification is revoked; the taxable year that
19 includes the day on which the person becomes ineligible for tax benefits; or
20 succeeding taxable years and that person may not carry over unused credits from
21 previous years to offset tax under this chapter for the taxable year that includes the
22 day on which certification is revoked; the taxable year that includes the day on which
23 the person becomes ineligible for tax benefits; or succeeding taxable years.

24 **SECTION 263.** 71.47 (1dx) (d) of the statutes is amended to read:

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1 71.47 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s.
2 235.395 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax
3 benefits or certified under s. 235.365 (3), 235.397 (4), 235.398 (3), or 235.3995 (4) or
4 s. 238.365 (3), 2013 stats., s. 238.397 (4), 2013 stats., s. 238.398 (3), 2013 stats., or
5 s. 238.3995 (4), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats.,
6 s. 560.798 (3), 2009 stats., or s. 560.7995 (4), 2009 stats., for tax benefits ceases
7 business operations in the development zone during any of the taxable years that
8 that zone exists, that person may not carry over to any taxable year following the
9 year during which operations cease any unused credits from the taxable year during
10 which operations cease or from previous taxable years.

11 **SECTION 264.** 71.47 (1dy) (a) of the statutes is amended to read:

12 71.47 (1dy) (a) *Definition.* In this subsection, “claimant” means a person who
13 files a claim under this subsection and is certified under s. 235.301 (2) or s. 238.301
14 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits
15 under s. 235.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

16 **SECTION 265.** 71.47 (1dy) (b) of the statutes is amended to read:

17 71.47 (1dy) (b) *Filing claims.* Subject to the limitations under this subsection
18 and ss. 235.301 to 235.306 or ss. 238.301 to 238.306, 2013 stats., or s. 560.701 to
19 560.706, 2009 stats., for taxable years beginning after December 31, 2008, a claimant
20 may claim as a credit against the tax imposed under s. 71.43, up to the amount of the
21 tax, the amount authorized for the claimant under s. 235.303 or s. 238.303, 2013
22 stats., or s. 560.703, 2009 stats.

23 **SECTION 266.** 71.47 (1dy) (c) 1. of the statutes is amended to read:

24 71.47 (1dy) (c) 1. No credit may be allowed under this subsection unless the
25 claimant includes with the claimant’s return a copy of the claimant’s certification

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1 under s. 235.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701 (2), 2009 stats., and
2 a copy of the claimant's notice of eligibility to receive tax benefits under s. 235.303
3 (3) or s. 238.303 (3), 2013 stats., or s. 560.703 (3), 2009 stats.

4 **SECTION 267.** 71.47 (1dy) (c) 2. of the statutes is amended to read:

5 71.47 (1dy) (c) 2. Partnerships, limited liability companies, and tax-option
6 corporations may not claim the credit under this subsection, but the eligibility for,
7 and the amount of, the credit are based on their authorization to claim tax benefits
8 under s. 235.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats. A partnership,
9 limited liability company, or tax-option corporation shall compute the amount of
10 credit that each of its partners, members, or shareholders may claim and shall
11 provide that information to each of them. Partners, members of limited liability
12 companies, and shareholders of tax-option corporations may claim the credit in
13 proportion to their ownership interests.

14 **SECTION 268.** 71.47 (1dy) (d) 2. of the statutes is amended to read:

15 71.47 (1dy) (d) 2. If a claimant's certification is revoked under s. 235.305 or s.
16 238.305, 2013 stats., or s. 560.705, 2009 stats., or if a claimant becomes ineligible for
17 tax benefits under s. 235.302 or s. 238.302, 2013 stats., or s. 560.702, 2009 stats., the
18 claimant may not claim credits under this subsection for the taxable year that
19 includes the day on which the certification is revoked; the taxable year that includes
20 the day on which the claimant becomes ineligible for tax benefits; or succeeding
21 taxable years and the claimant may not carry over unused credits from previous
22 years to offset the tax imposed under s. 71.43 for the taxable year that includes the
23 day on which certification is revoked; the taxable year that includes the day on which
24 the claimant becomes ineligible for tax benefits; or succeeding taxable years.

25 **SECTION 269.** 71.47 (3g) (a) (intro.) of the statutes is amended to read:

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1 71.47 (3g) (a) (intro.) Subject to the limitations under this subsection and ss.
2 73.03 (35m) and 235.23 and s. 238.23, 2013 stats., and s. 560.96, 2009 stats., a
3 business that is certified under s. 235.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96
4 (3), 2009 stats., may claim as a credit against the taxes imposed under s. 71.43 an
5 amount equal to the sum of the following, as established under s. 235.23 (3) (c) or s.
6 238.23 (3) (c), 2013 stats., or s. 560.96 (3) (c), 2009 stats.:

7 **SECTION 270.** 71.47 (3g) (b) of the statutes is amended to read:

8 71.47 (3g) (b) The department of revenue shall notify the ~~department of~~
9 ~~commerce or the Wisconsin Economic Development Corporation~~ Forward Wisconsin
10 Development Authority of all claims under this subsection.

11 **SECTION 271.** 71.47 (3g) (e) 2. of the statutes is amended to read:

12 71.47 (3g) (e) 2. The investments that relate to the amount described under par.
13 (a) 2. for which a claimant makes a claim under this subsection must be retained for
14 use in the technology zone for the period during which the claimant's business is
15 certified under s. 235.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats.

16 **SECTION 272.** 71.47 (3g) (f) 1. of the statutes is amended to read:

17 71.47 (3g) (f) 1. A copy of the verification that the claimant's business is
18 certified under 235.23 (3) or s. 238.23 (3), 2013 stats., or s. 560.96 (3), 2009 stats., and
19 that the business has entered into an agreement under s. 235.23 (3) (d) or s. 238.23
20 (3) (d), 2013 stats., or s. 560.96 (3) (d), 2009 stats.

21 **SECTION 273.** 71.47 (3g) (f) 2. of the statutes is amended to read:

22 71.47 (3g) (f) 2. A statement from the department of commerce or the Wisconsin
23 Economic Development Corporation or the Forward Wisconsin Development
24 Authority verifying the purchase price of the investment described under par. (a) 2.
25 and verifying that the investment fulfills the requirement under par. (e) 2.

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1 **SECTION 274.** 71.47 (3q) (a) 1. of the statutes is amended to read:

2 71.47 (3q) (a) 1. “Claimant” means a person certified to receive tax benefits
3 under s. 235.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009 stats.

4 **SECTION 275.** 71.47 (3q) (a) 2. of the statutes is amended to read:

5 71.47 (3q) (a) 2. “Eligible employee” means, for taxable years beginning before
6 January 1, 2011, an eligible employee under s. 560.2055 (1) (b), 2009 stats., who
7 satisfies the wage requirements under s. 560.2055 (3) (a) or (b), 2009 stats., or, for
8 taxable years beginning after December 31, 2010, an eligible employee under s.
9 235.16 (1) (b) or s. 238.16 (1) (b), 2013 stats., who satisfies the wage requirements
10 under s. 235.16 (3) (a) or (b) or s. 238.16 (3) (a) or (b), 2013 stats.

11 **SECTION 276.** 71.47 (3q) (b) (intro.) of the statutes is amended to read:

12 71.47 (3q) (b) *Filing claims.* (intro.) Subject to the limitations provided in this
13 subsection and s. 235.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats., for
14 taxable years beginning after December 31, 2009, a claimant may claim as a credit
15 against the taxes imposed under s. 71.43 any of the following:

16 **SECTION 277.** 71.47 (3q) (b) 1. of the statutes is amended to read:

17 71.47 (3q) (b) 1. The amount of wages that the claimant paid to an eligible
18 employee in the taxable year, not to exceed 10 percent of such wages, as determined
19 under s. 235.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009 stats.

20 **SECTION 278.** 71.47 (3q) (b) 2. of the statutes is amended to read:

21 71.47 (3q) (b) 2. The amount of the costs incurred by the claimant in the taxable
22 year, as determined under s. 235.16 or s. 238.16, 2013 stats., or s. 560.2055, 2009
23 stats., to undertake the training activities described under s. 235.16 (3) (c) or s.
24 238.16 (3) (c), 2013 stats., or s. 560.2055 (3) (c), 2009 stats.

25 **SECTION 279.** 71.47 (3q) (c) 2. of the statutes is amended to read:

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1 71.47 (3q) (c) 2. No credit may be allowed under this subsection unless the
2 claimant includes with the claimant’s return a copy of the claimant’s certification for
3 tax benefits under s. 235.16 (2) or s. 238.16 (2), 2013 stats., or s. 560.2055 (2), 2009
4 stats.

5 **SECTION 280.** 71.47 (3q) (c) 3. of the statutes is amended to read:

6 71.47 (3q) (c) 3. The maximum amount of credits that may be awarded under
7 this subsection and ss. 71.07 (3q) and 71.28 (3q) for the period beginning on January
8 1, 2010, and ending on June 30, 2013, is \$14,500,000, not including the amount of
9 any credits reallocated under s. 235.15 (3) (d) or s. 238.15 (3) (d), 2013 stats., or s.
10 560.205 (3) (d), 2009 stats.

11 **SECTION 281.** 71.47 (3w) (a) 2. of the statutes is amended to read:

12 71.47 (3w) (a) 2. “Claimant” means a person who is certified to claim tax
13 benefits under s. 235.399 (5) or s. 238.399 (5), 2013 stats., or s. 560.799 (5), 2009
14 stats., and who files a claim under this subsection.

15 **SECTION 282.** 71.47 (3w) (a) 3. of the statutes is amended to read:

16 71.47 (3w) (a) 3. “Full-time employee” means a full-time employee, as defined
17 in s. 235.399 (1) (am) or s. 238.399 (1) (am), 2013 stats., or s. 560.799 (1) (am), 2009
18 stats.

19 **SECTION 283.** 71.47 (3w) (a) 4. of the statutes is amended to read:

20 71.47 (3w) (a) 4. “Enterprise zone” means a zone designated under s. 235.399
21 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats.

22 **SECTION 284.** 71.47 (3w) (a) 5d. of the statutes is amended to read:

23 71.47 (3w) (a) 5d. “Tier I county or municipality” means a tier I county or
24 municipality, as determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,
25 2009 stats.

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1 **SECTION 285.** 71.47 (3w) (a) 5e. of the statutes is amended to read:

2 71.47 (3w) (a) 5e. “Tier II county or municipality” means a tier II county or
3 municipality, as determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,
4 2009 stats.

5 **SECTION 286.** 71.47 (3w) (b) (intro.) of the statutes is amended to read:

6 71.47 (3w) (b) *Filing claims; payroll.* (intro.) Subject to the limitations
7 provided in this subsection and s. 235.399 or s. 238.399, 2013 stats., or s. 560.799,
8 2009 stats., a claimant may claim as a credit against the tax imposed under s. 71.43
9 an amount calculated as follows:

10 **SECTION 287.** 71.47 (3w) (b) 5. of the statutes is amended to read:

11 71.47 (3w) (b) 5. Multiply the amount determined under subd. 4. by the
12 percentage determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799, 2009
13 stats., not to exceed 7 percent.

14 **SECTION 288.** 71.47 (3w) (bm) 1. of the statutes is amended to read:

15 71.47 (3w) (bm) 1. In addition to the credits under par. (b) and subds. 2., 3., and
16 4., and subject to the limitations provided in this subsection and s. 235.399 or s.
17 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit
18 against the tax imposed under s. 71.43 an amount equal to a percentage, as
19 determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not
20 to exceed 100 percent, of the amount the claimant paid in the taxable year to upgrade
21 or improve the job-related skills of any of the claimant’s full-time employees, to train
22 any of the claimant’s full-time employees on the use of job-related new technologies,
23 or to provide job-related training to any full-time employee whose employment with
24 the claimant represents the employee’s first full-time job. This subdivision does not
25 apply to employees who do not work in an enterprise zone.

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1 **SECTION 289.** 71.47 (3w) (bm) 2. of the statutes is amended to read:

2 71.47 **(3w)** (bm) 2. In addition to the credits under par. (b) and subs. 1., 3., and
3 4., and subject to the limitations provided in this subsection and s. 235.399 or s.
4 238.399, 2013 stats., or s. 560.799, 2009 stats., a claimant may claim as a credit
5 against the tax imposed under s. 71.43 an amount equal to the percentage, as
6 determined under s. 235.399 or s. 238.399, 2013 stats., or s. 560.799, 2009 stats., not
7 to exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of
8 the claimant's full-time employees whose annual wages are greater than the amount
9 determined by multiplying 2,080 by 150 percent of the federal minimum wage in a
10 tier I county or municipality, not including the wages paid to the employees
11 determined under par. (b) 1., or greater than \$30,000 in a tier II county or
12 municipality, not including the wages paid to the employees determined under par.
13 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if
14 the total number of such employees is equal to or greater than the total number of
15 such employees in the base year. A claimant may claim a credit under this
16 subdivision for no more than 5 consecutive taxable years.

17 **SECTION 290.** 71.47 (3w) (bm) 3. of the statutes is amended to read:

18 71.47 **(3w)** (bm) 3. In addition to the credits under par. (b) and subs. 1., 2., and
19 4., and subject to the limitations provided in this subsection and s. 235.399 or s.
20 238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after
21 December 31, 2008, a claimant may claim as a credit against the tax imposed under
22 s. 71.43 up to 10 percent of the claimant's significant capital expenditures, as
23 determined under s. 235.399 (5m) or s. 238.399 (5m), 2013 stats., or s. 560.799 (5m),
24 2009 stats.

25 **SECTION 291.** 71.47 (3w) (bm) 4. of the statutes is amended to read:

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1 71.47 (3w) (bm) 4. In addition to the credits under par. (b) and subds. 1., 2., and
2 3., and subject to the limitations provided in this subsection and s. 235.399 or s.
3 238.399, 2013 stats., or s. 560.799, 2009 stats., for taxable years beginning after
4 December 31, 2009, a claimant may claim as a credit against the tax imposed under
5 s. 71.43, up to 1 percent of the amount that the claimant paid in the taxable year to
6 purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b),
7 (c), or (d), or services from Wisconsin vendors, as determined under s. 235.399 (5) (e)
8 or s. 238.399 (5) (e), 2013 stats., or s. 560.799 (5) (e), 2009 stats., except that the
9 claimant may not claim the credit under this subdivision and subd. 3. for the same
10 expenditures.

11 **SECTION 292.** 71.47 (3w) (c) 3. of the statutes is amended to read:

12 71.47 (3w) (c) 3. No credit may be allowed under this subsection unless the
13 claimant includes with the claimant's return a copy of the claimant's certification for
14 tax benefits under s. 235.399 (5) or (5m) or s. 238.399 (5) or (5m), 2013 stats., or s.
15 560.799 (5) or (5m), 2009 stats.

16 **SECTION 293.** 71.47 (3w) (d) of the statutes is amended to read:

17 71.47 (3w) (d) *Administration.* Section 71.28 (4) (g) and (h), as it applies to the
18 credit under s. 71.28 (4), applies to the credit under this subsection. Claimants shall
19 include with their returns a copy of their certification for tax benefits, and a copy of
20 the verification of their expenses, from the department of commerce or the Wisconsin
21 Economic Development Corporation or the Forward Wisconsin Development
22 Authority.

23 **SECTION 294.** 71.47 (4) (am) of the statutes is amended to read:

24 71.47 (4) (am) *Development zone additional research credit.* In addition to the
25 credit under par. (ad), any corporation may credit against taxes otherwise due under

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1 this chapter an amount equal to 5 percent of the amount obtained by subtracting
2 from the corporation's qualified research expenses, as defined in section 41 of the
3 Internal Revenue Code, except that "qualified research expenses" include only
4 expenses incurred by the claimant in a development zone under subch. III of ch. 235
5 or subch. II of ch. 238, 2013 stats., or subch. VI of ch. 560, 2009 stats., except that a
6 taxpayer may elect the alternative computation under section 41 (c) (4) of the
7 Internal Revenue Code and that election applies until the department permits its
8 revocation and except that "qualified research expenses" do not include
9 compensation used in computing the credit under sub. (1dj) nor research expenses
10 incurred before the claimant is certified for tax benefits under s. 235.365 (3) or s.
11 238.365 (3), 2013 stats., or s. 560.765 (3), 2009 stats., the corporation's base amount,
12 as defined in section 41 (c) of the Internal Revenue Code, in a development zone,
13 except that gross receipts used in calculating the base amount means gross receipts
14 from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (df) 1. and 2., (dh)
15 1., 2., and 3., (dj), and (dk) and research expenses used in calculating the base amount
16 include research expenses incurred before the claimant is certified for tax benefits
17 under s. 235.365 (3) or s. 238.365 (3), 2013 stats., or s. 560.765 (3), 2009 stats., in a
18 development zone, if the claimant submits with the claimant's return a copy of the
19 claimant's certification for tax benefits under s. 235.365 (3) or s. 238.365 (3), 2013
20 stats., or s. 560.765 (3), 2009 stats., and a statement from the department of
21 commerce or the Wisconsin Economic Development Corporation or the Forward
22 Wisconsin Development Authority verifying the claimant's qualified research
23 expenses for research conducted exclusively in a development zone. The rules under
24 s. 73.03 (35) apply to the credit under this paragraph. The rules under sub. (1di) (f)
25 and (g) as they apply to the credit under that subsection apply to claims under this

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1 paragraph. Section 41 (h) of the Internal Revenue Code does not apply to the credit
2 under this paragraph. No credit may be claimed under this paragraph for taxable
3 years that begin on January 1, 1998, or thereafter. Credits under this paragraph for
4 taxable years that begin before January 1, 1998, may be carried forward to taxable
5 years that begin on January 1, 1998, or thereafter.

6 **SECTION 295.** 71.47 (5b) (a) 2. of the statutes is amended to read:

7 71.47 (5b) (a) 2. “Fund manager” means an investment fund manager certified
8 under s. 235.15 (2) or s. 238.15 (2), 2013 stats., or s. 560.205 (2), 2009 stats.

9 **SECTION 296.** 71.47 (5b) (b) 1. of the statutes is amended to read:

10 71.47 (5b) (b) 1. For taxable years beginning after December 31, 2004, subject
11 to the limitations provided under this subsection and s. 235.15 or s. 238.15, 2013
12 stats., or s. 560.205, 2009 stats., and except as provided in subd. 2., a claimant may
13 claim as a credit against the tax imposed under s. 71.43, up to the amount of those
14 taxes, 25 percent of the claimant’s investment paid to a fund manager that the fund
15 manager invests in a business certified under s. 235.15 (1) or s. 238.15 (1), 2013
16 stats., or s. 560.205 (1), 2009 stats.

17 **SECTION 297.** 71.47 (5b) (b) 2. of the statutes is amended to read:

18 71.47 (5b) (b) 2. In the case of a partnership, limited liability company, or
19 tax-option corporation, the computation of the 25 percent limitation under subd. 1.
20 shall be determined at the entity level rather than the claimant level and may be
21 allocated among the claimants who make investments in the manner set forth in the
22 entity’s organizational documents. The entity shall provide to the department of
23 revenue and to the ~~department of commerce or the Wisconsin Economic~~
24 ~~Development Corporation~~ Forward Wisconsin Development Authority the names

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1 and tax identification numbers of the claimants, the amounts of the credits allocated
2 to the claimants, and the computation of the allocations.

3 **SECTION 298.** 71.47 (5b) (d) 3. of the statutes is amended to read:

4 71.47 (5b) (d) 3. Except as provided under s. ~~238.15~~ 235.15 (3) (d) (intro.), for
5 investments made after December 31, 2007, if an investment for which a claimant
6 claims a credit under par. (b) is held by the claimant for less than 3 years, the
7 claimant shall pay to the department, in the manner prescribed by the department,
8 the amount of the credit that the claimant received related to the investment.

9 **SECTION 299.** 71.47 (6) (c) (intro.) of the statutes is amended to read:

10 71.47 (6) (c) (intro.) No person may claim the credit under par. (a) 2m. unless
11 the claimant includes with the claimant's return a copy of the claimant's certification
12 under s. ~~238.17~~ 235.17. For certification purposes under s. ~~238.17~~ 235.17, the
13 claimant shall provide to the ~~Wisconsin Economic Development Corporation~~
14 Forward Wisconsin Development Authority all of the following:

15 **SECTION 300.** 71.78 (4) (m) of the statutes is amended to read:

16 71.78 (4) (m) The chief executive officer of the ~~Wisconsin Economic~~
17 ~~Development Corporation~~ Forward Wisconsin Development Authority and
18 employees of the ~~corporation~~ authority to the extent necessary to administer the
19 development zone program under subch. ~~II III~~ of ch. ~~238~~ 235.

20 **SECTION 301.** 73.03 (35) of the statutes is amended to read:

21 73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),
22 (2dj), (2dL), (2dm), (2dr), (2ds), or (2dx), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm),
23 (1ds), (1dx), or (4) (am), 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), or
24 (4) (am), or 76.636 if granting the full amount claimed would violate a requirement
25 under s. 235.385 or s. ~~238.385, 2013 stats.,~~ or s. 560.785, 2009 stats., or would bring

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1 the total of the credits granted to that claimant under all of those subsections over
2 the limit for that claimant under s. 235.368, 235.395 (2) (b), or 235.397 (5) (b) or s.
3 238.368, 2013 stats., 238.395 (2) (b), 2013 stats., or 238.397 (5) (b), 2013 stats., or s.
4 560.768, 2009 stats., s. 560.795 (2) (b), 2009 stats., or s. 560.797 (5) (b), 2009 stats.

5 **SECTION 302.** 73.03 (35m) of the statutes is amended to read:

6 73.03 **(35m)** To deny a portion of a credit claimed under s. 71.07 (3g), 71.28 (3g),
7 or 71.47 (3g), if granting the full amount claimed would violate a requirement under
8 s. 235.23 or s. 238.23, 2013 stats., or s. 560.96, 2009 stats., or would bring the total
9 of the credits claimed under ss. 71.07 (3g), 71.28 (3g), and 71.47 (3g) over the limit
10 for all claimants under s. 235.23 (2) or s. 238.23 (2), 2013 stats., or s. 560.96 (2), 2009
11 stats.

12 **SECTION 303.** 73.03 (63) of the statutes is amended to read:

13 73.03 **(63)** Notwithstanding the amount limitations specified under s. 560.205
14 (3) (d), 2009 stats., or s. 238.15 (3) (d), 2013 stats., or s. 235.15 (3) (d), in consultation
15 with the ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin
16 Development Authority, to carry forward to subsequent taxable years unclaimed
17 credit amounts of the early stage seed investment credits under ss. 71.07 (5b), 71.28
18 (5b), 71.47 (5b), and 76.638 and the angel investment credit under s. 71.07 (5d).
19 Annually, no later than July 1, the ~~Wisconsin Economic Development Corporation~~
20 Forward Wisconsin Development Authority shall submit to the department of
21 revenue its recommendations for the carry forward of credit amounts as provided
22 under this subsection.

23 **SECTION 304.** 75.106 (1) (a) of the statutes is amended to read:

24 75.106 **(1)** (a) “Brownfield” has the meaning given in s. ~~238.13~~ 235.13 (1) (a),
25 except that, for purposes of this section, “brownfield” also means abandoned, idle, or

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1 underused residential facilities or sites, the expansion or redevelopment of which is
2 adversely affected by actual or perceived environmental contamination.

3 **SECTION 305.** 76.636 (1) (b) 1. of the statutes is amended to read:

4 76.636 (1) (b) 1. A development zone under s. 235.30 or s. 238.30, 2013 stats.,
5 or s. 560.70, 2009 stats.

6 **SECTION 306.** 76.636 (1) (b) 2. of the statutes is amended to read:

7 76.636 (1) (b) 2. A development opportunity zone under s. 235.395 or s. 238.395,
8 2013 stats., or s. 560.795, 2009 stats.

9 **SECTION 307.** 76.636 (1) (b) 3. of the statutes is amended to read:

10 76.636 (1) (b) 3. An enterprise development zone under s. 235.397 or s. 238.397,
11 2013 stats., or s. 560.797, 2009 stats.

12 **SECTION 308.** 76.636 (1) (b) 4. of the statutes is amended to read:

13 76.636 (1) (b) 4. An agricultural development zone under s. 235.398 or s.
14 238.398, 2013 stats., or s. 560.798, 2009 stats.

15 **SECTION 309.** 76.636 (1) (d) of the statutes is amended to read:

16 76.636 (1) (d) "Full-time job" has the meaning given in s. ~~238.30~~ 235.30 (2m).

17 **SECTION 310.** 76.636 (2) (intro.) of the statutes is amended to read:

18 76.636 (2) CREDITS. (intro.) Except as provided in s. 73.03 (35), and subject to
19 s. 235.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., for any taxable year
20 for which an insurer is entitled under s. 235.395 or s. 238.395, 2013 stats., or s.
21 560.795 (3), 2009 stats., to claim tax benefits or certified under s. 235.365 (3), 235.397
22 (4), or 235.398 (3) or s. 238.365 (3), 2013 stats., s. 238.397 (4), 2013 stats., or s. 238.398
23 (3), 2013 stats., or s. 560.765 (3), 2009 stats., s. 560.797 (4), 2009 stats., or s. 560.798
24 (3), 2009 stats., the insurer may claim as a credit against the fees due under s. 76.60,
25 76.63, 76.65, 76.66, or 76.67 the following amounts:

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1 **SECTION 311.** 76.636 (2) (b) of the statutes is amended to read:

2 76.636 (2) (b) The amount determined by multiplying the amount determined
3 under s. 235.385 (1) (b) or s. 238.385 (1) (b), 2013 stats., or s. 560.785 (1) (b), 2009
4 stats., by the number of full-time jobs created in a development zone and filled by
5 a member of a targeted group and by then subtracting the subsidies paid under s.
6 49.147 (3) (a) for those jobs.

7 **SECTION 312.** 76.636 (2) (c) of the statutes is amended to read:

8 76.636 (2) (c) The amount determined by multiplying the amount determined
9 under s. 235.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1) (c), 2009
10 stats., by the number of full-time jobs created in a development zone and not filled
11 by a member of a targeted group and by then subtracting the subsidies paid under
12 s. 49.147 (3) (a) for those jobs.

13 **SECTION 313.** 76.636 (2) (d) of the statutes is amended to read:

14 76.636 (2) (d) The amount determined by multiplying the amount determined
15 under s. 235.385 (1) (bm) or s. 238.385 (1) (bm), 2013 stats., or s. 560.785 (1) (bm),
16 2009 stats., by the number of full-time jobs retained, as provided ~~in the rules~~ under
17 s. 235.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., excluding jobs for
18 which a credit has been claimed under s. 71.47 (1dj), in an enterprise development
19 zone under s. 235.397 or s. 238.397, 2013 stats., or s. 560.797, 2009 stats., and for
20 which significant capital investment was made and by then subtracting the
21 subsidies paid under s. 49.147 (3) (a) for those jobs.

22 **SECTION 314.** 76.636 (2) (e) of the statutes is amended to read:

23 76.636 (2) (e) The amount determined by multiplying the amount determined
24 under s. 235.385 (1) (c) or s. 238.385 (1) (c), 2013 stats., or s. 560.785 (1) (c), 2009
25 stats., by the number of full-time jobs retained, as provided ~~in the rules~~ under s.

