



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 03/04/2011 (Per: CMH)

- A ➡ The 2011 drafting file for LRB-0805
- B ➡ The 2011 drafting file for LRB-0808
- C ➡ The 2011 drafting file for LRB-1059
- D ➡ The 2011 drafting file for LRB-1369

➡ Compile Draft – Appendix B ... segment XVIII

has been tranfered to the drafting file for

2011 LRB-1465*

* One of the compile drafts used in the creation of AB 40 & SB 27 (2011 Budget Bill)

Att.
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1 **SECTION 172.** 32.26 (3) of the statutes is amended to read:

2 **32.26 (3)** The department of ~~commerce~~ safety and professional services may
3 make investigations to determine if the condemnor is complying with ss. 32.19 to
4 32.27. The department may seek an order from the circuit court requiring a
5 condemnor to comply with ss. 32.19 to 32.27 or to discontinue work on that part of
6 the project which is not in substantial compliance with ss. 32.19 to 32.27. The court
7 shall give hearings on these actions precedence on the court's calendar.

8 **SECTION 173.** 32.26 (4) of the statutes is amended to read:

9 **32.26 (4)** Upon the request of the department of ~~commerce~~ safety and
10 professional services, the attorney general shall aid and prosecute all necessary
11 actions or proceedings for the enforcement of this subchapter and for the punishment
12 of all violations of this subchapter.

13 **SECTION 174.** 32.26 (5) of the statutes is amended to read:

14 **32.26 (5)** Any displaced person may, prior to commencing court action against
15 the condemnor under s. 32.20, petition the department of ~~commerce~~ safety and
16 professional services for review of his or her complaint, setting forth in the petition
17 the reasons for his or her dissatisfaction. The department may conduct an informal
18 review of the situation and attempt to negotiate an acceptable solution. If an
19 acceptable solution cannot be negotiated within 90 days, the department shall notify
20 all parties, and the petitioner may then proceed under s. 32.20. The informal review
21 procedure provided by this subsection is not a condition precedent to the filing of a
22 claim and commencement of legal action pursuant to s. 32.20. In supplying
23 information required by s. 32.25 (2) (d), the condemnor shall clearly indicate to each
24 displaced person his or her right to proceed under this paragraph and under s. 32.20,

1 and shall supply full information on how the displaced person may contact the
2 department of ~~commerce~~ safety and professional services.

3 **SECTION 175.** 32.26 (6) of the statutes is amended to read:

4 32.26 (6) The department of ~~commerce~~ safety and professional services, with
5 the cooperation of the attorney general, shall prepare pamphlets in simple language
6 and in readable format describing the eminent domain laws of this state, including
7 the reasons for condemnation, the procedures followed by condemnors, how citizens
8 may influence the condemnation process and the rights of property owners and
9 citizens affected by condemnation. The department shall make copies of the
10 pamphlets available to all condemnors, who may be charged a price for the
11 pamphlets sufficient to recover the costs of production.

12 **SECTION 176.** 32.26 (7) of the statutes is amended to read:

13 32.26 (7) The department of ~~commerce~~ safety and professional services shall
14 provide technical assistance on relocation plan development and implementation to
15 any condemnor carrying out a project which may result in the displacement of any
16 person.

17 **SECTION 177.** 36.25 (30) of the statutes is amended to read:

18 36.25 (30) POLLUTION PREVENTION. The board shall maintain in the extension
19 a solid and hazardous waste education center to promote pollution prevention, as
20 defined in s. 299.13 (1) (dm). In cooperation with the department of natural resources
21 ~~and the department of commerce~~, the center shall conduct an education and
22 technical assistance program to promote pollution prevention in this state.

23 **SECTION 178.** 36.34 (1) (a) 3. of the statutes is amended to read:

24 36.34 (1) (a) 3. Is a Hispanic, as defined in s. ~~560.036~~ 490.04 (1) (d).

25 **SECTION 179.** 38.04 (8) (a) of the statutes is amended to read:

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

3 **SECTION 180.** 38.26 (1) of the statutes is amended to read:

4 38.26 (1) In this section, “minority student” means a student enrolled in a
5 district school who is a minority group member, as defined in s. ~~560.036~~ 490.04 (1)
6 (f).

7 **SECTION 181.** 39.40 (1) (c) of the statutes is amended to read:

8 39.40 (1) (c) A Hispanic, as defined in s. ~~560.036~~ 490.04 (1) (d).

9 **SECTION 182.** 39.44 (1) (a) 3. of the statutes is amended to read:

10 39.44 (1) (a) 3. Is a Hispanic, as defined in s. ~~560.036~~ 490.04 (1) (d).

11 **SECTION 183.** 42.09 (3) (b) of the statutes is amended to read:

12 42.09 (3) (b) The board shall develop policies encouraging each private person
13 entering into an agreement with the board under this subsection to agree that his
14 or her goal shall be to ensure that at least 25% of the employees hired to perform
15 construction work in connection with state fair park facilities or to perform
16 professional services in connection with the construction or development of those
17 facilities will be minority group members, as defined in s. ~~560.036~~ 490.04 (1) (f), and
18 that at least 5% of the employees hired to perform construction work in connection
19 with state fair park facilities or to perform professional services in connection with
20 the construction or development of those facilities will be women.

21 **SECTION 184.** 44.53 (1) (h) of the statutes is amended to read:

22 44.53 (1) (h) Annually, award an amount equal to at least 5% of all state and
23 federal funds received by the board in that year for grants to artists and arts
24 organizations to artists who are minority group members and arts groups composed

1 principally of minority group members. In this paragraph, “minority group member”
2 has the meaning specified in s. ~~560.036~~ 490.04 (1) (f).

3 **SECTION 185.** 45.03 (11) (title) of the statutes is repealed.

4 **SECTION 186.** 45.03 (11) (a) of the statutes is renumbered 440.03 (18) (am).

5 **SECTION 187.** 45.03 (11) (b) of the statutes is renumbered 440.03 (18) (b).

6 **SECTION 188.** 45.20 (1) (d) of the statutes is amended to read:

7 45.20 (1) (d) “Tuition,” when referring to the University of Wisconsin System,
8 means academic fees and segregated fees; when referring to the technical colleges,
9 means “program fees” and “additional fees” as described in s. 38.24 (1m) and (1s); and
10 when referring to a high school, a school that is approved under s. ~~45.03 (11)~~ 440.03
11 (18), or a proprietary school that is approved under s. 38.50, means the charge for the
12 courses for which a person is enrolled.

13 **SECTION 189.** 45.20 (2) (a) 1. of the statutes is amended to read:

14 45.20 (2) (a) 1. The department shall administer a tuition reimbursement
15 program for eligible veterans enrolling as undergraduates in any institution of
16 higher education in this state, enrolling in a school that is approved under s. ~~45.03~~
17 ~~(11)~~ 440.03 (18), enrolling in a proprietary school that is approved under s. 38.50,
18 enrolling in a public or private high school, enrolling in a tribal school, as defined in
19 s. ~~115.011~~ 115.001 (15m), in any grade from 9 to 12, or receiving a waiver of
20 nonresident tuition under s. 39.47.

