to advertise Wisconsin and its dairy, food, and agricultural products by conducting campaigns of education throughout the United States and in foreign markets. Such campaigns shall include the distribution of educational and advertising material concerning Wisconsin and its plant, animal, food, and dairy products. The department shall coordinate efforts by the state to advertise and promote agricultural products of this state, with the ~~department of commerce~~ Wisconsin Economic Development Corporation where appropriate. The department shall submit its request and plan for market development program expenditures for each biennium with its biennial budget request. The plan shall include the identification and priority of expenditures for each market development program activity.

SECTION 780. 93.07 (18) (b) (intro.) of the statutes is amended to read:

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

SECTION 781. 93.07 (20) (title) of the statutes is amended to read:

93.07 **(20)** (title) ECONOMIC DEVELOPMENT ASSISTANCE COORDINATION AND REPORTING.

SECTION 782. 93.07 (20) of the statutes is renumbered 93.07 (20) (b) and amended to read:

93.07 **(20)** (b) Annually, no later than October 1, to submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing economic development programs, as defined in sub. (18) (a), administered by the department. The report shall include all of the information required under s. ~~560.01 (2) (am)~~

238.07 (2). The department shall collaborate with the ~~department of commerce~~ Wisconsin Economic Development Corporation to make readily accessible to the public on an Internet-based system the information required under this subsection.

SECTION 783. 93.07 (20) (a) of the statutes is created to read:

93.07 **(20)** (a) The department shall coordinate any economic development assistance with the Wisconsin Economic Development Corporation.

SECTION 784. 93.33 (5) (intro.) of the statutes is amended to read:

93.33 **(5)** ANNUAL REPORT. (intro.) In September of each year, the council shall submit a report to the appropriate standing committees of the legislature as determined by the speaker of the assembly and the president of the senate, under s. 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection, the state superintendent of public instruction, the secretary of workforce development, the secretary of natural resources, the ~~secretary of commerce~~ chief executive officer of the Wisconsin Economic Development Corporation, the president of the University of Wisconsin System, the director of the technical college system, the chancellor of the University of Wisconsin-Extension, the chancellor of the University of Wisconsin-Madison, the chancellor of the University of Wisconsin-Platteville, the chancellor of the University of Wisconsin-River Falls, and the chancellor of the University of Wisconsin-Stevens Point. The council shall include all of the following in the report:

SECTION 785. 93.42 (1) (e) of the statutes is amended to read:

93.42 **(1)** (e) Cooperating with the ~~department of commerce~~ Wisconsin Economic Development Corporation in promoting the state's products through the state's foreign trade offices.

SECTION 786. 93.42 (3) of the statutes is repealed.

1 **SECTION 787.** 93.80 of the statutes is amended to read:

2 **93.80 Arsenic in wood.** The department, jointly with the department of
3 ~~commerce~~ safety and professional services, shall review scientific evidence to
4 determine whether there is a substantial likelihood that wood treated with copper,
5 chromium, and arsenic is harmful to the environment or to human health.

6 **SECTION 788.** 100.20 (2) (c) of the statutes is created to read:

7 100.20 **(2)** (c) 1. Notwithstanding par. (a), beginning on the effective date of this
8 subdivision .... [LRB inserts date], the department may not issue any order or
9 promulgate any rule, or enforce any order or rule, that regulates unfair methods of
10 competition or unfair trade practices relating to any of the following activities:

11 a. Remodeling or otherwise improving residential or noncommercial property.

12 b. Basement waterproofing.

13 c. Real estate advertising.

14 d. Renting of mobile home sites and sales of mobile homes.

15 e. Renting of residential dwelling units and mobile homes.

16 2. Beginning of the effective date of this subdivision .... [LRB inserts date], the
17 department of safety and professional services may promulgate rules and issue
18 orders regulating the unfair methods and practices described in subd. 1.

19 3. All rules promulgated by the department of agriculture, trade and consumer
20 protection regulating the unfair methods or practices as described in subd. 1. that
21 are in effect on the effective date of this subdivision .... [LRB inserts date], remain
22 in effect until their specified expiration date or until amended or repealed by the
23 department of safety and professional services. All orders issued by the department
24 of agriculture, trade and consumer protection regulating the unfair methods or
25 practices as described in subd. 1. that are in effect on the effective date of this

subdivision .... [LRB inserts date], remain in effect until their specified expiration date or until modified or rescinded by the department of safety and professional services and shall be enforced by the department of safety and professional services.

SECTION 789. 100.60 (1) (b) 2. of the statutes is amended to read:

100.60 **(1)** (b) 2. Any other fuel that can substitute for petroleum-based diesel fuel, that is derived from a renewable resource, that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel, and that the department of ~~commerce~~ safety and professional services designates as a diesel-replacement renewable fuel under sub. (7) (a).

SECTION 790. 100.60 (1) (c) 2. of the statutes is amended to read:

100.60 **(1)** (c) 2. Any other fuel that can substitute for gasoline, that is derived from a renewable resource, that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel, and that the department of ~~commerce~~ safety and professional services designates as a gasoline-replacement renewable fuel under sub. (7) (b).

SECTION 791. 100.60 (3) (a) of the statutes is amended to read:

100.60 **(3)** (a) Annually, beginning in 2011, the department, in cooperation with and with assistance from the department of ~~commerce,~~ safety and professional services and the department of revenue, ~~and the office of energy independence,~~ shall determine whether the annual goals for sales of renewable fuels in sub. (2) (b) and (c), for the previous year, were met in the state in that year.

****NOTE: This is reconciled s. 100.60 (3) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-1224/P2 and LRB-1465/P3.

SECTION 792. 100.60 (6) (a) of the statutes is amended to read:

100.60 **(6)** (a) The department shall consult with the department of ~~commerce,~~ safety and professional services and the department of revenue~~, and the office of energy independence~~ to determine if information necessary to make a determination under sub. (3) (a) or an assessment under sub. (4) is being collected by these agencies under laws in effect on June 2, 2010. If the information is not being collected, the department may request the department of ~~commerce,~~ safety and professional services and the department of revenue~~, or the office of energy independence~~ to collect the information if collection by one of these agencies is more cost-effective for state government and less burdensome for the persons subject to the reporting requirements than collection of the information by the department.

****NOTE: This is reconciled s. 100.60 (6) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-1224/P2 and LRB-1465/P3.

SECTION 793. 100.60 (7) (title) of the statutes is amended to read:

100.60 **(7)** (title) DEPARTMENT OF ~~COMMERCE~~ SAFETY AND PROFESSIONAL SERVICES AUTHORITY.

SECTION 794. 100.60 (7) (a) of the statutes is amended to read:

100.60 **(7)** (a) The department of ~~commerce~~ safety and professional services may promulgate a rule designating a fuel that can substitute for petroleum-based diesel fuel, that is derived from a renewable resource, and that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel as a diesel-replacement renewable fuel for the purposes of this section.

SECTION 795. 100.60 (7) (b) of the statutes is amended to read:

100.60 **(7)** (b) The department of ~~commerce~~ safety and professional services may promulgate a rule designating a fuel that can substitute for gasoline, that is derived from a renewable resource, and that meets all of the applicable requirements

of the American Society for Testing and Materials for that fuel as a gasoline-replacement renewable fuel for the purposes of this section.

SECTION 796. Chapter 101 (title) of the statutes is amended to read:

CHAPTER 101

DEPARTMENT OF ~~COMMERCE~~ SAFETY AND PROFESSIONAL SERVICES — REGULATION OF INDUSTRY, BUILDINGS AND SAFETY

SECTION 797. 101.01 (1m) of the statutes is amended to read:

101.01 **(1m)** "Department" means the department of ~~commerce~~ safety and professional services.

SECTION 798. 101.01 (14) of the statutes is amended to read:

101.01 **(14)** "Secretary" means the secretary of ~~commerce~~ safety and professional services.

SECTION 799. 101.02 (18m) of the statutes is amended to read:

101.02 **(18m)** The department may perform, or contract for the performance of, testing of petroleum products other than testing provided under ch. 168. The department may establish a schedule of fees for such petroleum product testing services. The department shall credit all revenues received from fees established under this subsection to the appropriation account under s. ~~20.143 (3)~~ 20.165 (2) (ga). Revenues from fees established under this subsection may be used by the department to pay for testing costs, including laboratory supplies and equipment amortization, for such products.

SECTION 800. 101.02 (20) (a) of the statutes is amended to read:

101.02 **(20)** (a) For purposes of this subsection, "license" means a license, permit, or certificate of certification or registration issued by the department under

ss. 101.09 (3) (c), 101.122 (2) (c), ~~101.136,~~ 101.143 (2) (g), 101.147, 101.15 (2) (e), 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or 167.10 (6m).