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1 235.385 or s. 238.385, 2013 stats., or s. 560.785, 2009 stats., excluding jobs for which
2 a credit has been claimed under s. 71.47 (1dj), in a development zone and not filled
3 by a member of a targeted group and by then subtracting the subsidies paid under
4 s. 49.147 (3) (a) for those jobs.

5 **SECTION 315.** 76.636 (4) (intro.) of the statutes is amended to read:

6 76.636 (4) CREDIT PRECLUDED. (intro.) If the certification of a person for tax
7 benefits under s. 235.365 (3), 235.397 (4), or 235.398 (3) or s. 238.365 (3), 2013 stats.,
8 s. 238.397 (4), 2013 stats., or s. 238.398 (3), 2013 stats., or s. 560.765 (3), 2009 stats.,
9 s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., is revoked, or if the person
10 becomes ineligible for tax benefits under s. 235.395 (3) or s. 238.395 (3), 2013 stats.,
11 or s. 560.795 (3), 2009 stats., that person may not do any of the following:

12 **SECTION 316.** 76.636 (5) of the statutes is amended to read:

13 76.636 (5) CARRY-OVER PRECLUDED. If a person who is entitled under s. 235.395
14 (3) or s. 238.395 (3), 2013 stats., or s. 560.795 (3), 2009 stats., to claim tax benefits
15 or certified under s. 235.365 (3), 235.397 (4), or 235.398 (3) or s. 238.365 (3), 2013
16 stats., s. 238.397 (4), 2013 stats., or s. 238.398 (3), 2013 stats., or s. 560.765 (3), 2009
17 stats., s. 560.797 (4), 2009 stats., or s. 560.798 (3), 2009 stats., for tax benefits ceases
18 business operations in the development zone during any of the taxable years that
19 that zone exists, that person may not carry over to any taxable year following the
20 year during which operations cease any unused credits from the taxable year during
21 which operations cease or from previous taxable years.

22 **SECTION 317.** 76.636 (6) of the statutes is amended to read:

23 76.636 (6) ADMINISTRATION. Any insurer who claims a credit under sub. (2) shall
24 include with the insurer's annual return under s. 76.64 a copy of its certification for
25 tax benefits and a copy of its verification of expenses from the department of

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1 commerce or the Wisconsin Economic Development Corporation or the Forward
2 Wisconsin Development Authority.

3 **SECTION 318.** 76.637 (1) of the statutes is amended to read:

4 76.637 (1) DEFINITION. In this section, “claimant” means an insurer who files
5 a claim under this section and is certified under s. 235.301 (2) or s. 238.301 (2), 2013
6 stats., or s. 560.701 (2), 2009 stats., and authorized to claim tax benefits under s.
7 235.303 or s. 238.303, 2013 stats., or s. 560.703, 2009 stats.

8 **SECTION 319.** 76.637 (2) of the statutes is amended to read:

9 76.637 (2) FILING CLAIMS. Subject to the limitations under this section, ss.
10 235.301 to 235.306, ss. 238.301 to 238.306, 2013 stats., and ss. 560.701 to 560.706,
11 2009 stats., for taxable years beginning after December 31, 2008, a claimant may
12 claim as a credit against the fees due under s. 76.60, 76.63, 76.65, 76.66, or 76.67 the
13 amount authorized for the claimant under s. 235.303 or s. 238.303, 2013 stats., or s.
14 560.703, 2009 stats.

15 **SECTION 320.** 76.637 (3) of the statutes is amended to read:

16 76.637 (3) LIMITATIONS. No credit may be allowed under this section unless the
17 insurer includes with the insurer’s annual return under s. 76.64 a copy of the
18 claimant’s certification under s. 235.301 (2) or s. 238.301 (2), 2013 stats., or s. 560.701
19 (2), 2009 stats., and a copy of the claimant’s notice of eligibility to receive tax benefits
20 under s. 235.303 (3) or s. 238.303 (3), 2013 stats., or s. 560.703 (3), 2009 stats.

21 **SECTION 321.** 76.637 (4) of the statutes is amended to read:

22 76.637 (4) ADMINISTRATION. If an insurer’s certification is revoked under s.
23 235.305 or s. 238.305, 2013 stats., or s. 560.705, 2009 stats., or if an insurer becomes
24 ineligible for tax benefits under s. 235.302 or s. 238.302, 2013 stats., or s. 560.702,
25 2009 stats., the insurer may not claim credits under this section for the taxable year

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1 that includes the day on which the certification is revoked; the taxable year that
2 includes the day on which the insurer becomes ineligible for tax benefits; or
3 succeeding taxable years and the insurer may not carry over unused credits from
4 previous years to offset the fees imposed under ss. 76.60, 76.63, 76.65, 76.66, or 76.67
5 for the taxable year that includes the day on which certification is revoked; the
6 taxable year that includes the day on which the insurer becomes ineligible for tax
7 benefits; or succeeding taxable years.

8 **SECTION 322.** 76.638 (1) of the statutes is amended to read:

9 76.638 (1) DEFINITIONS. In this section, “fund manager” means an investment
10 fund manager certified under s. 235.15 (2) or s. 238.15 (2), 2013 stats., or s. 560.205
11 (2), 2009 stats.

12 **SECTION 323.** 76.638 (2) of the statutes is amended to read:

13 76.638 (2) FILING CLAIMS. For taxable years beginning after December 31, 2008,
14 subject to the limitations provided under this subsection and s. 235.15 or s. 238.15,
15 2013 stats., or s. 560.205, 2009 stats., an insurer may claim as a credit against the
16 fees imposed under s. 76.60, 76.63, 76.65, 76.66, or 76.67, 25 percent of the insurer’s
17 investment paid to a fund manager that the fund manager invests in a business
18 certified under s. 235.15 or s. 238.15, 2013 stats., or s. 560.205 (1), 2009 stats.

19 **SECTION 324.** 77.54 (9a) (a) of the statutes is amended to read:

20 77.54 (9a) (a) This state or any agency thereof, the University of Wisconsin
21 Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, the ~~Wisconsin~~
22 ~~Economic Development Corporation~~ Forward Wisconsin Development Authority,
23 and the Fox River Navigational System Authority.

24 **SECTION 325.** 79.04 (7) (a) of the statutes is amended to read:

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1 79.04 (7) (a) Beginning with payments in 2005, if a production plant, as
2 described in sub. (6) (a), other than a nuclear-powered production plant, is built on
3 the site of, or on a site adjacent to, an existing or decommissioned production plant;
4 or is built on a site purchased by a public utility before January 1, 1980, that was
5 identified in an advance plan as a proposed site for a production plant; or is built on,
6 or on a site adjacent to, brownfields, as defined in s. ~~238.13~~ 235.13 (1) (a) or s. 560.13
7 (1) (a), 2009 stats., after December 31, 2003, and has a name-plate capacity of at
8 least one megawatt, each municipality and county in which such a production plant
9 is located shall receive annually from the public utility account a payment in an
10 amount that is equal to the number of megawatts that represents the production
11 plant's name-plate capacity, multiplied by \$600.

12 **SECTION 326.** 84.01 (6m) (b) (intro.) of the statutes is amended to read:

13 84.01 (6m) (b) (intro.) The department, in consultation with the ~~Wisconsin~~
14 ~~Economic Development Corporation~~ Forward Wisconsin Development Authority,
15 shall do all of the following for each economic development program administered by
16 the department:

17 **SECTION 327.** 84.01 (11m) (a) of the statutes is amended to read:

18 84.01 (11m) (a) The department shall coordinate any economic development
19 assistance with the ~~Wisconsin Economic Development Corporation~~ Forward
20 Wisconsin Development Authority.

21 **SECTION 328.** 84.01 (11m) (b) of the statutes is amended to read:

22 84.01 (11m) (b) Annually, no later than October 1, the department shall submit
23 to the joint legislative audit committee and to the appropriate standing committees
24 of the legislature under s. 13.172 (3) a comprehensive report assessing economic
25 development programs, as defined in sub. (6m) (a), administered by the department.

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1 The report shall include all of the information required under s. ~~238.07~~ 235.016 (2).
2 The department shall collaborate with the ~~Wisconsin Economic Development~~
3 ~~Corporation~~ Forward Wisconsin Development Authority to make readily accessible
4 to the public on an Internet-based system the information required under this
5 subsection.

6 **SECTION 329.** 85.25 (2) (a) of the statutes is amended to read:

7 85.25 (2) (a) "Business development organization" means the Forward
8 ~~Wisconsin Housing and Economic Development Authority~~ created under s. ~~234.02~~
9 235.011 or any private organization that prepares business and loan plans for and
10 provides other financial, management, and technical assistance to disadvantaged
11 businesses.

12 **SECTION 330.** 93.07 (3) of the statutes is amended to read:

13 93.07 (3) PROMOTION OF AGRICULTURE. To promote the interests of agriculture,
14 dairying, horticulture, manufacturing, commercial fishing and the domestic arts and
15 to advertise Wisconsin and its dairy, food, and agricultural products by conducting
16 campaigns of education throughout the United States and in foreign markets. Such
17 campaigns shall include the distribution of educational and advertising material
18 concerning Wisconsin and its plant, animal, food, and dairy products. The
19 department shall coordinate efforts by the state to advertise and promote
20 agricultural products of this state, with the ~~Wisconsin Economic Development~~
21 ~~Corporation~~ Forward Wisconsin Development Authority where appropriate. The
22 department shall submit its request and plan for market development program
23 expenditures for each biennium with its biennial budget request. The plan shall
24 include the identification and priority of expenditures for each market development
25 program activity.

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1 **SECTION 331.** 93.07 (18) (b) (intro.) of the statutes is amended to read:

2 93.07 (18) (b) (intro.) In consultation with the ~~Wisconsin Economic~~
3 ~~Development Corporation~~ Forward Wisconsin Development Authority, to do all of
4 the following for each economic development program administered by the
5 department of agriculture, trade and consumer protection:

6 **SECTION 332.** 93.07 (20) (a) of the statutes is amended to read:

7 93.07 (20) (a) The department shall coordinate any economic development
8 assistance with the ~~Wisconsin Economic Development Corporation~~ Forward
9 Wisconsin Development Authority.

10 **SECTION 333.** 93.07 (20) (b) of the statutes is amended to read:

11 93.07 (20) (b) Annually, no later than October 1, to submit to the joint
12 legislative audit committee and to the appropriate standing committees of the
13 legislature under s. 13.172 (3) a comprehensive report assessing economic
14 development programs, as defined in sub. (18) (a), administered by the department.
15 The report shall include all of the information required under s. ~~238.07~~ 235.016 (2).
16 The department shall collaborate with the ~~Wisconsin Economic Development~~
17 ~~Corporation~~ Forward Wisconsin Development Authority to make readily accessible
18 to the public on an Internet-based system the information required under this
19 subsection.

20 **SECTION 334.** 93.33 (5) (intro.) of the statutes is amended to read:

21 93.33 (5) ANNUAL REPORT. (intro.) In September of each year, the council shall
22 submit a report to the appropriate standing committees of the legislature as
23 determined by the speaker of the assembly and the president of the senate, under s.
24 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection,
25 the state superintendent of public instruction, the secretary of workforce

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1 development, the secretary of natural resources, the chief executive officer of the
2 ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin Development
3 Authority, the president of the University of Wisconsin System, the director of the
4 technical college system, the chancellor of the University of Wisconsin-Extension,
5 the chancellor of the University of Wisconsin-Madison, the chancellor of the
6 University of Wisconsin-Platteville, the chancellor of the University of
7 Wisconsin-River Falls, and the chancellor of the University of Wisconsin-Stevens
8 Point. The council shall include all of the following in the report:

9 **SECTION 335.** 93.42 (5) of the statutes is amended to read:

10 93.42 (5) Cooperating with the ~~Wisconsin Economic Development Corporation~~
11 Forward Wisconsin Development Authority in promoting the state's products
12 through the state's foreign trade offices.

13 **SECTION 336.** 100.45 (1) (dm) of the statutes is amended to read:

14 100.45 (1) (dm) "State agency" means any office, department, agency,
15 institution of higher education, association, society, or other body in state
16 government created or authorized to be created by the constitution or any law which
17 is entitled to expend moneys appropriated by law, including the legislature and the
18 courts, ~~the Wisconsin Housing and Economic Development Authority~~, the Bradley
19 Center Sports and Entertainment Corporation, the University of Wisconsin
20 Hospitals and Clinics Authority, the Wisconsin Health and Educational Facilities
21 Authority, the Wisconsin Aerospace Authority, the ~~Wisconsin Economic~~
22 Development Corporation Forward Wisconsin Development Authority, and the Fox
23 River Navigational System Authority.

24 **SECTION 337.** 106.16 (2) of the statutes is amended to read:

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1 106.16 (2) Any company that receives a loan or grant from a state agency or
2 an authority under ch. 231 ~~or 234~~ shall notify the department and the local workforce
3 development board established under 29 USC 2832, of any position in the company
4 that is related to the project for which the grant or loan is received to be filled in this
5 state within one year after receipt of the loan or grant. The company shall provide
6 this notice at least 2 weeks prior to advertising the position.

7 **SECTION 338.** 106.16 (3) of the statutes is repealed.

8 **SECTION 339.** 106.27 (2m) of the statutes is amended to read:

9 106.27 (2m) CONSULTATION. The department shall consult with the technical
10 college system board and the ~~Wisconsin Economic Development Corporation~~
11 Forward Wisconsin Development Authority in implementing this section.

12 **SECTION 340.** 109.09 (2) (c) 1. a. of the statutes is amended to read:

13 109.09 (2) (c) 1. a. “Commercial lending institution” has the meaning given for
14 “financial institution” in s. ~~234.01~~ 235.40 (5k).

15 **SECTION 341.** 114.31 (6) of the statutes is amended to read:

16 114.31 (6) TECHNICAL SERVICES TO MUNICIPALITIES. The secretary may, insofar
17 as is reasonably possible, offer the engineering or other technical service of the
18 department, to any municipality desiring them in connection with the construction,
19 maintenance or operation or proposed construction, maintenance or operation of an
20 airport. The secretary may assess reasonable costs for services including services
21 performed while acting as agent for a municipality. Such assessment shall include
22 properly allocated administrative costs. Municipalities are authorized to cooperate
23 with the secretary in the development of aeronautics and aeronautical facilities in
24 this state. The ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin
25 Development Authority and all agencies are authorized and directed to make

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1 available such facilities and services, and to cooperate as far as possible to promote
2 the best interests of aeronautics of the state.

3 **SECTION 342.** 196.49 (4) of the statutes is amended to read:

4 196.49 (4) The commission may not issue a certificate under sub. (1), (2), or (3)
5 for the construction of electric generating equipment and associated facilities unless
6 the commission determines that brownfields, as defined in s. ~~238.13~~ 235.13 (1) (a) or
7 s. 560.13 (1) (a), 2009 stats., are used to the extent practicable.

8 **SECTION 343.** 196.491 (3) (a) 2m. b. of the statutes is amended to read:

9 196.491 (3) (a) 2m. b. The applicant proposes alternative construction sites for
10 the facility that are contiguous or proximate, provided that at least one of the
11 proposed sites is a brownfield, as defined in s. ~~238.13~~ 235.13 (1) (a), or the site of a
12 former or existing large electric generating facility.

13 **SECTION 344.** 196.491 (3) (d) 8. of the statutes is amended to read:

14 196.491 (3) (d) 8. For a large electric generating facility, brownfields, as defined
15 in s. ~~238.13~~ 235.13 (1) (a), are used to the extent practicable.

16 **SECTION 345.** 224.71 (1br) (intro.) of the statutes is amended to read:

17 224.71 (1br) (intro.) "Bona fide nonprofit organization" means an organization
18 that is described in section 501 (c) (3) of the Internal Revenue Code and exempt from
19 federal income tax under section 501 (a) of the Internal Revenue Code, that is
20 certified by the federal department of housing and urban development or the
21 Forward Wisconsin Housing and Economic Development Authority, and that does all
22 of the following:

23 **SECTION 346.** 230.03 (3) of the statutes, as affected by 2013 Wisconsin Act 20,
24 is amended to read:

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1 **SECTION 353.** 234.01 (3m) of the statutes is renumbered 235.40 (3m) and
2 amended to read:

3 235.40 **(3m)** “Collateral” means a 3rd-party note, mortgage, guaranty,
4 insurance policy, bond, letter of credit, security agreement, or other instrument
5 securing the repayment of ~~an economic development loan or a mortgage loan.~~

6 **SECTION 354.** 234.01 (4) of the statutes is renumbered 235.40 (4).

7 **SECTION 355.** 234.01 (4m) of the statutes is repealed.

8 **SECTION 356.** 234.01 (4n) of the statutes is repealed.

9 **SECTION 357.** 234.01 (5) of the statutes is renumbered 235.40 (5).

10 **SECTION 358.** 234.01 (5k) of the statutes is renumbered 235.40 (5k).

11 **SECTION 359.** 234.01 (5m) of the statutes is renumbered 235.40 (5m) and
12 amended to read:

13 235.40 **(5m)** “Homeownership mortgage loan” has the meaning given under s.
14 ~~234.59~~ 235.59 (1) (f).

15 **SECTION 360.** 234.01 (6) of the statutes is renumbered 235.40 (6), and 235.40
16 (6) (a) and (b), as renumbered, are amended to read:

17 235.40 **(6)** (a) If the corporation receives any loan or advance from the authority
18 under this chapter subchapter, it may enter into an agreement with the authority
19 providing for regulation with respect to rents, profits, dividends, and disposition of
20 property or franchises; ~~and.~~

21 (b) If the corporation receives a loan or advance under this chapter subchapter,
22 the chairperson of the ~~authority~~ board, or his or her designee, acting with the prior
23 approval of the ~~majority of the members of the authority~~ board, may, if he or she
24 determines that any such loan or advance is in jeopardy of not being repaid, that the
25 proposed development for which such loan or advance was made is in jeopardy of not

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1 being constructed, or that the corporation is not carrying out the intent and purposes
2 of this ~~chapter~~ subchapter, appoint to the board of directors of such corporation a
3 number of new directors, which number shall be sufficient to constitute a majority
4 of such ~~that~~ board of directors, notwithstanding any other provision of such articles
5 of incorporation or of any other provision of law.

6 **SECTION 361.** 234.01 (7) of the statutes is renumbered 235.40 (7).

7 **SECTION 362.** 234.01 (7m) of the statutes is renumbered 235.40 (7m) and
8 amended to read:

9 235.40 (7m) "Housing rehabilitation loan" means a low interest housing
10 rehabilitation loan as defined in s. ~~234.49~~ 235.49 (1) (f) and (fm).

11 **SECTION 363.** 234.01 (8) of the statutes is renumbered 235.40 (8), and 235.40
12 (8) (a) and (b), as renumbered, are amended to read:

13 235.40 (8) (a) As a condition of acceptance of a loan or advance under this
14 ~~chapter~~ subchapter, the limited-profit entity shall enter into an agreement with the
15 authority providing for limitations of rents, profits, dividends, and disposition of
16 property or franchises; ~~and~~.

17 (b) If the limited-profit entity receives a loan or advance under this ~~chapter~~
18 subchapter, the chairperson of the ~~authority~~ board, or ~~his or her designee~~, acting with
19 the prior approval of the ~~majority of members of the authority~~ board, may, if he or
20 she determines that any such loan or advance is in jeopardy of not being repaid, that
21 the proposed development for which such loan or advance was made is in jeopardy
22 of not being constructed, or that the limited-profit entity is otherwise not carrying
23 out the intent and purposes of this ~~chapter~~ subchapter, appoint to the board of
24 directors or other comparable controlling body of such limited-profit entity a number
25 of new directors or persons, which number shall be sufficient to constitute a voting

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1 majority of such board or controlling body, notwithstanding any other provisions of
2 the limited-profit entity's articles of incorporation or other documents of
3 organization, or of any other provisions of law.

4 **SECTION 364.** 234.01 (9) of the statutes is renumbered 235.40 (9), and 235.40
5 (9) (a) 5., as renumbered, is amended to read:

6 235.40 (9) (a) 5. That if the corporation receives a loan or advance under this
7 ~~chapter subchapter~~, the chairperson of the ~~authority board~~, or his or her designee,
8 acting with the prior approval of the ~~majority of the members of the authority board~~,
9 may, on determination that any such loan or advance is in jeopardy of not being
10 repaid, that the proposed development for which such loan or advance was made is
11 in jeopardy of not being constructed, that some part of the net income or net earnings
12 of the corporation is inuring to the benefit of any private person, that the corporation
13 is in some manner controlled or under the direction of or acting in the substantial
14 interest of any private person seeking to derive benefit or gain therefrom or seeking
15 to eliminate or minimize losses in any dealings or transactions therewith, or that the
16 corporation is not carrying out the intent and purposes of this ~~chapter subchapter~~,
17 appoint to the board of directors of such corporation a number of new directors, which
18 number shall be sufficient to constitute a majority of such board, notwithstanding
19 any other provisions of such articles of incorporation or of any other provisions of law.

20 **SECTION 365.** 234.01 (10) of the statutes is renumbered 235.40 (10) and
21 amended to read:

22 235.40 (10) "Persons and families of low and moderate income" means persons
23 and families who cannot afford to pay the amounts at which private enterprise,
24 without ~~federally-aided~~ federally aided mortgages or loans from the authority, can
25 provide a substantial supply of decent, safe and sanitary housing and who fall within

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1 income limitations set by the authority in its ~~rules~~ policies and procedures. In
2 determining such income limitations the authority shall consider the amounts of the
3 total income of such persons available for housing needs, the size of the family, the
4 cost and condition of available housing facilities, standards established for various
5 federal programs, and any other factors determined by the authority to be
6 appropriate in arriving at such limitations. Among low- or moderate-income
7 persons and families, preference shall be given to those displaced by governmental
8 action.

9 **SECTION 366.** 234.02 of the statutes is repealed.

10 **SECTION 367.** 234.03 of the statutes is repealed.

11 **SECTION 368.** 234.032 of the statutes is repealed.

12 **SECTION 369.** 234.034 of the statutes is renumbered 235.401.

13 **SECTION 370.** 234.04 of the statutes is renumbered 235.406, and 235.406 (2),
14 as renumbered, is amended to read:

15 235.406 (2) The authority may make or participate in the making and enter
16 into commitments for the making of long-term mortgage loans to eligible sponsors
17 of housing projects for occupancy by persons and families of low and moderate
18 income, or for the making of homeownership mortgage loans or housing
19 rehabilitation loans or loans for the refinancing of qualified subprime loans under
20 s. ~~234.592~~ 235.592 to persons and families of low and moderate income, an applicant
21 under s. ~~234.59~~ or ~~234.592~~ 235.59 to 235.592, or other eligible beneficiaries as defined
22 in s. 234.49. ~~The loans may be made only upon the determination by the authority~~
23 ~~that they are not otherwise available from private lenders upon reasonably~~
24 ~~equivalent terms and conditions~~ 235.49. The authority may not make a loan to a
25 person whose name appears on the statewide support lien docket under s. 49.854 (2)

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1 (b), unless the person provides to the authority a payment agreement that has been
2 approved by the county child support agency under s. 59.53 (5) and that is consistent
3 with rules promulgated under s. 49.858 (2) (a). The authority may employ, for such
4 compensation as it determines, the services of any financial institution in connection
5 with any loan.

6 **SECTION 371.** 234.05 of the statutes is renumbered 235.407.

7 **SECTION 372.** 234.06 of the statutes is renumbered 235.4075.

8 **SECTION 373.** 234.07 of the statutes is renumbered 235.408, and 235.408 (1),
9 as renumbered, is amended to read:

10 235.408 (1) Except as provided in sub. (2), a limited-profit entity ~~which~~ that
11 receives loans from the authority under this subchapter may not make distributions,
12 other than from funds contributed to the limited-profit entity by stockholders,
13 partners, members, or holders of beneficial interest in the limited-profit entity, in
14 any one year with respect to a project financed by the authority in excess of 6% of its
15 equity in such project on a cumulative basis. The equity in a project shall consist of
16 the difference between the amount of the mortgage loan and the total project cost.
17 Total project cost shall include construction or rehabilitation costs including job
18 overhead and a builder's and sponsor's profit and risk fee, architectural, engineering,
19 legal, and accounting costs, organizational expenses, land value, interest, and
20 financing charges paid during construction, the cost of landscaping and off-site
21 improvements, whether or not such costs have been paid in cash or in a form other
22 than cash. With respect to every project the authority shall, pursuant to ~~rules~~
23 policies and procedures adopted by it, establish the entity's equity at the time of
24 making of the final mortgage advance and, for purposes of this section, that figure
25 shall remain constant during the life of the authority's loan with respect to such

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1 project. Upon the dissolution of the limited-profit entity any surplus in excess of the
2 distributions allowed by this section shall be paid to the authority. For this purpose
3 surplus shall not be deemed to include any increase in net worth of any limited-profit
4 entity by reason of a reduction of mortgage indebtedness, by amortization or similar
5 payments or by reason of the sale or disposition of any assets of a limited-profit entity
6 to the extent such surplus can be attributed to any increase in market value of any
7 real or tangible personal property accruing during the period the assets were owned
8 and held by the limited-profit entity.

9 **SECTION 374.** 234.08 (title) of the statutes is renumbered 235.02 (title).

10 **SECTION 375.** 234.08 (1) of the statutes is renumbered 235.02 (1) (intro.) and
11 amended to read:

12 235.02 (1) (intro.) The authority may issue its negotiable notes and bonds in
13 such principal amount, as, in the opinion of the authority, is necessary to provide
14 sufficient funds for achieving its corporate purposes and funding its projects and
15 programs, including the purchase of to do any of the following:

16 (a) Purchase certain mortgages and securities and ~~the making of~~ make
17 secured loans for ~~low- and moderate-income~~ housing for persons and families of
18 low and moderate income, for the rehabilitation of existing structures, and for the
19 construction of facilities appurtenant thereto ~~as provided in this chapter; for the~~
20 ~~making of~~ to existing structures consistent with the authority's housing-related
21 purposes.

22 (b) Make secured loans to assist eligible elderly homeowners in paying
23 property taxes and special assessments; ~~for the payment of.~~

24 (c) Pay interest on notes and bonds of the authority during construction; ~~for~~
25 ~~the establishment of.~~

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1 ~~(d) Establish reserves to secure such notes and bonds; for the provision of.~~

2 ~~(e) Provide moneys for the housing development fund in order to make~~
3 temporary loans to sponsors of housing projects ~~as provided in this chapter; and~~
4 ~~for.~~

5 ~~(f) Make all other expenditures of the authority incident to and necessary or~~
6 convenient to carry out its corporate purposes and powers, including funding all
7 projects and programs.

8 **SECTION 376.** 234.08 (2) of the statutes is renumbered 235.02 (2).

9 **SECTION 377.** 234.08 (3) of the statutes is renumbered 235.02 (3).

10 **SECTION 378.** 234.08 (4) of the statutes is renumbered 235.02 (4).

11 **SECTION 379.** 234.08 (5) of the statutes is repealed.