21 **SECTION 190.** 45.20 (2) (a) 2. (intro.) of the statutes is amended to read:

22 45.20 (2) (a) 2. (intro.) A veteran who is a resident of this state and otherwise
23 qualified to receive benefits under this subsection may receive the benefits under
24 this subsection upon the completion of any correspondence courses or part-time
25 classroom study from an institution of higher education located outside this state,

1 from a school that is approved under s. ~~45.03 (11)~~ 440.03 (18), or from a proprietary
2 school that is approved under s. 38.50, if any of the following applies:

3 **SECTION 191.** 45.20 (2) (c) 1. of the statutes is amended to read:

4 45.20 (2) (c) 1. A veteran who meets the eligibility requirements under par. (b)
5 1. may be reimbursed upon satisfactory completion of an undergraduate semester in
6 any institution of higher education in this state, or upon satisfactory completion of
7 a course at any school that is approved under s. ~~45.03 (11)~~ 440.03 (18), any
8 proprietary school that is approved under s. 38.50, any public or private high school,
9 any tribal school, as defined in s. 115.001 (15m), that operates any grade from 9 to
10 12, or any institution from which the veteran receives a waiver of nonresident tuition
11 under s. 39.47. Except as provided in par. (e), the amount of reimbursement may not
12 exceed the total cost of the veteran's tuition minus any grants or scholarships that
13 the veteran receives specifically for the payment of the tuition, or, if the tuition is for
14 an undergraduate semester in any institution of higher education, the standard cost
15 of tuition for a state resident for an equivalent undergraduate semester at the
16 University of Wisconsin-Madison, whichever is less.

17 **SECTION 192.** 45.20 (2) (d) 1. (intro.) of the statutes is amended to read:

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

25 **SECTION 193.** 46.29 (3) (e) of the statutes is amended to read:

1 46.29 (3) (e) The secretary of ~~commerce~~ safety and professional services.

2 **SECTION 194.** 46.90 (1) (gr) 3. of the statutes is amended to read:

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

5 **SECTION 195.** 46.90 (5m) (br) 5. of the statutes is amended to read:

6 46.90 (5m) (br) 5. Refer the case to the department of ~~regulation and licensing~~
7 safety and professional services if the financial exploitation, neglect, self-neglect, or
8 abuse involves an individual who is required to hold a credential, as defined in s.
9 440.01 (2) (a), under chs. 440 to 460.

10 **SECTION 196.** 48.67 (intro.) of the statutes is amended to read:

11 **48.67 Rules governing child welfare agencies, child care centers,**
12 **foster homes, group homes, shelter care facilities, and county departments.**

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

23 **SECTION 197.** 48.685 (2) (am) 3. of the statutes is amended to read:

1 48.685 (2) (am) 3. Information maintained by the department of ~~regulation and~~
2 licensing safety and professional services regarding the status of the person's
3 credentials, if applicable.

4 **SECTION 198.** 48.685 (2) (b) 1. c. of the statutes is amended to read:

5 48.685 (2) (b) 1. c. Information maintained by the department of ~~regulation and~~
6 licensing safety and professional services regarding the status of the person's
7 credentials, if applicable.

8 **SECTION 199.** 48.685 (4m) (a) 5. of the statutes is amended to read:

9 48.685 (4m) (a) 5. That, in the case of a position for which the person must be
10 credentialed by the department of ~~regulation and licensing safety and professional~~
11 services, the person's credential is not current or is limited so as to restrict the person
12 from providing adequate care to a client.

13 **SECTION 200.** 48.685 (4m) (b) 5. of the statutes is amended to read:

14 48.685 (4m) (b) 5. That, in the case of a position for which the person must be
15 credentialed by the department of ~~regulation and licensing safety and professional~~
16 services, the person's credential is not current or is limited so as to restrict the person
17 from providing adequate care to a client.

18 **SECTION 201.** 48.78 (2) (g) of the statutes is amended to read:

19 48.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing
20 information about an individual in its care or legal custody on the written request
21 of the department of ~~regulation and licensing safety and professional services~~ or of
22 any interested examining board or affiliated credentialing board in that department
23 for use in any investigation or proceeding relating to any alleged misconduct by any
24 person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457.
25 Unless authorized by an order of the court, the department of ~~regulation and~~

1 licensing safety and professional services and any examining board or affiliated
2 credentialing board in that department shall keep confidential any information
3 obtained under this paragraph and may not disclose the name of or any other
4 identifying information about the individual who is the subject of the information
5 disclosed, except to the extent that redisclosure of that information is necessary for
6 the conduct of the investigation or proceeding for which that information was
7 obtained.

8 **SECTION 202.** 49.165 (2) (c) (intro.) of the statutes is amended to read:

9 49.165 (2) (c) (intro.) No grant may be made to an organization which provides
10 or will provide shelter facilities unless the department of ~~commerce~~ safety and
11 professional services determines that the physical plant of the facility will not be
12 dangerous to the health or safety of the residents when the facility is in operation.
13 No grant may be given to an organization which provides or will provide shelter
14 facilities or private home shelter care unless the organization ensures that the
15 following services will be provided either by that organization or by another
16 organization, person or agency:

17 **SECTION 203.** 49.47 (4) (i) 1. of the statutes is amended to read:

18 49.47 (4) (i) 1. The department shall request a waiver from the secretary of the
19 federal department of health and human services to permit the application of subd.
20 2. The waiver shall request approval to implement the waiver on a statewide basis,
21 unless the department of health services determines that statewide implementation
22 of the waiver would present an obstacle to the approval of the waiver by the secretary
23 of the federal department of health and human services, in which case the waiver
24 shall request approval to implement the waiver in 48 pilot counties to be selected by
25 the department of health services. Within 30 days after August 12, 1993, the

1 department of ~~regulation and licensing~~ safety and professional services shall notify
2 funeral directors licensed under ch. 445, cemetery associations, as defined in s.
3 157.061 (1r), and cemetery authorities, as defined in s. 157.061 (2), of the terms of
4 the waiver required to be requested under this subdivision. If the waiver is approved
5 by the secretary of the federal department of health and human services and if the
6 waiver remains in effect, subd. 2. shall apply.

7 **SECTION 204.** 49.857 (1) (c) of the statutes is amended to read:

8 49.857 (1) (c) "Credentialing board" means a board, examining board or
9 affiliated credentialing board in the department of ~~regulation and licensing~~ safety
10 and professional services that grants a credential.

