610.70 **(1)** (a) "Health care provider" means any person licensed, registered, permitted or certified by the department of health services or the department of ~~regulation and licensing~~ safety and professional services to provide health care services, items or supplies in this state.

SECTION 1272. 632.10 (1) of the statutes is amended to read:

632.10 **(1)** "Building and safety standards" means the requirements of chs. 101 and 145 and of any rule promulgated by the department of ~~commerce~~ safety and professional services under ch. 101 or 145, and standards of a 1st class city relating to the health and safety of occupants of buildings.

SECTION 1273. 704.05 (5) (a) 2. of the statutes is amended to read:

704.05 **(5)** (a) 2. Give the tenant notice, personally or by ordinary mail addressed to the tenant's last-known address, of the landlord's intent to dispose of the personal property by sale or other appropriate means if the property is not repossessed by the tenant. If the tenant fails to repossess the property within 30 days after the date of personal service or the date of the mailing of the notice, the landlord may dispose of the property by private or public sale or any other appropriate means. The landlord may deduct from the proceeds of sale any costs of sale and any storage charges if the landlord has first stored the personalty under subd. 1. If the proceeds minus the costs of sale and minus any storage charges are not claimed within 60 days after the date of the sale of the personalty, the landlord is not accountable to the tenant for any of the proceeds of the sale or the value of the property. The landlord shall send the proceeds of the sale minus the costs of the sale and minus any storage charges to the department of administration for deposit in the appropriation under s. ~~20.143 (2)~~ 20.490 (7) (h).

SECTION 1274. 709.03 (form) C. 8. of the statutes is amended to read:

709.03 (form)

C. 8.	I am aware of underground or aboveground fuel storage tanks on the property. (If "yes", the owner, by law, may have to register the tanks with the department of ~~commerce~~ safety and professional services at P.O. Box 7970, Madison, Wisconsin, 53707, whether the tanks are in use or not. Regulations of the department of ~~commerce~~ safety and professional services may require the closure or removal of unused tanks.	....	....	....

SECTION 1275. 893.925 (2) (a) of the statutes is amended to read:

893.925 **(2)** (a) An action to recover damages for mining-related injuries under s. 107.32 shall be brought within 3 years of the date on which the death or injury occurs unless the department of ~~commerce~~ safety and professional services gives written notice within the time specified in this subsection that a claim has been filed with it under sub. (1), in which case an action based on the claim may be brought against the person to whom the notice is given within one year after the final resolution, including any appeal, of the claim or within the time specified in this subsection, whichever is longer.

SECTION 1276. 895.07 (13) of the statutes is amended to read:

895.07 **(13)** BROCHURE. The department of ~~commerce~~ safety and professional services shall prepare a brochure explaining the process under this section and shall provide that brochure to contractors.

SECTION 1277. 895.441 (5) of the statutes is amended to read:

895.441 **(5)** SILENCE AGREEMENTS. Any provision in a contract or agreement relating to the settlement of any claim by a patient against a therapist that limits or eliminates the right of the patient to disclose sexual contact by the therapist to a subsequent therapist, the department of ~~regulation and licensing~~ safety and

professional services, the department of health services, the injured patients and families compensation fund peer review council, or a district attorney is void.

SECTION 1278. 938.78 (2) (g) of the statutes is amended to read:

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

SECTION 1279. 940.20 (7) (a) 3. of the statutes is amended to read:

940.20 **(7)** (a) 3. "Health care provider" means any person who is licensed, registered, permitted or certified by the department of health services or the department of ~~regulation and licensing~~ safety and professional services to provide health care services in this state.

SECTION 1280. 940.207 (title) of the statutes is amended to read:

940.207 (title) **Battery or threat to department of ~~commerce~~ safety and professional services or department of workforce development employee.**

1 **SECTION 1281.** 940.207 (2) (intro.) of the statutes is amended to read:

2 940.207 **(2)** (intro.) Whoever intentionally causes bodily harm or threatens to
3 cause bodily harm to the person or family member of any department of ~~commerce~~
4 safety and professional services or department of workforce development official,
5 employee or agent under all of the following circumstances is guilty of a Class H
6 felony:

7 **SECTION 1282.** 940.207 (2) (a) of the statutes is amended to read:

8 940.207 **(2)** (a) At the time of the act or threat, the actor knows or should have
9 known that the victim is a department of ~~commerce~~ safety and professional services
10 or department of workforce development official, employee or agent or a member of
11 his or her family.