12 **SECTION 380.** 234.08 (6) of the statutes is repealed.

13 **SECTION 381.** 234.08 (7) of the statutes is renumbered 235.02 (7).

14 **SECTION 382.** 234.09 of the statutes is renumbered 235.021 and amended to
15 read:

16 **235.021 Same Notes and bonds; authorization; terms.** The authority's
17 notes and bonds shall be authorized by resolution of the ~~members of the authority~~
18 board; shall bear such date or dates, and shall mature at such time or times, ~~in the~~
19 ~~case of any note, or any renewal thereof, not exceeding 5 years, from the date of issue~~
20 ~~of such original note, and in the case of any bond not exceeding 50 years from the date~~
21 ~~of issue, as the resolution provides. The notes and bonds shall bear interest at such~~
22 ~~rate or rates, fixed or variable, be in such denominations of \$1,000 or more, be in such~~
23 ~~form, either coupon or registered, carry such registration privileges, be executed in~~
24 ~~such manner, be payable in such medium of payment, and at such place, and be~~
25 ~~subject to such terms of redemption, as the resolution provides. The bonds may be~~

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1 issued as serial bonds payable in annual installments or as term bonds or as a
2 combination thereof. The notes and bonds of the authority may be sold by the
3 authority, at public or private sale, at the price determined by the authority.

4 **SECTION 383.** 234.10 of the statutes is renumbered 235.0215, and 235.0215
5 (title) and (9), as renumbered, are amended to read:

6 **235.0215** (title) **Same Notes and bonds; resolution authorizing**
7 **issuance, contents.**

8 **(9)** Vesting in a trustee such property, rights, powers, and duties in trust as the
9 authority determines, which may include any or all of the rights, powers, and duties
10 of the trustee appointed by the noteholders or bondholders pursuant to s. ~~234.20~~
11 235.0265 and limiting or abrogating the right of the noteholders or bondholders to
12 appoint a trustee under s. ~~234.20~~ 235.0265 or limiting the rights, powers, and duties
13 of such trustee, in which event s. ~~234.20~~ 235.0265 shall not apply.

14 **SECTION 384.** 234.11 of the statutes is renumbered 235.022 and amended to
15 read:

16 **235.022 Same Notes and bonds; validity and effect of pledge.** Any pledge
17 made by the authority shall be valid and binding from the time when the pledge is
18 made; the moneys or property so pledged and thereafter received by the authority
19 shall immediately be subject to the lien of such pledge without any physical delivery
20 thereof or further act; and the lien of any such pledge shall be valid and binding as
21 against all parties having claims of any kind in tort, contract, or otherwise against
22 the authority, irrespective of whether such parties have notice thereof. Neither the
23 resolution nor any other instrument by which a pledge is created need be recorded.

24 **SECTION 385.** 234.12 of the statutes is renumbered 235.0225 and amended to
25 read:

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1 **235.0225 Same Notes and bonds; personal liability of board members**
2 **of authority.** Neither the members of the authority board, nor the members of a
3 committee established by the board, nor any authorized agent of the board, nor any
4 person executing the notes or bonds of the authority shall be liable personally on the
5 notes or bonds or be subject to any personal liability or accountability by reason of
6 the issuance thereof.

7 **SECTION 386.** 234.13 (intro.) of the statutes is renumbered 235.023 and
8 amended to read:

9 **235.023 Same Notes and bonds; purchase for cancellation.** The
10 authority, subject to such agreements with noteholders or bondholders as may then
11 exist, shall have power out of any funds available therefor to purchase notes or bonds
12 of the authority, ~~which shall thereupon be canceled, at a price not exceeding.~~

13 **SECTION 387.** 234.13 (1) of the statutes is repealed.

14 **SECTION 388.** 234.13 (2) of the statutes is repealed.

15 **SECTION 389.** 234.14 of the statutes is renumbered 235.0235, and 235.0235
16 (title), as renumbered, is amended to read:

17 **235.0235 (title) Same Notes and bonds; liability of state.**

18 **SECTION 390.** 234.15 of the statutes is renumbered 235.403, and 235.403 (1g),
19 (1r), (2), (3) (a) (intro.) and 3. and (b) and (4), as renumbered, are amended to read:

20 235.403 (**1g**) In this section, “capital reserve fund requirement” means, as of
21 any particular date of computation, an amount of money, as provided in the
22 resolutions of the authority board authorizing the bonds with respect to which a
23 capital reserve fund is established under this section, which amount shall not exceed
24 the maximum annual debt service on the those bonds ~~of the authority~~ for that fiscal

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1 year or any future fiscal year of the authority secured in whole or in part by the
2 capital reserve fund.

3 (1r) The authority ~~shall~~ may establish one or more ~~special~~ capital reserve funds
4 to secure its bonds, ~~referred to in this chapter as capital reserve funds issued for~~
5 housing-related purposes, and shall pay into each such capital reserve fund any
6 moneys appropriated and made available by the state for the purposes of such fund,
7 any proceeds of sale of notes or bonds, to the extent provided in the resolution of the
8 authority board authorizing the issuance thereof, and any other moneys ~~which are~~
9 made available to the authority for the purpose of such fund from any other source.

10 (2) All moneys held in any capital reserve fund established under this section,
11 except as otherwise specifically provided, shall be used, as required, solely for the
12 payment of the principal of bonds of the authority secured in whole or in part by such
13 fund or of the sinking fund payments mentioned in this section with respect to such
14 bonds, the purchase or redemption of such bonds, the payment of interest on such
15 bonds, or the payment of any redemption premium required to be paid when such
16 bonds are redeemed prior to maturity; but, if moneys in such fund at any time are
17 less than the capital reserve fund requirement established for such fund as provided
18 in this section, the authority shall not use such moneys for any optional purchase or
19 optional redemption of such bonds. Any income or interest earned by, or increment
20 to, any capital reserve fund established under this section due to the investment
21 thereof may be transferred by the authority to other funds or accounts of the
22 authority to the extent such transfer does not reduce the amount of such capital
23 reserve fund below the capital reserve fund requirement for such fund.

24 (3) (a) (intro.) The authority shall not at any time issue bonds, secured in whole
25 or in part by a capital reserve fund established under this section if upon the issuance

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1 of the bonds, the amount in the capital reserve fund will be less than the capital
2 reserve fund requirement of the capital reserve fund, unless the authority, at the
3 time of issuance of the bonds, deposits in the capital reserve fund from the proceeds
4 of the bonds to be issued, or from other sources, an amount which, together with the
5 amount then in the capital reserve fund, will not be less than the capital reserve fund
6 requirement for the capital reserve fund. The annual debt service for any fiscal year
7 is the amount of money equal to the aggregate of all of the following:

8 3. All amounts specified in any resolution of the authority board authorizing
9 any of the bonds described in subd. 1. as payable during the fiscal year as a sinking
10 fund payment with respect to any of the bonds which mature after the fiscal year.

11 (b) The annual debt service calculation made under par. (a) shall be calculated
12 on the assumption that the bonds will after the date of computation cease to be
13 outstanding by reason, but only by reason, of the payment of bonds when due, and
14 the payment when due and application in accordance with the resolution authorizing
15 those bonds, of all of the sinking fund payments payable at or after the date of
16 computation. However, in computing the annual debt service for any fiscal year,
17 bonds considered to have been paid in accordance with the defeasance provisions of
18 the resolution of the authority board authorizing the issuance thereof shall not be
19 included in bonds outstanding on the date of computation.

20 (4) To assure the continued operation and solvency of the authority for the
21 carrying out of the public purposes of this chapter subchapter, the authority shall
22 accumulate in each capital reserve fund established under this section an amount
23 equal to the capital reserve fund requirement for such fund. If at any time the capital
24 reserve fund requirement for any capital reserve fund established under this section
25 exceeds the amount of such capital reserve fund, the chairperson of the authority

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1 board shall certify to the secretary of administration, the governor, and the joint
2 committee on finance the amount necessary to restore such capital reserve fund to
3 an amount equal to the capital reserve fund requirement in respect thereto. If such
4 certification is received by the secretary of administration in an even-numbered year
5 prior to the completion of the budget compilation under s. 16.43, the secretary shall
6 include the certified amount in the budget compilation. In any case, the joint
7 committee on finance shall introduce in either house, in bill form, an appropriation
8 of the amount so certified to the appropriate capital reserve fund of the authority.
9 Recognizing its moral obligation to do so, the legislature hereby expresses its
10 expectation and aspiration that, if ever called upon to do so, it shall make such
11 appropriation.

12 **SECTION 391.** 234.16 of the statutes is renumbered 235.404, and 235.404 (1)
13 (intro.) and (c), as renumbered, are amended to read:

14 235.404 (1) (intro.) The authority shall establish a special fund, referred to in
15 this chapter as general reserve fund, and shall pay into such fund all fees and charges
16 collected by the authority in connection with its housing-related purposes and any
17 moneys ~~which~~ that the authority transfers from the a capital reserve fund
18 established under s. 235.403. Such moneys and any other moneys paid into the
19 general reserve fund, in the discretion of the authority but subject to agreements
20 with bondholders and noteholders, may be used by the authority:

21 (c) For transfers to the a capital reserve fund established under s. 235.403;

22 **SECTION 392.** 234.165 of the statutes is renumbered 235.405, and 235.405 (2)
23 (a), (b) 1. (intro.) and (dm), as renumbered, are amended to read:

24 235.405 (2) (a) In this subsection, “surplus” means assets of the authority
25 ~~which~~ in the Wisconsin housing finance fund that are not required to pay the cost of

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1 issuance of bonds or notes of the authority issued in connection with its
2 housing-related purposes, to make financially feasible economic development loans
3 and expenditures for housing projects receiving proceeds from authority bond or note
4 issues, or to honor agreements with bondholders and noteholders.

5 (b) 1. (intro.) Annually before August 31 the chairperson of the authority board
6 shall certify and file with the secretary of administration a report of the actual
7 surplus available on the preceding June 30 and the surplus projected by the
8 authority to be available on the succeeding June 30. Together with this report, the
9 chairperson of the authority board shall report, as of the preceding June 30:

10 (dm) The authority shall allocate a portion of its surplus in a plan prepared
11 under par. (b) to the property tax deferral loan program under ss. ~~234.621 to 234.626~~
12 235.621 to 235.626.

13 **SECTION 393.** 234.17 of the statutes is repealed.

14 **SECTION 394.** 234.18 of the statutes is renumbered 235.0255 (1) and amended
15 to read:

16 235.0255 (1) The authority may not issue notes and bonds that are secured by
17 a capital reserve fund to which s. ~~234.15~~ 235.403 (4) applies if, upon issuance, the
18 total aggregate outstanding principal amount of notes and bonds that are secured
19 by a capital reserve fund to which s. ~~234.15~~ 235.403 (4) applies would exceed
20 \$600,000,000. This section does not apply to bonds and notes issued to refund
21 outstanding notes and bonds.

22 **SECTION 395.** 234.19 of the statutes is renumbered 235.026.

23 **SECTION 396.** 234.20 of the statutes is renumbered 235.0265.

24 **SECTION 397.** 234.21 of the statutes is renumbered 235.027 and amended to
25 read:

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1 **235.027 Trustee; additional powers.** The trustee, in addition to the powers
2 granted in s. ~~234.20~~ 235.0265 shall have all of the powers necessary or appropriate
3 for the exercise of any functions specifically set forth in this chapter or incident to
4 the general representation of noteholders or bondholders in the enforcement and
5 protection of their rights.

6 **SECTION 398.** 234.22 of the statutes is renumbered 235.0271 and amended to
7 read:

8 **235.0271 Venue.** The venue of any action or proceeding by the trustee under
9 ss. ~~234.19, 234.20 and 234.21~~ 235.026, 235.0265, and 235.027 shall be in Dane
10 County.

11 **SECTION 399.** 234.23 of the statutes is renumbered 235.0273.

12 **SECTION 400.** 234.24 of the statutes is renumbered 235.0275.

13 **SECTION 401.** 234.25 of the statutes is repealed.

14 **SECTION 402.** 234.255 of the statutes is repealed.

15 **SECTION 403.** 234.26 of the statutes is renumbered 235.0277.

16 **SECTION 404.** 234.265 of the statutes is renumbered 235.0279 and amended to
17 read:

18 **235.0279 Records of the authority.** All records of the authority or any
19 corporation established by the authority shall be open to the public as provided in
20 s. 19.35 (1), except:

21 (1) Those records relating to pending grants, ~~economic development loans,~~
22 economic development projects, or housing projects ~~which that~~, in the opinion of the
23 authority, must remain confidential to protect the competitive nature of the grant,
24 loan, or project.

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1 (2) Records or portions of records consisting of personal or financial
2 information provided by a person seeking a grant or loan under s. 234.63, 2007
3 stats., or s. 234.04, 234.08, 234.49, 234.59, 234.592, 234.605, 234.61, 234.65, 234.67,
4 234.83, 234.84, 234.90, 234.905, 234.907, or 234.91, seeking a loan under ss. 234.621
5 to 234.626, seeking financial assistance under s. 234.66, 2005 stats., seeking
6 mortgage loan refinancing from a lender under s. 234.605, seeking investment of
7 funds under s. 234.03 (18m), or in which the authority has invested funds under s.
8 234.03 (18m), unless the person consents to disclosure of the information, tax credit,
9 or other assistance from the authority.

10 **SECTION 405.** 234.28 of the statutes is renumbered 235.0281 and amended to
11 read:

12 **235.0281 Notes and bonds; exemption from taxation.** The state covenants
13 with the purchasers and all subsequent holders and transferees of notes and bonds
14 issued by the authority or by the Wisconsin Housing and Economic Development
15 Authority under ch. 234, 2013 stats., in consideration of the acceptance of any
16 payment for the notes and bonds, that its fees, charges, gifts, grants, revenues,
17 receipts, and other moneys received or to be received, pledged to pay or secure the
18 payment of such notes or bonds shall at all times be free and exempt from all state,
19 city, county, or other taxation provided by the laws of the state.

20 **SECTION 406.** 234.29 of the statutes is renumbered 235.0283.

21 **SECTION 407.** 234.30 of the statutes is renumbered 235.0285.

22 **SECTION 408.** 234.31 of the statutes is renumbered 235.0287.

23 **SECTION 409.** 234.32 of the statutes is renumbered 235.0289.

24 **SECTION 410.** 234.35 of the statutes is renumbered 235.0291.

25 **SECTION 411.** 234.36 of the statutes is renumbered 235.0293.

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1 **SECTION 412.** 234.40 of the statutes is renumbered 235.409, and 235.409 (2),
2 (3) and (4), as renumbered, are amended to read:

3 235.409 **(2)** Bonds issued under the authority of this section are payable out
4 of revenues or moneys received from the repayment of veterans housing loans and
5 related funds made available in ss. ~~234.42~~ 235.42 and ~~234.43~~ 235.43. All assets and
6 liabilities created through the issuance of bonds to purchase mortgage loans
7 representing veterans housing loans are to be separate from all other assets and
8 liabilities of the authority. No funds of the veterans housing loan program may be
9 commingled with any other funds of the authority, including the Wisconsin housing
10 finance fund.

11 **(3)** It is the intent of the legislature that the authority be used to finance the
12 veterans housing program. Nothing in this ~~chapter~~ subchapter shall be construed
13 to supersede the powers vested by subch. III of ch. 45 in the department of veterans
14 affairs for carrying out program responsibilities for which debt has been incurred by
15 the authority.

16 **(4)** The limitations established in ss. ~~234.18, 234.50, 234.60, 234.61, and 234.65~~
17 235.0255, 235.50, 235.60, and 235.61 are not applicable to bonds issued under the
18 authority of this section. The authority may not have outstanding at any one time
19 bonds for veterans housing loans in an aggregate principal amount exceeding
20 \$61,945,000, excluding bonds being issued to refund outstanding bonds.

21 **SECTION 413.** 234.41 of the statutes is renumbered 235.41, and 235.41 (3), as
22 renumbered, is amended to read:

23 235.41 **(3)** Moneys of the veterans housing loan fund may be invested as
24 provided in s. ~~234.03 (18)~~ 235.012 (19). All such investments shall be the exclusive
25 property of the fund. All earnings on or income from such investments shall be

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1 credited to the fund, paid over to the department of veterans affairs and deposited
2 in the veterans trust fund after payment or repayment of any deficits arising in the
3 veterans capital reserve fund and after payment of expenses contained in sub. (4).

4 **SECTION 414.** 234.42 of the statutes is renumbered 235.42, and 235.42 (1g), (1s)
5 and (4), as renumbered, are amended to read:

6 235.42 (1g) In this section “veterans capital reserve fund requirement” means
7 an amount equal to the maximum amount, in any succeeding year, of principal and
8 interest, other than principal and interest for which sinking fund payments are
9 specified in any resolution of the authority board authorizing veterans housing
10 bonds of the authority then outstanding, maturing, and becoming due in that
11 succeeding year on all veterans housing bonds of the authority then outstanding,
12 except veterans housing bonds due in that succeeding year issued to provide funds
13 for mortgage loans through the purchase of mortgages or mortgage-backed
14 securities guaranteed by the United States or an agency or instrumentality of the
15 United States, plus all amounts specified in any resolution of the authority board
16 authorizing veterans housing bonds of the authority then outstanding as payable as
17 a sinking fund payment in such year.

18 (1s) The authority shall establish the veterans capital reserve fund to secure
19 the veterans housing bonds sold pursuant to s. ~~234.40~~ 235.409, and shall pay into the
20 veterans capital reserve fund any moneys appropriated and made available by the
21 state for the purposes of such fund, any proceeds of sale of bonds, to the extent
22 provided in the resolution of the authority board authorizing the issuance thereof
23 and any other moneys which are made available to the authority for the purpose of
24 such fund from any other source.

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1 (4) To assure the continued operation and solvency of the authority for the
2 carrying out of the veterans housing loan program of this ~~chapter~~ subchapter, the
3 authority shall accumulate in the veterans capital reserve fund an amount equal to
4 the veterans capital reserve fund requirement. If at any time the veterans capital
5 reserve fund requirement exceeds the amount of the veterans capital reserve fund,
6 the chairperson of the authority board shall certify to the secretary of
7 administration, the governor and the joint committee on finance, the amount
8 necessary to restore the veterans capital reserve fund to an amount equal to the
9 veterans capital reserve fund requirement. If such certification is received by the
10 secretary of administration in an even-numbered year prior to the completion of the
11 budget compilation under s. 16.43, the secretary shall include the certified amount
12 in the budget compilation. In any case, the joint committee on finance shall introduce
13 in either house, in bill form, an appropriation of the amount so certified to the
14 veterans capital reserve fund of the authority. Recognizing its moral obligation to
15 do so, the legislature hereby expresses its expectation and aspiration that, if ever
16 called upon to do so, it shall make such appropriation.

17 **SECTION 415.** 234.43 of the statutes is renumbered 235.43, and 235.43 (1), as
18 renumbered, is amended to read:

19 235.43 (1) The authority shall establish the veterans housing bond redemption
20 fund. All mortgages purchased with moneys from the veterans housing loan fund
21 shall be the exclusive property of the bond redemption fund. All moneys received by
22 the authority from the repayment of veterans housing loans shall be deposited into
23 such fund to be used for the repayment of veterans housing bonds issued pursuant
24 to s. ~~234.40~~ 235.409.

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1 **SECTION 416.** 234.44 of the statutes is renumbered 235.44 and amended to
2 read:

3 **235.44 Validation of certain obligations and proceedings.**

4 Notwithstanding any provision of this chapter or any other law, in the absence of
5 fraud, all obligations issued prior to ~~May 4, 1976~~ the effective date of this section
6 [LRB inserts date], purportedly pursuant to this chapter ch. 234, 2013 stats., and all
7 proceedings prior to such time taken purportedly pursuant to this chapter ch. 234,
8 2013 stats., for the authorization and issuance of such obligations or of obligations
9 not yet issued, and the sale, execution, and delivery of such obligations issued prior
10 to ~~May 4, 1976~~ the effective date of this section [LRB inserts date], are hereby
11 validated, ratified, approved, and confirmed, notwithstanding any lack of power,
12 however patent, other than constitutional, of the issuing authority or the governing
13 body or officer thereof, to authorize such obligations, or to sell, execute, or deliver the
14 same, and notwithstanding any defects or irregularities, however patent, other than
15 constitutional, in such proceeding or in such sale, execution, or delivery of such
16 obligations. All such obligations issued prior to ~~May 4, 1976~~ the effective date of this
17 section [LRB inserts date], are binding, legal obligations in accordance with their
18 terms.

19 **SECTION 417.** 234.49 of the statutes is renumbered 235.49, and 235.49 (1)
20 (intro.) and (2) (a) (intro.), 6. and 8., as renumbered, are amended to read:

21 **235.49 (1) DEFINITIONS.** (intro.) In ss. ~~234.49~~ 235.49 to ~~234.55~~ 235.55:

22 **(2) (a) (intro.)** The authority has the following powers for the purpose of
23 implementing this section, in addition to all other powers granted by this chapter
24 subchapter:

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1 6. To enter into contracts or agreements with authorized lenders and sponsors
2 providing for the maximum and minimum acceptable rates of interest to be charged
3 for various classifications of housing rehabilitation loans. In no event may the stated
4 rate of interest on any housing rehabilitation loan under this section exceed the
5 greater of 8% per year or 3% plus the rate necessary to fully repay interest and
6 principal on housing rehabilitation loan program bonds issued pursuant to s. ~~234.50~~
7 235.50.

8 8. To adopt procedures and forms necessary to effectuate the rehabilitation
9 program or to facilitate the marketing of bonds issued under s. ~~234.50~~ 235.50.

10 **SECTION 418.** ~~234.50~~ of the statutes is renumbered 235.50, and ~~235.50 (1), (2)~~
11 and (4), as renumbered, are amended to read:

12 235.50 (1) The authority may issue its negotiable bonds in such principal
13 amount ~~and of such length of maturity~~ as, in the opinion of the authority, is necessary
14 ~~to provide sufficient funds for purchasing for its housing rehabilitation loans or for~~
15 ~~funding commitments for loans to lenders for housing rehabilitation loans; for~~
16 ~~purchasing property tax deferral loans under s. 234.49 (2) (a) 10.; for the~~
17 ~~establishment of reserves to secure such bonds; and for all other expenditures of the~~
18 ~~authority incident to or necessary and convenient in connection therewith. The~~
19 ~~authority may, whenever it deems refunding expedient, refund any bonds by the~~
20 ~~issuance of new bonds whether the bonds to be refunded have or have not matured,~~
21 ~~and issue bonds partly to refund bonds then outstanding and partly for the purpose~~
22 ~~authorized by this section~~ loan programs.

23 (2) Bonds issued under the authority of this section shall be special obligations
24 of the authority payable solely out of revenues, moneys or other property received in
25 connection with the housing rehabilitation loan program, including, without

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1 limitation, repayments of housing rehabilitation loans, federal insurance or
2 guarantee payments, the proceeds of bonds issued under the authority of this
3 section, and the amounts made available under ss. ~~234.54~~ 235.54 and ~~234.55~~ 235.55.

4 All assets and liabilities created through the issuance of bonds to purchase housing
5 rehabilitation loans shall be separate from all other assets and liabilities of the
6 authority. No funds of the housing rehabilitation loan program may be commingled
7 with any other funds of the authority including the Wisconsin housing finance board.

8 (4) The limitations established in ss. ~~234.18, 234.40, 234.60, 234.61, and 234.65~~
9 235.0255, 235.409, 235.60, and 235.61 are not applicable to bonds issued under the
10 authority of this section. The authority may not have outstanding at any one time
11 bonds for housing rehabilitation loans in an aggregate principal amount exceeding
12 \$100,000,000, excluding bonds being issued to refund outstanding bonds. The
13 authority ~~shall consult with and coordinate the issuance of bonds with the building~~
14 ~~commission prior to the issuance of bonds.~~

15 **SECTION 419.** 234.51 of the statutes is renumbered 235.51, and 235.51 (1), (2)

16 (a) and (3), as renumbered, are amended to read:

17 235.51 (1) There is established under the jurisdiction of the authority a housing
18 rehabilitation loan program administration fund. There shall be paid into such fund
19 the amounts appropriated under s. ~~20.490~~ 20.885 (2) (a) ~~(ad)~~, the amounts provided
20 in s. ~~234.55~~ 235.55, any amounts transferred by the authority to such fund from other
21 funds or sources and any other moneys which may be available to the authority for
22 the purpose of such fund from any other source.

23 (2) (a) To pay all administrative costs, expenses, and charges, including
24 origination fees and servicing fees, incurred in conducting the housing rehabilitation

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1 loan program other than those described in ss. ~~234.53~~ 235.53 (4) and ~~234.55~~ 235.55
2 (2) (b).

3 **(3)** Moneys of the fund may be invested as provided in s. ~~234.03~~ (18) 235.012
4 (19). All such investments shall be the exclusive property of the fund. All earnings
5 on or income from such investments shall be credited to the fund.

6 **SECTION 420.** 234.52 of the statutes is renumbered 235.52, and 235.52 (1), (2)
7 and (3), as renumbered, are amended to read:

8 235.52 **(1)** There is established under the jurisdiction of the authority a housing
9 rehabilitation loan program loan-loss reserve fund. There shall be paid into such
10 fund the amounts appropriated under s. ~~20.490~~ 20.885 (2) (q), the amounts provided
11 under s. ~~234.55~~ 235.55, any amounts transferred by the authority to such fund from
12 other funds or sources and any other moneys which may be available to the authority
13 for the purposes of such fund from any other source.

14 **(2)** Subject to agreements with bondholders, the authority shall use moneys in
15 the fund solely for transfer to the housing rehabilitation loan program bond
16 redemption fund in amounts equal to losses on housing rehabilitation loans owned
17 by that fund which are not made good by federal insurance or guarantee payments,
18 and solely for the purposes described in s. ~~234.55~~ 235.55 (2) (a). Any balance
19 remaining after payment or due provision for payment of all outstanding bonds
20 issued under the authority of s. ~~234.50~~ 235.50 shall be transferred to the housing
21 rehabilitation loan program administration fund.

22 **(3)** Moneys of the fund may be invested as provided in s. ~~234.03~~ (18) 235.012
23 (19). All such investments shall be the exclusive property of the fund. All earnings
24 on or income from such investments shall be credited to the fund.

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1 **SECTION 421.** 234.53 of the statutes is renumbered 235.53, and 235.53 (1), (2)
2 and (3), as renumbered, are amended to read:

3 **235.53 (1)** The authority shall establish the housing rehabilitation loan fund.
4 All moneys resulting from the sale of bonds issued under the authority of s. ~~234.50~~
5 235.50, not including bonds issued to refund outstanding bonds, and unless credited
6 to the housing rehabilitation loan program capital reserve or bond redemption funds,
7 shall be credited to such fund.

8 **(2)** The authority shall use moneys in the fund for the purpose of purchasing
9 housing rehabilitation loans or for funding commitments for loans to lenders for
10 housing rehabilitation loans. All disbursements of funds under this section for
11 purchasing such loans shall be made payable to an authorized lender as defined in
12 s. ~~234.49~~ 235.49 (1) (b) or a duly authorized agent thereof.