11 **SECTION 205.** 49.857 (2) (b) 1. of the statutes is amended to read:

12 49.857 (2) (b) 1. The circumstances under which the licensing authority or the
13 licensing agency must restrict, limit, suspend, withhold, deny, refuse to grant or
14 issue or refuse to renew or revalidate a license and guidelines for determining the
15 appropriate action to take. The memorandum of understanding with the
16 department of ~~regulation and licensing~~ safety and professional services shall include
17 the circumstances under which the department of ~~regulation and licensing~~ safety
18 and professional services shall direct a credentialing board to restrict, limit,
19 suspend, withhold, deny or refuse to grant a credential and guidelines for
20 determining the appropriate action to take. The guidelines under this subdivision
21 for determining the appropriate action to take shall require the consideration of
22 whether the action is likely to have an adverse effect on public health, safety or
23 welfare or on the environment, and of whether the action is likely to adversely affect
24 individuals other than the individual holding or applying for the license, such as
25 employees of that individual.

1 **SECTION 206.** 49.857 (2) (b) 2. a. of the statutes is amended to read:

2 49.857 (2) (b) 2. a. Certifying to the licensing authority or licensing agency a
3 delinquency in support or a failure to comply with a subpoena or warrant. The
4 memorandum of understanding with the department of ~~regulation and licensing~~
5 safety and professional services shall include procedures for the department of
6 ~~regulation and licensing~~ safety and professional services to notify a credentialing
7 board that a certification of delinquency in support or failure to comply with a
8 subpoena or warrant has been made by the department of children and families with
9 respect to an individual who holds or applied for a credential granted by the
10 credentialing board.

11 **SECTION 207.** 49.857 (2) (b) 2. c. of the statutes is amended to read:

12 49.857 (2) (b) 2. c. Notifying the licensing authority or licensing agency that an
13 individual has paid delinquent support or made satisfactory alternative payment
14 arrangements or satisfied the requirements under a subpoena or warrant. The
15 memorandum of understanding with the department of ~~regulation and licensing~~
16 safety and professional services shall include procedures for the department of
17 ~~regulation and licensing~~ safety and professional services to notify a credentialing
18 board that an individual who holds or applied for a credential granted by the
19 credentialing board has paid delinquent support or made satisfactory alternative
20 payment arrangements or satisfied the requirements under a subpoena or warrant.

21 **SECTION 208.** 49.857 (2) (b) 3. a. of the statutes is amended to read:

22 49.857 (2) (b) 3. a. Restricting, limiting, suspending, withholding, denying,
23 refusing to grant or issue or refusing to renew or revalidate a license. The
24 memorandum of understanding with the department of ~~regulation and licensing~~
25 safety and professional services shall include procedures for the department of

1 ~~regulation and licensing~~ safety and professional services to direct a credentialing
2 board to restrict, limit, suspend, withhold, deny or refuse to grant a credential.

3 **SECTION 209.** 49.857 (2) (b) 3. c. of the statutes is amended to read:

4 49.857 (2) (b) 3. c. Issuing or reinstating a license if the department of children
5 and families notifies the licensing authority or licensing agency that an individual
6 who was delinquent in making court-ordered payments of support has paid the
7 delinquent support or made satisfactory alternative payment arrangements or that
8 an individual who failed to comply with a subpoena or warrant has satisfied the
9 requirements under the subpoena or warrant. The memorandum of understanding
10 with the department of ~~regulation and licensing~~ safety and professional services
11 shall include procedures for the department of ~~regulation and licensing~~ safety and
12 professional services to direct a credentialing board to grant or reinstate a credential
13 if the department of children and families notifies the department of ~~regulation and~~
14 ~~licensing~~ safety and professional services that an individual who holds or applied for
15 a credential granted by the credentialing board has paid the delinquent support or
16 made satisfactory alternative payment arrangements or that an individual who
17 failed to comply with a subpoena or warrant has satisfied the requirements under
18 the subpoena or warrant.

19 **SECTION 210.** 49.857 (3) (a) 1. of the statutes is amended to read:

20 49.857 (3) (a) 1. That a certification of delinquency in paying support will be
21 made to a licensing authority, a licensing agency or, with respect to a credential
22 granted by a credentialing board, the department of ~~regulation and licensing~~ safety
23 and professional services.

24 **SECTION 211.** 49.857 (3) (am) 1. of the statutes is amended to read:

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

5 **SECTION 212.** 49.857 (3) (b) 1. of the statutes is amended to read:

6 49.857 (3) (b) 1. That a certification of the failure to comply with a subpoena
7 or warrant will be made to a licensing authority, a licensing agency or, with respect
8 to a credential granted by a credentialing board, the department of ~~regulation and~~
9 licensing safety and professional services.

10 **SECTION 213.** 49.857 (3) (c) (intro.) of the statutes is amended to read:

11 49.857 (3) (c) (intro.) If the department of children and families provides a
12 certification list to a licensing authority, a licensing agency or, with respect to a
13 credential granted by a credentialing board, the department of ~~regulation and~~
14 licensing safety and professional services, upon receipt of the list the licensing
15 authority if the licensing authority agrees, the licensing agency or, with respect to
16 a credential granted by a credentialing board, the department of ~~regulation and~~
17 licensing safety and professional services shall do all of the following:

18 **SECTION 214.** 49.857 (3) (d) 1. of the statutes is amended to read:

19 49.857 (3) (d) 1. Subject to sub. (2) (d), if an individual who, on the basis of
20 delinquent support, is denied a license or whose license, on the basis of delinquent
21 support, is restricted, limited, suspended, or refused renewal or revalidation under
22 a memorandum of understanding entered into under sub. (2) (b) pays the delinquent
23 amount of support in full or makes satisfactory alternative payment arrangements,
24 the department of children and families shall immediately notify the licensing
25 authority or licensing agency to issue or reinstate the individual's license as provided

1 in the memorandum of understanding. If the individual held or applied for a
2 credential granted by a credentialing board, the department of ~~regulation and~~
3 licensing safety and professional services shall, upon notice by the department of
4 children and families, notify the credentialing board to grant or reinstate the
5 individual's credential.

6 **SECTION 215.** 49.857 (3) (d) 2. of the statutes is amended to read:

7 49.857 (3) (d) 2. Subject to sub. (2) (d), if an individual who, on the basis of a
8 failure to comply with a subpoena or warrant, is denied a license or whose license,
9 on the basis of a failure to comply with a subpoena or warrant, is restricted, limited,
10 suspended, or refused renewal or revalidation under a memorandum of
11 understanding entered into under sub. (2) (b) satisfies the requirements under the
12 subpoena or warrant, the department of children and families shall immediately
13 notify the licensing authority or licensing agency to issue or reinstate the individual's
14 license as provided in the memorandum of understanding. If the individual held or
15 applied for a credential granted by a credentialing board, the department of
16 ~~regulation and licensing~~ safety and professional services shall, upon notice by the
17 department of children and families, notify the credentialing board to grant or
18 reinstate the individual's credential.