12 **SECTION 1283.** 940.22 (1) (a) of the statutes is amended to read:

13 940.22 **(1)** (a) "Department" means the department of ~~regulation and licensing~~
14 safety and professional services.

15 **SECTION 1284.** 961.01 (20g) of the statutes is amended to read:

16 961.01 **(20g)** "Public housing project" means any housing project or
17 development administered by a housing authority, as defined in s. ~~560.9801~~ 234.5601
18 (2).

19 **SECTION 1285.** 961.36 (1m) of the statutes is amended to read:

20 961.36 **(1m)** At the request of the department of ~~regulation and licensing~~ safety
21 and professional services or a board, examining board or affiliated credentialing
22 board in the department of ~~regulation and licensing~~ safety and professional services,
23 the controlled substances board shall provide advice and assistance in matters
24 related to the controlled substances law to the department or to the board, examining

board or affiliated credentialing board in the department making the request for advice or assistance.

SECTION 1286. 978.05 (6) (b) of the statutes is amended to read:

978.05 **(6)** (b) Enforce the provisions of all general orders of the department of ~~commerce~~ safety and professional services relating to the sale, transportation and storage of explosives.

SECTION 9110. Nonstatutory provisions; Commerce.

(1) HOUSING ASSISTANCE TRANSFER.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, shall become the assets and liabilities of the Wisconsin Housing and Economic Development Authority.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, is transferred to the Wisconsin Housing and Economic Development Authority.

(c) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the department under subchapter X of chapter 560, 2009 stats., as determined by the secretary of administration, remain in effect and are transferred to the Wisconsin Housing and Economic Development Authority. The Wisconsin Housing and Economic Development Authority shall carry out any obligations under

1 such a contract until the contract is modified or rescinded by the Wisconsin Housing
2 and Economic Development Authority to the extent allowed under the contract.

3 (2) TRANSFER OF BUSINESS ASSISTANCE PROGRAMS.

4 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
5 liabilities of the department of commerce primarily related to disabled
6 veteran-owned business certifications, woman-owned business certifications,
7 minority business certifications, women's business initiative corporation grants,
8 small business innovation research assistance grants, or diesel truck idling
9 reduction grants, as determined by the secretary of administration, shall become the
10 assets and liabilities of the department of safety and professional services.

11 (b) *Employee transfers.* All positions and all incumbent employees holding
12 those positions in the department of commerce performing duties primarily related
13 to disabled veteran-owned business certifications, woman-owned business
14 certifications, minority business certifications, women's business initiative
15 corporation grants, small business innovation research assistance grants, or diesel
16 truck idling reduction grants, as determined by the secretary of administration, are
17 transferred on the effective date of this paragraph to the department of safety and
18 professional services.

19 (c) *Employee status.* Employees transferred under paragraph (b) have all the
20 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
21 statutes in the department of safety and professional services that they enjoyed in
22 the department of commerce immediately before the transfer. Notwithstanding
23 section 230.28 (4) of the statutes, no employee so transferred who has attained
24 permanent status in class is required to serve a probationary period.

1 (d) *Tangible personal property.* On the effective date of this paragraph, all
2 tangible personal property, including records, of the department of commerce that
3 is primarily related to disabled veteran-owned business certifications,
4 woman-owned business certifications, minority business certifications, women's
5 business initiative corporation grants, small business innovation research
6 assistance grants, or diesel truck idling reduction grants, as determined by the
7 secretary of administration, is transferred to the department of safety and
8 professional services.

9 (e) *Contracts.* All contracts entered into by the department of commerce in
10 effect on the effective date of this paragraph that are primarily related to disabled
11 veteran-owned business certifications, woman-owned business certifications,
12 minority business certifications, women's business initiative corporation grants,
13 small business innovation research assistance grants, or diesel truck idling
14 reduction grants, as determined by the secretary of administration, remain in effect
15 and are transferred to the department of safety and professional services. The
16 department of safety and professional services shall carry out any obligations under
17 such a contract until the contract is modified or rescinded by the department of safety
18 and professional services to the extent allowed under the contract.