13 **(3)** Moneys of the fund may be invested as provided in s. ~~234.03 (18)~~ 235.012
14 (19). All such investments shall be the exclusive property of the fund. All earnings
15 on or income from such investments shall be credited to the fund.

16 **SECTION 422.** 234.54 of the statutes is renumbered 235.54, and 235.54 (1r), (3)
17 (a) 3. and (b) and (4) (a) and (b), as renumbered, are amended to read:

18 **235.54 (1r)** The authority shall establish the housing rehabilitation loan
19 program capital reserve fund to secure the bonds issued under the authority of s.
20 ~~234.50~~ 235.50, and shall pay into such fund any moneys appropriated and made
21 available by the state for the purposes of such fund, any proceeds of sale of housing
22 rehabilitation bonds to the extent provided in the resolution of the ~~authority~~ board
23 authorizing the issuance thereof and any other moneys which are made available to
24 the authority for the purpose of such fund from any other source.

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1 **(3)** (a) 3. All amounts specified in any resolution of the authority board
2 authorizing any of the bonds described in subd. 1. as payable during the calendar
3 year as a sinking fund payment with respect to any of the bonds which mature after
4 the calendar year.

5 (b) The annual debt service calculation made under par. (a) shall be calculated
6 on the assumption that the bonds will after the date of computation cease to be
7 outstanding by reason, but only by reason, of the payment of bonds when due, and
8 the payment when due and application in accordance with the resolution authorizing
9 those bonds, of all of the sinking fund payments payable at or after the date of
10 computation. However, in computing the annual debt service for any calendar year,
11 bonds considered to have been paid in accordance with the defeasance provisions of
12 the resolution of the authority board authorizing the issuance thereof may not be
13 included in bonds outstanding on the date of computation.

14 **(4)** (a) To assure the continued operation and solvency of the authority for the
15 carrying out of the public purposes of this chapter subchapter, the authority shall
16 accumulate in the capital reserve fund an amount equal to the capital reserve fund
17 requirement for such fund.

18 (b) If at any time the capital reserve fund requirement for the capital reserve
19 fund exceeds the amount of such capital reserve fund, the chairperson of the
20 authority board shall certify to the secretary of administration, the governor, and the
21 joint committee on finance the amount necessary to restore such capital reserve fund
22 to an amount equal to the capital reserve fund requirement in respect thereto. If
23 such certification is received by the secretary of administration in an
24 even-numbered year prior to the completion of the budget compilation under s.
25 16.43, the secretary shall include the certified amount in the budget compilation. In

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1 any case, the joint committee on finance shall introduce in either house, in bill form,
2 an appropriation of the amount so certified to the capital reserve fund. Recognizing
3 its moral obligation to do so, the legislature hereby expresses its expectation and
4 aspiration that, if ever called upon to do so, it shall make such appropriation.

5 **SECTION 423.** 234.55 of the statutes is renumbered 235.55, and 235.55 (1) and
6 (4), as renumbered, are amended to read:

7 235.55 (1) The authority shall establish the housing rehabilitation loan
8 program bond redemption fund. All housing rehabilitation loans purchased with
9 moneys from the housing rehabilitation loan fund or notes evidencing loans to
10 lenders from such fund for housing rehabilitation loans shall be the exclusive
11 property of such redemption fund. All moneys received from the repayment of such
12 loans, any amounts transferred by the authority to such fund pursuant to s. ~~234.52~~
13 235.52 or from other funds or sources, any federal insurance or guarantee payments
14 with respect to such loans, all moneys resulting from the sale of bonds for the purpose
15 of refunding outstanding housing rehabilitation bonds unless credited to the housing
16 rehabilitation loan program capital reserve fund, and any other moneys which may
17 be available to the authority for the purpose of such fund, shall be deposited into such
18 fund to be used for the repayment of housing rehabilitation bonds issued under the
19 authority of s. ~~234.50~~ 235.50.

20 (4) Moneys of the fund may be invested as provided in s. ~~234.03 (18)~~ 235.012
21 (19). All such investments shall be the exclusive property of the fund. All earnings
22 on or income from such investments shall be credited to the fund.

23 **SECTION 424.** 234.59 of the statutes is renumbered 235.59, and 235.59 (2) (e)
24 and (3) (bc) 3., as renumbered, are amended to read:

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1 235.59 (2) (e) May enter into agreements to insure or provide additional
2 security for homeownership mortgage loans or bonds or notes issued under s. ~~234.60~~
3 235.60.

4 (3) (bc) 3. If the authority sets aside at least 20% of the proceeds of a bond or
5 note issuance under s. ~~234.60~~ 235.60 to fund home ownership mortgage loans for
6 eligible properties that are targeted area residences, the authority may apply up to
7 33% of the proceeds that are set aside for that purpose without regard to the income
8 of the applicant.

9 **SECTION 425.** 234.592 of the statutes is renumbered 235.592, and 235.592 (1)
10 (a), (b) and (c) and (2) (c), as renumbered, are amended to read:

11 235.592 (1) (a) “Authorized lender” has the meaning given in s. ~~234.59~~ 235.59
12 (1) (a).

13 (b) “Eligible property” has the meaning given in s. ~~234.59~~ 235.59 (1) (d) 1.

14 (c) “Principal residence” has the meaning given in. s. ~~234.59~~ 235.59 (1) (j).

15 (2) (c) May enter into agreements to insure or provide additional security for
16 loans or bonds or notes issued under s. ~~234.60~~ 235.60.

17 **SECTION 426.** 234.60 (title) of the statutes is renumbered 235.60 (title).

18 **SECTION 427.** 234.60 (1) of the statutes is renumbered 235.60 (1) and amended
19 to read:

20 235.60 (1) The authority may issue its bonds or notes to fund homeownership
21 mortgage loans or the refinancing of qualified subprime loans under s. ~~234.592~~
22 235.592.

23 **SECTION 428.** 234.60 (2) of the statutes is renumbered 235.60 (2) and amended
24 to read:

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1 235.60 (2) The limitations in ss. ~~234.18, 234.40, 234.50, 234.61, and 234.65~~
2 235.0255, 235.409, 235.50, and 235.61 do not apply to bonds or notes issued under
3 this section.

4 **SECTION 429.** 234.60 (3) of the statutes is renumbered 235.60 (3).

5 **SECTION 430.** 234.60 (4) of the statutes is repealed.

6 **SECTION 431.** 234.60 (5) of the statutes is renumbered 235.60 (5), and 235.60
7 (5) (c), as renumbered, is amended to read:

8 235.60 (5) (c) The secretary of administration shall determine the date after
9 which no bond or note may be issued under this section for the purpose of financing
10 the acquisition or replacement of an existing mortgage under s. ~~234.592~~ 235.592.

11 **SECTION 432.** 234.60 (9) of the statutes is renumbered 235.60 (9) and amended
12 to read:

13 235.60 (9) The ~~executive director of the authority~~ shall make every effort to
14 encourage participation in the homeownership mortgage loan program and the
15 qualified subprime loan refinancing program by women and minorities.

16 **SECTION 433.** 234.605 of the statutes is renumbered 235.605, and 235.605 (1)
17 (a) and (2), as renumbered, are amended to read:

18 235.605 (1) (a) "Eligible property" has the meaning given in s. ~~234.59~~ 235.59
19 (1) (d) 1.

20 (2) Subject to the approval of all members of the ~~authority~~ board, the authority
21 may establish and administer a homeowner eviction and lien protection program to
22 encourage the refinancing of mortgage loans by lenders in order to facilitate the
23 retention of eligible property by persons and families.

24 **SECTION 434.** 234.61 of the statutes is renumbered 235.61, and 235.61 (1), as
25 renumbered, is amended to read:

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1 235.61 (1) Upon the authorization of the department of health services, the
2 authority may issue bonds or notes and make loans for the financing of housing
3 projects which are residential facilities as defined in s. 46.28 (1) (d) and the
4 development costs of those housing projects, if the department of health services has
5 approved the residential facilities for financing under s. 46.28 (2). The limitations
6 in ss. ~~234.18, 234.40, 234.50, 234.60, and 234.65~~ 235.0255, 235.409, 235.50, and
7 235.60 do not apply to bonds or notes issued under this section. The definition of
8 “nonprofit corporation” in s. ~~234.01~~ 235.40 (9) does not apply to this section.

9 **SECTION 435.** 234.621 of the statutes is renumbered 235.621.

10 **SECTION 436.** 234.622 (intro.) of the statutes is renumbered 235.622 (intro.)
11 and amended to read:

12 **235.622 Definitions.** (intro.) In ss. ~~234.621 to 234.626~~ 235.621 to 235.626:

13 **SECTION 437.** 234.622 (1) of the statutes is renumbered 235.622 (1).

14 **SECTION 438.** 234.622 (2m) of the statutes is repealed.

15 **SECTION 439.** 234.622 (3) of the statutes is renumbered 235.622 (3).

16 **SECTION 440.** 234.622 (3m) of the statutes is renumbered 235.622 (3m).

17 **SECTION 441.** 234.622 (4) of the statutes is renumbered 235.622 (4).

18 **SECTION 442.** 234.622 (5) of the statutes is renumbered 235.622 (5) and
19 amended to read:

20 235.622 (5) “Permitted obligations” means the total amount of outstanding
21 liens and judgments on the qualifying dwelling unit if that amount does not exceed
22 33% of the value of the unit as determined by the most recent assessment for property
23 tax purposes. For purposes of ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626, housing and
24 rehabilitation loans under s. ~~234.49~~ 235.49 and liens arising under ss. ~~234.621~~

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1 ~~235.621~~ to ~~234.626~~ 235.626 shall not be considered outstanding liens or judgments
2 in computing the amount of permitted obligations.

3 **SECTION 443.** ~~234.622~~ (6) of the statutes is renumbered ~~235.622~~ (6) and
4 amended to read:

5 ~~235.622~~ (6) “Program” means the program under ss. ~~234.621~~ 235.621 to
6 ~~234.626~~ 235.626.

7 **SECTION 444.** ~~234.622~~ (7) of the statutes is renumbered ~~235.622~~ (7) and
8 amended to read:

9 ~~235.622~~ (7) “Qualifying dwelling unit” means a dwelling unit, not including a
10 mobile home as defined in s. 101.91 (10), located in this state, habitable as a
11 permanent residence and to which property taxes or special assessments are, or may
12 conveniently be, allocated and up to one acre of land appertaining to it held in the
13 same ownership as the dwelling unit. For purposes of ss. ~~234.621~~ 235.621 to ~~234.626~~
14 235.626, “qualifying dwelling unit” includes a unit in a condominium or in a
15 cooperative or an unincorporated cooperative association or in a multiunit dwelling
16 with 4 or fewer units, but in all of these 3 cases only the portion of taxes or special
17 assessments allocable to the unit lived in by the participant may qualify for loans
18 under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626.

19 **SECTION 445.** ~~234.623~~ of the statutes is renumbered ~~235.623~~, and ~~235.623~~ (1)
20 and (3), as renumbered, are amended to read:

21 ~~235.623~~ (1) The participant applies on forms prescribed by the authority for a
22 loan to pay property taxes or special assessments by June 30 of the year in which the
23 taxes or special assessments are payable on a qualifying dwelling unit and, except
24 as provided in s. ~~234.625~~ 235.625 (5), specifies the names of all co-owners.

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1 **(3)** The participant keeps continuously in effect during the period that a loan
2 is outstanding under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626 a fire and extended
3 casualty insurance policy on the qualifying dwelling unit satisfactory to the
4 authority and permits the authority to be named on the policy as a lienholder.

5 **SECTION 446.** 234.624 of the statutes is renumbered 235.624.

6 **SECTION 447.** 234.625 of the statutes is renumbered 235.625, and 235.625 (1),
7 (2), (3), (4) (b) 1. and 6., (5), (9) and (10), as renumbered, are amended to read:

8 235.625 **(1)** The authority shall enter into agreements with participants and
9 their co-owners to loan funds to pay property taxes and special assessments on their
10 qualifying dwelling units. The maximum loan under ss. ~~234.621~~ 235.621 to ~~234.626~~
11 235.626 in any one year is limited to the lesser of \$3,525 or the amount obtained by
12 adding the property taxes levied on the qualifying dwelling unit for the year for
13 which the loan is sought, the special assessments levied on the dwelling unit, and the
14 interest and penalties for delinquency attributable to the property taxes or special
15 assessments. Loans shall bear interest at a rate equal to the prime lending rate at
16 the time the rate is set, as reported by the federal reserve board in federal reserve
17 statistical release H. 15, plus 1%. ~~The executive director~~ authority shall set the rate
18 no later than October 15 of each year, and that rate shall apply to loans made in the
19 following year.

20 **(2)** The authority shall have all powers ~~under s. 234.03~~ that are necessary or
21 convenient to the operation of a loan program, including, without limitation because
22 of enumeration, the power to enter into contracts, to pay or be paid for the
23 performance of services, to exercise all rights of a lienholder under subch. I of ch. 779,
24 and to perform other administrative actions that are necessary in the conduct of its
25 duties under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626.

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1 **(3)** The authority shall adopt ~~rules~~ policies and ~~establish~~ procedures under
2 which applications for loans under this section may be submitted, reviewed, and
3 approved; under which repayment of the loans are to be obtained; under which
4 disputes and claims concerning the loans are to be settled; and under which records
5 concerning are to be maintained.

6 **(4)** (b) 1. Transfer of the qualifying dwelling unit by any means except upon
7 transfer to a co-owner who resides in the unit and who is permitted to assume the
8 participant's account as provided in s. ~~234.624~~ 235.624.

9 6. The participant ceases to meet the eligibility requirements of s. ~~234.623~~
10 235.623, except as provided in sub. (5).

11 **(5)** If a participant in the program ceases to meet the eligibility requirements
12 of this section, the authority, rather than demanding repayment under sub. (4) (b),
13 may allow the participant to continue in the program, may allow the participant to
14 continue in the program but be ineligible for additional loans, or may require partial
15 settlement. The authority may also allow co-owners to be added to the loan
16 agreement if, ~~in the judgment of the executive director,~~ the authority determines that
17 the addition of co-owners does not significantly increase the authority's exposure to
18 risk under the loan agreement.

19 **(9)** Upon the making of the initial loan, a nonconsensual statutory lien in favor
20 of the authority to secure payment of the principal, interest, fees and charges due on
21 all loans, including loans made after the lien is filed, to the participant made under
22 ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626 shall attach to the qualifying dwelling unit
23 in respect to which the loan is made. The qualifying dwelling unit shall remain
24 subject to the statutory lien until the payment in full of all loans and charges. If the
25 authority funds such loans from the proceeds of notes or bonds under s. ~~234.626~~

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1 235.626, its right under the lien shall automatically accrue to the benefit of the
2 holders of those notes or bonds, without any action or assignment by the authority.
3 When a loan becomes due and payable, the statutory lien hereby conferred may be
4 enforced by the authority or the holders of the notes or bonds or their representative,
5 as the case may be, in the same manner as a construction lien under ss. 779.09 to
6 779.12, except that neither the participant nor any co-owners or their personal
7 representatives, successors or assigns shall be personally liable for any deficiency
8 which may arise from the sale. At the time of disbursing the initial loan to a
9 participant, the authority shall record with the register of deeds of the county in
10 which the qualifying dwelling unit is located, on a form prescribed by the authority
11 which shall contain a legal description of the qualifying dwelling unit, a notice of the
12 loan made under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626 and the existence of the
13 statutory lien arising therefrom. The register of deeds shall record the notice in the
14 land records and index it in the indexes maintained by the register of deeds. The
15 statutory lien created by this section shall have priority over any lien that originates
16 subsequent to the recording of the notice.

17 **(10)** If the property taxes or special assessments are paid, using a loan made
18 under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626, after the taxes or assessments are due,
19 the participant shall be liable for interest and penalty charges for delinquency under
20 ch. 74. Subject to sub. (1), the principal amount of loans made under this program
21 may include delinquency charges.

22 **SECTION 448.** ~~234.626~~ of the statutes is renumbered 235.626, and ~~235.626~~ (1),
23 (2), (2m), (4), (6) and (7), as renumbered, are amended to read:

24 235.626 (1) Loans made or authorized to be made under ss. ~~234.621~~ 235.621
25 to ~~234.626~~ 235.626 may be funded from the proceeds of notes and bonds issued

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1 subject to and in accordance with ss. ~~234.08 to 234.14~~ 235.02 to 235.0235 and from
2 the fund under s. ~~234.165~~ 235.405.

3 (2) The authority may create a system of funds and accounts, separate and
4 distinct from all other funds and accounts of the authority, consisting of moneys
5 received from notes and bonds, issued to finance, and all revenues received in the
6 repayment of, loans made under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626, except as
7 provided in sub. (2m), and any other revenues dedicated to it by the authority. The
8 authority may pledge moneys and revenues received or to be received by this system
9 of funds and accounts to secure bonds or notes issued for the program. The authority
10 shall have all other powers necessary and convenient to distribute the proceeds of
11 the bonds, notes, and loan repayments in accordance with its powers under this
12 chapter.

13 (2m) Revenues received in the repayment of loans made under s. ~~234.165~~
14 235.405 shall be paid into the fund under s. ~~234.165~~ 235.405.

15 (4) The authority may adopt rules policies and procedures that restrict
16 eligibility in addition to the requirements of s. ~~234.623~~ 235.623 or require the
17 provision of additional security if, ~~in the executive director's judgment,~~ the authority
18 determines that the rules or security are required for the satisfactory issuance of
19 bonds or notes.

20 (6) Unless otherwise expressly provided in resolutions authorizing the
21 issuance of bonds or notes or in other agreements with the holders of bonds or notes,
22 each bond or note issued under this section shall be on a parity with every other bond
23 or note issued for the funding of loans under ss. ~~234.621~~ 235.621 to ~~234.626~~ 235.626.

24 (7) Recognizing its moral obligation to do so, the legislature expresses its
25 expectation and aspiration that, if ever called to do so, it shall make an appropriation

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1 to make the authority whole for defaults on loans issued under ss. ~~234.621~~ 235.621
2 to ~~234.626~~ 235.626.

3 **SECTION 449.** 234.65 of the statutes is repealed.

4 **SECTION 450.** Subchapter II (title) of chapter 234 [precedes 234.67] of the
5 statutes is renumbered subchapter V of chapter 235 [precedes 235.67].

6 **SECTION 451.** 234.67 of the statutes is renumbered 235.67, and 235.67 (1) (e),
7 (2) (intro.) and (3), as renumbered, are amended to read:

8 235.67 (1) (e) "Participating lender" means a bank, credit union, savings bank,
9 savings and loan association or other person, who makes loans for working capital
10 or to finance physical plant needs, equipment or machinery and who has entered into
11 an agreement with the authority under s. ~~234.93~~ 235.93 (2) (a).

12 (2) (intro.) A loan made by a participating lender before December 3, 1993, is
13 eligible for guarantee of collection from the Wisconsin development reserve fund
14 under s. ~~234.93~~ 235.93 if all of the following apply:

15 (3) **GUARANTEE OF COLLECTION.** The authority shall guarantee collection of a
16 percentage, not exceeding 90%, of the principal of any loan eligible for a guarantee
17 under sub. (2). The authority shall establish the percentage of the unpaid principal
18 of an eligible loan that will be guaranteed, using the procedures described in the
19 guarantee agreement under s. ~~234.93~~ 235.93 (2) (a). The authority may establish a
20 single percentage for all guaranteed loans or establish different percentages for
21 eligible loans on an individual basis.

22 **SECTION 452.** 234.75 of the statutes is renumbered 235.75, and 235.75 (2) (c)
23 and (5) (a) and (c) (intro.), as renumbered, are amended to read:

24 235.75 (2) (c) The lender is the authority or a financial institution that enters
25 into an agreement under s. ~~234.93~~ 235.93 (2) (a).

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1 **(5)** (a) Subject to par. (b), the authority may guarantee collection of all or part
2 of the unpaid principal of a loan eligible for guarantee under sub. (3). If the authority
3 guarantees all or part of a loan under this subsection, the authority shall establish
4 the amount of the unpaid principal of an eligible loan that will be guaranteed using
5 the procedures described in the guarantee agreement under s. ~~234.93~~ 235.93 (2) (a).

6 (c) (intro.) Notwithstanding s. ~~234.51~~ 235.51 (2), the authority may transfer
7 moneys from the housing rehabilitation loan program administration fund to the
8 Wisconsin development reserve fund for a loan guarantee under this subsection if all
9 of the following conditions are met:

10 **SECTION 453.** ~~234.83~~ of the statutes is renumbered ~~235.83~~, and ~~235.83~~ (1m) (c),
11 (3) (intro.) and (4), as renumbered, are amended to read:

12 **235.83 (1m)** (c) The lender enters into an agreement under s. ~~234.93~~ 235.93 (2)
13 (a).

14 **(3) ELIGIBLE LOANS.** (intro.) A loan is eligible for guarantee of collection from
15 the Wisconsin development reserve fund under s. ~~234.93~~ 235.93 if all of the following
16 apply:

17 **(4) GUARANTEE OF REPAYMENT.** The authority may guarantee repayment of a
18 portion of the principal of any loan eligible for a guarantee under sub. (1m). That
19 portion may not exceed 80% of the principal of the loan or \$750,000, whichever is less.
20 The authority shall establish the portion of the principal of an eligible loan that will
21 be guaranteed, using the procedures described in the agreement under s. ~~234.93~~
22 235.93 (2) (a). The authority may establish a single portion for all guaranteed loans
23 that do not exceed \$937,500 and a single portion for all guaranteed loans that exceed
24 \$937,500 or establish on an individual basis different portions for eligible loans that
25 do not exceed \$937,500 and different portions for eligible loans that exceed \$937,500.

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1 **SECTION 454.** 234.84 (title) of the statutes is renumbered 235.84 (title).

2 **SECTION 455.** 234.84 (1) of the statutes is repealed.

3 **SECTION 456.** 234.84 (2) of the statutes is renumbered 235.84 (2), and 235.84
4 (2) (c), as renumbered, is amended to read:

5 235.84 (2) (c) The lender is a financial institution that enters into an agreement
6 under s. ~~234.932~~ 235.932 (3) (a).

7 **SECTION 457.** 234.84 (3) of the statutes is renumbered 235.84 (3), and 235.84
8 (3) (intro.) and (c), as renumbered, are amended to read:

9 235.84 (3) ELIGIBLE LOANS. (intro.) A loan is eligible for guarantee of collection
10 from the Wisconsin job training reserve fund under s. ~~234.932~~ 235.932 if all of the
11 following apply:

12 (c) The interest rate on the loan, including any origination fees or other charges,
13 is approved by the ~~corporation~~ authority.

14 **SECTION 458.** 234.84 (4) of the statutes is renumbered 235.84 (4) and amended
15 to read:

16 235.84 (4) GUARANTEE OF COLLECTION. (a) Subject to par. (b), the authority shall
17 guarantee collection of a percentage of the principal of, and all interest and any other
18 amounts outstanding on, any loan eligible for a guarantee under sub. (2). The
19 ~~corporation~~ authority shall establish the percentage of the principal of an eligible
20 loan that will be guaranteed, using the procedures described in the agreement under
21 s. ~~234.932~~ 235.932 (3) (a). The ~~corporation~~ authority may establish a single
22 percentage for all guaranteed loans or establish different percentages for eligible
23 loans on an individual basis.

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1 (b) Except as provided in s. ~~234.932~~ 235.932 (4), the total outstanding
2 guaranteed principal amount of all loans that the authority may guarantee under
3 par. (a) may not exceed \$8,000,000.

4 **SECTION 459.** 234.84 (5) (a) of the statutes is repealed.

5 **SECTION 460.** 234.84 (5) (b) of the statutes is renumbered 235.84 (5) and
6 amended to read:

7 235.84 (5) The ~~corporation~~ authority may charge a premium, fee, or other
8 charge to a borrower of a guaranteed loan under this section for the administration
9 of the loan guarantee.

10 **SECTION 461.** 234.86 of the statutes is renumbered 235.86, and 235.86 (2)
11 (intro.) and (c) and (4) (a) and (b), as renumbered, are amended to read:

12 235.86 (2) GUARANTEE REQUIREMENTS. (intro.) The authority may use money
13 from the Wisconsin drinking water reserve fund under s. ~~234.933~~ 235.933 to
14 guarantee a loan under this section if all of the following apply:

15 (c) The lender is a financial institution that enters into an agreement under s.
16 ~~234.933~~ 235.933 (3) (a).

17 (4) (a) Subject to par. (b), the authority may guarantee collection of a
18 percentage, not exceeding 80%, of the principal of any loan eligible for a guarantee
19 under this section. The authority shall establish the percentage of the unpaid
20 principal of an eligible loan that will be guaranteed using the procedures described
21 in the guarantee agreement under s. ~~234.933~~ 235.933 (3) (a). The authority may
22 establish a single percentage for all guaranteed loans or establish different
23 percentages for eligible loans on an individual basis.

24 (b) Except as provided in s. ~~234.933~~ 235.933 (4), the total outstanding principal
25 amount of all guaranteed loans under par. (a) may not exceed \$3,000,000.

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1 **SECTION 462.** 234.88 of the statutes is renumbered 235.88, and 235.88 (1) (c),
2 (2) (intro.) and (6), as renumbered, are amended to read:

3 235.88 (1) (c) “Participating lender” means a bank, production credit
4 association, credit union, savings bank, savings and loan association, or other person
5 who makes emergency heating assistance loans and who has entered into an
6 agreement with the authority under s. ~~234.93~~ 235.93 (2) (a).

7 **(2) ELIGIBLE LOANS.** (intro.) An emergency heating assistance loan made by a
8 participating lender is eligible for guarantee of collection under sub. (5) from the
9 Wisconsin development reserve fund under s. ~~234.93~~ 235.93 if all of the following
10 apply:

11 **(6) INTEREST REDUCTION.** The authority shall pay, from the moneys in the
12 Wisconsin development reserve fund under s. ~~234.93~~ 235.93, to each participating
13 lender an amount equal to 3.5 percent of the principal amount of any guaranteed loan
14 to reduce interest payments on the guaranteed loan paid by an individual.

15 **SECTION 463.** 234.90 of the statutes is renumbered 235.90, and 235.90 (1) (d)
16 and (2) (intro.), as renumbered, are amended to read:

17 235.90 (1) (d) “Participating lender” means a bank, production credit
18 association, credit union, savings bank, savings and loan association or other person
19 who makes agricultural production loans and who has entered into an agreement
20 with the authority under s. ~~234.93~~ 235.93 (2) (a).

21 **(2) ELIGIBLE LOANS.** (intro.) Except as provided in sub. (3j), an agricultural
22 production loan made by a participating lender is eligible for guarantee of collection
23 from the Wisconsin development reserve fund under s. ~~234.93~~ 235.93 if all of the
24 following apply:

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1 **SECTION 464.** 234.905 of the statutes is renumbered 235.905, and 235.905 (1)
2 (f), (2) (intro.) and (4) (b), as renumbered, are amended to read:

3 235.905 (1) (f) “Participating lender” means a bank, production credit
4 association, credit union, savings bank, savings and loan association or other person
5 who makes agricultural production drought assistance loans and who has entered
6 into an agreement with the authority under s. ~~234.93~~ 235.93 (2) (a).