19 **SECTION 216.** 49.857 (4) of the statutes is amended to read:

20 49.857 (4) Each licensing agency shall enter into a memorandum of
21 understanding with the department of children and families under sub. (2) (b) and
22 shall cooperate with the department of children and families in its administration
23 of s. 49.22. The department of ~~regulation and licensing~~ safety and professional
24 services shall enter into a memorandum of understanding with the department of

1 children and families on behalf of a credentialing board with respect to a credential
2 granted by the credentialing board.

3 **SECTION 217.** 50.02 (1) of the statutes is amended to read:

4 50.02 (1) DEPARTMENTAL AUTHORITY. The department may provide uniform,
5 statewide licensing, inspection, and regulation of community-based residential
6 facilities and nursing homes as provided in this subchapter. The department shall
7 certify, inspect, and otherwise regulate adult family homes, as specified under ss.
8 50.031 and 50.032 and shall license adult family homes, as specified under s. 50.033.
9 Nothing in this subchapter may be construed to limit the authority of the department
10 of ~~commerce~~ safety and professional services or of municipalities to set standards of
11 building safety and hygiene, but any local orders of municipalities shall be consistent
12 with uniform, statewide regulation of community-based residential facilities. The
13 department may not prohibit any nursing home from distributing over-the-counter
14 drugs from bulk supply. The department may consult with nursing homes as needed
15 and may provide specialized consultations when requested by any nursing home,
16 separate from its inspection process, to scrutinize any particular questions the
17 nursing home raises. The department shall, by rule, define "specialized
18 consultation".

19 **SECTION 218.** 50.02 (2) (a) of the statutes is amended to read:

20 50.02 (2) (a) The department, by rule, shall develop, establish and enforce
21 regulations and standards for the care, treatment, health, safety, rights, welfare and
22 comfort of residents in community-based residential facilities and nursing homes
23 and for the construction, general hygiene, maintenance and operation of those
24 facilities which, in the light of advancing knowledge, will promote safe and adequate
25 accommodation, care and treatment of residents in those facilities; and promulgate

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

8 **SECTION 219.** 50.035 (2) (a) 3. of the statutes is amended to read:

9 50.035 (2) (a) 3. The department or the department of ~~commerce~~ safety and
10 professional services may waive the requirement under subd. 1. or 2. for a
11 community-based residential facility that has a smoke detection or sprinkler system
12 in place that is at least as effective for fire protection as the type of system required
13 under the relevant subdivision.

14 **SECTION 220.** 50.035 (2) (b) (intro.) of the statutes is amended to read:

15 50.035 (2) (b) (intro.) No facility may install a smoke detection system that fails
16 to receive the approval of the department or of the department of ~~commerce~~ safety
17 and professional services. At least one smoke detector shall be located at each of the
18 following locations:

19 **SECTION 221.** 50.065 (2) (am) 3. of the statutes is amended to read:

20 50.065 (2) (am) 3. Information maintained by the department of ~~regulation and~~
21 licensing safety and professional services regarding the status of the person's
22 credentials, if applicable.

23 **SECTION 222.** 50.065 (2) (b) 3. of the statutes is amended to read:

1 50.065 (2) (b) 3. Information maintained by the department of ~~regulation and~~
2 ~~licensing safety and professional services~~ regarding the status of the person's
3 credentials, if applicable.

4 **SECTION 223.** 50.065 (4m) (a) 5. of the statutes is amended to read:

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

9 **SECTION 224.** 50.065 (4m) (b) 5. of the statutes is amended to read:

10 50.065 (4m) (b) 5. That, in the case of a position for which the person must be
11 credentialed by the department of ~~regulation and licensing~~ safety and professional
12 services, the person's credential is not current or is limited so as to restrict the person
13 from providing adequate care to a client.

14 **SECTION 225.** 50.36 (1) of the statutes is amended to read:

15 50.36 (1) The department shall promulgate, adopt, amend and enforce such
16 rules and standards for hospitals for the construction, maintenance and operation
17 of the hospitals deemed necessary to provide safe and adequate care and treatment
18 of the patients in the hospitals and to protect the health and safety of the patients
19 and employees; and nothing contained herein shall pertain to a person licensed to
20 practice medicine and surgery or dentistry. The building codes and construction
21 standards of the department of ~~commerce~~ safety and professional services shall
22 apply to all hospitals and the department may adopt additional construction codes
23 and standards for hospitals, provided they are not lower than the requirements of
24 the department of ~~commerce~~ safety and professional services. Except for the
25 construction codes and standards of the department of ~~commerce~~ safety and

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

3 **SECTION 226.** 50.36 (6) of the statutes is amended to read:

4 50.36 (6) If the department receives a credible complaint that a pharmacy
5 located in a hospital has violated its duty to dispense contraceptive drugs and devices
6 under s. 450.095 (2), the department shall refer the complaint to the department of
7 ~~regulation and licensing~~ safety and professional services.

8 **SECTION 227.** 51.42 (7) (a) 7. of the statutes is amended to read:

9 51.42 (7) (a) 7. Develop a program in consultation with the department of
10 ~~regulation and licensing~~ safety and professional services to use voluntary,
11 uncompensated services of licensed or certified professionals to assist the
12 department of health services in evaluating community mental health programs in
13 exchange for continuing education credits for the professionals under ss. 448.40 (2)
14 (e) and 455.065 (5).

15 **SECTION 228.** 55.043 (4) (b) 5. of the statutes is amended to read:

16 55.043 (4) (b) 5. Refer the case to the department of ~~regulation and licensing~~
17 safety and professional services if the financial exploitation, neglect, self-neglect, or
18 abuse involves an individual who is required to hold a credential, as defined in s.
19 440.01 (2) (a), under chs. 440 to 460.

20 **SECTION 229.** 59.27 (10) of the statutes is amended to read:

21 59.27 (10) To enforce in the county all general orders of the department of
22 ~~commerce~~ safety and professional services relating to the sale, transportation and
23 storage of explosives.

24 **SECTION 230.** 59.57 (1) (b) of the statutes is amended to read:

1 59.57 (1) (b) If a county with a population of 500,000 or more appropriates
2 money under par. (a) to fund nonprofit agencies, the county shall have a goal of
3 expending 20% of the money appropriated for this purpose to fund a nonprofit agency
4 that is actively managed by minority group members, as defined in s. ~~560.036~~ 490.04
5 (1) (f), and that principally serves minority group members.

6 **SECTION 231.** 59.691 (2) (b) 1. of the statutes is amended to read:

7 59.691 (2) (b) 1. A county is not required to give the notice under par. (a) at the
8 time that it issues a building permit if the county issues the building permit on a
9 standard building permit form prescribed by the department of ~~commerce~~ safety and
10 professional services.

11 **SECTION 232.** 60.625 (2) (b) 1. of the statutes is amended to read:

12 60.625 (2) (b) 1. A town is not required to give the notice under par. (a) at the
13 time that it issues a building permit if the town issues the building permit on a
14 standard building permit form prescribed by the department of ~~commerce~~ safety and
15 professional services.