SECTION 801. 101.02 (20) (b) of the statutes is amended to read:

101.02 **(20)** (b) Except as provided in par. (e), the department of ~~commerce~~ safety and professional services may not issue or renew a license unless each applicant who is an individual provides the department of ~~commerce~~ safety and professional services with his or her social security number and each applicant that is not an individual provides the department of ~~commerce~~ safety and professional services with its federal employer identification number. The department of ~~commerce~~ safety and professional services may not disclose the social security number or the federal employer identification number of an applicant for a license or license renewal except to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 802. 101.02 (20) (c) of the statutes is amended to read:

101.02 **(20)** (c) The department of ~~commerce~~ safety and professional services may not issue or renew a license if the department of revenue certifies under s. 73.0301 that the applicant or licensee is liable for delinquent taxes.

SECTION 803. 101.02 (20) (d) of the statutes is amended to read:

101.02 **(20)** (d) The department of ~~commerce~~ safety and professional services shall revoke a license if the department of revenue certifies under s. 73.0301 that the licensee is liable for delinquent taxes.

SECTION 804. 101.02 (20) (e) 1. of the statutes is amended to read:

101.02 **(20)** (e) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license shall submit a statement made or subscribed under oath or affirmation to the department of ~~commerce~~ safety and professional services that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of children and families.

SECTION 805. 101.02 (21) (a) of the statutes is amended to read:

101.02 **(21)** (a) In this subsection, "license" means a license, permit, or certificate of certification or registration issued by the department under s. 101.09 (3) (c), 101.122 (2) (c), ~~101.136,~~ 101.143 (2) (g), 101.147, 101.15 (2) (e), 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or 167.10 (6m).

SECTION 806. 101.02 (21) (b) of the statutes is amended to read:

101.02 **(21)** (b) As provided in the memorandum of understanding under s. 49.857 and except as provided in par. (e), the department of ~~commerce~~ safety and professional services may not issue or renew a license unless the applicant provides the department of ~~commerce~~ safety and professional services with his or her social security number. The department of ~~commerce~~ safety and professional services may not disclose the social security number except that the department of ~~commerce~~ safety and professional services may disclose the social security number of an applicant for a license under par. (a) or a renewal of a license under par. (a) to the department of children and families for the sole purpose of administering s. 49.22.

SECTION 807. 101.02 (21) (e) 1. of the statutes is amended to read:

101.02 **(21)** (e) 1. If an applicant who is an individual does not have a social security number, the applicant, as a condition of applying for or applying to renew a license shall submit a statement made or subscribed under oath or affirmation to the department of ~~commerce~~ safety and professional services that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of children and families.

SECTION 808. 101.1206 (title) of the statutes is created to read:

101.1206 (title) **Erosion control; construction of public buildings and buildings that are places of employment.**

SECTION 809. 101.136 of the statutes is repealed.

SECTION 810. 101.143 (2) (d) of the statutes is amended to read:

101.143 **(2)** (d) The department shall reserve a portion, not to exceed 20%, of the amount annually appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) for awards under this section to be used to fund emergency remedial action and claims that exceed the amount initially anticipated.

SECTION 811. 101.143 (2) (h) (intro.) of the statutes is amended to read:

101.143 **(2)** (h) (intro.) The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules designed to facilitate effective and cost-efficient administration of the program under this section that specify all of the following:

SECTION 812. 101.143 (2) (i) (intro.) of the statutes is amended to read:

101.143 **(2)** (i) (intro.) The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules specifying procedures for evaluating remedial action plans and procedures to be used by employees of the department of ~~commerce~~ safety and professional services and the

department of natural resources while remedial actions are being conducted. The departments shall specify procedures that include all of the following:

SECTION 812. 101.143 (2) (j) (intro.) of the statutes is amended to read:

101.143 **(2)** (j) (intro.) The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules specifying all of the following:

SECTION 813. 101.143 (2) (k) of the statutes is amended to read:

101.143 **(2)** (k) In promulgating rules under pars. (h) to (j), the department of ~~commerce~~ safety and professional services and the department of natural resources shall attempt to reach an agreement that is consistent with those provisions. If the department of ~~commerce~~ safety and professional services and the department of natural resources are unable to reach an agreement, they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with pars. (h) to (j). The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules incorporating any agreement between the department of ~~commerce~~ safety and professional services and the department of natural resources under this paragraph and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

SECTION 814. 101.143 (2) (L) of the statutes is amended to read:

101.143 **(2)** (L) The department may promulgate rules for the assessment and collection of fees to recover its costs for providing approval under sub. (3) (c) 4. and for providing other assistance requested by applicants under this section. Any

moneys collected under this paragraph shall be credited to the appropriation account under s. ~~20.143 (3)~~ 20.165 (2) (Lm).

SECTION 815. 101.143 (2e) (a) of the statutes is amended to read:

101.143 **(2e)** (a) The department of ~~commerce~~ safety and professional services and the department of natural resources shall attempt to agree on a method, which shall include individualized consideration of the routes for migration of petroleum product contamination at each site, for determining the risk to public health, safety and welfare and to the environment posed by discharges for which the department of ~~commerce~~ safety and professional services receives notification under sub. (3) (a) 3.

SECTION 816. 101.143 (2e) (b) of the statutes is amended to read:

101.143 **(2e)** (b) If the department of ~~commerce~~ safety and professional services and the department of natural resources are unable to reach an agreement under par. (a), they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with par. (a). The department of ~~commerce~~ safety and professional services and the department of natural resources, jointly, shall promulgate rules incorporating any agreement between the department of ~~commerce~~ safety and professional services and the department of natural resources under par. (a) and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

SECTION 817. 101.143 (2e) (c) of the statutes is amended to read:

101.143 **(2e)** (c) The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of ~~commerce~~ safety and professional

1 services shall apply the method in the rules promulgated under par. (b) to determine
2 the risk posed by a discharge for which the department of ~~commerce~~ safety and
3 professional services receives notification under sub. (3) (a) 3.

4 **SECTION 818.** 101.143 (2m) of the statutes is amended to read:

5 101.143 **(2m)** INTERDEPARTMENTAL COORDINATION. Whenever the department of
6 ~~commerce~~ safety and professional services receives a notification under sub. (3) (a)
7 3. or the department of natural resources receives a notification of a petroleum
8 product discharge under s. 292.11, the department receiving the notification shall
9 contact the other department and shall schedule a meeting of the owner or operator
10 or person owning a home oil tank system and representatives of both departments.

11 **SECTION 819.** 101.143 (3) (c) 4. of the statutes is amended to read:

12 101.143 **(3)** (c) 4. Receive written approval from the department of natural
13 resources or, if the discharge is covered under s. 101.144 (2) (b), from the department
14 of ~~commerce~~ safety and professional services that the remedial action activities
15 performed under subd. 3. meet the requirements of s. 292.11.

16 **SECTION 820.** 101.143 (3) (cm) of the statutes is amended to read:

17 101.143 **(3)** (cm) *Monitoring as remedial action.* An owner or operator or person
18 owning a home oil tank system may, with the approval of the department of natural
19 resources or, if the discharge is covered under s. 101.144 (2) (b), the department of
20 ~~commerce~~ safety and professional services, satisfy the requirements of par. (c) 2. and
21 3. by proposing and implementing monitoring to ensure the effectiveness of natural
22 attenuation of petroleum product contamination.

23 **SECTION 821.** 101.143 (3) (cp) 1. of the statutes is amended to read:

24 101.143 **(3)** (cp) 1. Except as provided in subds. 2. to 5., if the department of
25 natural resources or, if the site is covered under s. 101.144 (2) (b), the department of

1 ~~commerce~~ safety and professional services estimates that the cost to complete a site
2 investigation, remedial action plan and remedial action for an occurrence exceeds
3 $60,000, the department of ~~commerce~~ safety and professional services shall
4 implement a competitive public bidding process to obtain information to assist in
5 making the determination under par. (cs).

6 **SECTION 822.** 101.143 (3) (cp) 2. of the statutes is amended to read:

7 101.143 **(3)** (cp) 2. The department of ~~commerce~~ safety and professional
8 services or the department of natural resources may waive the requirement under
9 subd. 1. if an enforcement standard is exceeded in groundwater within 1,000 feet of
10 a well operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any
11 other well used to provide water for human consumption.

12 **SECTION 823.** 101.143 (3) (cp) 5. of the statutes is amended to read:

13 101.143 **(3)** (cp) 5. The department of ~~commerce~~ safety and professional
14 services or the department of natural resources may waive the requirement under
15 subd. 1. after providing notice to the other department.

16 **SECTION 824.** 101.143 (3) (cp) 6. of the statutes is amended to read:

17 101.143 **(3)** (cp) 6. The department of ~~commerce~~ safety and professional
18 services may disqualify a bid received under subd. 1. if, based on information
19 available to the department and experience with remedial action at other sites, the
20 bid is unlikely to establish an amount to sufficiently fund remedial action that will
21 comply with par. (c) 3. and with enforcement standards.