7 **(2) ELIGIBLE LOANS.** (intro.) An agricultural production drought assistance loan
8 made by a participating lender is eligible for guarantee of collection from the
9 Wisconsin development reserve fund under s. ~~234.93~~ 235.93 if all of the following
10 apply:

11 **(4) (b)** Except as provided in s. ~~234.93~~ 235.93 (3), the total principal amounts
12 of all agricultural production drought assistance loans which the authority may
13 guarantee under par. (a) may not exceed \$30,000,000.

14 **SECTION 465.** 234.907 of the statutes is renumbered 235.907, and 235.907 (1)
15 (e), (2) (intro.) and (3), as renumbered, are amended to read:

16 235.907 (1) (e) “Participating lender” means a bank, credit union, savings
17 bank, savings and loan association or other person, who makes loans for working
18 capital or to finance physical plant needs, equipment or machinery and who has
19 entered into an agreement with the authority under s. ~~234.93~~ 235.93 (2) (a).

20 **(2) ELIGIBLE LOANS.** (intro.) A loan made by a participating lender is eligible
21 for guarantee of collection from the Wisconsin development reserve fund under s.
22 ~~234.93~~ 235.93 if all of the following apply:

23 **(3) GUARANTEE OF COLLECTION.** The authority shall guarantee collection of a
24 percentage, not exceeding 90%, of the principal of any loan eligible for a guarantee
25 under sub. (2). The authority shall establish the percentage of the unpaid principal

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1 of an eligible loan that will be guaranteed, using the procedures described in the
2 guarantee agreement under s. ~~234.93~~ 235.93 (2) (a). The authority may establish a
3 single percentage for all guaranteed loans or establish different percentages for
4 eligible loans on an individual basis.

5 **SECTION 466.** 234.91 of the statutes is renumbered 235.91, and 235.91 (1) (e)
6 and (2) (intro.), as renumbered, are amended to read:

7 235.91 (1) (e) "Participating lender" means a bank, farm credit service, credit
8 union, savings bank, savings and loan association or other person who makes loans
9 for the acquisition or improvement of agricultural assets and who has entered into
10 an agreement with the authority under s. ~~234.93~~ 235.93 (2) (a). The term does not
11 include a seller under a land contract.

12 **(2) ELIGIBLE LOANS.** (intro.) A loan made by a participating lender is eligible
13 for guarantee of collection from the Wisconsin development reserve fund under s.
14 ~~234.93~~ 235.93 if all of the following apply:

15 **SECTION 467.** 234.92 of the statutes is renumbered 235.92.

16 **SECTION 468.** 234.93 of the statutes is renumbered 235.93, and 235.93 (1) (a),
17 (b), (cm) and (d) and (4) (a) 2. and 3. and (b) (intro.), as renumbered, are amended to
18 read:

19 235.93 (1) (a) Moneys appropriated to the authority under s. ~~20.490~~ (5) (a), (q)
20 20.885 (3) (ap), (qm), (r), and (s) or received by the authority for the Wisconsin
21 development reserve fund from any other source.

22 (b) Any income from investment of money in the Wisconsin development
23 reserve fund by the authority under s. ~~234.03~~ (18) 235.012 (19).

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1 (cm) Any moneys transferred under 1999 Wisconsin Act 9, section 9125 (1), or
2 under s. ~~234.75~~ 235.75 (5) (c), from the housing rehabilitation loan program
3 administration fund.

4 (d) To be used for guaranteeing loans under s. ~~234.91~~ 235.91, fees collected
5 under s. ~~234.91~~ 235.91 (4).

6 (4) (a) 2. To fund guarantees under all of the programs guaranteed by funds
7 from the Wisconsin development reserve fund, except for the program under s.
8 234.935, 1997 stats., and the program under s. ~~234.75~~ 235.75, at a ratio of \$1 of
9 reserve funding to \$4.50 of total outstanding principal and outstanding guaranteed
10 principal that the authority may guarantee under all of those programs.

11 3. To fund guarantees under the program under s. 234.935, 1997 stats., and the
12 program under s. ~~234.75~~ 235.75 at a ratio of \$1 of reserve funding to \$4 of total
13 principal and outstanding guaranteed principal that the authority may guarantee
14 under that program.

15 (b) (intro.) Annually on August 31, the ~~executive director of the~~ authority shall
16 provide to the secretary of administration and to the joint committee on finance a
17 signed statement that includes all of the following:

18 **SECTION 469.** 234.932 of the statutes is renumbered 235.932, and 235.932 (2)
19 (intro.) and (b), as renumbered, are amended to read:

20 235.932 (2) ESTABLISHMENT OF FUND. (intro.) There is established under the
21 jurisdiction and control of the authority, for the purpose of providing funds for
22 guaranteeing loans under s. ~~234.84~~ 235.84, a Wisconsin job training reserve fund,
23 consisting of all of the following:

24 (b) Any income from investment of money in the Wisconsin job training reserve
25 fund by the authority under s. ~~234.03 (18)~~ 235.012 (19).

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1 **SECTION 470.** 234.933 of the statutes is renumbered 235.933, and 235.933 (1),
2 (2) (intro.) and (b), as renumbered, are amended to read:

3 235.933 (1) DEFINITION. In this section, “drinking water loan guarantee
4 program” means the program under s. ~~234.86~~ 235.86.

5 (2) ESTABLISHMENT OF FUND. (intro.) There is established under the jurisdiction
6 and control of the authority, for the purpose of providing funds for guaranteeing loans
7 under s. ~~234.86~~ 235.86, a Wisconsin drinking water reserve fund, consisting of all of
8 the following:

9 (b) Any income from investment of money in the Wisconsin drinking water
10 reserve fund by the authority under s. ~~234.03 (18)~~ 235.012 (19).

11 **SECTION 471.** Subchapter III (title) of chapter 234 [precedes 234.94] of the
12 statutes is renumbered subchapter VI (title) of chapter 235 [precedes 235.94].

13 **SECTION 472.** 234.94 of the statutes is renumbered 235.94, and 235.94 (2) (b)
14 5. and (3), as renumbered, are amended to read:

15 235.94 (2) (b) 5. The corporation’s purpose is to promote the employment of
16 members of a target group through projects that meet the conditions specified in s.
17 ~~234.96~~ 235.96 (1) (a) to (d).

18 (3) “Community development finance company” means a corporation or a
19 limited partnership organized for profit under s. ~~234.95~~ 235.95.

20 **SECTION 473.** 234.95 of the statutes is renumbered 235.95, and 235.95 (1) and
21 (2), as renumbered, are amended to read:

22 235.95 (1) The community development finance company is the corporation
23 organized for profit under ch. 180, or limited partnership organized under ch. 179,
24 which was created under s. 233.05 (1), 1985 stats. The chairperson of the authority
25 board, or his or her designee, is a director of the community development finance

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1 company. The shareholders of the community development finance company shall
2 elect 4 other people to the company's board of directors. To the extent practicable,
3 3 people elected to the board of directors shall have substantial business and
4 financial experience and one person shall represent a community development
5 corporation. If the community development finance company is organized as a
6 limited partnership its general partner shall, to the extent practicable, have
7 substantial business and financial experience.

8 (2) The community development finance company shall issue stock or
9 partnership interests. The community development finance company shall invest
10 funds it receives from the sale of stock or partnership interests by purchasing capital
11 participation instruments under s. ~~234.96~~ 235.96.

12 **SECTION 474.** 234.96 of the statutes is renumbered 235.96.

13 **SECTION 475.** 234.97 of the statutes is renumbered 235.97, and 235.97 (intro.)
14 and (2), as renumbered, are amended to read:

15 **235.97 Sale or purchase of stock or interest.** (intro.) Subject to s. ~~234.96~~
16 235.96 (1) (h), the authority shall do all of the following:

17 (2) Use funds received from contributions, gifts, or grants ~~under s. 234.03 (32)~~
18 to purchase community development finance company stock or partnership interests
19 or make grants or loans to community development corporations.

20 **SECTION 476.** 234.98 of the statutes is renumbered 235.98.

21 **SECTION 477.** Chapter 235 (title) and subchapter I of chapter 235 [precedes
22 235.001] of the statutes are created to read:

CHAPTER 235**FORWARD WISCONSIN****DEVELOPMENT AUTHORITY**

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SUBCHAPTER I

GENERAL PROVISIONS

SECTION 478. 235.001 of the statutes is created to read:

235.001 Legislative declaration. The legislature determines that the provision of assistance by state agencies to the authority, all appropriations of funds to the authority, and all moral obligation pledges under this chapter serve a statewide public purpose by assisting the development of housing in this state, especially housing for persons and families of low and moderate income, and by encouraging economic development, reducing unemployment, and bringing needed capital into the state for the benefit and welfare of people throughout the state. The legislature reaffirms its declarations in chapter 287, laws of 1971, section 1, with respect to the housing-related purposes of the authority.

SECTION 479. 235.01 of the statutes is created to read:

235.01 Definitions. In this chapter:

(1) "Authority" means the Forward Wisconsin Development Authority.

(2) "Board" means the board of directors of the authority.

(3) "Housing-related purpose" means any of the following:

(a) Any program or project that the authority develops, implements, or administers, or any power the authority exercises or duty or function it carries out, pursuant to s. 235.013 (1) or subch. IV.

(b) Any program or project that the Wisconsin Housing and Economic Development Authority developed, implemented, or administered under subch. I of ch. 234, 2013 stats., including any power exercised or duty or function carried out with respect to the program or project, that the authority has assumed as successor to the Wisconsin Housing and Economic Development Authority.

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1 (c) Any other activity, function, or cost, including operational costs, of the
2 authority that the authority determines is necessary with respect to a program,
3 project, power, duty, or function specified in par. (a) or (b).

4 **SECTION 480.** 235.011 of the statutes is created to read:

5 **235.011 Creation and organization.** (1) There is created a public body
6 corporate and politic, to be known as the "Forward Wisconsin Development
7 Authority." The members of the board shall consist of 8 public members nominated
8 by the governor, and with the advice and consent of the senate appointed, to serve
9 4-year terms; 2 members appointed by the speaker of the assembly, consisting of one
10 majority and one minority party representative to the assembly, appointed as are the
11 members of standing committees in the assembly, and 2 members appointed by the
12 senate majority leader, consisting of one majority and one minority party senator,
13 appointed as are members of standing committees in the senate.

14 (2) Seven members of the board constitutes a quorum for the purpose of
15 conducting its business and exercising its powers and for all other purposes. Action
16 may be taken by the board upon a vote of a majority of a quorum. The board shall
17 elect a chairperson.

18 (3) A vacancy on the board shall be filled in the same manner as the original
19 appointment to the board for the remainder of the unexpired term.

20 (4) (a) A chief executive officer shall be nominated by the governor, approved
21 by the board, and with the advice and consent of the senate appointed, to serve at the
22 pleasure of the governor.

23 (b) A chief operating officer shall be nominated by the governor, and with the
24 approval of the board appointed, to serve at the pleasure of the governor.

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1 (c) The board may delegate to the chief executive officer and chief operating
2 officer any powers and duties the board considers proper. The chief executive officer
3 and chief operating officer shall receive such compensation as may be determined by
4 the board.

5 (d) The governor shall coordinate with the chief executive officer as if the chief
6 executive officer were the secretary of a department in the executive branch of state
7 government who is appointed by the governor.

8 (5) All powers and duties assigned to the authority under this chapter shall be
9 exercised or carried out by the board, unless the board delegates the power or duty
10 to an employee of the authority or a committee established by the board.

11 (6) The authority shall continue in existence until terminated by law, but no
12 such law shall take effect while the authority has obligations outstanding. Upon
13 termination, all assets of the authority shall transfer to the state or as provided
14 otherwise by law.

15 **SECTION 481.** 235.012 of the statutes is created to read:

16 **235.012 Powers of the authority.** The authority shall have all the powers
17 necessary or convenient to carry out the purposes and provisions of this chapter. In
18 addition to all other powers granted the authority by law, the authority may:

19 (1) Adopt, amend, and repeal any bylaws, policies, and procedures for the
20 regulation of its affairs and the conduct of its business.

21 (2) Have a seal and alter the seal at pleasure.

22 (3) Maintain offices.

23 (4) Sue and be sued.

24 (5) Accept gifts, grants, loans, or other contributions and aid from private or
25 public sources.

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1 **(6)** Establish the authority's annual budget and monitor the fiscal
2 management of the authority.

3 **(7)** Make equity investments.

4 **(8)** Purchase and sell, and enter into commitments for the purchase or sale of,
5 collateral, mortgages, and securities.

6 **(9)** Make and execute contracts and any other instrument necessary or
7 convenient for the authority's operations and financing.

8 **(10)** Employ any officers, agents, employees, and special advisors that it may
9 require and determine their qualifications, duties, and compensation.

10 **(11)** Issue notes, bonds, and any other obligations.

11 **(12)** Make, purchase, and sell loans and provide grants.

12 **(13)** Incur debt.

13 **(14)** Procure insurance.

14 **(15)** Enter into agreements regarding compensation, space, and other
15 administrative matters as are necessary to operate offices in other states and foreign
16 countries. Such agreements shall be subject to the approval of the secretary of
17 administration.

18 **(16)** Agree and comply with any conditions attached to federal financial
19 assistance.

20 **(17)** Lease or own real or personal property and accept federal funds for and
21 participate in federal housing or other federal programs.

22 **(18)** Establish and maintain one or more corporations, limited liability
23 companies, partnerships, or other entities organized under the laws of this state.

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1 **(19)** Invest any funds held in reserve or sinking funds or any moneys not
2 required for immediate use or disbursement at the discretion of the authority in such
3 investments as may be lawful for fiduciaries in this state.

4 **SECTION 482.** 235.013 of the statutes is created to read:

5 **235.013 Duties of the authority; mission.** The authority, in order to carry
6 out its public purposes, shall do all of the following:

7 **(1)** Develop, implement, and administer housing programs and projects to
8 provide housing and related support, expertise, and assistance to persons in
9 Wisconsin; to promote home ownership in Wisconsin; and to provide single and
10 multifamily housing to persons and families of low and moderate income in
11 Wisconsin. The board may also develop and implement any other programs and
12 projects related to housing in Wisconsin.

13 **(2)** Develop, implement, and administer economic development programs to
14 provide business support and expertise and financial assistance to companies that
15 are investing and creating jobs in Wisconsin and to support new business start-ups
16 and business expansion and growth in Wisconsin. The board may also develop and
17 implement any other programs related to economic development in Wisconsin.

18 **SECTION 483.** 235.0255 (2) of the statutes is created to read:

19 235.0255 **(2)** The authority may not issue a note or bond that is secured by a
20 capital reserve fund unless the authorizing resolution of the board specifies that the
21 note or bond is secured by a capital reserve fund.

22 **SECTION 484.** 235.028 of the statutes is created to read:

23 **235.028 Access to certain information.** Notwithstanding s. 235.0279, the
24 authority shall withhold from access under s. 19.35 (1) all information that is stored
25 to a customer relationship management system maintained by the authority by a

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1 person other than the authority, including any other state authority or state agency,
2 federal or local governmental unit, or economic development organization. The
3 person storing the information to the customer relationship management system
4 remains the custodian of the information while it is in the custody of the authority,
5 and access to that information shall be determined by that person and in accordance
6 with law. Any information stored to such a system by the authority remains subject
7 to s. 235.0279.

8 **SECTION 485.** Subchapter II (title) of chapter 235 [precedes 235.03] of the
9 statutes is created to read:

CHAPTER 235**SUBCHAPTER II****ECONOMIC DEVELOPMENT**

10
11
12
13 **SECTION 486.** 235.03 (3) (ad), (ah), (ap) and (at) of the statutes are created to
14 read:

15 235.03 (3) (ad) That each recipient of a grant or loan under the program of at
16 least \$500,000 shall engage an independent certified public accountant to perform
17 procedures, approved by the authority and consistent with applicable professional
18 standards of the American Institute of Certified Public Accountants, to determine
19 whether the grant or loan funds and any matching cash or in-kind match were
20 expended in accordance with the grant or loan contract.

21 (ah) That each recipient make available for inspection the documents
22 supporting the attestation submitted under par. (a).

23 (ap) That the contract with each grant or loan recipient shall include the
24 requirements under pars. (a) to (ah).

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1 (at) The requirements of pars. (a) to (ap) do not apply to a department, as
2 defined in s. 15.01 (5), an independent agency, as defined in s. 15.01 (9), an authority,
3 as defined in s. 16.41 (4), or the University of Wisconsin System.

4 **SECTION 487.** 235.04 of the statutes is created to read:

5 **235.04 Economic development capital reserve funds. (1)** In this section,
6 “capital reserve fund requirement” means, as of any particular date of computation,
7 an amount of money, as provided in the resolutions of the board authorizing the
8 bonds with respect to which a capital reserve fund is established under this section,
9 which amount shall not exceed the maximum annual debt service on those bonds for
10 that fiscal year or any future fiscal year of the authority secured in whole or in part
11 by the capital reserve fund.

12 **(2)** The authority may establish one or more capital reserve funds to secure its
13 bonds issued in connection with its economic development programs, and shall pay
14 into each such capital reserve fund any moneys appropriated and made available by
15 the state for the purposes of such fund, any proceeds of sale of notes or bonds, to the
16 extent provided in the resolution of the board authorizing the issuance thereof, and
17 any other moneys made available to the authority for the purpose of such fund from
18 any other source.

19 **(3)** All moneys held in any capital reserve fund established under this section,
20 except as otherwise specifically provided, shall be used, as required, solely for the
21 payment of the principal of bonds of the authority secured in whole or in part by such
22 fund or of the sinking fund payments mentioned in this section with respect to such
23 bonds, the purchase or redemption of such bonds, the payment of interest on such
24 bonds, or the payment of any redemption premium required to be paid when such
25 bonds are redeemed prior to maturity; but, if moneys in such fund at any time are

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1 less than the capital reserve fund requirement established for such fund as provided
2 in this section, the authority shall not use such moneys for any optional purchase or
3 optional redemption of such bonds. Any income or interest earned by, or increment
4 to, any capital reserve fund established under this section due to the investment
5 thereof may be transferred by the authority to other funds or accounts of the
6 authority to the extent such transfer does not reduce the amount of such capital
7 reserve fund below the capital reserve fund requirement for such fund.

8 (4) (a) The authority shall not at any time issue bonds, secured in whole or in
9 part by a capital reserve fund established under this section if upon the issuance of
10 the bonds, the amount in the capital reserve fund will be less than the capital reserve
11 fund requirement of the capital reserve fund, unless the authority, at the time of
12 issuance of the bonds, deposits in the capital reserve fund from the proceeds of the
13 bonds to be issued, or from other sources, an amount which, together with the
14 amount then in the capital reserve fund, will not be less than the capital reserve fund
15 requirement for the capital reserve fund. The annual debt service for any fiscal year
16 is the amount of money equal to the aggregate of all of the following:

17 1. All interest payable during the fiscal year on all bonds secured in whole or
18 in part by the capital reserve fund outstanding on the date of computation.

19 2. The principal amount of all bonds described in subd. 1. outstanding on the
20 date of computation which mature during the fiscal year.

21 3. All amounts specified in any resolution of the board authorizing any of the
22 bonds described in subd. 1. as payable during the fiscal year as a sinking fund
23 payment with respect to any of the bonds which mature after the fiscal year.

24 (b) The annual debt service calculation made under par. (a) shall be calculated
25 on the assumption that the bonds will after the date of computation cease to be

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1 outstanding by reason, but only by reason, of the payment of bonds when due, and
2 the payment when due and application in accordance with the resolution authorizing
3 those bonds, of all of the sinking fund payments payable at or after the date of
4 computation. However, in computing the annual debt service for any fiscal year,
5 bonds considered to have been paid in accordance with the defeasance provisions of
6 the resolution of the board authorizing the issuance thereof shall not be included in
7 bonds outstanding on the date of computation.

8 (5) To assure the continued operation and solvency of the authority for the
9 carrying out of the public purposes of this subchapter and subch. III, the authority
10 shall accumulate in each capital reserve fund established under this section an
11 amount equal to the capital reserve fund requirement for such fund. If at any time
12 the capital reserve fund requirement for any capital reserve fund established under
13 this section exceeds the amount of such capital reserve fund, the chairperson of the
14 board shall certify to the secretary of administration, the governor, and the joint
15 committee on finance the amount necessary to restore such capital reserve fund to
16 an amount equal to the capital reserve fund requirement in respect thereto. If such
17 certification is received by the secretary of administration in an even-numbered year
18 prior to the completion of the budget compilation under s. 16.43, the secretary shall
19 include the certified amount in the budget compilation. In any case, the joint
20 committee on finance shall introduce in either house, in bill form, an appropriation
21 of the amount so certified to the appropriate capital reserve fund of the authority.
22 Recognizing its moral obligation to do so, the legislature hereby expresses its
23 expectation and aspiration that, if ever called upon to do so, it shall make such
24 appropriation.

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1 (6) In computing the amount of any capital reserve fund for the purposes of this
2 section, securities in which all or a portion of such capital reserve fund is invested
3 shall be valued at par, or if purchased at less than par, at their cost to the authority.

4 (7) Notwithstanding subs. (1) to (6), the authority, subject to such agreements
5 with noteholders or bondholders as may then exist, may elect not to secure any
6 particular issue of its bonds with a capital reserve fund. Such election shall be made
7 in the resolution authorizing such issue. In this event, subs. (3) and (4) shall not
8 apply to the bonds of such issue in that they shall not be entitled to payment out of
9 or be eligible for purchase by any such fund nor shall they be taken into account in
10 computing or applying any capital reserve fund requirement.

11 **SECTION 488.** 235.402 of the statutes is created to read:

12 **235.402 Wisconsin housing finance fund; establishment and use. (1)**

13 ESTABLISHMENT OF FUND. There is established under the jurisdiction and control of
14 the authority, for the purpose of segregating certain assets for housing-related
15 purposes, a Wisconsin housing finance fund, consisting of the following:

16 (a) All moneys transferred to the authority under s. 20.885 (2) (a) and (ah), for
17 capital reserve funds established for bonds issued under resolutions held in the
18 Wisconsin housing finance fund, under s. 20.885 (2) (at) and (m) and all moneys
19 received by the authority for the Wisconsin housing finance fund from any other
20 source.

21 (b) All moneys transferred to the Wisconsin housing finance fund by the
22 authority.

23 (c) All income from investment receipts generated from the Wisconsin housing
24 finance fund.

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1 (d) All other assets allocated to the Wisconsin housing finance fund by the
2 authority or by law.

3 **(2) FUND ADMINISTRATION.** (a) The authority shall use moneys in the Wisconsin
4 housing finance fund and all other assets allocated to the fund only for
5 housing-related purposes, including to make payments on bonds, notes, and other
6 obligations of the authority issued or incurred for housing-related purposes.

7 (b) The authority may pledge moneys and other assets in the Wisconsin
8 housing finance fund to bonds, notes, and other obligations of the authority incurred
9 for housing-related purposes as specified in the resolution of the board authorizing
10 the bond, note, or other obligation.

11 (c) Nothing in this section shall impair the integrity or source of funding of any
12 capital reserve fund or other fund established under this chapter or under ch. 234,
13 2013 stats.

14 **(3) REQUIREMENT CONCERNING NOTES AND BONDS.** The authority may not issue
15 a note or bond that is secured by the Wisconsin housing finance fund unless the
16 authorizing resolution of the board specifies that the note or bond is secured by the
17 Wisconsin housing finance fund.

18 **(4) NO COMMINGLING.** No assets or income of the authority that is allocable to
19 the Wisconsin housing finance fund may be commingled with any other assets or
20 income of the authority.

21 **(5) PERPETUAL EXISTENCE.** The authority shall maintain the Wisconsin housing
22 finance fund until the fund is terminated by law, but no such law shall take effect
23 while the authority has obligations outstanding that are payable from the Wisconsin
24 housing finance fund.

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1 **(6) SUCCESSORSHIP.** (a) *Notes and bonds.* 1. The authority shall be the successor
2 obligor to the Wisconsin Housing and Economic Development Authority created
3 under s. 234.02, 2013 stats., and shall assume all of the rights and obligations of the
4 Wisconsin Housing and Economic Development Authority under all outstanding
5 bonds, notes, and other indebtedness of the Wisconsin Housing and Economic
6 Development Authority and all related instruments, including resolutions,
7 indentures, credit and liquidity facilities and hedges, interest rate swap agreements,
8 and derivatives.

9 2. All bonds, notes, and other evidences of indebtedness of the Wisconsin
10 Housing and Economic Development Authority created under s. 234.02, 2013 stats.,
11 and all related instruments outstanding on the effective date of this subdivision ...
12 [LRB inserts date], shall be unaffected by 2015 Wisconsin Act ... (this act), except
13 for the assumption by the authority under par. (a). Any resolution or indenture with
14 respect to the issuance of a bond, note, or other indebtedness by the Wisconsin
15 Housing and Economic Development Authority and any action taken by the
16 Wisconsin Housing and Economic Development Authority with respect to the
17 financing of any project in connection with housing-related purposes shall become
18 a resolution or indenture of the authority or an action taken by the authority.

19 (b) *Pledges.* The pledges, limited obligations, and general obligations of the
20 Wisconsin Housing and Economic Development Authority created under s. 234.02,
21 2013 stats., with respect to its bonds, notes, or indebtedness shall be assigned and
22 transferred, intact in the same form, to and assumed by the authority. All such
23 pledges, limited obligations, and general obligations in existence on the effective
24 date of this paragraph ... [LRB inserts date], are reconfirmed.

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1 (c) *Transfer of assets and liabilities.* The authority shall deposit all moneys in
2 and allocate all other assets and all liabilities to the Wisconsin housing finance fund
3 that are transferred to the authority under 2015 Wisconsin Act ... (this act), section
4 562, from the Wisconsin Housing and Economic Development Authority created
5 under s. 234.02, 2013 stats., that are not allocable to another fund administered by
6 the Wisconsin Housing and Economic Development Authority under ch. 234, 2013
7 stats., and except moneys appropriated by law.

8 **SECTION 489.** 235.403 (7) of the statutes is created to read:

9 235.403 (7) All capital reserve funds established under this section as security
10 for bonds, notes, or other obligations incurred for housing-related purposes shall be
11 allocated to the Wisconsin housing finance fund.

12 **SECTION 490.** 235.404 (6) of the statutes is created to read:

13 235.404 (6) The general reserve fund shall be allocated to the Wisconsin
14 housing finance fund.

15 **SECTION 491.** Chapter 238 (title) of the statutes is repealed.

16 **SECTION 492.** Subchapter I (title) of chapter 238 [precedes 238.01] of the
17 statutes is repealed.

18 **SECTION 493.** 238.01 (intro.) and (1) of the statutes are repealed.

19 **SECTION 494.** 238.01 (2) of the statutes is repealed.

20 **SECTION 495.** 238.01 (3) of the statutes is renumbered 235.01 (3).

21 **SECTION 496.** 238.02 of the statutes is repealed.