16 **SECTION 233.** 60.71 (4) (b) of the statutes is amended to read:

17 60.71 (4) (b) The town board shall publish a class 2 notice, under ch. 985, of the
18 hearing. The notice shall contain an announcement of the hearing and a description
19 of the boundaries of the proposed town sanitary district. The town board shall mail
20 the notice to the department of ~~commerce~~ safety and professional services and the
21 department of natural resources at least 10 days prior to the hearing.

22 **SECTION 234.** 60.71 (4) (c) of the statutes is amended to read:

23 60.71 (4) (c) Any person may file written comments on the formation of the
24 district with the town clerk. Any owner of property within the boundary of the
25 proposed district may appear at the hearing and offer objections, criticisms or

1 suggestions as to the necessity of the proposed district and the question of whether
2 his or her property will be benefited by the establishment of the district. A
3 representative of the department of ~~commerce~~ safety and professional services and
4 of the department of natural resources may attend the hearing and advise the town
5 board.

6 **SECTION 235.** 61.352 (2) (b) 1. of the statutes is amended to read:

7 61.352 (2) (b) 1. A village is not required to give the notice under par. (a) at the
8 time that it issues a building permit if the village issues the building permit on a
9 standard building permit form prescribed by the department of ~~commerce~~ safety and
10 professional services.

11 **SECTION 236.** 62.232 (2) (b) 1. of the statutes is amended to read:

12 62.232 (2) (b) 1. A city is not required to give the notice under par. (a) at the time
13 that it issues a building permit if the city issues the building permit on a standard
14 building permit form prescribed by the department of ~~commerce~~ safety and
15 professional services.

16 **SECTION 237.** 66.0211 (5) of the statutes is amended to read:

17 66.0211 (5) CERTIFICATION OF INCORPORATION. If a majority of the votes in an
18 incorporation referendum are cast in favor of a village or city, the clerk of the circuit
19 court shall certify the fact to the secretary of state and supply the secretary of state
20 with a copy of a description of the legal boundaries of the village or city and the
21 associated population and a copy of a plat of the village or city. Within 10 days of
22 receipt of the description and plat, the secretary of state shall forward 2 copies to the
23 department of transportation and one copy each to the department of
24 administration, and the department of revenue ~~and the department of commerce~~.

1 The secretary of state shall issue a certificate of incorporation and record the
2 certificate.

3 **SECTION 238.** 66.0309 (3) (a) 3. of the statutes is repealed.

4 **SECTION 239.** 67.05 (6a) (bg) 2. of the statutes is amended to read:

5 67.05 **(6a)** (bg) 2. The department of ~~commerce~~ safety and professional services
6 shall determine for each grade level in which pupils attended school in a building
7 described in subd. 1., the average cost per square foot for, and the average number
8 of square feet per pupil included in, 2 recently constructed school buildings that were
9 designed to serve pupils of that grade level, as selected by that department.

10 **SECTION 240.** 67.12 (12) (e) 2r. b. of the statutes is amended to read:

11 67.12 **(12)** (e) 2r. b. The department of ~~commerce~~ safety and professional
12 services shall determine, for each grade level in which pupils attended school in a
13 building described in subd. 2r. a., the average cost per square foot for, and the average
14 number of square feet per pupil included in, 2 recently constructed school buildings
15 that were designed to serve pupils of that grade level, as selected by that department.

16 **SECTION 241.** 71.07 (5j) (a) 2d. of the statutes is amended to read:

17 71.07 **(5j)** (a) 2d. "Diesel replacement renewable fuel" includes biodiesel and
18 any other fuel derived from a renewable resource that meets all of the applicable
19 requirements of the American Society for Testing and Materials for that fuel and that
20 the department of ~~commerce~~ safety and professional services designates by rule as
21 a diesel replacement renewable fuel.

22 **SECTION 242.** 71.07 (5j) (a) 2m. of the statutes is amended to read:

23 71.07 **(5j)** (a) 2m. "Gasoline replacement renewable fuel" includes ethanol and
24 any other fuel derived from a renewable resource that meets all of the applicable
25 requirements of the American Society for Testing and Materials for that fuel and that

1 the department of ~~commerce~~ safety and professional services designates by rule as
2 a gasoline replacement renewable fuel.

3 **SECTION 243.** 71.07 (5j) (c) 3. of the statutes is amended to read:

4 71.07 (5j) (c) 3. The department of ~~commerce~~ safety and professional services
5 shall establish standards to adequately prevent, in the distribution of conventional
6 fuel to an end user, the inadvertent distribution of fuel containing a higher
7 percentage of renewable fuel than the maximum percentage established by the
8 federal environmental protection agency for use in conventionally-fueled engines.

9 **SECTION 244.** 71.47 (5j) (a) 2d. of the statutes is amended to read:

10 71.47 (5j) (a) 2d. "Diesel replacement renewable fuel" includes biodiesel and
11 any other fuel derived from a renewable resource that meets all of the applicable
12 requirements of the American Society for Testing and Materials for that fuel and that
13 the department of ~~commerce~~ safety and professional services designates by rule as
14 a diesel replacement renewable fuel.

15 **SECTION 245.** 71.47 (5j) (a) 2m. of the statutes is amended to read:

16 71.47 (5j) (a) 2m. "Gasoline replacement renewable fuel" includes ethanol and
17 any other fuel derived from a renewable resource that meets all of the applicable
18 requirements of the American Society for Testing and Materials for that fuel and that
19 the department of ~~commerce~~ safety and professional services designates by rule as
20 a gasoline replacement renewable fuel.

21 **SECTION 246.** 71.47 (5j) (c) 3. of the statutes is amended to read:

22 71.47 (5j) (c) 3. The department of ~~commerce~~ safety and professional services
23 shall establish standards to adequately prevent, in the distribution of conventional
24 fuel to an end user, the inadvertent distribution of fuel containing a higher

1 percentage of renewable fuel than the maximum percentage established by the
2 federal environmental protection agency for use in conventionally-fueled engines.

3 **SECTION 247.** 73.0301 (1) (b) of the statutes is amended to read:

4 73.0301 (1) (b) "Credentialing board" means a board, examining board or
5 affiliated credentialing board in the department of ~~regulation and licensing~~ safety
6 and professional services that grants a credential.

7 **SECTION 248.** 73.0301 (1) (e) of the statutes is amended to read:

8 73.0301 (1) (e) "Licensing department" means the department of
9 administration; the board of commissioners of public lands; ~~the department of~~
10 ~~commerce~~; the department of children and families; the government accountability
11 board; the department of financial institutions; the department of health services;
12 the department of natural resources; the department of public instruction; ~~the~~
13 ~~department of regulation and licensing~~; the department of safety and professional
14 services; the department of workforce development; the office of the commissioner
15 of insurance; or the department of transportation.