19 (f) *Rules and orders.* All rules promulgated by the department of commerce
20 that relate to disabled veteran-owned business certifications, woman-owned
21 business certifications, minority business certifications, women's business initiative
22 corporation grants, small business innovation research assistance grants, or diesel
23 truck idling reduction grants, that are in effect on the effective date of this
24 subsection, remain in effect until their specified expiration dates or until amended
25 or repealed by the department of safety and professional services. All orders issued

1 by the department of commerce relating to such business certifications or grants that
2 are in effect on the effective date of this subsection remain in effect until their
3 specified expiration dates or until modified or rescinded by the department of safety
4 and professional services.

5 (g) *Pending matters.* Any matter pending with the department of commerce
6 on the effective date of this paragraph that is primarily related to disabled
7 veteran-owned business certifications, woman-owned business certifications,
8 minority business certifications, women's business initiative corporation grants,
9 small business innovation research assistance grants, or diesel truck idling
10 reduction grants, as determined by the secretary of administration, is transferred to
11 the department of safety and professional services and all materials submitted to or
12 actions taken by the department of commerce with respect to the pending matters
13 are considered as having been submitted to or taken by the department of safety and
14 professional services.

15 (3) TRANSFER OF THE DIVISIONS OF SAFETY AND BUILDINGS AND ENVIRONMENTAL AND
16 REGULATORY SERVICES.

17 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
18 liabilities of the department of commerce primarily related to the functions of the
19 division of safety and buildings and the division of environmental and regulatory
20 services, as determined by the secretary of administration, shall become the assets
21 and liabilities of the department of safety and professional services.

22 (b) *Employee transfers.* All positions and all incumbent employees holding
23 those positions in the department of commerce performing duties primarily related
24 to the functions of the division of safety and buildings and the division of
25 environmental and regulatory services, as determined by the secretary of

1 administration, are transferred on the effective date of this paragraph to the
2 department of safety and professional services.

3 (c) *Employee status.* Employees transferred under paragraph (b) have all the
4 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
5 statutes in the department of safety and professional services that they enjoyed in
6 the department of commerce immediately before the transfer. Notwithstanding
7 section 230.28 (4) of the statutes, no employee so transferred who has attained
8 permanent status in class is required to serve a probationary period.

9 (d) *Tangible personal property.* On the effective date of this paragraph, all
10 tangible personal property, including records, of the department of commerce that
11 is primarily related to the functions of the division of safety and buildings and the
12 division of environmental and regulatory services, as determined by the secretary of
13 administration, is transferred to the department of safety and professional services.

14 (e) *Contracts.* All contracts entered into by the department of commerce in
15 effect on the effective date of this paragraph that are primarily related to the
16 functions of the division of safety and buildings and the division of environmental
17 and regulatory services, as determined by the secretary of administration, remain
18 in effect and are transferred to the department of safety and professional services.
19 The department of safety and professional services shall carry out any obligations
20 under such a contract until the contract is modified or rescinded by the department
21 of safety and professional services to the extent allowed under the contract.

22 (f) *Rules and orders.* All rules promulgated by the department of commerce
23 that are in effect on the effective date of this paragraph and that are primarily related
24 to the functions of the division of safety and buildings and the division of
25 environmental and regulatory services, as determined by the secretary of

1 administration, remain in effect until their specified expiration dates or until
2 amended or repealed by the department of safety and professional services. All
3 orders issued by the department of commerce that are in effect on the effective date
4 of this paragraph and that are primarily related to the functions of the division of
5 safety and buildings and the division of environmental and regulatory services, as
6 determined by the secretary of administration, remain in effect until their specified
7 expiration dates or until modified or rescinded by the department of safety and
8 professional services.

9 (g) *Pending matters.* Any matter pending with the department of commerce
10 on the effective date of this paragraph that is primarily related to the functions of the
11 division of safety and buildings and the division of environmental and regulatory
12 services, as determined by the secretary of administration, is transferred to the
13 department of safety and professional services and all materials submitted to or
14 actions taken by the department of commerce with respect to the pending matters
15 are considered as having been submitted to or taken by the department of safety and
16 professional services.

17 (4) TRANSFER OF CERTAIN ADMINISTRATIVE POSITIONS FROM THE DEPARTMENT OF
18 COMMERCE.

19 (a) The positions, and the incumbent employees holding those positions, in the
20 division of administrative services in the department of commerce that the secretary
21 of administration determines shall be transferred to the department of safety and
22 professional services, are transferred on the effective date of this paragraph.