22 **SECTION 497.** 238.03 (title) of the statutes is renumbered 235.03 (title) and
23 amended to read:

24 **235.03 (title) Duties of board the authority concerning economic**
25 **development.**

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1 **SECTION 498.** 238.03 (1) of the statutes is repealed.

2 **SECTION 499.** 238.03 (2) of the statutes is renumbered 235.03 (2), and 235.03
3 (2) (intro.) and (c), as renumbered, are amended to read:

4 235.03 (2) (intro.) For each program developed and implemented by the ~~board~~
5 authority under this subchapter, the ~~board~~ authority shall do all of the following:

6 (c) Require that each recipient of a grant or loan under the program submit a
7 report to the ~~corporation~~ authority. Each contract with a recipient of a grant or loan
8 under the program must specify the frequency and format of the report to be
9 submitted to the ~~corporation~~ authority and the performance measures to be included
10 in the report.

11 **SECTION 500.** 238.03 (3) of the statutes is renumbered 235.03 (3), and 235.03
12 (3) (intro.), (a) and (b) (intro.), as renumbered, are amended to read:

13 235.03 (3) (intro.) The ~~board~~ authority shall require for each economic
14 development program developed and implemented by the ~~board~~ authority all of the
15 following:

16 (a) That each recipient of a grant or loan under the program ~~of at least \$100,000~~
17 submit to the ~~corporation~~ authority, within 120 days after the end of the recipient's
18 fiscal year in which any grant or loan funds were expended, ~~a schedule of~~
19 ~~expenditures of the grant or loan funds, including expenditures of any matching cash~~
20 ~~or in-kind match~~ or at a different time as provided in policies and procedures
21 approved by the board an attestation, signed by the director or principal officer of the
22 recipient ~~to attest to the accuracy of the schedule of expenditures.~~ The recipient shall
23 engage ~~an independent certified public accountant to perform procedures, approved~~
24 ~~by the corporation and consistent with applicable professional standards of the~~
25 ~~American Institute of Certified Public Accountants, to determine whether the grant~~

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1 or loan funds and any matching cash or in-kind match were expended in accordance
2 with the grant or loan contract. The board shall also require the recipient of such a
3 grant or loan to make available for inspection the documents supporting the schedule
4 of expenditures. The board shall include the requirements under this paragraph in
5 the contract with grant or loan recipients. The attestation shall verify that the grant
6 or loan funds and any matching cash or in-kind match were expended in accordance
7 with the grant or loan contract.

8 (b) (intro.) That the board authority, if a recipient of a grant or loan under the
9 program submits false or misleading information to the ~~corporation~~ authority or fails
10 to comply with the terms of a contract entered into with the ~~corporation~~ authority,
11 without providing satisfactory explanation for the noncompliance, do all of the
12 following:

13 **SECTION 501.** 238.04 of the statutes is repealed.

14 **SECTION 502.** 238.045 of the statutes is repealed.

15 **SECTION 503.** 238.046 of the statutes is renumbered 235.014, and 235.014 (1)
16 and (2), as renumbered, are amended to read:

17 235.014 (1) A member of the board or an employee of the ~~corporation~~ authority
18 to whom the board delegates its authority to contract shall notify the ~~corporation's~~
19 authority's legal counsel or, if the ~~corporation's~~ legal counsel is unavailable, the chief
20 executive officer of the ~~corporation~~ authority if the member or employee has a direct
21 or indirect, private, pecuniary interest in a contract that is being negotiated, bid for,
22 or entered into with the ~~corporation~~ authority. If the ~~corporation's~~ authority's legal
23 counsel or chief executive officer is notified under this section, he or she shall report
24 the name of the individual from whom he or she received the notification and the
25 contract in which the individual has a private, pecuniary interest to the board. A

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1 member or employee who notifies the ~~corporation's~~ authority's legal counsel or chief
2 executive officer under this section is not authorized to participate in the member's
3 or employee's capacity as a member of the board or an employee of the ~~corporation~~
4 authority in the making of the contract or to perform in regard to the contract some
5 official function requiring the exercise of discretion on the member's or employee's
6 part.

7 (2) An employee of the ~~corporation~~ authority shall notify the ~~corporation's~~
8 authority's legal counsel or, if the ~~corporation's~~ legal counsel is unavailable, the chief
9 executive officer of the ~~corporation~~ authority if the employee has a controlling
10 interest in an entity that is negotiating, bidding for, or entering into a contract with
11 the ~~corporation~~ authority. If the ~~corporation's~~ authority's legal counsel or chief
12 executive officer is notified under this section, he or she shall report the name of the
13 individual from whom he or she received the notification and the contract at issue
14 to the board. The board shall prohibit the ~~corporation~~ authority from entering into
15 any contract with an entity in which an employee of the ~~corporation~~ authority has
16 a controlling interest.

17 **SECTION 504.** 238.05 of the statutes is repealed.

18 **SECTION 505.** 238.06 of the statutes is renumbered 235.015 and amended to
19 read:

20 **235.015 Liability limited.** Neither the state nor any political subdivision of
21 the state, nor any officer, employee, or agent of the state or a political subdivision of
22 the state who is acting within the scope of employment or agency, is liable for any
23 debt, obligation, act, or omission of the ~~corporation~~ authority.

24 **SECTION 506.** 238.07 of the statutes is renumbered 235.016, and 235.016 (1),
25 (2) (intro.), (3) and (4), as renumbered, are amended to read:

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1 235.016 (1) Annually, by ~~January~~ October 1, the ~~board~~ authority shall submit
2 to the chief clerk of each house of the legislature, for distribution to the legislature
3 under s. 13.172 (2), a report identifying the economic development and housing
4 programs and projects that the ~~board~~ authority intends to develop and implement
5 during the current ~~calendar~~ fiscal year.

6 (2) (intro.) Annually, no later than October 1, the ~~board~~ authority shall submit
7 to the joint legislative audit committee and the chief clerk of each house of the
8 legislature, for distribution to the legislature under s. 13.172 (2), a report for the
9 previous fiscal year on each of the economic development programs of the ~~corporation~~
10 authority that contains all of the following:

11 (3) The ~~board~~ authority shall make readily accessible to the public on an
12 Internet-based system the information required under sub. (2).

13 (4) Annually, ~~beginning in 2014~~, the board shall have an independent audit
14 conducted of the ~~corporation's~~ authority's financial statements for the previous fiscal
15 year and submit the audit report to the joint legislative audit committee and the chief
16 clerk of each house of the legislature, for distribution to the legislature under s.
17 13.172 (2).

18 **SECTION 507.** 238.08 of the statutes is repealed.

19 **SECTION 508.** 238.09 of the statutes is renumbered 235.017, and 235.017 (1),
20 (2) and (3), as renumbered, are amended to read:

21 235.017 (1) When the ~~corporation~~ authority is required to publicly solicit
22 proposals from multiple vendors of goods or services.

23 (2) How the ~~corporation~~ authority is to evaluate proposals from multiple
24 vendors.

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1 **(3)** How the ~~corporation~~ authority is to assess any conflict of interest a vendor
2 may have if the vendor sells goods or services to the ~~corporation~~ authority.

3 **SECTION 509.** 238.10 of the statutes is renumbered 235.018, and 235.018 (1) to
4 (4), as renumbered, are amended to read:

5 235.018 **(1)** ALLOCATION. The ~~corporation~~ authority shall establish under 26
6 USC 146 and administer a system for the allocation of the volume cap on the issuance
7 of private activity bonds, as defined under 26 USC 141 (a), among all municipalities,
8 as defined in s. 67.01 (5), and any corporation formed on behalf of those
9 municipalities, and among this state, the Wisconsin Health and Educational
10 Facilities Authority, the Wisconsin Aerospace Authority, and the ~~Wisconsin Housing~~
11 ~~and Economic Development Authority~~ authority.

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

18 **(3)** CONDITIONS. The ~~corporation~~ authority may establish any procedure for,
19 and place any condition upon, the granting of an allocation under this section which
20 the ~~corporation~~ authority deems to be in the best interest of the state including a
21 requirement that a cash deposit, at a rate established by the ~~corporation~~ authority,
22 be a condition for an allocation.

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

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1 **SECTION 510.** 238.11 of the statutes is renumbered 235.11, and 235.11 (1), (2)
2 and (5), as renumbered, are amended to read:

3 235.11 (1) ~~The corporation~~ authority shall prescribe the notice forms to be used
4 under s. 66.1103 (4m) (a) 1. ~~The corporation~~ authority shall include on the forms a
5 requirement for information on the number of jobs the person submitting the notice
6 expects to be eliminated, created, or maintained on the project site and elsewhere in
7 this state by the project which is the subject of the notice. ~~The corporation~~ authority
8 shall prescribe the forms to be used under s. 66.1103 (4m) (b).

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

14 (5) ~~The corporation~~ authority shall issue an estimate made under sub. (2) to
15 the city, village, town, or county which will issue the bonds to finance the project
16 which is the subject of the estimate.

17 **SECTION 511.** 238.12 of the statutes is renumbered 235.12, and 235.12 (2), as
18 renumbered, is amended to read:

19 235.12 (2) ~~The corporation~~ authority may not award a grant or loan ~~under this~~
20 ~~chapter~~ to a person or certify a person to receive tax benefits under this subchapter
21 or subch. III unless the ~~corporation~~ authority enters into an agreement with the
22 person that requires the person to repay the grant, loan, or tax benefits if, within 5
23 years after receiving the grant or loan or being certified to receive tax benefits, the
24 person ceases to conduct in this state the economic activity for which the person

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1 received the grant or loan or for which the person was certified to receive tax benefits
2 and commences substantially the same economic activity outside this state.

3 **SECTION 512.** 238.125 of the statutes is repealed.

4 **SECTION 513.** 238.127 of the statutes is renumbered 235.127, and 235.127 (2)
5 (intro.), (c) (intro.), (e), (h) and (j), as renumbered, are amended to read:

6 235.127 (2) (intro.) The ~~corporation~~ authority shall establish and administer
7 a state main street program to coordinate state and local participation in programs
8 offered by the national main street center, created by the national trust for historic
9 preservation, to assist municipalities in planning, managing and implementing
10 programs for the revitalization of business areas. The ~~corporation~~ authority shall
11 do all of the following:

12 (c) (intro.) With help from interested individuals and organizations, develop a
13 plan describing the objectives of the state main street program and the methods by
14 which the ~~corporation~~ authority shall:

15 (e) Annually select, upon application, up to 5 municipalities to participate in
16 the state main street program. The program for each municipality shall conclude
17 after 3 years, except that the program for each municipality selected after July 29,
18 1995, shall conclude after 5 years. The ~~corporation~~ authority shall select program
19 participants representing various geographical regions and populations. A
20 municipality may apply to participate, and the ~~corporation~~ authority may select a
21 municipality for participation, more than one time. In selecting a municipality,
22 however, the ~~corporation~~ authority may give priority to those municipalities that
23 have not previously participated.

24 (h) Provide training, technical assistance and information on the revitalization
25 of business areas to municipalities which do not participate in the state main street

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1 program. The ~~corporation~~ authority may charge reasonable fees for the services and
2 information provided under this paragraph.

3 (j) The ~~corporation~~ authority shall expend at least \$250,000 annually on the
4 state main street program.

5 **SECTION 514.** 238.13 of the statutes is renumbered 235.13, and 235.13 (2) (a)
6 (intro.), (3) (intro.) and (f) and (5), as renumbered, are amended to read:

7 235.13 (2) (a) (intro.) The ~~corporation~~ authority may make a grant to a person
8 if all of the following apply:

9 (3) (intro.) The ~~corporation~~ authority may consider the following criteria in
10 making awards under this section:

11 (f) Any other factors ~~considered by the corporation to be~~ authority considers
12 relevant to assessing the viability and feasibility of the project.

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

16 **SECTION 515.** 238.133 of the statutes is renumbered 235.133, and 235.133 (2)
17 (title), (a), (b), (c) and (d), (3) (intro.), (4), (5) (intro.) and (c), (6) and (7), as
18 renumbered, are amended to read:

19 235.133 (2) (title) DUTIES OF THE ~~CORPORATION~~ AUTHORITY.

20 (a) The ~~corporation~~ authority shall administer a program to award brownfield
21 site assessment grants from the appropriation under s. ~~20.192 (1) (s)~~ 20.885 (3) (u)
22 to local governmental units for the purposes of conducting any of the eligible
23 activities under sub. (3).

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1 (b) The ~~corporation~~ authority may not award a grant to a local governmental
2 unit under this section if that local governmental unit caused the environmental
3 contamination that is the basis for the grant request.

4 (c) The ~~corporation~~ authority may only award grants under this section if the
5 person that caused the environmental contamination that is the basis for the grant
6 request is unknown, cannot be located or is financially unable to pay the cost of the
7 eligible activities.

8 (d) The ~~corporation~~ authority shall establish criteria as necessary to
9 administer the program. The ~~corporation~~ authority may limit the total amount of
10 funds that may be used to cover the costs of each category of eligible activity
11 described in sub. (3).

12 **(3) ELIGIBLE ACTIVITIES.** (intro.) The ~~corporation~~ authority may award grants
13 to local governmental units to cover the costs of the following activities:

14 **(4) APPLICATION FOR GRANT.** The applicant shall submit an application on a form
15 prescribed by the ~~corporation~~ authority and shall include any information that the
16 ~~corporation~~ authority finds necessary to calculate the amount of a grant.

17 **(5) GRANT CRITERIA.** (intro.) The ~~corporation~~ authority shall consider the
18 following criteria when determining whether to award a grant:

19 (c) Other criteria that the ~~corporation~~ authority finds necessary to calculate the
20 amount of a grant.

21 **(6) LIMITATION OF GRANT.** The total amount of all grants awarded to a local
22 governmental unit in a fiscal year under this section shall be limited to an amount
23 equal to 15% of the available funds appropriated under s. ~~20.192 (1) (s)~~ 20.885 (3) (u)
24 for the fiscal year.

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1 **(7) MATCHING FUNDS.** The ~~corporation~~ authority may not distribute a grant
2 unless the applicant contributes matching funds equal to 20% of the grant. Matching
3 funds may be in the form of cash or in-kind contribution or both.

4 **SECTION 516.** 238.135 of the statutes is renumbered 235.135 and amended to
5 read:

6 **235.135 Grants to regional economic development organizations.** The
7 ~~corporation~~ authority shall award annual grants to regional economic development
8 organizations to fund marketing activities. The amount of each grant may not exceed
9 \$100,000 or the amount of matching funds the organization obtains from sources
10 other than the ~~corporation~~ authority or the state, whichever is less.

11 **SECTION 517.** 238.15 of the statutes is renumbered 235.15, and 235.15 (1)
12 (intro.) and (m) 1. (intro.) and c., (2) and (3) (a), (b), (d) (intro.), 1. and 2. a. and b. and
13 (e), as renumbered, are amended to read:

14 **235.15 (1) ANGEL INVESTMENT TAX CREDITS.** (intro.) The ~~corporation~~ authority
15 shall implement a program to certify businesses for purposes of s. 71.07 (5d). A
16 business desiring certification shall submit an application to the ~~corporation~~
17 authority in each taxable year for which the business desires certification. The
18 business shall specify in its application the investment amount it wishes to raise and
19 the ~~corporation~~ authority may certify the business and determine the amount that
20 qualifies for purposes of s. 71.07 (5d). The ~~corporation~~ authority may certify or
21 recertify a business for purposes of s. 71.07 (5d) only if the business satisfies all of
22 the following conditions:

23 (m) 1. (intro.) It agrees that it will not relocate outside of this state during the
24 3 years after it receives an investment for which a person may claim a tax credit
25 under s. 71.07 (5d) and agrees to pay the ~~corporation~~ authority a penalty, in an

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1 amount determined under subd. 2., if the business relocates outside of this state
2 during that 3-year period. For the purposes of this paragraph, a business relocates
3 outside of this state when the business locates more than 51 percent of any of the
4 following outside of this state:

5 c. The activities of the business's headquarters, as determined by the
6 ~~corporation~~ authority.

7 **(2) EARLY STAGE SEED INVESTMENT TAX CREDITS.** The ~~corporation~~ authority shall
8 implement a program to certify investment fund managers for purposes of ss. 71.07
9 (5b), 71.28 (5b), 71.47 (5b), and 76.638. An investment fund manager desiring
10 certification shall submit an application to the ~~corporation~~ authority. The
11 investment fund manager shall specify in the application the investment amount
12 that the manager wishes to raise and the ~~corporation~~ authority may certify the
13 manager and determine the amount that qualifies for purposes of ss. 71.07 (5b),
14 71.28 (5b), 71.47 (5b), and 76.638. In determining whether to certify an investment
15 fund manager, the ~~corporation~~ authority shall consider the investment fund
16 manager's experience in managing venture capital funds, the past performance of
17 investment funds managed by the applicant, the expected level of investment in the
18 investment fund to be managed by the applicant, and any other relevant factors. The
19 ~~corporation~~ authority may certify only investment fund managers that commit to
20 consider placing investments in businesses certified under sub. (1).

21 **(3) (a) *List of certified businesses and investment fund managers.*** The
22 ~~corporation~~ authority shall maintain a list of businesses certified under sub. (1) and
23 investment fund managers certified under sub. (2) and shall permit public access to
24 the lists through the ~~corporation's~~ authority's Internet Web site.

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

4 (d) *Rules Administration.* (intro.) The ~~corporation~~ authority, in consultation
5 with the department of revenue, shall ~~adopt rules~~ establish policies and procedures
6 to administer this section. ~~The rules~~ and shall further define “bona fide angel
7 investment” for purposes of s. 71.07 (5d) (a) 1. ~~The rules shall limit the aggregate~~
8 amount of tax credits under s. 71.07 (5d) that may be claimed for investments in
9 businesses certified under sub. (1) ~~at \$3,000,000 per calendar year for calendar years~~
10 ~~beginning after December 31, 2004, and before January 1, 2008, \$5,500,000 per~~
11 ~~calendar year for calendar years beginning after December 31, 2007, and before~~
12 ~~January 1, 2010, \$6,500,000 for calendar year 2010, and is~~ \$20,000,000 per calendar
13 year for calendar years beginning after December 31, 2010, plus, for taxable years
14 beginning after December 31, 2010, an additional \$250,000 for tax credits that may
15 be claimed for investments in nanotechnology businesses certified under sub. (1).
16 ~~The rules shall also limit the aggregate amount of the tax credits under ss. 71.07 (5b),~~
17 ~~71.28 (5b), 71.47 (5b), and 76.638 that may be claimed for investments paid to fund~~
18 ~~managers certified under sub. (2) at \$3,500,000 per calendar year for calendar years~~
19 ~~beginning after December 31, 2004, and before January 1, 2008, \$6,000,000 per~~
20 ~~calendar year for calendar years beginning after December 31, 2007, and before~~
21 ~~January 1, 2010, \$8,000,000 for calendar year 2010, and is~~ \$20,500,000 per calendar
22 year for calendar years beginning after December 31, 2010, plus, for taxable years
23 beginning after December 31, 2010, an additional \$250,000 for tax credits that may
24 be claimed for investments in nanotechnology businesses certified under sub. (1).
25 The ~~rules~~ policies and procedures shall also provide that, ~~for calendar years~~

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1 ~~beginning after December 31, 2007,~~ a person who receives a credit under ~~ss. s.~~ s. 71.07
2 (5b) ~~and or~~ or (5d), 71.28 (5b), 71.47 (5b), or 76.638 must keep the investment in a
3 certified business, or with a certified fund manager, for no less than 3 years, unless
4 the person's investment becomes worthless, as determined by the ~~corporation~~
5 authority, during the 3-year period or the person has kept the investment for no less
6 than 12 months and a bona fide liquidity event, as determined by the ~~corporation~~
7 authority, occurs during the 3-year period. ~~The rules policies and procedures~~ shall
8 permit the ~~corporation~~ authority to reallocate credits under this section that are
9 unused in any calendar year to a person eligible for tax benefits, as defined under s.
10 ~~238.16~~ 235.16 (1) (d), if all of the following apply:

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

13 2. a. The cochairpersons of the joint committee on finance fail to notify the
14 ~~corporation~~ authority, within 14 working days after the date of the ~~corporation's~~
15 authority's notification under subd. 1., that the committee has scheduled a meeting
16 for the purpose of reviewing the proposed reallocation.

17 b. The cochairpersons of the joint committee on finance notify the ~~corporation~~
18 authority that the committee has approved the proposed reallocation.

19 (e) *Transfer.* A person who is eligible to claim a credit under s. 71.07 (5b), 71.28
20 (5b), 71.47 (5b), or 76.638 may sell or otherwise transfer the credit to another person
21 who is subject to the taxes or fees imposed under s. 71.02, 71.23, 71.47, or subch. III
22 of ch. 76, if the person receives prior authorization from the investment fund
23 manager and the manager then notifies the ~~corporation~~ authority and the
24 department of revenue of the transfer and submits with the notification a copy of the
25 transfer documents. No person may sell or otherwise transfer a credit as provided

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1 in this paragraph more than once in a 12-month period. The ~~corporation~~ authority
2 may charge any person selling or otherwise transferring a credit under this
3 paragraph a fee equal to 1 percent of the credit amount sold or transferred.

4 **SECTION 518.** 238.16 of the statutes is renumbered 235.16, and 235.16 (1) (c)
5 2. (intro.), (2) (intro.) and (b), (3) (intro.), (4) (b) 1. (intro.) and 2. and (c) and (5) (title),
6 (a), (b), (c), (d), (e) and (f) (intro.) and 1. (intro.), as renumbered, are amended to read:

7 235.16 (1) (c) 2. (intro.) The ~~corporation~~ authority may grant exceptions to the
8 requirement under subd. 1. that a full-time job means a position in which an
9 individual, as a condition of employment, is required to work at least 2,080 hours per
10 year if all of the following apply:

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

13 (b) The person applies under this section and enters into a contract with the
14 ~~corporation~~ authority.

15 (3) ELIGIBILITY FOR TAX BENEFITS. (intro.) A person certified under sub. (2) may
16 receive tax benefits under this section if, in each year for which the person claims tax
17 benefits under this section, the person increases net employment in this state in the
18 person's business above the net employment in this state in the person's business
19 during the year before the person was certified under sub. (2), as determined by the
20 ~~corporation~~ authority under its policies and procedures, and one of the following
21 applies:

22 (4) (b) 1. (intro.) The ~~corporation~~ authority may award to a person certified
23 under sub. (2) tax benefits for each eligible employee in an amount equal to up to 10
24 percent of the wages paid by the person to that employee or \$10,000, whichever is

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1 less, if that employee earned wages in the year for which the tax benefit is claimed
2 equal to one of the following:

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

6 (c) Subject to a reallocation by the ~~corporation~~ authority pursuant to rules
7 policies and procedures adopted under s. ~~238.15~~ 235.15 (3) (d), the ~~corporation~~
8 authority may allocate up to \$5,000,000 in tax benefits under this section in any
9 calendar year, except that beginning on July 1, 2011, the ~~corporation~~ may allocate
10 up to \$10,000,000 in tax benefits under this section in any calendar year.

11 **(5) (title) DUTIES OF THE ~~CORPORATION~~ AUTHORITY.**

12 (a) The ~~corporation~~ authority shall notify the department of revenue when the
13 ~~corporation~~ authority certifies a person to receive tax benefits.

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

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

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

22 (e) The ~~corporation~~ authority shall annually verify the information submitted
23 to the ~~corporation~~ authority by the person claiming tax benefits under ss. 71.07 (3q),
24 71.28 (3q), and 71.47 (3q).

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1 (f) (intro.) The ~~corporation~~ authority shall adopt policies and procedures for the
2 implementation and operation of this section, including policies and procedures
3 relating to the following:

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

7 **SECTION 519.** 238.17 of the statutes is renumbered 235.17 and amended to
8 read:

9 **235.17 Historic rehabilitation tax credit.** For taxable years beginning
10 after December 31, 2013, the ~~corporation~~ authority may certify a person to claim a
11 tax credit under s. 71.07 (9m), 71.28 (6), or 71.47 (6), if the ~~corporation~~ authority
12 determines that the person is conducting an eligible activity under s. 71.07 (9m),
13 71.28 (6), or 71.47 (6). No person may claim a tax credit under s. 71.07 (9m), 71.28
14 (6), or 71.47 (6) without first being certified under this section. The ~~corporation~~
15 authority shall notify the department of revenue no later than January 15 of each
16 year of the amount of the credits certified under this section and the name, address,
17 and tax identification number of each person certified to claim the credit. The
18 ~~corporation~~ authority shall notify the department of revenue of any revoked
19 certification no later than 2 months after the revocation date.

20 **SECTION 520.** 238.23 of the statutes is renumbered 235.23, and 235.23 (2) (a)
21 and (b), (3) (a) (intro.), (b) (intro.), (c) and (d), (4) (a) (intro.) and (b) and (5) (intro.),
22 (e) and (g), as renumbered, are amended to read:

23 235.23 (2) (a) Except as provided in par. (c), the ~~corporation~~ authority may
24 designate up to 8 areas in the state as technology zones. A business that is located

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1 in a technology zone and that is certified by the ~~corporation~~ authority under sub. (3)
2 is eligible for a tax credit as provided in sub. (3).

3 (b) The designation of an area as a technology zone shall be in effect for 10 years
4 from the time that the ~~corporation~~ authority first designates the area. Not more than
5 \$5,000,000 in tax credits may be claimed in a technology zone, except that the
6 ~~corporation~~ authority may allocate the amount of unallocated airport development
7 zone tax credits, as provided under s. ~~238.3995~~ 235.3995 (3) (b), to technology zones
8 for which the \$5,000,000 maximum allocation is insufficient. The ~~corporation~~
9 authority may change the boundaries of a technology zone during the time that its
10 designation is in effect. A change in the boundaries of a technology zone does not
11 affect the duration of the designation of the area or the maximum tax credit amount
12 that may be claimed in the technology zone.

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

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

18 (c) When the ~~corporation~~ authority certifies a business under this subsection,
19 the ~~corporation~~ authority shall establish a limit on the amount of tax credits that the
20 business may claim. Unless its certification is revoked, and subject to the limit on
21 the tax credit amount established by the ~~corporation~~ authority under this
22 paragraph, a business that is certified may claim a tax credit for 3 years, except that
23 a business that experiences growth, as determined for that business by the
24 ~~corporation~~ authority under par. (d) and sub. (5) (e), may claim a tax credit for up to
25 5 years.

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1 (d) The ~~corporation~~ authority shall enter into an agreement with a business
2 that is certified under this subsection. The agreement shall specify the limit on the
3 amount of tax credits that the business may claim, the extent and type of growth,
4 which shall be specific to the business, that the business must experience to extend
5 its eligibility for a tax credit, the business' baseline against which that growth will
6 be measured, any other conditions that the business must satisfy to extend its
7 eligibility for a tax credit, and reporting requirements with which the business must
8 comply.

9 (4) (a) (intro.) The ~~corporation~~ authority shall notify the department of revenue
10 of all the following:

11 (b) The ~~corporation~~ authority shall annually verify information submitted to
12 the ~~corporation~~ it under ss. 71.07 (2di), (2dm), (2dx), and (3g), 71.28 (1di), (1dm),
13 (1dx), and (3g), and 71.47 (1di), (1dm), (1dx), and (3g).