16 **SECTION 249.** 73.0301 (2) (a) 1. of the statutes is amended to read:

17 73.0301 (2) (a) 1. Request the department of revenue to certify whether an
18 applicant for a license or license renewal or continuation is liable for delinquent
19 taxes. With respect to an applicant for a license granted by a credentialing board,
20 the department of ~~regulation and licensing~~ safety and professional services shall
21 make a request under this subdivision. This subdivision does not apply to the
22 department of transportation with respect to licenses described in sub. (1) (d) 7.

23 **SECTION 250.** 73.0301 (2) (a) 2. of the statutes is amended to read:

24 73.0301 (2) (a) 2. Request the department of revenue to certify whether a
25 license holder is liable for delinquent taxes. With respect to a holder of a license

1 granted by a credentialing board, the department of ~~regulation and licensing~~ safety
2 and professional services shall make a request under this subdivision.

3 **SECTION 251.** 73.0301 (2) (b) 1. a. of the statutes is amended to read:

4 73.0301 (2) (b) 1. a. If, after a request is made under par. (a) 1. or 2., the
5 department of revenue certifies that the license holder or applicant for a license or
6 license renewal or continuation is liable for delinquent taxes, revoke the license or
7 deny the application for the license or license renewal or continuation. The
8 department of transportation may suspend licenses described in sub. (1) (d) 7. in lieu
9 of revoking those licenses. A suspension, revocation or denial under this subd. 1. a.
10 is not subject to administrative review or, except as provided in subd. 2. and sub. (5)
11 (am), judicial review. With respect to a license granted by a credentialing board, the
12 department of ~~regulation and licensing~~ safety and professional services shall make
13 a revocation or denial under this subd. 1. a. With respect to a license to practice law,
14 the department of revenue shall not submit a certification under this subd. 1. a. to
15 the supreme court until after the license holder or applicant has exhausted his or her
16 remedies under sub. (5) (a) and (am) or has failed to make use of such remedies.

17 **SECTION 252.** 73.0301 (2) (b) 1. b. of the statutes is amended to read:

18 73.0301 (2) (b) 1. b. Mail a notice of suspension, revocation or denial under
19 subd. 1. a. to the license holder or applicant. The notice shall include a statement
20 of the facts that warrant the suspension, revocation or denial and a statement that
21 the license holder or applicant may, within 30 days after the date on which the notice
22 of denial, suspension or revocation is mailed, file a written request with the
23 department of revenue to have the certification of tax delinquency on which the
24 suspension, revocation or denial is based reviewed at a hearing under sub. (5) (a).
25 With respect to a license granted by a credentialing board, the department of

1 ~~regulation and licensing~~ safety and professional services shall mail a notice under
2 this subd. 1. b. With respect to a license to practice law, the department of revenue
3 shall mail a notice under this subd. 1. b. and the notice shall indicate that the license
4 holder or applicant may request a hearing under sub. (5) (a) and (am) and that the
5 department of revenue shall submit a certificate of delinquency to suspend, revoke,
6 or deny a license to practice law to the supreme court after the license holder or
7 applicant has exhausted his or her remedies under sub. (5) (a) and (am) or has failed
8 to make use of such remedies. A notice sent to a person who holds a license to practice
9 law or who is an applicant for a license to practice law shall also indicate that the
10 department of revenue may not submit a certificate of delinquency to the supreme
11 court if the license holder or applicant pays the delinquent tax in full or enters into
12 an agreement with the department of revenue to satisfy the delinquency.

13 **SECTION 253.** 73.0301 (2) (b) 2. of the statutes is amended to read:

14 73.0301 (2) (b) 2. Except as provided in subd. 2m., if notified by the department
15 of revenue that the department of revenue has affirmed a certification of tax
16 delinquency after a hearing under sub. (5) (a), affirm a suspension, revocation or
17 denial under subd. 1. a. A license holder or applicant may seek judicial review under
18 ss. 227.52 to 227.60, except that the review shall be in the circuit court for Dane
19 County, of an affirmation of a revocation or denial under this subdivision. With
20 respect to a license granted by a credentialing board, the department of ~~regulation~~
21 ~~and licensing~~ safety and professional services shall make an affirmation under this
22 subdivision.

23 **SECTION 254.** 73.0301 (2) (b) 3. of the statutes is amended to read:

24 73.0301 (2) (b) 3. If a person submits a nondelinquency certificate issued under
25 sub. (5) (b) 1., reinstate the license or grant the application for the license or license

1 renewal or continuation, unless there are other grounds for suspending or revoking
2 the license or for denying the application for the license or license renewal or
3 continuation. If reinstatement is required under this subdivision, a person is not
4 required to submit a new application or other material or to take a new test. No
5 separate fee may be charged for reinstatement of a license under this subdivision.
6 With respect to a license granted by a credentialing board, the department of
7 ~~regulation and licensing~~ safety and professional services shall reinstate a license or
8 grant an application under this subdivision.

9 **SECTION 255.** 73.0301 (2) (b) 4. of the statutes is amended to read:

10 73.0301 (2) (b) 4. If a person whose license has been suspended or revoked or
11 whose application for a license or license renewal or continuation has been denied
12 under subd. 1. a. submits a nondelinquency certificate issued under sub. (3) (a) 2.,
13 reinstate the license or grant the person's application for the license or license
14 renewal or continuation, unless there are other grounds for not reinstating the
15 license or for denying the application for the license or license renewal or
16 continuation. With respect to a license granted by a credentialing board, the
17 department of ~~regulation and licensing~~ safety and professional services shall
18 reinstate a license or grant an application under this subdivision.

19 **SECTION 256.** 77.22 (2) (d) of the statutes is amended to read:

20 77.22 (2) (d) If the real estate transferred is not subject to certification under
21 s. 101.122 (4) (a), waiver under s. 101.122 (4) (b) or stipulation under s. 101.122 (4)
22 (c), the reason why it is not so subject or the form prescribed by the department of
23 ~~commerce~~ safety and professional services under s. 101.122 (6).

24 **SECTION 257.** 84.075 (1c) (a) of the statutes is amended to read:

1 84.075 (1c) (a) “Disabled veteran-owned business” means a business certified
2 by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~
3 490.02 (3).

4 **SECTION 258.** 84.075 (1c) (b) of the statutes is amended to read:

5 84.075 (1c) (b) “Minority business” means a business certified by the
6 department of ~~commerce~~ safety and professional services under s. ~~560.036~~ 490.04 (2).

7 **SECTION 259.** 84.075 (3) of the statutes is amended to read:

8 84.075 (3) The department shall at least semiannually, or more often if
9 required by the department of administration, report to the department of
10 administration the total amount of money it has paid to contractors, subcontractors,
11 and vendors that are minority businesses and that are disabled veteran-owned
12 businesses under ss. 84.01 (13), 84.06, and 84.07 and the number of contacts with
13 minority businesses and disabled veteran-owned businesses in connection with
14 proposed purchases and contracts. In its reports, the department shall include only
15 amounts paid to businesses certified by the department of ~~commerce~~ safety and
16 professional services as minority businesses or disabled veteran-owned businesses.