22 **SECTION 825.** 101.143 (3) (cp) 7. of the statutes is amended to read:

23 101.143 **(3)** (cp) 7. The department of ~~commerce~~ safety and professional
24 services may disqualify a person from submitting bids under subd. 1. if, based on past

performance of the bidder, the department determines that the person has demonstrated an inability to complete remedial action within established cost limits.

SECTION 826. 101.143 (3) (cs) 1. of the statutes is amended to read:

101.143 **(3)** (cs) 1. The department of ~~commerce~~ safety and professional services shall review the remedial action plan for a site that is classified as low or medium risk under s. 101.144 and shall determine the least costly method of complying with par. (c) 3. and with enforcement standards. The department shall notify the owner or operator of its determination of the least costly method and shall notify the owner or operator that reimbursement for remedial action under this section is limited to the amount necessary to implement that method.

SECTION 827. 101.143 (3) (cs) 2. of the statutes is amended to read:

101.143 **(3)** (cs) 2. The department of natural resources and the department of ~~commerce~~ safety and professional services shall review the remedial action plan for a site that is classified as high risk under s. 101.144 and shall jointly determine the least costly method of complying with par. (c) 3. and with enforcement standards. The departments shall notify the owner or operator of their determination of the least costly method and shall notify the owner or operator that reimbursement for remedial action under this section is limited to the amount necessary to implement that method.

SECTION 828. 101.143 (3) (cs) 3. of the statutes is amended to read:

101.143 **(3)** (cs) 3. In making determinations under subds. 1. and 2., the department of natural resources and the department of ~~commerce~~ safety and professional services shall determine whether natural attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

SECTION 829. 101.143 (3) (cs) 4. of the statutes is amended to read:

101.143 **(3)** (cs) 4. The department of ~~commerce~~ safety and professional services may review and modify an amount established under subd. 1. if the department determines that new circumstances, including newly discovered contamination at a site, warrant those actions. The department of ~~commerce~~ safety and professional services and the department of natural resources may review and modify an amount established under subd. 2. if the departments determine that new circumstances, including newly discovered contamination at a site, warrant those actions.

SECTION 830. 101.143 (3) (cw) 1. of the statutes is amended to read:

101.143 **(3)** (cw) 1. The department of ~~commerce~~ safety and professional services shall conduct the annual review required under sub. (2) (i) 1. for a site that is classified as low or medium risk under s. 101.144 and shall determine the least costly method of completing remedial action at the site in order to comply with par. (c) 3. and with enforcement standards. The department shall notify the owner or operator of its determination of the least costly method and shall notify the owner or operator that reimbursement under this section for any remedial action conducted after the date of the notice is limited to the amount necessary to implement that method.

SECTION 831. 101.143 (3) (cw) 2. of the statutes is amended to read:

101.143 **(3)** (cw) 2. The department of natural resources and the department of ~~commerce~~ safety and professional services shall conduct the annual review required under sub. (2) (i) 1. for a site that is classified as high risk under s. 101.144 and shall jointly determine the least costly method of completing remedial action at the site in order to comply with par. (c) 3. and with enforcement standards. The departments shall notify the owner or operator of their determination of the least

costly method and shall notify the owner or operator that reimbursement under this section for remedial action conducted after the date of the notice is limited to the amount necessary to implement that method.

SECTION 832. 101.143 (3) (cw) 3. of the statutes is amended to read:

101.143 **(3)** (cw) 3. In making determinations under subds. 1. and 2., the department of natural resources and the department of ~~commerce~~ safety and professional services shall determine whether natural attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

SECTION 833. 101.143 (3) (cw) 4. of the statutes is amended to read:

101.143 **(3)** (cw) 4. The department of ~~commerce~~ safety and professional services may review and modify an amount established under subd. 1. if the department determines that new circumstances, including newly discovered contamination at a site, warrant those actions. The department of ~~commerce~~ safety and professional services and the department of natural resources may review and modify an amount established under subd. 2. if the departments determine that new circumstances, including newly discovered contamination at a site, warrant those actions.

SECTION 834. 101.143 (3) (d) of the statutes is amended to read:

101.143 **(3)** (d) *Final review of remedial action activities.* The department of natural resources or, if the discharge is covered under s. 101.144 (2) (b), the department of ~~commerce~~ safety and professional services shall complete a final review of the remedial action activities within 60 days after the claimant notifies the appropriate department that the remedial action activities are completed.

SECTION 835. 101.143 (3) (f) 5. of the statutes is amended to read:

101.143 **(3)** (f) 5. The written approval of the department of natural resources or the department of ~~commerce~~ safety and professional services under par. (c) 4.

SECTION 836. 101.143 (3) (g) of the statutes is amended to read:

101.143 **(3)** (g) *Emergency situations.* Notwithstanding pars. (a) 3. and (c) 1. and 2., an owner or operator or the person may submit a claim for an award under sub. (4) after notifying the department under par. (a) 3., without completing an investigation under par. (c) 1. and without preparing a remedial action plan under par. (c) 2. if an emergency existed which made the investigation under par. (c) 1. and the remedial action plan under par. (c) 2. inappropriate and, before conducting remedial action, the owner or operator or person notified the department of ~~commerce~~ safety and professional services and the department of natural resources of the emergency and the department of ~~commerce~~ safety and professional services and the department of natural resources authorized emergency action.

SECTION 837. 101.143 (4) (a) 6. of the statutes is amended to read:

101.143 **(4)** (a) 6. In any fiscal year, the department may not award more than 5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for petroleum product storage systems described in par. (ei).

SECTION 838. 101.143 (4) (a) 7. of the statutes is amended to read:

101.143 **(4)** (a) 7. In any fiscal year, the department may not award more than 5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for petroleum product storage systems that are owned by school districts and that are used for storing heating oil for consumptive use on the premises where stored.

SECTION 839. 101.143 (4) (cc) 2. b. of the statutes is amended to read:

101.143 **(4)** (cc) 2. b. An applicant that is engaged in the expansion or redevelopment of brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a), if federal or state

1 financial assistance other than under this section, has been provided for that
2 expansion or redevelopment.

3 **SECTION 840.** 101.143 (4) (ei) 2m. of the statutes is amended to read:

4 101.143 **(4)** (ei) 2m. The owner or operator of the farm tank has received a letter
5 or notice from the department of ~~commerce~~ safety and professional services or
6 department of natural resources indicating that the owner or operator must conduct
7 a site investigation or remedial action because of a discharge from the farm tank or
8 an order to conduct such an investigation or remedial action.

9 **SECTION 841.** 101.143 (4) (es) 1. of the statutes is amended to read:

10 101.143 **(4)** (es) 1. The department shall issue an award for a claim filed after
11 August 9, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987,
12 by an owner or operator or a person owning a home oil tank system in investigating
13 the existence of a discharge or investigating the presence of petroleum products in
14 soil or groundwater if the investigation is undertaken at the written direction of the
15 department of ~~commerce~~ safety and professional services or the department of
16 natural resources and no discharge or contamination is found.

17 **SECTION 842.** 101.144 (3) (b) of the statutes is amended to read:

18 101.144 **(3)** (b) The department of ~~commerce~~ safety and professional services
19 requests the department of natural resources to take the action or issue the order.

20 **SECTION 843.** 101.144 (3) (c) of the statutes is amended to read:

21 101.144 **(3)** (c) The secretary of natural resources approves the action or order
22 in advance after notice to the secretary of ~~commerce~~ safety and professional services.

23 **SECTION 844.** 101.144 (3g) (a) of the statutes is amended to read:

24 101.144 **(3g)** (a) If, on December 1, 1999, more than 35% of sites classified
25 under this section, excluding sites that are contaminated by a hazardous substance

other than a petroleum product or an additive to a petroleum product, are classified as high-risk sites, the department of ~~commerce~~ safety and professional services and the department of natural resources shall attempt to reach an agreement that specifies standards for determining whether the site of a discharge of a petroleum product from a petroleum storage tank is classified as high risk. The standards shall be designed to classify no more than 35% of those sites as high-risk sites and may not classify all sites at which an enforcement standard is exceeded as high-risk sites. If the department of ~~commerce~~ safety and professional services and the department of natural resources are unable to reach an agreement, they shall refer the matters on which they are unable to agree to the secretary of administration for resolution. The secretary of administration shall resolve any matters on which the departments disagree in a manner that is consistent with this paragraph. The department of ~~commerce~~ safety and professional services shall promulgate rules incorporating any agreement between the department of ~~commerce~~ safety and professional services and the department of natural resources under this paragraph and any resolution of disagreements between the departments by the secretary of administration under this paragraph.