14 (5) (intro.) The ~~corporation~~ authority shall adopt ~~rules~~ policies and procedures
15 for the operation of this section, including ~~rules~~ policies and procedures related to all
16 of the following:

17 (e) Standards for extending a business's certification, including what
18 measures, in addition to job creation, the ~~corporation~~ authority will use to determine
19 the growth of a specific business and how the ~~corporation~~ authority will establish
20 baselines against which to measure growth.

21 (g) The exchange of information between the ~~corporation~~ authority and the
22 department of revenue.

23 **SECTION 521.** 238.25 of the statutes is repealed.

24 **SECTION 522.** 238.26 of the statutes is repealed.

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1 **SECTION 523.** Subchapter II (title) of chapter 238 [precedes 238.30] of the
2 statutes is renumbered subchapter III (title) of chapter 235 [precedes 235.30].

3 **SECTION 524.** 238.30 of the statutes is renumbered 235.30, and 235.30 (intro.),
4 (2g), (2m) (b) (intro.) and (7) (b) 1. and 2., (c) and (d), as renumbered, are amended
5 to read:

6 **235.30 Definitions.** (intro.) In this section and ss. ~~238.301 to 238.395~~ 235.301
7 to 235.395 and ~~238.398~~ 235.398:

8 **(2g)** “Eligible activity” means an activity described under s. ~~238.302~~ 235.302.

9 **(2m)** (b) (intro.) The ~~corporation~~ authority may grant exceptions to the
10 requirement under par. (a) that a full-time job means a position in which an
11 individual, as a condition of employment, is required to work at least 2,080 hours per
12 year if all of the following apply:

13 **(7)** (b) 1. Except as provided in subd. 2., in s. ~~238.395~~ 235.395, “tax benefits”
14 means the development zones investment credit under ss. 71.07 (2di), 71.28 (1di),
15 and 71.47 (1di) and the development zones credit under ss. 71.07 (2dx), 71.28 (1dx),
16 71.47 (1dx), and 76.636. With respect to the development opportunity zones under
17 s. ~~238.395~~ 235.395 (1) (e) and (f), “tax benefits” also means the development zones
18 capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

19 2. With respect to the development opportunity zones under s. ~~238.395~~ 235.395
20 (1) (g), (h), and (i), “tax benefits” means the development zone credits under ss. 71.07
21 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital
22 investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

23 (c) In s. ~~238.398~~ 235.398, “tax benefits” means the development zones capital
24 investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the
25 development zones credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636.

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1 (d) In ss. ~~238.301 to 238.306~~ 235.301 to 235.306, “tax benefits” means the
2 economic development tax credit under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and
3 76.637.

4 **SECTION 525.** 238.301 of the statutes is renumbered 235.301, and 235.301 (1)
5 (intro.) and (e), (2) (a) and (b) and (3) (intro.), (b), (c), (d) and (f), as renumbered, are
6 amended to read:

7 235.301 (1) APPLICATION. (intro.) Any person may apply to the ~~corporation~~
8 authority on a form prepared by the ~~corporation~~ authority for certification under this
9 section. The application shall include all of the following:

10 (e) Other information required by the ~~corporation~~ authority or the department
11 of revenue.

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

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

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

21 (b) Whether any of the eligible activities will occur in an economically
22 distressed area, as designated by the ~~corporation~~ authority under s. ~~238.304~~ 235.304
23 (1).

24 (c) Whether any of the eligible activities will benefit members of a targeted
25 group, as determined by the ~~corporation~~ authority under s. ~~238.304~~ 235.304 (2).

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1 (d) A compliance schedule that includes a sequence of anticipated actions to be
2 taken or goals to be achieved by the person before the person may receive tax benefits
3 under s. ~~238.303~~ 235.303.

4 (f) If feasible, a determination of the tax benefits the person will be authorized
5 to claim under s. ~~238.303~~ 235.303 (2) if the person fulfills the terms of the contract.

6 **SECTION 526.** 238.302 of the statutes is renumbered 235.302, and 235.302
7 (intro.), (1), (2) and (3), as renumbered, are amended to read:

8 **235.302 Eligible activities.** (intro.) A person who conducts or proposes to
9 conduct any of the following may be certified under s. ~~238.301~~ 235.301 (2):

10 (1) A project that creates and maintains for a period of time established by the
11 ~~corporation by rule authority~~ full-time jobs in addition to any existing full-time jobs
12 provided by the person.

13 (2) A project that involves a significant investment of capital, as defined by the
14 ~~corporation by rule authority~~ under s. ~~238.306~~ 235.306 (2) (b), by the person in new
15 equipment, machinery, real property, or depreciable personal property.

16 (3) A project that involves significant investments in the training or
17 reeducation of employees, as defined by the ~~corporation by rule authority~~ under s.
18 ~~238.306~~ 235.306 (2) (c), by the person for the purpose of improving the productivity
19 or competitiveness of the business of the person.

20 **SECTION 527.** 238.303 of the statutes is renumbered 235.303, and 235.303 (1)
21 (a), (am) and (b), (2) and (3), as renumbered, are amended to read:

22 235.303 (1) (a) Except as provided in pars. (am) and (b), and subject to a
23 reallocation by the ~~corporation pursuant to rules adopted authority~~ under s. ~~238.15~~
24 235.15 (3) (d), the total tax benefits available to be allocated by the ~~corporation~~
25 authority under ss. ~~238.301 to 238.306~~ 235.301 to 235.306 may not exceed the sum

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1 of the tax benefits remaining to be allocated under s. 560.71 to 560.785, 2009 stats.,
2 s. 560.797, 2009 stats., s. 560.798, 2009 stats., s. 560.7995, 2009 stats., and s. 560.96,
3 2009 stats., on March 6, 2009, plus \$100,000,000.

4 (am) The ~~corporation~~ authority may initially allocate only \$61,000,000 of the
5 additional \$100,000,000 in tax benefits specified in par. (a). Before the ~~corporation~~
6 authority allocates the remaining \$39,000,000 in tax benefits specified in par. (a), the
7 ~~corporation~~ authority shall submit its plan for such allocation, including a report
8 that describes the intended use of the tax benefits, to the joint committee on finance.
9 If the cochairpersons of the committee do not notify the ~~corporation~~ authority within
10 14 working days after the date of the ~~corporation's~~ authority's submittal that the
11 committee has scheduled a meeting for the purpose of reviewing the plan, the plan
12 may be implemented and the remaining amount may be allocated as proposed by the
13 ~~corporation~~ authority. If, within 14 working days after the date of the ~~corporation's~~
14 authority's submittal, the cochairpersons of the committee notify the ~~corporation~~
15 authority that the committee has scheduled a meeting for the purpose of reviewing
16 the proposed plan, the plan may be implemented and the remaining amount
17 allocated only upon approval of the committee.

18 (b) The ~~corporation~~ authority may submit to the joint committee on finance a
19 request in writing to exceed the total tax benefits specified in par. (a). The
20 ~~corporation~~ authority shall submit with its request a justification for seeking an
21 increase under this paragraph. The joint committee on finance, following its review,
22 may approve or disapprove an increase in the total tax benefits available to be
23 allocated under ss. ~~238.301 to 238.306~~ 235.301 to 235.306.

24 **(2) AUTHORITY TO CLAIM TAX BENEFITS.** The ~~corporation~~ authority may authorize
25 a person certified under s. ~~238.301~~ 235.301 (2) to claim tax benefits only after the

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1 person has submitted a report to the ~~corporation~~ authority that documents to the
2 satisfaction of the ~~corporation~~ authority that the person has complied with the terms
3 of the contract under s. ~~238.301~~ 235.301 (3) and the requirements of any applicable
4 rules policies and procedures adopted under s. ~~238.306~~ 235.306 (2).

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

8 **SECTION 528.** 238.304 of the statutes is renumbered 235.304, and 235.304
9 (intro.) and (1), as renumbered, are amended to read:

10 **235.304 Eligible activities in economically distressed areas and**
11 **benefiting members of targeted groups.** (intro.) The ~~corporation~~ authority may
12 authorize a person certified under s. ~~238.301~~ 235.301 (2) to claim additional tax
13 benefits under s. ~~238.303~~ 235.303 if, after conducting an investigation, the
14 ~~corporation~~ authority determines any of the following:

15 (1) The person conducts at least one eligible activity in an area designated by
16 the ~~corporation~~ authority as economically distressed. In designating an area as
17 economically distressed under this subsection, the ~~corporation~~ authority shall follow
18 the methodology established by rule under s. ~~238.306~~ 235.306 (2) (e).

19 **SECTION 529.** 238.3045 of the statutes is renumbered 235.3045, and 235.3045
20 (1) (title), (a), (b) (intro.) and 4. and (c) 1., (2) (a) and (b), (3) and (4) (a) and (b), as
21 renumbered, are amended to read:

22 235.3045 (1) (title) APPLICATION AND ~~CORPORATION~~ APPROVAL. (a) An applicant
23 for certification for tax benefits under s. ~~238.301~~ 235.301 may submit with its
24 application under s. ~~238.301~~ 235.301 (1) an application to the ~~corporation~~ authority
25 on a form prescribed by the ~~corporation~~ authority to transfer those tax benefits to

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1 another person under this section. The application shall include the name, address,
2 and tax identification number of the person to whom the applicant intends to
3 transfer the tax benefits and any other information the ~~corporation~~ authority
4 requires. The ~~corporation~~ authority shall notify the applicant of the ~~corporation's~~
5 authority's determination concerning the transfer of tax benefits when the
6 ~~corporation~~ authority notifies the applicant of the ~~corporation's~~ authority's
7 certification determination under s. ~~238.301~~ 235.301.

8 (b) (intro.) The ~~corporation~~ authority may approve the transfer of tax benefits
9 under this section if the ~~corporation~~ authority certifies the applicant under par. (a)
10 for tax benefits under s. ~~238.301~~ 235.301 and finds that the applicant meets at least
11 one of the following conditions:

12 4. Intends to expand its operations in this state, and that expansion will result
13 in the applicant making a significant capital investment in property located in this
14 state, as determined by the ~~corporation~~ authority.

15 (c) 1. Subject to subd. 2., a person that receives an approval under par. (b) shall
16 transfer tax benefits in accordance with the terms of the application under par. (a)
17 after the ~~corporation~~ authority authorizes the person to claim tax benefits under s.
18 ~~238.303~~ 235.303 (2) and provides the notice of eligibility under s. ~~238.303~~ 235.303 (3).
19 The notice of eligibility shall contain all relevant information concerning a transfer
20 of tax benefits under this section. The person to whom tax benefits are transferred
21 may carry forward, beginning on the date of the notice of eligibility, any unused
22 amount of the value of those tax benefits as provided under the appropriate provision
23 in ch. 71 or in s. 76.636.

24 (2) (a) If the ~~corporation~~ authority revokes a person's certification for tax
25 benefits under s. ~~238.305~~ 235.305, and, at the time of revocation, that person has

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1 transferred those tax benefits under this section, that person shall be liable for the
2 full value of the tax benefits, and the person to whom the tax benefits were
3 transferred may not claim any tax benefits that were not claimed prior to revocation.

4 (b) The ~~corporation~~ authority shall notify the department of revenue of a
5 revocation of tax benefits subject to par. (a), including the value of the tax benefits
6 for which the person is liable.

7 (3) ANNUAL REPORT. Annually, the ~~corporation~~ authority shall submit a report
8 to the joint committee on finance that provides a detailed assessment of the progress
9 to date of the program under this section.

10 (4) (a) Except as provided in par. (b), the ~~corporation~~ authority may not
11 authorize the transfer of tax benefits under this section that total more than
12 \$15,000,000, and the ~~corporation~~ authority may not authorize the transfer of tax
13 benefits after 36 months after April 4, 2014.

14 (b) Upon expiration of the 36-month period under par. (a), the ~~corporation~~
15 authority may continue to authorize the transfer of tax benefits under this section
16 for up to an additional 36 months, and the ~~corporation~~ authority may authorize the
17 transfer of up to an additional \$15,000,000 in tax benefits, if the ~~corporation~~
18 authority determines that a continuation of the program under this section will
19 promote significant economic development in this state. Before the ~~corporation~~
20 authority authorizes the transfer of tax benefits under this paragraph, the chief
21 executive officer of the ~~corporation~~ authority shall notify the joint committee on
22 finance in writing that the ~~corporation~~ authority intends to continue authorizing the
23 transfer of tax benefits under this section. That notice shall state the reasons
24 supporting the ~~corporation's~~ authority's determination that the transfer of
25 additional tax benefits will promote significant economic development in this state.

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1 If, within 14 working days after the date of that notice, the cochairpersons of the
2 committee do not notify the ~~corporation~~ authority that the committee has scheduled
3 a meeting to review the ~~corporation's~~ authority's proposed continuation of the
4 program, the ~~corporation~~ authority may proceed to authorize the transfer of
5 additional tax benefits under this section. If, within 14 working days after the date
6 of that notice, the cochairpersons of the committee notify the ~~corporation~~ authority
7 that the committee has scheduled a meeting to review the proposed continuation of
8 the program, the ~~corporation~~ authority may proceed to authorize the transfer of
9 additional tax benefits only upon approval of the committee.

10 **SECTION 530.** 238.305 of the statutes is renumbered 235.305, and 235.305
11 (intro.), (1) and (2), as renumbered, are amended to read:

12 **235.305 Revocation of certification.** (intro.) The ~~corporation~~ authority
13 shall revoke the certification of a person who does any of the following:

14 (1) Supplies false or misleading information to obtain certification under s.
15 ~~238.301~~ 235.301 (2).

16 (2) Supplies false or misleading information to obtain tax benefits under s.
17 ~~238.303~~ 235.303.

18 **SECTION 531.** 238.306 of the statutes is renumbered 235.306, and 235.306
19 (intro.), (1) (a) and (b), (2) (intro.), (a), (b), (c), (d), (e) (intro.), (f), (g), (h), (i) and (k)
20 and (3), as renumbered, are amended to read:

21 **235.306 Responsibilities of the corporation authority.** (intro.) The
22 ~~corporation~~ authority shall do all of the following:

23 (1) (a) Annually verify information submitted to the department of revenue
24 under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637 by persons certified under
25 s. ~~238.301~~ 235.301 (2) and eligible to receive tax benefits under s. ~~238.303~~ 235.303.

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

3 (2) ~~RULES~~ POLICIES AND PROCEDURES. (intro.) Establish by ~~rule~~ policies and
4 procedures all of the following:

5 (a) A schedule of hourly wage ranges to be paid, and health insurance benefits
6 to be provided, to an employee by a person certified under s. ~~238.301~~ 235.301 (2) and
7 the corresponding per employee tax benefit for which a person certified under s.
8 ~~238.301~~ 235.301 (2) may be eligible.

9 (b) A definition of “significant investment of capital” for purposes of s. ~~238.302~~
10 235.302 (2), together with a corresponding schedule of tax benefits for which a person
11 who is certified under s. ~~238.301~~ 235.301 (2) and who conducts a project described
12 in s. ~~238.302~~ 235.302 (2) may be eligible. The ~~corporation~~ authority shall include in
13 the definition required under this paragraph a schedule of investments that takes
14 into consideration the size or nature of the business.

15 (c) A definition of “significant investments in the training or reeducation of
16 employees” for purposes of s. ~~238.302~~ 235.302 (3), together with a corresponding
17 schedule of tax benefits for which a person who is certified under s. ~~238.301~~ 235.301
18 (2) and who conducts a project under s. ~~238.302~~ 235.302 (3) may be eligible.

19 (d) A schedule of tax benefits for which a person who is certified under s.
20 ~~238.301~~ 235.301 (2) and who conducts a project that will result in the location or
21 retention of a person’s corporate headquarters in Wisconsin may be eligible.

22 (e) (intro.) The methodology for designating an area as economically distressed
23 under s. ~~238.304~~ 235.304 (1). The methodology under this paragraph shall require
24 the ~~corporation~~ authority to consider the most current data available for the area and
25 for the state on the following indicators:

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1 (f) A schedule of additional tax benefits for which a person who is certified
2 under s. ~~238.301~~ 235.301 (2) and who conducts an eligible activity described under
3 s. ~~238.304~~ 235.304 may be eligible.

4 (g) Reporting requirements, minimum benchmarks, and outcomes expected of
5 a person certified under s. ~~238.301~~ 235.301 (2) before that person may receive tax
6 benefits under s. ~~238.303~~ 235.303.

7 (h) Policies, criteria, and methodology for allocating a portion of the tax benefits
8 available under s. ~~238.303~~ 235.303 to rural areas.

9 (i) Policies, criteria, and methodology for allocating a portion of the tax benefits
10 available under s. ~~238.303~~ 235.303 to small businesses.

11 (k) Procedures for implementing ss. ~~238.301 to 238.306~~ 235.301 to 235.306.

12 **(3) REPORTING.** Annually, 6 months after the report has been submitted under
13 s. ~~238.07~~ 235.016 (2), submit to the joint legislative audit committee and to the
14 appropriate standing committees of the legislature under s. 13.172 (3) a
15 comprehensive report assessing the program under ss. ~~238.301 to 238.306~~ 235.301
16 to 235.306. The report under this subsection shall update the applicable information
17 provided in the report under s. ~~238.07~~ 235.016 (2).

18 **SECTION 532.** 238.31 of the statutes is renumbered 235.31, and 235.31 (1)
19 (intro.), (ac), (am), (b), (d) and (e) (intro.), 4. a. and d., (1m) (intro.) and (h), (2) and
20 (3) (intro.), as renumbered, are amended to read:

21 235.31 **(1)** (intro.) The ~~corporation~~ authority may designate an area as a
22 development zone if all of the following apply:

23 (ac) The ~~corporation~~ authority has invited a local governing body to nominate
24 the area under s. ~~238.315~~ 235.315.

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1 (am) A local governing body nominates the area as described in s. ~~238.32~~
2 235.32.

3 (b) The ~~corporation~~ authority has evaluated the local governing body's
4 application as described in s. ~~238.325~~ 235.325.

5 (d) The area meets the applicable requirements under s. ~~238.335~~ 235.335.

6 (e) (intro.) The ~~corporation~~ authority determines all of the following:

7 4. a. The unemployment rate in the area is higher than the state average for
8 the 18 months immediately preceding the date on which the application under s.
9 ~~238.32~~ 235.32 (2) or (3) was submitted to the ~~corporation~~ authority.

10 d. In the 36 months immediately preceding the date on which the application
11 under s. ~~238.32~~ 235.32 (2) or (3) was submitted to the ~~corporation~~ authority, a number
12 of workers in the area were permanently laid off by their employer or became
13 unemployed as a result of a business action subject to s. 109.07 (1m).

14 **(1m)** (intro.) In making a determination under sub. (1) (e), the ~~corporation~~
15 authority shall consider all of the following:

16 (h) Any other factors that the ~~corporation~~ authority considers relevant.

17 **(2)** In determining whether an area meets the requirements under sub. (1) (e)
18 or s. ~~238.335~~ 235.335, the ~~corporation~~ authority may rely on any data provided by the
19 local governing body that the ~~corporation~~ authority determines is relevant.

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

21 **SECTION 533.** 238.315 of the statutes is renumbered 235.315 and amended to
22 read:

23 **235.315 Invitation to nominate area.** If the ~~corporation~~ authority
24 determines that an area has experienced or is about to experience economic distress,

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1 the ~~corporation~~ authority may invite local governing bodies in the area to nominate
2 the area as a development zone.

3 **SECTION 534.** 238.32 of the statutes is renumbered 235.32, and 235.32 (1)
4 (intro.), (2) (intro.), (c), (d) and (i), (3) and (5), as renumbered, are amended to read:

5 235.32 (1) (intro.) A local governing body may nominate an area as a
6 development zone, if the ~~corporation~~ authority has invited the governing body to
7 nominate the area under s. ~~238.315~~ 235.315 and if the governing body does all of the
8 following:

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

12 (c) Evidence that the area meets at least 3 of the criteria under s. ~~238.31~~ 235.31
13 (1) (e) 4.

14 (d) Evidence that the area meets the applicable requirements of s. ~~238.335~~
15 235.335.

16 (i) Any other information required by the ~~corporation~~ authority.

17 (3) Two or more local governing bodies may submit a joint application
18 nominating an area as a development zone, subject to s. ~~238.335~~ 235.335 (2), if each
19 local governing body complies with subs. (1) and (2).

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

22 **SECTION 535.** 238.325 of the statutes is renumbered 235.325 and amended to
23 read:

24 **235.325 Evaluation by ~~corporation~~ authority.** (1) The ~~corporation~~
25 authority shall evaluate applications received under s. ~~238.32~~ 235.32 (2) and (3).

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1 (2) Subject to s. ~~238.335~~ 235.335 (5), the ~~corporation~~ authority may reduce the
2 size of an area nominated as a development zone, if the ~~corporation~~ authority
3 determines the boundaries as proposed by the local governing body in an application
4 under s. ~~238.32~~ 235.32 (2) or (3) are inconsistent with the purpose of the development
5 zone program. Any nominated area which is reduced under this subsection need not
6 comply with s. ~~238.335~~ 235.335 (1) and (4).

7 (3) After evaluating an application submitted under s. ~~238.32~~ 235.32 (2) or (3),
8 the ~~corporation~~ authority may approve the application, subject to any reduction in
9 the size of the nominated area under sub. (2). If the ~~corporation~~ authority approves
10 the application, the ~~corporation~~ authority shall designate the area as a development
11 zone, subject to s. ~~238.31~~ 235.31, and notify the local governing body.

12 **SECTION 536.** 238.335 of the statutes is renumbered 235.335, and 235.335 (6)
13 (a) 2. and (c) and (7), as renumbered, are amended to read:

14 235.335 (6) (a) 2. Each area meets at least 3 of the criteria listed in s. ~~238.31~~
15 235.31 (1) (e) 4.

16 (c) If an application is submitted by the governing body of a county under s.
17 ~~238.32~~ 235.32 (2) or (3), up to 4 separate areas may be nominated or designated as
18 one development zone, if par. (a) 1. to 3. applies.

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

22 **SECTION 537.** 238.34 of the statutes is renumbered 235.34, and 235.34 (1), (2),
23 (3) (intro.) and (a), (4), (5) and (6), as renumbered, are amended to read:

24 235.34 (1) Except as provided under sub. (6), at any time after a development
25 zone is designated by the ~~corporation~~ authority, a local governing body may submit

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1 an application to change the boundaries of the development zone. If the boundary
2 change reduces the size of a development zone, the local governing body shall explain
3 why the area excluded should no longer be in a development zone. The ~~corporation~~
4 authority may require the local governing body to submit additional information.

5 (2) The ~~corporation~~ authority may approve an application for a boundary
6 change if the development zone, as affected by the boundary changes, meets the
7 applicable requirements of s. ~~238.335~~ 235.335 and 3 of the criteria under s. ~~238.31~~
8 235.31 (1) (e) 4.

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

11 (a) Redetermine the limit on the tax benefits for the development zone
12 established under s. ~~238.345~~ 235.345 (2) (a).

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

16 (5) No change in the boundaries of a development zone may affect the duration
17 of an area as a development zone under s. ~~238.345~~ 235.345 (1) (a). The ~~corporation~~
18 authority may consider a change in the boundary of a development zone when
19 evaluating an application for an extension of the designation of an area as a
20 development zone under s. ~~238.345~~ 235.345 (1) (b).

21 (6) The ~~corporation~~ authority may not accept any applications under sub. (1)
22 to change the boundaries of a development zone designated under s. ~~238.31~~ 235.31
23 on or after March 6, 2009.

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1 **SECTION 538.** 238.345 of the statutes is renumbered 235.345, and 235.345 (1)
2 (a) and (b), (2) (a), (am), (b), (c) 1. and 2. and (d) and (3) (intro.), (a) and (b), as
3 renumbered, are amended to read:

4 235.345 (1) (a) The designation of an area as a development zone shall be
5 effective for 240 months, beginning on the day the ~~corporation~~ authority notifies the
6 local governing body under s. ~~238.325~~ 235.325 (3) of the designation.

7 (b) The local governing body may apply to the ~~corporation~~ authority for one
8 60-month extension of the designation. The ~~corporation~~ authority shall adopt rules
9 policies and procedures establishing criteria for approving an extension of a
10 designation of an area as a development zone under this subsection. No applications
11 may be accepted by the ~~corporation~~ authority under this paragraph on or after March
12 6, 2009.

13 (2) (a) When the ~~corporation~~ authority designates a development zone under
14 s. ~~238.31~~ 235.31, it shall establish a limit for tax benefits for the development zone
15 determined by allocating to the development zone a portion of \$38,155,000.

16 (am) Notwithstanding par. (a), the ~~corporation~~ authority may increase the
17 established limit for tax benefits for a development zone. The ~~corporation~~ authority
18 may not increase the limit for tax benefits established for any development zone
19 designated under s. ~~238.31~~ 235.31 on or after March 6, 2009.

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

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

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

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

5 **(3)** (intro.) The ~~corporation~~ authority may withdraw the designation of an area
6 as a development zone if any of the following applies:

7 (a) No person is certified as eligible to receive tax benefits under s. ~~238.365~~
8 235.365 (3) during the 12-month period beginning on the day the area is designated
9 as a development zone and the ~~corporation~~ authority determines that the local
10 governing body that nominated the zone is not in compliance with s. ~~238.363~~ 235.363.

11 (b) No person is certified as eligible to receive tax benefits under s. ~~238.365~~
12 235.365 (3) during the 24-month period beginning on the day the area is designated
13 a development zone.

14 **SECTION 539.** 238.35 of the statutes is renumbered 235.35, and 235.35 (intro.),
15 (6), (7), (8) and (10), as renumbered, are amended to read:

16 **235.35 Additional duties of the ~~corporation~~ authority.** (intro.) The
17 ~~corporation~~ authority shall do all of the following:

18 **(6)** Notify University of Wisconsin small business development centers, the
19 Wisconsin housing and development centers, the central administration of all
20 University of Wisconsin campuses and regional planning commissions about the
21 development zone program and encourage those entities to provide advice to the
22 ~~corporation~~ authority or local governing bodies on ways to improve the development
23 zone program.

24 **(7)** Prepare forms for the certification described under s. ~~238.365~~ 235.365 (5).

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

3 **(10)** Enter into an agreement with the local governing body of a 1st class city
4 where a development zone is designated under s. ~~238.31~~ 235.31 (3) (c) 1. to provide
5 efficient administration of the development zone program within the development
6 zone.

7 **SECTION 540.** 238.363 of the statutes is renumbered 235.363, and 235.363 (1)
8 (intro.) and (c) and (4), as renumbered, are amended to read:

9 235.363 **(1)** (intro.) If an area nominated by a local governing body is designated
10 as a development zone under s. ~~238.31~~ 235.31, the local governing body shall do all
11 of the following:

12 (c) Assist the ~~corporation~~ authority in the administration of the development
13 zone program.

14 **(4)** The local governing body of a 1st class city where a development zone is
15 designated under s. ~~238.31~~ 235.31 (3) (c) 1. shall enter into an agreement with the
16 ~~corporation~~ authority to provide efficient administration of the development zone
17 program within the development zone.