17 **SECTION 260.** 84.076 (1) (c) of the statutes is amended to read:

18 84.076 (1) (c) “Minority business” has the meaning given under s. ~~560.036~~
19 490.04 (1) (e) 1.

20 **SECTION 261.** 84.076 (1) (d) of the statutes is amended to read:

21 84.076 (1) (d) “Minority group member” has the meaning given under s.
22 ~~560.036~~ 490.04 (1) (f).

23 **SECTION 262.** 85.25 (2) (c) 1m. b. of the statutes is amended to read:

24 85.25 (2) (c) 1m. b. It is currently performing a useful business function as
25 defined in s. ~~560.036~~ 490.04 (1) (h).

1 **SECTION 263.** 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 264.** 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

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

4 **SECTION 265.** 100.60 (1) (b) 2. of the statutes is amended to read:

5 100.60 (1) (b) 2. Any other fuel that can substitute for petroleum-based diesel
6 fuel, that is derived from a renewable resource, that meets all of the applicable
7 requirements of the American Society for Testing and Materials for that fuel, and
8 that the department of ~~commerce~~ safety and professional services designates as a
9 diesel-replacement renewable fuel under sub. (7) (a).

10 **SECTION 266.** 100.60 (1) (c) 2. of the statutes is amended to read:

11 100.60 (1) (c) 2. Any other fuel that can substitute for gasoline, that is derived
12 from a renewable resource, that meets all of the applicable requirements of the
13 American Society for Testing and Materials for that fuel, and that the department
14 of ~~commerce~~ safety and professional services designates as a gasoline-replacement
15 renewable fuel under sub. (7) (b).

16 **SECTION 267.** 100.60 (3) (a) of the statutes is amended to read:

17 100.60 (3) (a) Annually, beginning in 2011, the department, in cooperation with
18 and with assistance from the department of ~~commerce~~ safety and professional
19 services, the department of revenue, and the office of energy independence, shall
20 determine whether the annual goals for sales of renewable fuels in sub. (2) (b) and
21 (c), for the previous year, were met in the state in that year.

22 **SECTION 268.** 100.60 (6) (a) of the statutes is amended to read:

23 100.60 (6) (a) The department shall consult with the department of ~~commerce~~
24 safety and professional services, the department of revenue, and the office of energy
25 independence to determine if information necessary to make a determination under

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

8 **SECTION 269.** 100.60 (7) (title) of the statutes is amended to read:

9 100.60 (7) (title) DEPARTMENT OF ~~COMMERCE~~ SAFETY AND PROFESSIONAL SERVICES
10 AUTHORITY.

11 **SECTION 270.** 100.60 (7) (a) of the statutes is amended to read:

12 100.60 (7) (a) The department of ~~commerce~~ safety and professional services
13 may promulgate a rule designating a fuel that can substitute for petroleum-based
14 diesel fuel, that is derived from a renewable resource, and that meets all of the
15 applicable requirements of the American Society for Testing and Materials for that
16 fuel as a diesel-replacement renewable fuel for the purposes of this section.

17 **SECTION 271.** 100.60 (7) (b) of the statutes is amended to read:

18 100.60 (7) (b) The department of ~~commerce~~ safety and professional services
19 may promulgate a rule designating a fuel that can substitute for gasoline, that is
20 derived from a renewable resource, and that meets all of the applicable requirements
21 of the American Society for Testing and Materials for that fuel as a
22 gasoline-replacement renewable fuel for the purposes of this section.

23 **SECTION 272.** Chapter 101 (title) of the statutes is amended to read:

24 **CHAPTER 101**

1 **DEPARTMENT OF COMMERCE SAFETY AND**
2 **PROFESSIONAL SERVICES — REGULATION OF**
3 **INDUSTRY, BUILDINGS AND SAFETY**

4 **SECTION 273.** 101.01 (1m) of the statutes is amended to read:

5 101.01 (1m) “Department” means the department of ~~commerce~~ safety and
6 professional services.

7 **SECTION 274.** 101.01 (14) of the statutes is amended to read:

8 101.01 (14) “Secretary” means the secretary of ~~commerce~~ safety and
9 professional services.

10 **SECTION 275.** 101.02 (18m) of the statutes is amended to read:

11 101.02 (18m) The department may perform, or contract for the performance
12 of, testing of petroleum products other than testing provided under ch. 168. The
13 department may establish a schedule of fees for such petroleum product testing
14 services. The department shall credit all revenues received from fees established
15 under this subsection to the appropriation account under s. ~~20.143(3)~~ 20.165(2) (ga).
16 Revenues from fees established under this subsection may be used by the
17 department to pay for testing costs, including laboratory supplies and equipment
18 amortization, for such products.

19 **SECTION 276.** 101.02 (20) (b) of the statutes is amended to read:

20 101.02 (20) (b) Except as provided in par. (e), the department of ~~commerce~~
21 safety and professional services may not issue or renew a license unless each
22 applicant who is an individual provides the department of ~~commerce~~ safety and
23 professional services with his or her social security number and each applicant that
24 is not an individual provides the department of ~~commerce~~ safety and professional
25 services with its federal employer identification number. The department of

1 ~~commerce~~ safety and professional services may not disclose the social security
2 number or the federal employer identification number of an applicant for a license
3 or license renewal except to the department of revenue for the sole purpose of
4 requesting certifications under s. 73.0301.

5 **SECTION 277.** 101.02 (20) (c) of the statutes is amended to read:

6 101.02 (20) (c) The department of ~~commerce~~ safety and professional services
7 may not issue or renew a license if the department of revenue certifies under s.
8 73.0301 that the applicant or licensee is liable for delinquent taxes.

9 **SECTION 278.** 101.02 (20) (d) of the statutes is amended to read:

10 101.02 (20) (d) The department of ~~commerce~~ safety and professional services
11 shall revoke a license if the department of revenue certifies under s. 73.0301 that the
12 licensee is liable for delinquent taxes.

13 **SECTION 279.** 101.02 (20) (e) 1. of the statutes is amended to read:

14 101.02 (20) (e) 1. If an applicant who is an individual does not have a social
15 security number, the applicant, as a condition of applying for or applying to renew
16 a license shall submit a statement made or subscribed under oath or affirmation to
17 the department of ~~commerce~~ safety and professional services that the applicant does
18 not have a social security number. The form of the statement shall be prescribed by
19 the department of children and families.