SECTION 845. 101.144 (3g) (b) of the statutes is amended to read:

101.144 **(3g)** (b) If, 6 months after rules under par. (a) are in effect, more than 35% of the sites classified under this section, excluding sites that are contaminated by a hazardous substance other than a petroleum product or an additive to a petroleum product, are classified as high-risk sites, the department of ~~commerce~~ safety and professional services shall revise the rules using the procedure for promulgating the rules in par. (a).

SECTION 846. 101.144 (3m) (a) (intro.) of the statutes is amended to read:

1 101.144 **(3m)** (a) (intro.) The department of ~~commerce~~ safety and professional
2 services and the department of natural resources shall enter into a memorandum of
3 understanding that does all of the following:

4 **SECTION 847.** 101.144 (3m) (b) of the statutes is amended to read:

5 101.144 **(3m)** (b) The department of ~~commerce~~ safety and professional services
6 and the department of natural resources shall submit a memorandum of
7 understanding under this subsection to the secretary of administration for review.
8 A memorandum of understanding under this subsection does not take effect until it
9 is approved by the secretary of administration.

10 **SECTION 848.** 101.149 (6) (b) of the statutes is amended to read:

11 101.149 **(6)** (b) The department shall promulgate rules, in consultation with
12 the department of health services, under which the department of ~~commerce~~ safety
13 and professional services shall authorize certified heating, ventilating, and air
14 conditioning inspectors to conduct regular inspections of sealed combustion units, as
15 required under par. (5) (c), for carbon monoxide emissions in residential buildings
16 other than hotels, tourist rooming houses, and bed and breakfast establishments.
17 The rules shall specify conditions under which it may issue orders as specified under
18 sub. (8) (a). The rules may not require the department of ~~commerce~~ safety and
19 professional services to authorize inspection of sealed combustion units during the
20 period in which the sealed combustion units are covered by a manufacturer's
21 warranty against defects.

22 **SECTION 849.** 101.149 (8) (a) of the statutes is amended to read:

23 101.149 **(8)** (a) If the department of ~~commerce~~ safety and professional services
24 or the department of health services determines after an inspection of a building
25 under this section or s. 254.74 (1g) that the owner of the building has violated sub.

(2) or (3), the respective department shall issue an order requiring the person to correct the violation within 5 days or within such shorter period as the respective department determines is necessary to protect public health and safety. If the person does not correct the violation within the time required, he or she shall forfeit $50 for each day of violation occurring after the date on which the respective department finds that the violation was not corrected.

SECTION 850. 101.563 (2) (b) 1. of the statutes is amended to read:

101.563 **(2)** (b) 1. 'Payments from calendar year 2001 dues.' Notwithstanding s. 101.573 (3) (a), by the 30th day following July 30, 2002, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), subtract the total amount due to be paid under par. (a), withhold 0.5%, and certify to the secretary of administration the proper amount to be paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town entitled to a proportionate share of fire department dues as provided under sub. (1) (b) and s. 101.575. If the department has previously certified an amount to the secretary of administration under s. 101.573 (3) (a) during calendar year 2002, the department shall recertify the amount in the manner provided under this subdivision. On or before August 1, 2002, the secretary of administration shall pay the amounts certified or recertified by the department under this subdivision to each city, village, and town entitled to a proportionate share of fire department dues as provided under sub. (1) and s. 101.575. The secretary of administration may combine any payment due under this subdivision with any amount due to be paid on or before August 1, 2002, to the same city, village, or town under par. (a).

SECTION 851. 101.563 (2) (b) 2. of the statutes is amended to read:

101.563 **(2)** (b) 2. 'Payments from dues for calendar years 2002 to 2004.' Notwithstanding s. 101.573 (3) (a) and except as otherwise provided in this subdivision, on or before May 1 in each year, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), withhold 0.5% and certify to the secretary of administration the proper amount to be paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town entitled to a proportionate share of fire department dues as provided under sub. (1) (b) and s. 101.575. Annually, on or before August 1, the secretary of administration shall pay the amounts certified by the department to each such city, village, and town. This paragraph applies only to payment of a proportionate share of fire department dues collected for calendar years 2002 to 2004.

SECTION 852. 101.573 (3) (a) of the statutes is amended to read:

101.573 **(3)** (a) On or before May 1 in each year, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5% and certify to the secretary of administration the proper amount to be paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, or town entitled to fire department dues under s. 101.575. Annually, on or before August 1, the secretary of administration shall pay the amounts certified by the department to the cities, villages and towns eligible under s. 101.575.

SECTION 853. 101.573 (5) of the statutes is amended to read:

101.573 **(5)** The department shall promulgate a rule defining "administrative expenses" for purposes of s. ~~20.143 (3)~~ 20.165 (2) (La).

SECTION 854. 101.657 (5) of the statutes is amended to read:

101.657 **(5)** From the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j), beginning with fiscal year 2005-06, the department shall allocate $100,000 annually for the contract required under sub. (2) and at least $600,000 annually for the contract required under sub. (3).

SECTION 855. 101.935 (2) (e) of the statutes is amended to read:

101.935 **(2)** (e) Section 254.69 (2), as it applies to an agent for the department of health services in the administration of s. 254.47, applies to an agent for the department of ~~commerce~~ safety and professional services in the administration of this section.

SECTION 856. 101.951 (7) (a) of the statutes is amended to read:

101.951 **(7)** (a) The department of ~~commerce~~ safety and professional services may, without notice, deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for the denial. Within 30 days after such notice, the applicant may petition the department of administration to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness. The division of hearings and appeals shall conduct the hearing. This paragraph does not apply to denials of applications for licenses under s. 101.02 (21).

SECTION 857. 101.951 (7) (b) of the statutes is amended to read:

101.951 **(7)** (b) No license may be suspended or revoked except after a hearing thereon. The department of ~~commerce~~ safety and professional services shall give the licensee at least 5 days' notice of the time and place of the hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the department of ~~commerce~~ safety and professional services, when in its opinion the

best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations brought before the department of ~~commerce~~ safety and professional services shall be heard and decided upon by the department of administration. The division of hearings and appeals shall conduct the hearing. This paragraph does not apply to licenses that are suspended or revoked under s. 101.02 (21).

SECTION 858. 101.951 (7) (c) of the statutes is amended to read:

101.951 **(7)** (c) The department of ~~commerce~~ safety and professional services may inspect the pertinent books, records, letters and contracts of a licensee. The actual cost of each such examination shall be paid by such licensee so examined within 30 days after demand therefor by the department, and the department may maintain an action for the recovery of such costs in any court of competent jurisdiction.

SECTION 859. 101.953 (1) (a) of the statutes is amended to read:

101.953 **(1)** (a) A statement that the manufactured home meets those standards prescribed by law or administrative rule of the department of administration or of the department of ~~commerce~~ safety and professional services that are in effect at the time of the manufacture of the manufactured home.

SECTION 860. 101.973 (8) of the statutes is amended to read:

101.973 **(8)** Deposit the moneys received from the fees under sub. (7) in the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j).

SECTION 861. 106.16 (3) of the statutes is amended to read:

106.16 **(3)** A state agency or an authority under ch. 231 or 234 shall notify the ~~department of commerce~~ Wisconsin Economic Development Corporation if it makes a loan or grant to a company.

SECTION 862. 106.20 (1) (e) of the statutes is amended to read:

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

SECTION 863. 106.30 (2) of the statutes is amended to read:

106.30 **(2)** SURVEY FORM. Each odd-numbered year, the department of workforce development shall develop and submit to the department of ~~regulation and licensing~~ safety and professional services a survey form to gather data under s. 441.01 (7) (a) 1. to assist the department of workforce development in evaluating the supply of, demand for, and turnover among nurses in this state and in determining whether there are any regional shortages of nurses, shortages of nurses in any speciality areas, or impediments to entering the nursing profession in this state.

SECTION 864. 106.30 (5) (a) of the statutes is amended to read:

106.30 **(5)** (a) From the appropriation account under s. 20.445 (1) (km), the department of workforce development shall award grants equal to the amount appropriated under s. 20.445 (1) (km) minus the amount expended under sub. (4) to a nonprofit statewide nursing center that is comprised of and led by nurses and that has demonstrated coordination with constituent groups within the nursing community, including professional nursing organizations; organizations representing nurse educators, staff nurses, and nurse managers or executives; labor organizations representing nurses; the department of ~~regulation and licensing~~ safety and professional services; the department of health services; and legislators who are concerned with issues affecting the nursing profession.

1 **SECTION 865.** 106.30 (5) (b) of the statutes is amended to read:

2 106.30 **(5)** (b) A statewide nursing center that receives a grant under par. (a)
3 shall use the grant moneys to develop strategies to ensure that there is a nursing
4 workforce that is adequate to meet the current and future health care needs of this
5 state. The statewide nursing center may use those moneys to fund activities that are
6 aimed at ensuring such a nursing workforce, including monitoring trends in the
7 applicant pool for nursing education programs; evaluating the effectiveness of
8 nursing education programs in increasing access to those programs and in
9 enhancing career mobility for nurses, especially for populations that are
10 underrepresented in the nursing profession; and facilitating partnerships between
11 the nursing community and other health care providers, the department of
12 ~~regulation and licensing~~ safety and professional services, the business community,
13 the legislature, and educators to promote diversity within the nursing profession,
14 enhance career mobility and leadership development for nurses, and achieve
15 consensus regarding policies aimed at ensuring an adequate nursing workforce in
16 this state.