23 (b) Employees transferred under paragraph (a) have all the rights and the
24 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the
25 department of safety and professional services that they enjoyed in the department

of commerce immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(5) REALLOCATION OF FUNDING WITHIN THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES.

(a) In this subsection:

1. "Schedule" means the schedule under section 20.005 of the statutes, as affected by this act.

2. "Secretary" means the secretary of administration.

(b) Before July 1, 2013, the secretary may transfer moneys from any appropriation under section 20.165 of the statutes, as affected by this act, to any other appropriation under section 20.165 of the statutes, as affected by this act, and may increase or decrease the amounts shown in the schedule for any appropriation under section 20.165 of the statutes, as affected by this act, if necessary to reallocate funding in accordance with the transfer of functions or personnel from the department of commerce to the department of safety and professional services, except that the secretary may not adjust the amounts shown in the schedule in a manner so that the total amounts appropriated under the adjusted appropriations exceed the total amounts shown in the schedule for those appropriations on the effective date of this act. The secretary shall submit a report to the joint committee on finance before July 1, 2013, that identifies the actions taken by the secretary under this subsection.

(6) ECONOMIC DEVELOPMENT TRANSFER.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of commerce primarily related to the functions of the

department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009 stats., as determined by the secretary of administration, shall become the assets and liabilities of the Wisconsin Economic Development Corporation.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009 stats., except the tangible personal property, including records, transferred to the department of agriculture, trade and consumer protection under subsection (7) (a) and except the tangible personal property, including records, transferred to the department of administration under subsection (8) (b), as determined by the secretary of administration, is transferred to the Wisconsin Economic Development Corporation.

(c) *Contracts.* All contracts entered into by the department of commerce in effect on the effective date of this paragraph that are primarily related to the functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009 stats., as determined by the secretary of administration, remain in effect and are transferred to the Wisconsin Economic Development Corporation. The Wisconsin Economic Development Corporation shall carry out any obligations under such a contract until the contract is modified or rescinded by the Wisconsin Economic Development Corporation to the extent allowed under the contract.

(7) DAIRY MANUFACTURING FACILITY INVESTMENT CREDIT; TRANSFER.

(a) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of commerce that is primarily related to the functions of the department of commerce with respect to

1 section 560.207, 2009 stats., as determined by the secretary of administration, is
2 transferred to the department of agriculture, trade and consumer protection.
3 (b) *Rules.* All rules promulgated by the department of commerce under section
4 560.207 (4), 2009 stats., that are in effect on the effective date of this paragraph
5 remain in effect until their specified expiration date or until amended or repealed by
6 the department of agriculture, trade and consumer protection.
7 (8) RURAL HOSPITAL LOAN GUARANTEE; TRANSFER.
8 (a) *Tangible personal property.* On the effective date of this paragraph, all
9 tangible personal property, including records, of the department of commerce that
10 is primarily related to the functions of the department of commerce with respect to
11 section 231.35, 2009 stats., as determined by the secretary of administration, is
12 transferred to the department of administration.
13 (b) *Rules.* All rules promulgated by the department of commerce under section
14 231.35 (7), 2009 stats., that are in effect on the effective date of this paragraph
15 remain in effect until their specified expiration date or until amended or repealed by
16 the department of administration.
17 **SECTION 9135. Nonstatutory provisions; Natural Resources.**
18 (1) COMMERCIAL CONSTRUCTION SITE EROSION CONTROL.
19 (a) In this subsection, "commercial building site" means a building site for
20 construction of public buildings and buildings that are places of employment.
21 (b) All rules promulgated by the department of natural resources under section
22 281.33 (3m), 2009 stats., related to erosion control for commercial building sites that
23 are in effect on the effective date of this paragraph, as determined by the secretary
24 of administration, remain in effect until their specified expiration dates or until
25 amended or repealed by the department of safety and professional services. All

1 orders issued by the department of natural resources that are in effect on the
2 effective date of this paragraph and that are primarily related to erosion control for
3 commercial building sites, as determined by the secretary of administration, remain
4 in effect until their specified expiration dates or until modified or rescinded by the
5 department of safety and professional services.

