



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4368/1
MED:amn

2015 SENATE BILL 558

January 12, 2016 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Senate Organization.

1 **AN ACT to amend** 440.042 (1) of the statutes; **relating to:** the appointment of
2 an advisory committee to advise the Department of Safety and Professional
3 Services (suggested as remedial legislation by the Department of Safety and
4 Professional Services).

Analysis by the Legislative Reference Bureau

Under one provision in current law, the Secretary of Safety and Professional Services (secretary) may, but is not required to, appoint persons or advisory committees to advise the Department of Safety and Professional Services (DSPS) and the boards, examining boards, and affiliated credentialing boards in DSPS on matters relating to the regulation of credential holders. Current law provides that if DSPS appoints an advisory committee under this provision to advise DSPS on matters relating to the regulation of midwives, the committee may only consist of certain, specified members. A separate provision in current law requires the secretary to appoint an advisory committee to advise DSPS on matters relating to making investigations, conducting hearings, and taking disciplinary action under a statute addressing disciplinary actions and proceedings concerning midwives.

This bill repeals the latter provision that requires the secretary to appoint an advisory council to advise DSPS on matters relating to making investigations, conducting hearings, and taking disciplinary action under a statute addressing disciplinary actions and proceedings concerning midwives.

SENATE BILL 558

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Safety and Professional Services and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 440.042 (1) of the statutes is amended to read:

2 440.042 (1) The secretary may appoint persons or advisory committees to
3 advise the department and the boards, examining boards, and affiliated
4 credentialing boards in the department on matters relating to the regulation of
5 credential holders. ~~The secretary shall appoint an advisory committee to advise the~~
6 ~~department on matters relating to making investigations, conducting hearings, and~~
7 ~~taking disciplinary action under s. 440.986.~~ A person or an advisory committee
8 member appointed under this subsection shall serve without compensation, but may
9 be reimbursed for his or her actual and necessary expenses incurred in the
10 performance of his or her duties.

NOTE: Eliminates the requirement that the Secretary of Safety and Professional Services appoint an advisory committee to advise the Department of Safety and Professional Services on matters relating to making investigations, conducting hearings, and taking disciplinary action concerning midwives. The sentence being deleted, as created by 1997 Act 156, originally required the appointment of an advisory council on massage therapists and bodyworkers. 2001 Wisconsin Act 74 transferred statutes pertaining to massage therapy to ch. 460, Stats., and repealed the provision referenced in the sentence being deleted by the bill. The sentence being deleted by the bill currently requires the appointment of an advisory council on midwives, due to the fact that 2005 Act 292 created new provisions with the same numbers as ones eliminated by 2001 Act 74.

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(END)