17 **SECTION 866.** 106.50 (6) (a) 3. of the statutes is amended to read:

18 106.50 **(6)** (a) 3. The complaint may be filed by an aggrieved person, by an
19 interested person, by the department of workforce development under par. (b) or, if
20 the complaint charges a violation of sub. (2r) (c), by the department of ~~commerce~~
21 safety and professional services. The department of workforce development shall,
22 upon request, provide appropriate assistance in completing and filing complaints.

23 **SECTION 867.** 106.50 (6) (b) of the statutes is amended to read:

24 106.50 **(6)** (b) *Powers and duties of department.* The department of workforce
25 development and its duly authorized agents may hold hearings, subpoena witnesses,

take testimony and make investigations as provided in this subsection. The department of workforce development may test and investigate for the purpose of establishing violations of sub. (2), (2m) or (2r) and may make, sign and file complaints alleging violations of sub. (2), (2m) or (2r). In addition, the department of ~~commerce~~ safety and professional services may make, sign and file complaints alleging violations of sub. (2r) (c). The department of workforce development shall employ examiners to hear and decide complaints of discrimination under this section, and to assist in the administration of this section. The examiners may make findings and issue orders under this subsection. The department of workforce development shall develop and implement an investigation manual for use in conducting investigations under par. (c).

SECTION 868. 107.30 (4) of the statutes is amended to read:

107.30 **(4)** "Department" means the department of ~~commerce~~ safety and professional services.

SECTION 869. 107.30 (10) of the statutes is amended to read:

107.30 **(10)** "Mining damage appropriation" means the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (a).

SECTION 870. 107.31 (5) (a) (intro.) of the statutes is amended to read:

107.31 **(5)** (a) *Calculation.* (intro.) The mining damage reserve accumulation is calculated by subtracting the total amount of all mining damages awards paid from the appropriation under s. 20.445 (4) (a), 2001 stats., beginning on May 22, 1980 or paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (a) from the sum of:

SECTION 871. 108.02 (21e) (intro.) of the statutes is amended to read:

108.02 **(21e)** PROFESSIONAL EMPLOYER ORGANIZATION. (intro.) "Professional employer organization" means any person who is currently registered as a

professional employer organization with the department of ~~regulation and licensing~~ safety and professional services in accordance with ch. 461, who contracts to provide the nontemporary, ongoing employee workforce of more than one client under a written leasing contract, the majority of whose clients are not under the same ownership, management, or control as the person other than through the terms of the contract, and who under contract and in fact:

SECTION 872. 109.07 (1m) (b) of the statutes is amended to read:

109.07 **(1m)** (b) The department shall promptly provide a copy of the notice required under par. (a) ~~to the department of commerce and~~ to the office of the commissioner of insurance and shall cooperate ~~with the department of commerce in the performance of its responsibilities under s. 560.15 and~~ with the office of the commissioner of insurance in the performance of its responsibilities under s. 601.41 (7).

SECTION 873. 114.31 (6) of the statutes is amended to read:

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

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

SECTION 874. 114.33 (10) of the statutes is amended to read:

114.33 **(10)** Subject to the approval of the governor under this subsection, the secretary may sell at public or private sale property of whatever nature owned by the state and under the jurisdiction of the secretary when the secretary determines that the property is no longer necessary for the state's use for airport purposes ~~and, if real property, the real property is not the subject of a petition under s. 560.9810~~. The secretary shall present to the governor a full and complete report of the property to be sold, the reason for the sale, and the minimum price for which the property should be sold, together with an application for the governor's approval of the sale. The governor shall investigate the proposed sale as he or she deems necessary and approve or disapprove the application. Upon approval and receipt of the full purchase price, the secretary shall by appropriate deed or other instrument transfer the property to the purchaser. The funds derived from the sale shall be deposited in the appropriate airport fund, and the expense incurred by the secretary in connection with the sale shall be paid from that fund. This subsection does not apply to real property that is sold under s. 16.848.

SECTION 875. 115.33 (2) (a) (intro.) of the statutes is amended to read:

115.33 **(2)** (a) (intro.) The state superintendent may request the department of ~~commerce~~ safety and professional services to inspect a public school if any of the following occurs:

SECTION 876. 115.33 (2) (b) of the statutes is amended to read:

1 115.33 **(2)** (b) The department of ~~commerce~~ safety and professional services
2 shall inspect the school within 30 days after receiving a request from the state
3 superintendent under par. (a).

4 **SECTION 877.** 115.33 (3) (a) of the statutes is amended to read:

5 115.33 **(3)** (a) If the state superintendent determines that a school is not in
6 compliance, and the department of ~~commerce~~ safety and professional services, based
7 on its inspection of the school, concurs in the determination, the state
8 superintendent may order the school board to repair, improve, remodel or close the
9 school by a stated date. An order issued under this paragraph constitutes a
10 preliminary finding of noncompliance with the standard under s. 121.02 (1) (i).

11 **SECTION 878.** 115.33 (3) (b) 1. of the statutes is amended to read:

12 115.33 **(3)** (b) 1. If the state superintendent determines that a school is not in
13 compliance and is not worth repairing, and the department of ~~commerce~~ safety and
14 professional services, based on its inspection of the school, concurs in the
15 determination, the state superintendent may order the school board to develop a
16 plan that describes how the school board will achieve compliance with the standard
17 under s. 121.02 (1) (i). The plan shall specify the time within which compliance with
18 the standard under s. 121.02 (1) (i) shall be achieved. The state superintendent shall
19 hold a public hearing on the plan in the school district and may, as a result of the
20 hearing, recommend changes to the plan. The state superintendent may withhold
21 up to 25% of the school district's state aid if the school district fails to achieve
22 compliance with the standard under s. 121.02 (1) (i) within the period specified in the
23 plan.

24 **SECTION 879.** 118.07 (2) (b) of the statutes is amended to read:

118.07 **(2)** (b) In each community having a recognized fire department, the person having direct charge of any public or private school shall annually file a report pertaining to such drills, on a form furnished by the department of ~~commerce~~ safety and professional services, with the chief of the fire department. When no fire drill is held during any month, or when only one or no tornado or other hazard drill is held in a year, the person having direct charge of the school shall state the reasons in the report.

SECTION 880. 118.075 (2) (a) 2. of the statutes is amended to read:

118.075 **(2)** (a) 2. The secretary of ~~commerce~~ safety and professional services or his or her designee.

SECTION 881. 118.135 (2) of the statutes is amended to read:

118.135 **(2)** A pupil who complies with a request under sub. (1) shall provide evidence of an eye examination or evaluation by December 31 following the pupil's enrollment in kindergarten. The school board or charter school shall provide pupils with the form distributed by the department of ~~regulation and licensing~~ safety and professional services under s. 440.03 (16) for that purpose.

SECTION 882. 119.495 (2) of the statutes is amended to read:

119.495 **(2)** The board shall include in its budget transmitted to the common council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing to be authorized in the budget for the ensuing year. The common council shall issue the notes and levy a direct annual irrepealable tax sufficient to pay the principal and interest on the notes as they become due. The common council may issue the notes by private sale. The common council shall make every effort to involve a minority investment firm certified under s. ~~560.036~~ 490.04 as managing underwriter of the

notes or to engage a minority financial adviser certified under s. ~~560.036~~ 490.04 to advise the city regarding any public sale of the notes.

SECTION 883. 119.496 (2) of the statutes is amended to read:

119.496 **(2)** The board shall include in its budget transmitted to the common council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing to be authorized in the budget for the ensuing year. The common council shall issue the notes and levy a direct annual irrepealable tax sufficient to pay the principal and interest on the notes as they become due. The common council may issue the notes by private sale. The common council shall establish goals of involving minority investment firms certified under s. ~~560.036~~ 490.04 as managing underwriters for at least 50% of the total amount financed by the notes and of engaging a minority financial adviser certified under s. ~~560.036~~ 490.04 to advise the city regarding any public sale of the notes.

SECTION 884. 145.01 (4) of the statutes is amended to read:

145.01 **(4)** DEPARTMENT. "Department" means the department of ~~commerce~~ safety and professional services.

SECTION 885. 145.02 (4) (a) of the statutes is amended to read:

145.02 **(4)** (a) The department shall prescribe rules as to the qualifications, examination and licensing of master and journeyman plumbers and restricted plumber licensees, for the licensing of utility contractors, for the registration of plumbing apprentices and pipe layers and for the registration and training of registered learners. The plumbers council, created under s. ~~15.157 (6)~~ 15.407 (16), shall advise the department in formulating the rules.