6 (c) Any matter pending with the department of natural resources on the
7 effective date of this paragraph that is primarily related to its commercial building
8 site erosion control responsibilities under section 281.33 (3m), 2009 stats., as
9 determined by the secretary of administration, is transferred to the department of
10 safety and professional services and all materials submitted to or actions taken by
11 the department of natural resources with respect to the pending matters are
12 considered as having been submitted to or taken by the department of safety and
13 professional services.

14 (d) Any delegation of the authority to act under section 281.33 (3m), 2009 stats.,
15 made by the department of natural resources to a county, city, village, or town that
16 is in effect on the effective date of this paragraph remains in effect until revoked by
17 the department of safety and professional services.

18 **SECTION 9153. Nonstatutory provisions; Veterans Affairs.**

19 (1) STATE APPROVAL AGENCY DESIGNATION.

20 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
21 liabilities of the department of veterans affairs primarily related to functions as the
22 state approval agency for the education of veterans and other eligible persons, as
23 determined by the secretary of administration, shall become the assets and liabilities
24 of the department of safety and professional services.

1 (b) *Employee transfers.* All positions, and the incumbent employees holding
2 those positions, in the department of veterans affairs performing duties primarily
3 related to functions as the state approval agency for the education of veterans and
4 other eligible persons, as determined by the secretary of administration, are
5 transferred on the effective date of this paragraph to the department of safety and
6 professional services.

7 (c) *Employee status.* Employees transferred under paragraph (b) have all the
8 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
9 statutes in the department of safety and professional services that they enjoyed in
10 the department of veterans affairs immediately before the transfer.
11 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
12 has attained permanent status in class is required to serve a probationary period.

13 (d) *Tangible personal property.* On the effective date of this paragraph, all
14 tangible personal property, including records, of the department of veterans affairs
15 that is primarily related to functions as the state approval agency for the education
16 of veterans and other eligible persons, as determined by the secretary of
17 administration, is transferred to the department of safety and professional services.

18 (e) *Contracts.* All contracts entered into by the department of veterans affairs
19 in effect on the effective date of this paragraph that are primarily related to functions
20 as the state approval agency for the education of veterans and other eligible persons,
21 as determined by the secretary of administration, remain in effect and are
22 transferred to the department of safety and professional services. The department
23 of safety and professional services shall carry out any obligations under such a
24 contract until the contract is modified or rescinded by the department of safety and
25 professional services to the extent allowed under the contract.

1 (f) *Rules and orders.* All rules promulgated by the department of veterans
2 affairs that are in effect on the effective date of this paragraph and that are primarily
3 related to functions as the state approval agency for the education of veterans and
4 other eligible persons, as determined by the secretary of administration, remain in
5 effect until their specified expiration dates or until amended or repealed by the
6 department of safety and professional services. All orders issued by the department
7 of veterans affairs that are in effect on the effective date of this paragraph and that
8 are primarily related to functions as the state approval agency for the education of
9 veterans and other eligible persons, as determined by the secretary of
10 administration, remain in effect until their specified expiration dates or until
11 modified or rescinded by the department of safety and professional services.

12 (g) *Pending matters.* Any matter pending with the department of veterans
13 affairs on the effective date of this paragraph that is primarily related to functions
14 as the state approval agency for the education of veterans and other eligible persons,
15 as determined by the secretary of administration, is transferred to the department
16 of safety and professional services and all materials submitted to or actions taken by
17 the department of veterans affairs with respect to the pending matters are
18 considered as having been submitted to or taken by the department of safety and
19 professional services.

20 **SECTION 9210. Fiscal changes; Commerce.**

21 (1) ECONOMIC DEVELOPMENT TRANSFER. The unencumbered balances in the
22 appropriation accounts under section 20.143 (1) (a), (b), (bk), (bt), (c), (cf), (d), (dr),
23 (e), (em), (er), (ew), (fi), (fj), (fy), (g), (gc), (gh), (gm), (gv), (h), (hm), (hr), (ie), (ig), (io),
24 (ir), (jp), (k), (k), (kb), (kc), (kf), (kg), (kh), (kj), and (kt) of the statutes are transferred
25 to the appropriation account under section 20.192 (1) (k) of the statutes.

1 (2) ECONOMIC DEVELOPMENT TRANSFER; FEDERAL MONEYS. The unencumbered
2 balances in the appropriation accounts under section 20.143 (1) (m), (mr), (n), and
3 (o) of the statutes are transferred to the appropriation account under section 20.192
4 (1) (m) of the statutes.

5 **(END)**