18 **SECTION 541.** 238.365 of the statutes is renumbered 235.365, and 235.365
19 (intro.), (2), (3) (intro.), (b) and (j) and (5) (g) and (h), as renumbered, are amended
20 to read:

21 **235.365 Certification for tax benefits.** (intro.) The ~~corporation~~ authority
22 shall do all of the following:

23 **(2)** Determine whether a person applying for tax benefits engages or will
24 engage in economic activity that violates s. ~~238.38~~ 235.38 (1).

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1 **(3)** (intro.) Subject to s. ~~238.38~~ 235.38, certify persons who are eligible to claim
2 tax benefits while an area is designated as a development zone, according to the
3 following criteria:

4 (b) The person's commitment not to engage in economic activity that violates
5 s. ~~238.38~~ 235.38 (1).

6 (j) Any other criteria established under ~~rules~~ policies and procedures adopted
7 by the ~~corporation~~ authority.

8 **(5)** (g) The limit under s. ~~238.368~~ 235.368 on tax benefits the person may claim
9 while an area is designated as a development zone.

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

12 **SECTION 542.** 238.368 of the statutes is renumbered 235.368, and 235.368 (1)
13 (a) and (b) (intro.), 1. and 2., (2) (intro.) and (b) and (3) (a) (intro.) and 1. and (b), as
14 renumbered, are amended to read:

15 235.368 **(1)** (a) The ~~corporation~~ authority shall establish a limit on the
16 maximum amount of tax benefits a person certified under s. ~~238.365~~ 235.365 (3) may
17 claim while an area is designated as a development zone.

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

20 1. Consider all of the criteria described in s. ~~238.365~~ 235.365 (3) (a) to (e).

21 2. Establish a limit which does not greatly exceed a recommended limit,
22 established under ~~rules~~ policies and procedures adopted by the ~~corporation~~ authority
23 based on the cost, number and types of full-time jobs that will be created, retained,
24 or upgraded, including full-time jobs available to members of the targeted

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1 population, as a result of the economic activity of the person certified under s.
2 ~~238.365~~ 235.365 (3).

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

6 (b) Revises the certification required under s. ~~238.365~~ 235.365 (5) and provides
7 a copy of the revised form to the department of revenue and the person whose limit
8 is increased under this subsection.

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

12 1. The limit is not consistent with the criteria listed under s. ~~238.365~~ 235.365
13 (3) (a) to (e).

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

17 **SECTION 543.** 238.37 of the statutes is renumbered 235.37, and 235.37 (1)
18 (intro.) and (b) and (2), as renumbered, are amended to read:

19 235.37 (1) (intro.) The ~~corporation~~ authority shall revoke the certification of a
20 person certified under s. ~~238.365~~ 235.365 (3) if the person does any of the following:

21 (b) Becomes subject to revocation under s. ~~238.38~~ 235.38 (1).

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

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1 **SECTION 544.** 238.38 of the statutes is renumbered 235.38, and 235.38 (1)
2 (intro.), (1m), (2) (intro.) and (a) and (3) (a) and (b), as renumbered, are amended to
3 read:

4 235.38 (1) (intro.) Except as provided in subs. (2) and (3), no person may be
5 certified under s. ~~238.365~~ 235.365 (3), or a person's certification may be revoked
6 under s. ~~238.37~~ 235.37, if the proposed new business, expansion of an existing
7 business, or other proposed economic activity in a development zone would do or does
8 any of the following:

9 **(1m)** No person may be certified under s. ~~238.365~~ 235.365 (3) on or after March
10 6, 2009.

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

14 (a) The total number of full-time jobs provided by the person in this state would
15 be reduced if the person were not certified under s. ~~238.365~~ 235.365 (3) or if the
16 person's certification were revoked.

17 **(3)** (a) Except as provided in pars. (b) and (c), if the economic activity for which
18 a person is seeking certification under s. ~~238.365~~ 235.365 (3) is the relocation of a
19 business into a development zone from a location that is outside the development
20 zone but within the limits of a city, village, town, or federally recognized American
21 Indian reservation in which that development zone is located, the local governing
22 body that nominated that area as a development zone under s. ~~238.32~~ 235.32 shall
23 determine whether sub. (2) (a) or (b) applies.

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

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

5 **SECTION 545.** 238.385 of the statutes is renumbered 235.385, and 235.385 (1)
6 (intro.) and (bm) and (2) (intro.), (b) and (c), as renumbered, are amended to read:

7 235.385 (1) (intro.) For the development zone program under ss. ~~238.30~~ 235.30
8 and ~~238.31 to 238.38~~ 235.31 to 235.38, the development opportunity zone program
9 under s. ~~238.395~~ 235.395, and the enterprise development zone program under s.
10 ~~238.397~~ 235.397, the ~~corporation authority~~ shall adopt rules policies and procedures
11 that further define a person's eligibility for tax benefits. The ~~rules~~ policies and
12 procedures shall do at least all of the following:

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

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

19 (b) The requirement under ss. ~~238.30~~ 235.30 (2m) and ~~238.397~~ 235.397 (1) (am)
20 that an individual's pay must equal at least 150% of the federal minimum wage.

21 (c) The requirement under ss. ~~238.30~~ 235.30 (2m) and ~~238.397~~ 235.397 (1) (am)
22 that an individual's position must be regular, nonseasonal, and full-time and that
23 the individual must be required to work at least 2,080 hours per year, including paid
24 leave and holidays.

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1 **SECTION 546.** 238.395 of the statutes is renumbered 235.395, and 235.395 (1)
2 (a), (b), (c), (d), (e), (f), (g), (h) and (i), (2) (c), (d) 1. and 2. and (e) 1., 2. and 3., (3) (a)
3 1., 2., 3. and 4., (b) 9., (c) and (d), (4) (a) (intro.) and (b) and (5) (a) (intro.), 2. and 3.,
4 (b), (c), (d), (e) (intro.) and 3. and (f), as renumbered, are amended to read:

5 235.395 (1) (a) An area in the city of Beloit, the legal description of which is
6 provided to the ~~corporation~~ authority by the local governing body of the city of Beloit.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (d) The ~~corporation~~ authority annually shall verify information submitted to
12 the ~~corporation~~ authority under s. 71.07 (2di), (2dm), or (2dx), 71.28 (1di), (1dm), or
13 (1dx), 71.47 (1di), (1dm), or (1dx), or 76.636.

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

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

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

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

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

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

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

10 (d) The ~~corporation~~ authority annually shall verify information submitted to
11 the ~~corporation~~ authority under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), 71.47
12 (1dm) or (1dx), or 76.636.

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

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

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

19 **SECTION 547.** 238.397 of the statutes is renumbered 235.397, and 235.397 (1)
20 (am), (c) and (d), (2) (a) (intro.) and 4. a. and d., (b) (intro.) and 8., (bg) (intro.), (br)
21 (intro.), (c), (d) and (e), (3) (a), (b) 11. and (c), (4) (a), (c), (d) and (g), (5) (a), (b) and (d)
22 1. and 2. and (6) (a) (intro.) and (b), as renumbered, are amended to read:

23 235.397 (1) (am) “Full-time job” has the meaning given in s. ~~238.30~~ 235.30
24 (2m).

25 (c) “Target population” has the meaning given in s. ~~238.30~~ 235.30 (6).

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1 (d) "Tax benefits" has the meaning given in s. ~~238.30~~ 235.30 (7).

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

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

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

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

14 8. Any other factors that the ~~corporation~~ authority considers relevant.

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

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

20 (c) The ~~corporation~~ authority may not designate as an enterprise development
21 zone, or as any part of an enterprise development zone, an area that is located within
22 the boundaries of an area that is designated as a development opportunity zone
23 under s. ~~238.395~~ 235.395, the designation of which is in effect.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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1 **SECTION 548.** 238.398 of the statutes is renumbered 235.398, and 235.398 (2)
2 (a) and (b), (3) (a) and (b), (4) (a) (intro.) and (b) and (5) (intro.) and (e), as renumbered,
3 are amended to read:

4 235.398 **(2)** (a) Except as provided under par. (c), the ~~corporation~~ authority may
5 designate one area in the state as an agricultural development zone. The area must
6 be located in a rural municipality. An agricultural business that is located in an
7 agricultural development zone and that is certified by the ~~corporation~~ authority
8 under sub. (3) is eligible for tax benefits as provided in sub. (3).

9 (b) The designation of an area as an agricultural development zone shall be in
10 effect for 10 years from the time that the ~~corporation~~ authority first designates the
11 area. Not more than \$5,000,000 in tax benefits may be claimed in an agricultural
12 development zone, except that the ~~corporation~~ authority may allocate the amount of
13 unallocated airport development zone tax credits, as provided under s. ~~238.3995~~
14 235.3995 (3) (b), to agricultural development zones for which the \$5,000,000
15 maximum allocation is insufficient. The ~~corporation~~ authority may change the
16 boundaries of an agricultural development zone during the time that its designation
17 is in effect. A change in the boundaries of an agricultural development zone does not
18 affect the duration of the designation of the area or the maximum tax benefit amount
19 that may be claimed in the agricultural development zone.

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

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1 (b) When the ~~corporation~~ authority certifies an agricultural business under
2 this subsection, the ~~corporation~~ authority shall establish a limit on the amount of tax
3 benefits that the business may claim. The ~~corporation~~ authority shall enter into an
4 agreement with the business that specifies the limit on the amount of tax benefits
5 that the business may claim and reporting requirements with which the business
6 must comply.

7 (4) (a) (intro.) The ~~corporation~~ authority shall notify the department of revenue
8 of all the following:

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

12 (5) (intro.) The ~~corporation~~ authority shall adopt ~~rules~~ policies and procedures
13 for the operation of this section, including ~~rules~~ policies and procedures related to all
14 of the following:

15 (e) The exchange of information between the ~~corporation~~ authority and the
16 department of revenue.

17 **SECTION 549.** 238.399 of the statutes is renumbered 235.399, and 235.399 (1)
18 (am) 2. (intro.), (3) (a), (b) (intro.), (bm), (c) and (d), (5) (intro.), (b), (c) 1. a. and b. and
19 2. b. and c., (d) 1. and (e), (5m) and (6) (a), (b) (intro.), (c), (d), (e), (f) and (g) (intro.)
20 and 1. (intro.), as renumbered, are amended to read:

21 235.399 (1) (am) 2. (intro.) The ~~corporation~~ authority may grant exceptions to
22 the requirement under subd. 1. that a full-time employee means an individual who,
23 as a condition of employment, is required to work at least 2,080 hours per year if all
24 of the following apply:

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1 **(3)** (a) The ~~corporation~~ authority may designate not more than 20 enterprise
2 zones.

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

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

8 (c) The ~~corporation~~ authority shall, to the extent possible, give preference to the
9 greatest economic need.

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

17 **(5)** CERTIFICATION. (intro.) The ~~corporation~~ authority may certify for tax
18 benefits any of the following:

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

23 (c) 1. a. The business enters into an agreement with the ~~corporation~~ authority
24 to claim tax benefits only for years during which the business maintains the
25 increased level of personnel.

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

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

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

12 (d) 1. The business is a manufacturer with a significant supply chain in the
13 state, as determined by the ~~corporation~~ authority.

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

17 **(5m)** ADDITIONAL TAX BENEFITS FOR SIGNIFICANT CAPITAL EXPENDITURES. If the
18 ~~corporation~~ authority determines that a business certified under sub. (5) makes a
19 significant capital expenditure in the enterprise zone, the ~~corporation~~ authority may
20 certify the business to receive additional tax benefits in an amount to be determined
21 by the ~~corporation~~ authority, but not exceeding 10 percent of the business' capital
22 expenditures. The ~~corporation~~ authority shall, in a manner determined by the
23 ~~corporation~~ authority, allocate the tax benefits a business is certified to receive under
24 this subsection over the remainder of the time limit of the enterprise zone under sub.
25 (4).

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

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

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

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

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

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

16 (g) (intro.) The ~~corporation~~ authority shall adopt policies and procedures
17 specifying all of the following:

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

21 **SECTION 550.** 238.3995 of the statutes is renumbered 235.3995, and 235.3995
22 (1) (b) and (c), (2) (a) (intro.) and 4., (b) (intro.) and 8., (c) 1. and 2. and (d), (3) (a), (b),
23 (c) and (d) 1. and 2., (4) (a) (intro.) and 10., (am), (ar), (b) 1., (c) (intro.) and (d) and
24 (5), as renumbered, are amended to read:

25 235.3995 (1) (b) "Full-time job" has the meaning given in s. ~~238.30~~ 235.30 (2m).

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1 (c) "Target population" has the meaning given in s. ~~238.30~~ 235.30 (6).

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

5 4. That the airport development project is not likely to occur or continue
6 without the ~~corporation~~ authority designation of the area as an airport development
7 zone.

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

10 8. Any other factors that the ~~corporation~~ authority considers relevant.

11 (c) 1. The ~~corporation~~ authority may not designate as an airport development
12 zone, or as any part of an airport development zone, an area that is located within
13 the boundaries of an area that is designated as a development zone under s. ~~238.31~~
14 235.31, as a development opportunity zone under s. ~~238.395~~ 235.395, or as an
15 enterprise development zone under s. ~~238.397~~ 235.397.

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

23 (d) Notwithstanding pars. (a) to (c), and except as provided in par. (e), the
24 ~~corporation~~ authority shall designate as an airport development zone the area
25 within the boundaries of Adams, Fond du Lac, Green Lake, Juneau, Langlade,

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1 Lincoln, Marathon, Marquette, Menominee, Oneida, Portage, Price, Shawano,
2 Taylor, Waupaca, Waushara, Winnebago, Wood, and Vilas counties.

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

12 (b) When the ~~corporation~~ authority designates an area as an airport
13 development zone, the ~~corporation~~ authority shall establish a limit, not to exceed
14 \$3,000,000, for tax benefits applicable to the airport development zone, except that
15 the ~~corporation~~ authority shall limit the amount of tax benefits applicable to the
16 airport development zone designated under sub. (2) (d) to \$750,000. The total tax
17 benefits applicable to all airport development zones may not exceed \$9,000,000, less
18 any amount allocated to technology zones under s. ~~238.23~~ 235.23 (2) (b) and to
19 agricultural development zones under s. ~~238.398~~ 235.398 (2) (b), and except that the
20 total amount allocated to all technology zones under s. ~~238.23~~ 235.23 (2) (b) and to
21 all agricultural development zones under s. ~~238.398~~ 235.398 (2) (b), may not exceed
22 \$6,000,000. The ~~corporation~~ authority may not reallocate amounts as provided
23 under this paragraph on or after January 1, 2010, except that the ~~corporation~~
24 authority may, after 48 months from the month of any designation under this section,

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1 evaluate the area designated as an airport development zone and reallocate the
2 amount of available tax benefits.

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

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

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

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

21 10. Any other information required by the ~~corporation~~ authority or the
22 department of revenue.

23 (am) A person that intends to operate a business in the airport development
24 zone designated under sub. (2) (d) may submit to the ~~corporation~~ authority an
25 application and a business plan that includes all of the information required under

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1 par. (a). In approving business plans submitted under this paragraph, the
2 ~~corporation~~ authority shall give higher priority to airport development projects
3 located or proposed to be located in areas that have a low median household income,
4 as determined by the ~~corporation~~ authority.

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

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

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

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

16 **(5) VERIFICATION OF INFORMATION.** The ~~corporation~~ authority annually shall
17 verify information submitted to the ~~corporation~~ authority under ss. 71.07 (2dm) and
18 (2dx), 71.28 (1dm) and (1dx), and 71.47 (1dm) and (1dx) as it relates to airport
19 development zones.

20 **SECTION 551.** 281.625 (2) of the statutes is amended to read:

21 281.625 **(2)** The department, in consultation with the department of
22 administration, shall promulgate rules for determining whether a loan is an eligible
23 loan under s. ~~234.86~~ 235.86 (3) for a loan guarantee under s. ~~234.86~~ 235.86. The rules
24 shall be consistent with 42 USC 300j-12.

25 **SECTION 552.** 281.625 (3) of the statutes is amended to read:

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1 281.625 (3) The department shall determine whether a loan to the owner of a
2 community water system or the nonprofit owner of a noncommunity water system
3 is an eligible loan under s. ~~234.86~~ 235.86 (3) for the purposes of the loan guarantee
4 program under s. ~~234.86~~ 235.86.

5 **SECTION 553.** 281.625 (4) of the statutes is amended to read:

6 281.625 (4) With the approval of the department of administration, the
7 department of natural resources may transfer funds from the appropriation
8 accounts under s. 20.320 (2) (s) and (x) to the Wisconsin drinking water reserve fund
9 under s. ~~234.933~~ 235.933 to guarantee loans under s. ~~234.86~~ 235.86.

10 **SECTION 554.** 281.625 (5) of the statutes is amended to read:

11 281.625 (5) The department may contract with the Forward Wisconsin
12 ~~Housing and Economic~~ Development Authority for the administration of the
13 program under this section and s. ~~234.86~~ 235.86.

14 **SECTION 555.** 281.75 (4) (b) 3. of the statutes is amended to read:

15 281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 231, 233,
16 ~~234, 235, or 237, or 238.~~

17 **SECTION 556.** 285.59 (1) (b) of the statutes is amended to read:

18 285.59 (1) (b) "State agency" means any office, department, agency, institution
19 of higher education, association, society, or other body in state government created
20 or authorized to be created by the constitution or any law which is entitled to expend
21 moneys appropriated by law, including the legislature and the courts, ~~the Wisconsin~~
22 ~~Housing and Economic Development Authority,~~ the Bradley Center Sports and
23 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics
24 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace
25 Authority, ~~the Wisconsin Economic Development Corporation~~ Forward Wisconsin

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1 Development Authority, and the Wisconsin Health and Educational Facilities
2 Authority.

3 **SECTION 557.** 292.11 (7) (d) 1m. b. of the statutes is amended to read:

4 292.11 (7) (d) 1m. b. An area designated by the local governmental unit if the
5 area consists of 2 or more properties affected by a contiguous region of groundwater
6 contamination or contains 2 or more properties that are brownfields, as defined in
7 s. ~~238.13~~ 235.13 (1) (a).

8 **SECTION 558.** 292.255 of the statutes is amended to read:

9 **292.255 Report on brownfield efforts.** The department of natural
10 resources, the department of administration, and the ~~Wisconsin Economic~~
11 ~~Development Corporation~~ Forward Wisconsin Development Authority shall submit
12 a report evaluating the effectiveness of this state's efforts to remedy the
13 contamination of, and to redevelop, brownfields, as defined in s. ~~238.13~~ 235.13 (1) (a).

14 **SECTION 559.** 292.63 (4) (cc) 2. b. of the statutes is amended to read:

15 292.63 (4) (cc) 2. b. An applicant that is engaged in the expansion or
16 redevelopment of brownfields, as defined in s. ~~238.13~~ 235.13 (1) (a), if federal or state
17 financial assistance other than under this section, has been provided for that
18 expansion or redevelopment.

19 **SECTION 560.** 600.01 (1) (b) 8. of the statutes is amended to read:

20 600.01 (1) (b) 8. Guarantees of the Wisconsin Housing and Economic
21 Development Authority under s. 234.68, 1995 stats., s. 234.69, 1995 stats., s.
22 234.765, 1995 stats., s. 234.82, 1995 stats., s. 234.87, 1995 stats., and ~~ss. s.~~ s. 234.67,
23 2013 stats., s. 234.83, 2013 stats., s. 234.84, 2013 stats., s. 234.90, 2013 stats., s.
24 234.905, 2013 stats., s. 234.907, 2013 stats., and s. 234.91, 2013 stats., and

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1 guarantees of the Forward Wisconsin Development Authority under ss. 235.67,
2 235.83, 235.84, 235.90, 235.905, 235.907, and 235.91.

3 **SECTION 561.** 620.25 (2) of the statutes is amended to read:

4 620.25 (2) This section does not apply to s. ~~234.26~~ 235.0277.

5 **SECTION 562. Nonstatutory provisions.**

6 (1) MERGER OF WISCONSIN ECONOMIC DEVELOPMENT CORPORATION AND WISCONSIN
7 HOUSING AND ECONOMIC DEVELOPMENT AUTHORITY.

8 (a) *Assets and liabilities.* On the effective date of this paragraph, subject to
9 section 235.402 (6) of the statutes, as created by this act, the assets and liabilities of
10 the Wisconsin Economic Development Corporation and Wisconsin Housing and
11 Economic Development Authority become the assets and liabilities of the Forward
12 Wisconsin Development Authority.

13 (b) *Employees.* On the effective date of this paragraph, all employees of the
14 Wisconsin Economic Development Corporation and Wisconsin Housing and
15 Economic Development Authority become employees of the Forward Wisconsin
16 Development Authority.

17 (c) *Tangible personal property.* On the effective date of this paragraph, all
18 tangible personal property, including records, of the Wisconsin Economic
19 Development Corporation and Wisconsin Housing and Economic Development
20 Authority is transferred to the Forward Wisconsin Development Authority.

21 (d) *Pending matters.* Any matter pending with the Wisconsin Economic
22 Development Corporation or Wisconsin Housing and Economic Development
23 Authority on the effective date of this paragraph is transferred to the Forward
24 Wisconsin Development Authority. All materials submitted to or actions taken by
25 the Wisconsin Economic Development Corporation or Wisconsin Housing and

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1 Economic Development Authority are considered as having been submitted to or
2 taken by the Forward Wisconsin Development Authority.

3 (e) *Contracts.* All contracts entered into by the Wisconsin Economic
4 Development Corporation, all contracts entered into by the former department of
5 commerce and maintained by the Wisconsin Economic Development Corporation,
6 and all contracts entered into by the Wisconsin Housing and Economic Development
7 Authority in effect on the effective date of this paragraph remain in effect and are
8 transferred to the Forward Wisconsin Development Authority. The Forward
9 Wisconsin Development Authority shall carry out any obligations under those
10 contracts unless modified or rescinded by the Forward Wisconsin Development
11 Authority to the extent allowed under the contract.

12 (f) *Policies and procedures; orders.* All policies and procedures of the Wisconsin
13 Economic Development Corporation and Wisconsin Housing and Economic
14 Development Authority in effect on the effective date of this paragraph remain in
15 effect until their specified expiration dates or until amended or repealed by the
16 Forward Wisconsin Development Authority. All orders issued by the Wisconsin
17 Economic Development Corporation and Wisconsin Housing and Economic
18 Development Authority in effect on the effective date of this paragraph remain in
19 effect until their specified expiration dates or until modified or rescinded by the
20 Forward Wisconsin Development Authority.

21 (2) INITIAL APPOINTMENTS.

22 (a) *Board of directors.*

23 1. Notwithstanding the requirement of advice and consent of the senate under
24 section 235.011 (1) of the statutes, as created by this act, the initial members of the
25 board of directors of the Forward Wisconsin Development Authority nominated by

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1 the governor under that section may be provisionally appointed by the governor,
2 subject to later senate confirmation. Any provisional appointment shall be in full
3 force until withdrawn by the governor or acted upon by the senate, and if confirmed
4 by the senate shall continue for the remainder of the unexpired term, if any, of the
5 member and until a successor is chosen and qualifies. A provisional appointee may
6 exercise all the powers and duties of board membership to which the person is
7 appointed during the time in which the appointee qualifies.

8 2. A provisional appointment made under subdivision 1. that is withdrawn by
9 the governor shall, upon withdrawal, lapse and create a vacancy for provisional
10 appointment of another initial member of the board of directors of the Forward
11 Wisconsin Development Authority. Any provisional appointment made under
12 subdivision 1. that is rejected by the senate shall upon rejection lapse and create a
13 vacancy for nomination and appointment of another initial member of the board
14 under subdivision 1.

15 3. Notwithstanding the length of terms specified for the members of the board
16 of directors of the Forward Wisconsin Development Authority appointed by the
17 governor under section 235.011 (1) of the statutes, as created by this act, 2 of the
18 initial members shall be appointed for terms expiring on January 1, 2017, 2 of the
19 initial members shall be appointed for terms expiring on January 1, 2018, 2 of the
20 initial members shall be appointed for terms expiring on January 1, 2019, and 2 of
21 the initial members shall be appointed for terms expiring on January 1, 2020.

22 (b) *Chief executive officer and chief operating officer.*

23 1. Notwithstanding the requirement of advice and consent of the senate under
24 section 235.011 (4) of the statutes, as created by this act, the initial chief executive
25 officer and chief operating officer of the Forward Wisconsin Development Authority

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1 nominated by the governor under that section may be provisionally appointed by the
2 governor, subject to later senate confirmation. Any provisional appointment shall
3 be in full force until withdrawn by the governor or acted upon by the senate, and if
4 confirmed by the senate shall continue at the pleasure of the governor and until a
5 successor is chosen and qualifies. A provisional appointee may exercise all the
6 powers and duties of the chief executive officer or chief operating officer, as
7 appropriate, during the time in which the appointee qualifies.

8 2. A provisional appointment made under subdivision 1. that is withdrawn by
9 the governor shall, upon withdrawal, lapse and create a vacancy for provisional
10 appointment of another initial chief executive officer or chief operating officer of the
11 Forward Wisconsin Development Authority. Any provisional appointment made
12 under subdivision 1. that is rejected by the senate shall upon rejection lapse and
13 create a vacancy for nomination and appointment of another initial chief executive
14 officer or chief operating officer of the Forward Wisconsin Development Authority
15 under subdivision 1.

16 (3) SUBMISSION OF ORGANIZATIONAL PLAN. No later than 45 days after the effective
17 date of this subsection, the board of directors of the Forward Wisconsin Development
18 Authority shall submit a report to the legislature under section 13.172 (2) of the
19 statutes detailing an organizational plan for the Forward Wisconsin Development
20 Authority.

21 (4) COORDINATION. To the greatest extent practicable, the Wisconsin Housing
22 and Economic Development Authority and the Wisconsin Economic Development
23 Corporation shall seek to coordinate their activities and efforts to establish and
24 organize the Forward Wisconsin Development Authority, created under this act.

SECTION 563. Fiscal changes.

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1 (1) TRANSFERS TO THE FORWARD WISCONSIN DEVELOPMENT AUTHORITY.

2 (a) The unencumbered balance in the appropriation account under section
3 20.192 (1) (a) of the statutes is transferred to the appropriation account under section
4 20.885 (3) (a) of the statutes.

5 (b) The unencumbered balance in the appropriation account under section
6 20.192 (1) (m) of the statutes is transferred to the appropriation account under
7 section 20.885 (3) (m) of the statutes.

8 (c) The unencumbered balance in the appropriation account under section
9 20.192 (1) (r) of the statutes is transferred to the appropriation account under section
10 20.885 (3) (t) of the statutes.

11 (d) The unencumbered balance in the appropriation account under section
12 20.192 (1) (s) of the statutes is transferred to the appropriation account under section
13 20.885 (3) (u) of the statutes.

14 **SECTION 564. Effective dates.** This act takes effect on January 1, 2016, or on
15 the 2nd day after publication of the 2015-17 biennial budget act, whichever is later,
16 except as follows:

17 (1) SECTION 562 (4) of this act takes effect on the day after publication.

18 (END)