SECTION 886. 145.17 (2) of the statutes is amended to read:

145.17 **(2)** The department shall prescribe rules as to the qualifications, examination and licensing of journeymen automatic fire sprinkler system fitters and automatic fire sprinkler contractors and for the registration and training of automatic fire sprinkler system apprentices. The automatic fire sprinkler system contractors and journeymen council, created under s. ~~15.157 (9)~~ 15.407 (17), shall advise the department in formulating the rules.

SECTION 887. 145.20 (5) (c) of the statutes is amended to read:

145.20 **(5)** (c) The department of natural resources may suspend or revoke a license issued under s. 281.48 or a certificate issued under s. 281.17 (3) to the operator of a septage servicing vehicle if the department of natural resources finds that the licensee or operator falsified information on inspection forms. The department of ~~commerce~~ safety and professional services may suspend or revoke the license of a plumber licensed under this chapter if the department finds that the plumber falsified information on inspection forms.

SECTION 888. 145.245 (12m) (e) of the statutes is amended to read:

145.245 **(12m)** (e) The department of ~~commerce~~ safety and professional services and the department of administration may enter into a financial assistance agreement with a governmental unit that applies for a loan under this subsection and meets the eligibility requirements for a loan, including the requirements under par. (d).

SECTION 889. 145.245 (12m) (f) of the statutes is amended to read:

145.245 **(12m)** (f) The department of administration, in consultation with the department of ~~commerce~~ safety and professional services, may establish those terms and conditions of a financial assistance agreement that relate to its financial management, including what type of municipal obligation is required for the

repayment of the financial assistance. In setting the terms and conditions, the department of administration may consider factors that the department of administration finds are relevant, including the type of obligation evidencing the loan, the pledge of security for the obligation and the applicant's creditworthiness.

SECTION 890. 145.245 (12m) (g) of the statutes is amended to read:

145.245 **(12m)** (g) The department of administration shall make and disburse a loan to an applicant that has entered into a financial assistance agreement under par. (e). The department of administration, in consultation with the department of ~~commerce~~ safety and professional services, shall establish procedures for disbursing loans.

SECTION 891. 145.245 (12m) (h) of the statutes is amended to read:

145.245 **(12m)** (h) If a governmental unit fails to make a principal repayment after its due date, the department of administration shall place on file a certified statement of all amounts due under this subsection. After consulting the department of ~~commerce~~ safety and professional services, the department of administration may collect all amounts due by deducting those amounts from any state payments due the governmental unit or may add a special charge to the amount of taxes apportioned to and levied upon the county under s. 70.60. If the department of administration collects amounts due, it shall remit those amounts to the fund to which they are due and notify the department of ~~commerce~~ safety and professional services of that action.

SECTION 892. 146.085 (3) of the statutes is amended to read:

146.085 **(3)** ENFORCEMENT. The department, the department of ~~commerce~~ safety and professional services, and the public service commission shall enforce this section within their respective jurisdictions.

1 **SECTION 893.** 146.40 (4r) (em) of the statutes is amended to read:

2 146.40 **(4r)** (em) If the department receives a report under par. (a) or (am) and
3 determines that an individual who is the subject of the report holds a credential that
4 is related to the individual's employment at, or contract with, the entity, the
5 department shall refer the report to the department of ~~regulation and licensing~~
6 safety and professional services.

7 **SECTION 894.** 150.84 (3) of the statutes is amended to read:

8 150.84 **(3)** "Health care provider" means any person licensed, registered,
9 permitted or certified by the department or by the department of ~~regulation and~~
10 ~~licensing~~ safety and professional services to provide health care services in this state.

11 **SECTION 895.** 153.60 (1) of the statutes is amended to read:

12 153.60 **(1)** The department shall, by the first October 1 after the
13 commencement of each fiscal year, estimate the total amount of expenditures under
14 this subchapter for the department for that fiscal year for data collection, database
15 development and maintenance, generation of data files and standard reports,
16 orientation and training provided under s. 153.05 (9) (a) and contracting with the
17 data organization under s. 153.05 (2r). The department shall assess the estimated
18 total amount for that fiscal year, less the estimated total amount to be received for
19 purposes of administration of this subchapter under s. 20.435 (1) (hi) during the
20 fiscal year and the unencumbered balance of the amount received for purposes of
21 administration of this subchapter under s. 20.435 (1) (hi) from the prior fiscal year,
22 to health care providers, other than hospitals and ambulatory surgery centers, who
23 are in a class of health care providers from whom the department collects data under
24 this subchapter in a manner specified by the department by rule. The department
25 shall work together with the department of ~~regulation and licensing~~ safety and

professional services to develop a mechanism for collecting assessments from health care providers other than hospitals and ambulatory surgery centers. No health care provider that is not a facility may be assessed under this subsection an amount that exceeds $75 per fiscal year. All payments of assessments shall be credited to the appropriation under s. 20.435 (1) (hg).

SECTION 896. 157.061 (5) of the statutes is amended to read:

157.061 **(5)** "Department" means the department of ~~regulation and licensing~~ safety and professional services.

SECTION 897. 157.11 (9m) of the statutes is amended to read:

157.11 **(9m)** ACTION BY DISTRICT ATTORNEY. If any money or property is not turned over when required by this section, or default occurs under a bond, the district attorney, upon the request of the department of ~~regulation and licensing~~ safety and professional services, shall bring action to recover.

SECTION 898. 157.12 (1) of the statutes is amended to read:

157.12 **(1)** DEFINITION. Notwithstanding s. 157.061 (5), in this section, "department" means the department of ~~commerce~~ safety and professional services.

SECTION 899. 157.12 (3) (b) of the statutes is amended to read:

157.12 **(3)** (b) The cemetery's treasurer is the custodian of the fund. The treasurer shall file with the cemetery, at the cemetery's expense, a bond with sureties approved by the department of ~~regulation and licensing~~ safety and professional services to indemnify the cemetery against loss if the treasurer fails to maintain the fund. No indemnity is required if the terms of sale of a mausoleum space require the purchaser to pay directly to a trust company in the state, designated by the cemetery as custodian of the fund. The fund shall be invested as provided in s. 157.19. Income from investment may be used only to maintain the mausoleum, except that if the

amount of income exceeds the amount necessary to properly maintain the mausoleum the excess amount may be used to maintain any portion of the cemetery.

SECTION 900. 157.65 (1) (a) of the statutes is amended to read:

157.65 **(1)** (a) If the department of ~~regulation and licensing~~ safety and professional services has reason to believe that any person is violating or has violated this subchapter or any rule promulgated under this subchapter and that the continuation of that activity might cause injury to the public interest, the department of ~~regulation and licensing~~ safety and professional services may investigate.

SECTION 901. 157.65 (1) (b) of the statutes is amended to read:

157.65 **(1)** (b) If the department of ~~commerce~~ safety and professional services has reason to believe that any person is violating s. 157.12 or any rule promulgated under s. 157.12 and that the continuation of that activity might cause injury to the public interest, the department of ~~commerce~~ safety and professional services may investigate.

SECTION 902. 157.65 (2) of the statutes is amended to read:

157.65 **(2)** The department of justice or any district attorney, upon informing the department of justice, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this subchapter. The court may, prior to entry of final judgment, make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, if proof of such loss is submitted to the satisfaction of the court. The department of justice may subpoena persons and require the production of books and other documents, and may request the board described in s. 15.405 (3m) or the department of ~~commerce~~ safety and professional

services to exercise its authority under sub. (1) to aid in the investigation of alleged violations of this subchapter.

SECTION 903. 160.01 (7) of the statutes is amended to read:

160.01 **(7)** "Regulatory agency" means the department of agriculture, trade and consumer protection, the department of ~~commerce~~ safety and professional services, the department of transportation, the department of natural resources and other state agencies which regulate activities, facilities or practices which are related to substances which have been detected in or have a reasonable probability of entering the groundwater resources of the state.

SECTION 904. 165.25 (4) (ag) of the statutes is amended to read:

165.25 **(4)** (ag) The department of justice shall furnish legal services upon request of the department of ~~commerce~~ safety and professional services under s. 167.35 (7).

SECTION 905. 165.25 (4) (am) of the statutes is amended to read:

165.25 **(4)** (am) The department of justice shall furnish legal services to the department of ~~regulation and licensing~~ safety and professional services in all proceedings under s. 440.21 (3), together with any other services, including stenographic and investigational, as are necessarily connected with the legal services.

SECTION 906. 165.825 of the statutes is amended to read:

165.825 Information link; department of health services. The department of justice shall cooperate with the departments of ~~regulation and licensing~~ safety and professional services and health services in developing and maintaining a computer linkup to provide access to the information obtained from a criminal history search.

1 **SECTION 907.** 167.10 (3) (b) 2. of the statutes is amended to read:

2 167.10 **(3)** (b) 2. The possession or use of explosives in accordance with rules
3 or general orders of the department of ~~commerce~~ safety and professional services.

4 **SECTION 908.** 167.10 (6m) (a) of the statutes is amended to read:

5 167.10 **(6m)** (a) No person may manufacture in this state fireworks or a device
6 listed under sub. (1) (e), (f) or (i) to (n) without a fireworks manufacturing license
7 issued by the department of ~~commerce~~ safety and professional services under par.
8 (d).

9 **SECTION 909.** 167.10 (6m) (b) of the statutes is amended to read:

10 167.10 **(6m)** (b) No person may manufacture in this state fireworks or a device
11 listed under sub. (1) (e), (f) or (i) to (n) unless the person complies with the rules of
12 the department of ~~commerce~~ safety and professional services promulgated under
13 par. (e).

14 **SECTION 910.** 167.10 (6m) (c) of the statutes is amended to read:

15 167.10 **(6m)** (c) Any person who manufactures in this state fireworks or a
16 device listed under sub. (1) (e), (f) or (i) to (n) shall provide the department of
17 ~~commerce~~ safety and professional services with a copy of each federal license issued
18 under 18 USC 843 to that person.

19 **SECTION 911.** 167.10 (6m) (d) of the statutes is amended to read:

20 167.10 **(6m)** (d) The department of ~~commerce~~ safety and professional services
21 shall issue a license to manufacture fireworks or devices listed under sub. (1) (e), (f)
22 or (i) to (n) to a person who complies with the rules of the department promulgated
23 under par. (e). The department may not issue a license to a person who does not
24 comply with the rules promulgated under par. (e). The department may revoke a
25 license under this subsection for the refusal to permit an inspection at reasonable

1 times by the department or for a continuing violation of the rules promulgated under
2 par. (e).

3 **SECTION 912.** 167.10 (6m) (e) of the statutes is amended to read:

4 167.10 **(6m)** (e) The department of ~~commerce~~ safety and professional services
5 shall promulgate rules to establish safety standards for the manufacture in this state
6 of fireworks and devices listed under sub. (1) (e), (f) or (i) to (n).

7 **SECTION 913.** 167.10 (6m) (f) of the statutes is amended to read:

8 167.10 **(6m)** (f) The department of ~~commerce~~ safety and professional services
9 may inspect at reasonable times the premises on which each person licensed under
10 this subsection manufactures fireworks or devices listed under sub. (1) (e), (f) or (i)
11 to (n).

12 **SECTION 914.** 167.21 (1) (b) of the statutes is amended to read:

13 167.21 **(1)** (b) "Department" means the department of ~~commerce~~ safety and
14 professional services.

15 **SECTION 915.** 167.27 (5) of the statutes is amended to read:

16 167.27 **(5)** Whenever any mine shaft, exploration shaft or test well is
17 abandoned or its use discontinued, the operator or contractor shall promptly fill
18 same to grade or enclose the same with a fence of strong woven wire not less than 46
19 inches wide with one barbwire above or cap same with a reinforced concrete slab at
20 least 6 inches thick or with a native boulder at least 3 times the diameter of the top
21 of the shaft or test well bore. The strands of the woven wire shall not be smaller than
22 No. 12 wire and the cross wires and meshes shall not be smaller than No. 16 wire;
23 the strands shall not be more than 12 inches apart, and the meshes shall not exceed
24 8 inches square. All wires must be tightly stretched and securely fastened to
25 sufficient posts firmly set not more than 8 feet apart. In case any person shall neglect

to repair or rebuild such fence which the person is so required to build and maintain, any person may complain to the department of ~~commerce~~ safety and professional services or to the local governing body, which shall give notice in writing to the person who is required to build and maintain such fence. The department of ~~commerce~~ safety and professional services or the local governing body shall then proceed to examine the fence, and if it shall determine that such fence is insufficient, it shall notify the person responsible for its erection and maintenance and direct the person to repair or rebuild the fence within such time as it shall deem reasonable. Any person refusing to comply with such order shall be subject to the penalties provided.

SECTION 916. 167.27 (8) of the statutes is amended to read:

167.27 **(8)** Any violation of this section coming to the attention of the department of ~~commerce~~ safety and professional services or municipal authorities shall be reported to the attorney general or district attorney for prosecution.

SECTION 917. 167.31 (4) (a) 4. b. of the statutes is amended to read:

167.31 **(4)** (a) 4. b. He or she holds a certificate of proficiency to carry a firearm issued by the department of ~~regulation and licensing~~ safety and professional services.

SECTION 918. 167.31 (4) (a) 4. e. of the statutes is amended to read:

167.31 **(4)** (a) 4. e. His or her firearm is in plain view, as defined by rule by the department of ~~regulation and licensing~~ safety and professional services.

SECTION 919. 167.35 (1) (b) of the statutes is amended to read:

167.35 **(1)** (b) "Department" means the department of ~~commerce~~ safety and professional services unless the context requires otherwise.

SECTION 920. 167.35 (7) (b) of the statutes is amended to read:

167.35 **(7)** (b) The department of revenue, in the course of conducting any inspection or examination authorized under s. 139.39, may inspect cigarettes to determine if the cigarettes are marked as provided under sub. (4), and the department of revenue shall notify the department of ~~commerce~~ safety and professional services of any unmarked cigarettes.

SECTION 921. 167.35 (7) (c) of the statutes is amended to read:

167.35 **(7)** (c) Authorized personnel from the department of justice, from the department of ~~commerce~~ safety and professional services, and from the department of revenue, and any sheriff, police officer, or other law enforcement personnel, within their respective jurisdictions, may enter and inspect any premises where cigarettes are made, sold, offered for sale, or stored to determine if the cigarettes comply with this section. An inspection under this paragraph includes examining the books, papers, invoices, and other records of any person who is subject to this section and who is in control, possession, or occupancy of the premises.

SECTION 922. 168.01 (1) of the statutes is amended to read:

168.01 **(1)** "Department" means the department of ~~commerce~~ safety and professional services.

SECTION 923. 170.12 (3) (dm) of the statutes is repealed.

SECTION 924. 182.0175 (1m) (e) 2. of the statutes is amended to read:

182.0175 **(1m)** (e) 2. The department of ~~commerce~~ safety and professional services may promulgate a rule that requires retail suppliers, as defined in s. 101.16 (1) (d), of propane to inform their customers each year of the obligation of owners of transmission facilities under this section.

SECTION 925. 196.374 (2) (a) 2. e. of the statutes is amended to read:

196.374 **(2)** (a) 2. e. Components to implement energy efficiency or renewable energy measures in facilities of manufacturing businesses in this state that are consistent with ~~the objectives under s. 560.128 (1) (a)~~ the implementation of energy efficiency or renewable energy measures in manufacturing facilities to enhance their competitiveness, the retooling of existing facilities to manufacture products that support the green economy, the expansion or establishment of domestic clean energy manufacturing operations, and creating or retaining jobs for workers engaged in such activities.

SECTION 926. 196.374 (2) (a) 4. of the statutes is repealed.

SECTION 927. 196.374 (3) (a) of the statutes is amended to read:

196.374 **(3)** (a) *In general.* The commission shall have oversight of programs under sub. (2). The commission shall maximize coordination of program delivery, including coordination between programs under subs. (2) (a) 1., (b) 1. and 2., and (c) and (7), ordered programs, low-income weatherization programs under s. 16.957, renewable resource programs under s. 196.378, and other energy efficiency or renewable resource programs. The commission shall cooperate with the department of natural resources to ensure coordination of energy efficiency and renewable resource programs with air quality programs and to maximize and document the air quality improvement benefits that can be realized from energy efficiency and renewable resource programs. ~~The commission shall cooperate with the department of commerce to ensure coordination of energy efficiency and renewable resource programs under sub. (2) (a) 2. e. with the loan program under s. 560.128 (1) (a).~~

SECTION 928. 196.49 (4) of the statutes is amended to read:

196.49 **(4)** The commission may not issue a certificate under sub. (1), (2), or (3) for the construction of electric generating equipment and associated facilities unless

the commission determines that brownfields, as defined in s. 238.13 (1) (a) or s. 560.13 (1) (a), 2009 stats., are used to the extent practicable.

SECTION 929. 196.491 (2) (b) 2. of the statutes is amended to read:

196.491 **(2)** (b) 2. Department of ~~commerce~~ safety and professional services.

SECTION 930. 196.491 (2) (e) of the statutes is amended to read:

196.491 **(2)** (e) Any ~~state agency, as defined in s. 560.9810 (1),~~ office, commission, department, or independent agency in the executive branch of state government or any county, municipality, town, or person may submit written comments to the commission on a strategic energy assessment within 90 days after copies of the draft are issued under par. (b).

SECTION 931. 196.491 (3) (a) 2m. b. of the statutes is amended to read:

196.491 **(3)** (a) 2m. b. The applicant proposes alternative construction sites for the facility that are contiguous or proximate, provided that at least one of the proposed sites is a brownfield, as defined in s. ~~560.13~~ 238.13 (1) (a), or the site of a former or existing large electric generating facility.

SECTION 932. 196.491 (3) (d) 8. of the statutes is amended to read:

196.491 **(3)** (d) 8. For a large electric generating facility, brownfields, as defined in s. ~~560.13~~ 238.13 (1) (a), are used to the extent practicable.

SECTION 933. 200.49 (1) (b) of the statutes is amended to read:

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

SECTION 934. 200.57 (1) (a) of the statutes is amended to read:

200.57 **(1)** (a) "Disabled veteran-owned financial adviser" and "disabled veteran-owned investment firm" mean a financial adviser and investment firm,

respectively, certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 935. 200.57 (1) (b) of the statutes is amended to read:

200.57 **(1)** (b) "Minority financial adviser" and "minority investment firm" mean a financial adviser and investment firm, respectively, certified by the department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

SECTION 936. 214.48 (4) (a) of the statutes is amended to read:

214.48 **(4)** (a) An independent qualified appraiser, designated by the board of directors, who is properly licensed and certified by the department of ~~regulation and licensing~~ safety and professional services or by another entity authorized to govern appraisal licensure and certification and who meets the requirements of title XI of the financial institutions reform, recovery and enforcement act of 1989, 12 USC 3331 to 3351 and regulations adopted pursuant to those sections.

SECTION 937. 218.11 (2) (am) 3. of the statutes is amended to read:

218.11 **(2)** (am) 3. The department ~~of commerce~~ may not disclose any information received under subd. 1. to any person except to the department of children and families for purposes of administering s. 49.22 or to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 938. 218.12 (2) (am) 2. of the statutes is amended to read:

218.12 **(2)** (am) 2. The department ~~of commerce~~ may not disclose a social security number obtained under par. (a) to any person except to the department of children and families for the sole purpose of administering s. 49.22 or to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

SECTION 939. 227.114 (5) of the statutes is repealed.

1 **SECTION 940.** 227.115 of the statutes is repealed.

2 **SECTION 941.** 227.116 (1) of the statutes is renumbered 227.116 (1r) and
3 amended to read:

4 227.116 **(1r)** Each proposed rule submitted to the legislative council under s.
5 227.15 that includes a requirement for a business to obtain a permit~~, as defined in~~
6 ~~s. 560.41 (2),~~ shall specify the number of business days, calculated beginning on the
7 day a permit application is received, within which the agency will review and make
8 a determination on a permit application.

9 **SECTION 942.** 227.116 (1g) of the statutes is created to read:

10 227.116 **(1g)** In this section, "permit" means any approval of an agency
11 required as a condition of operating a business in this state.

12 **SECTION 943.** 227.116 (2) of the statutes is amended to read:

13 227.116 **(2)** If any existing rule does not comply with sub. ~~(1)~~ (1r), the agency
14 that promulgated the rule shall submit to the legislative council a proposed revision
15 of the rule that will bring the rule into compliance with sub. ~~(1)~~ (1r). The legislative
16 council staff's review of the proposed revision is limited to determining whether or
17 not the agency has complied with this subsection.

18 **SECTION 944.** 227.116 (3) of the statutes is amended to read:

19 227.116 **(3)** Subsections ~~(1)~~ (1r) and (2) do not apply to a rule if the rule, or a
20 law under which the rule was promulgated, effective prior to November 17, 1983,
21 contains a specification of a time period for review and determination on a permit
22 application.

23 **SECTION 945.** 227.116 (4) (intro.) of the statutes is amended to read:

24 227.116 **(4)** (intro.) If an agency fails to review and make a determination on
25 a permit application within the time period specified in a rule or law, for each such

failure the agency shall prepare a report and submit it to the department of ~~commerce~~ safety and professional services within 5 business days of the last day of the time period specified, setting forth all of the following:

SECTION 946. 227.116 (5) of the statutes is amended to read:

227.116 **(5)** If an agency fails to review and make a determination on a permit application within the time period specified in a rule or law, upon completion of the review and determination for that application, the agency shall notify the department of ~~commerce~~ safety and professional services.

SECTION 947. 227.137 (1) of the statutes is amended to read:

227.137 **(1)** In this section, "agency" means the departments of agriculture, trade, and consumer protection; ~~commerce~~ safety and professional services; natural resources; transportation; and workforce development.

SECTION 948. 227.137 (3) (intro.) of the statutes is amended to read:

227.137 **(3)** (intro.) An economic impact report shall contain information on the effect of the proposed rule on specific businesses, business sectors, and the state's economy. When preparing the report, the agency shall solicit information and advice from the ~~department of commerce~~ Wisconsin Economic Development Corporation, and from governmental units, associations, businesses, and individuals that may be affected by the proposed rule. The agency may request information that is reasonably necessary for the preparation of an economic impact report from other state agencies, governmental units, associations, businesses, and individuals. The economic impact report shall include all of the following:

SECTION 949. 227.19 (3) (g) of the statutes is repealed.

SECTION 950. 227.59 of the statutes is amended to read:

227.59 Certification of certain cases from the circuit court of Dane County to other circuits. Any action or proceeding for the review of any order of an administrative officer, commission, department or other administrative tribunal of the state required by law to be instituted in or taken to the circuit court of Dane County except an action or appeal for the review of any order of the department of workforce development or the department of ~~commerce~~ safety and professional services or findings and orders of the labor and industry review commission which is instituted or taken and is not called for trial or hearing within 6 months after the proceeding or action is instituted, and the trial or hearing of which is not continued by stipulation of the parties or by order of the court for cause shown, shall on the application of either party on 5 days' written notice to the other be certified and transmitted for trial to the circuit court of the county of the residence or principal place of business of the plaintiff or petitioner, where the action or proceeding shall be given preference. Unless written objection is filed within the 5-day period, the order certifying and transmitting the proceeding shall be entered without hearing. The plaintiff or petitioner shall pay to the clerk of the circuit court of Dane County a fee of $2 for transmitting the record.

SECTION 951. 229.46 (1) (ag) of the statutes is amended to read:

229.46 **(1)** (ag) "Disabled veteran-owned business" means a business certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 952. 229.46 (1) (b) of the statutes is amended to read:

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

SECTION 953. 229.70 (1) (ag) of the statutes is amended to read:

229.70 **(1)** (ag) "Disabled veteran-owned business" means a business certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 954. 229.70 (1) (am) of the statutes is amended to read:

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

SECTION 955. 229.70 (1) (b) of the statutes is amended to read:

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

SECTION 956. 229.8273 (1) (am) of the statutes is amended to read:

229.8273 **(1)** (am) "Disabled veteran-owned business" means a business certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 957. 229.8273 (1) (b) of the statutes is amended to read:

229.8273 **(1)** (b) "Minority business" has the meaning given in s. ~~560.036~~ 490.04 (1) (e).

SECTION 958. 229.8273 (1) (c) of the statutes is amended to read:

229.8273 **(1)** (c) "Minority group member" has the meaning given in s. ~~560.036~~ 490.04 (1) (f).

SECTION 959. 229.845 (1) (ag) of the statutes is amended to read:

229.845 **(1)** (ag) "Disabled veteran-owned business" means a business certified by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

SECTION 960. 229.845 (1) (am) of the statutes is amended to read:

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

SECTION 961. 230.08 (2) (e) 10. of the statutes is repealed.

SECTION 962. 230.08 (2) (e) 11m. of the statutes is created to read:

230.08 **(2)** (e) 11m. Safety and professional services — 7.

SECTION 963. 230.08 (2) (v) of the statutes is amended to read:

230.08 **(2)** (v) Not more than ~~5~~ 10 bureau directors in the department of ~~regulation and licensing~~ safety and professional services.

SECTION 964. 230.08 (2) (yc) of the statutes is repealed.

SECTION 965. 230.339 of the statutes is created to read:

230.339 Rights of certain employees of the department of safety and professional services. (1) Notwithstanding s. 230.08 (2) (e) 11m. and (v), all of the employees holding the following positions in the classified service at the department of commerce on the day before the effective date of this subsection .... [LRB inserts date], who have achieved permanent status in class on or before that date shall, upon employment by the department of safety and professional services, retain, while serving in the unclassified service at the department of safety and professional services, those protections afforded employees in the classified service under ss. 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff, or reduction in base pay:

(a) Administrator of the division of administrative services.

(b) Director of the bureau of petroleum environmental cleanup fund administration in the division of environmental and regulatory services.

(c) Director of the bureau of petroleum products and tanks in the division of environmental and regulatory services.