20 **SECTION 280.** 101.02 (21) (b) of the statutes is amended to read:

21 101.02 (21) (b) As provided in the memorandum of understanding under s.
22 49.857 and except as provided in par. (e), the department of ~~commerce~~ safety and
23 professional services may not issue or renew a license unless the applicant provides
24 the department of ~~commerce~~ safety and professional services with his or her social
25 security number. The department of ~~commerce~~ safety and professional services may

1 not disclose the social security number except that the department of ~~commerce~~
2 safety and professional services may disclose the social security number of an
3 applicant for a license under par. (a) or a renewal of a license under par. (a) to the
4 department of children and families for the sole purpose of administering s. 49.22.

5 **SECTION 281.** 101.02 (21) (e) 1. of the statutes is amended to read:

6 101.02 (21) (e) 1. If an applicant who is an individual does not have a social
7 security number, the applicant, as a condition of applying for or applying to renew
8 a license shall submit a statement made or subscribed under oath or affirmation to
9 the department of ~~commerce~~ safety and professional services that the applicant does
10 not have a social security number. The form of the statement shall be prescribed by
11 the department of children and families.

12 **SECTION 282.** 101.143 (2) (d) of the statutes is amended to read:

13 101.143 (2) (d) The department shall reserve a portion, not to exceed 20%, of
14 the amount annually appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) for awards under
15 this section to be used to fund emergency remedial action and claims that exceed the
16 amount initially anticipated.

17 **SECTION 283.** 101.143 (2) (h) (intro.) of the statutes is amended to read:

18 101.143 (2) (h) (intro.) The department of ~~commerce~~ safety and professional
19 services and the department of natural resources, jointly, shall promulgate rules
20 designed to facilitate effective and cost-efficient administration of the program
21 under this section that specify all of the following:

22 **SECTION 284.** 101.143 (2) (i) (intro.) of the statutes is amended to read:

23 101.143 (2) (i) (intro.) The department of ~~commerce~~ safety and professional
24 services and the department of natural resources, jointly, shall promulgate rules
25 specifying procedures for evaluating remedial action plans and procedures to be used

1 by employees of the department of ~~commerce~~ safety and professional services and the
2 department of natural resources while remedial actions are being conducted. The
3 departments shall specify procedures that include all of the following:

4 **SECTION 285.** 101.143 (2) (j) (intro.) of the statutes is amended to read:

5 101.143 (2) (j) (intro.) The department of ~~commerce~~ safety and professional
6 services and the department of natural resources, jointly, shall promulgate rules
7 specifying all of the following:

8 **SECTION 286.** 101.143 (2) (k) of the statutes is amended to read:

9 101.143 (2) (k) In promulgating rules under pars. (h) to (j), the department of
10 ~~commerce~~ safety and professional services and the department of natural resources
11 shall attempt to reach an agreement that is consistent with those provisions. If the
12 department of ~~commerce~~ safety and professional services and the department of
13 natural resources are unable to reach an agreement, they shall refer the matters on
14 which they are unable to agree to the secretary of administration for resolution. The
15 secretary of administration shall resolve any matters on which the departments
16 disagree in a manner that is consistent with pars. (h) to (j). The department of
17 ~~commerce~~ safety and professional services and the department of natural resources,
18 jointly, shall promulgate rules incorporating any agreement between the
19 department of ~~commerce~~ safety and professional services and the department of
20 natural resources under this paragraph and any resolution of disagreements
21 between the departments by the secretary of administration under this paragraph.

22 **SECTION 287.** 101.143 (2) (L) of the statutes is amended to read:

23 101.143 (2) (L) The department may promulgate rules for the assessment and
24 collection of fees to recover its costs for providing approval under sub. (3) (c) 4. and
25 for providing other assistance requested by applicants under this section. Any

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

3 **SECTION 288.** 101.143 (2e) (a) of the statutes is amended to read:

4 101.143 (2e) (a) The department of ~~commerce~~ safety and professional services
5 and the department of natural resources shall attempt to agree on a method, which
6 shall include individualized consideration of the routes for migration of petroleum
7 product contamination at each site, for determining the risk to public health, safety
8 and welfare and to the environment posed by discharges for which the department
9 of ~~commerce~~ safety and professional services receives notification under sub. (3) (a)
10 3.

11 **SECTION 289.** 101.143 (2e) (b) of the statutes is amended to read:

12 101.143 (2e) (b) If the department of ~~commerce~~ safety and professional services
13 and the department of natural resources are unable to reach an agreement under
14 par. (a), they shall refer the matters on which they are unable to agree to the
15 secretary of administration for resolution. The secretary of administration shall
16 resolve any matters on which the departments disagree in a manner that is
17 consistent with par. (a). The department of ~~commerce~~ safety and professional
18 services and the department of natural resources, jointly, shall promulgate rules
19 incorporating any agreement between the department of ~~commerce~~ safety and
20 professional services and the department of natural resources under par. (a) and any
21 resolution of disagreements between the departments by the secretary of
22 administration under this paragraph.

23 **SECTION 290.** 101.143 (2e) (c) of the statutes is amended to read:

24 101.143 (2e) (c) The department of natural resources or, if the discharge is
25 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 291.** 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 292.** 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 293.** 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 294.** 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 295.** 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 296.** 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 297.** 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 298.** 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

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

3 **SECTION 299.** 101.143 (3) (cs) 1. of the statutes is amended to read:

4 101.143 (3) (cs) 1. The department of ~~commerce~~ safety and professional
5 services shall review the remedial action plan for a site that is classified as low or
6 medium risk under s. 101.144 and shall determine the least costly method of
7 complying with par. (c) 3. and with enforcement standards. The department shall
8 notify the owner or operator of its determination of the least costly method and shall
9 notify the owner or operator that reimbursement for remedial action under this
10 section is limited to the amount necessary to implement that method.

11 **SECTION 300.** 101.143 (3) (cs) 2. of the statutes is amended to read:

12 101.143 (3) (cs) 2. The department of natural resources and the department of
13 ~~commerce~~ safety and professional services shall review the remedial action plan for
14 a site that is classified as high risk under s. 101.144 and shall jointly determine the
15 least costly method of complying with par. (c) 3. and with enforcement standards.
16 The departments shall notify the owner or operator of their determination of the
17 least costly method and shall notify the owner or operator that reimbursement for
18 remedial action under this section is limited to the amount necessary to implement
19 that method.

20 **SECTION 301.** 101.143 (3) (cs) 3. of the statutes is amended to read:

21 101.143 (3) (cs) 3. In making determinations under subs. 1. and 2., the
22 department of natural resources and the department of ~~commerce~~ safety and
23 professional services shall determine whether natural attenuation will achieve
24 compliance with par. (c) 3. and with enforcement standards.

25 **SECTION 302.** 101.143 (3) (cs) 4. of the statutes is amended to read:

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

9 **SECTION 303.** 101.143 (3) (cw) 1. of the statutes is amended to read:

10 101.143 (3) (cw) 1. The department of ~~commerce~~ safety and professional
11 services shall conduct the annual review required under sub. (2) (i) 1. for a site that
12 is classified as low or medium risk under s. 101.144 and shall determine the least
13 costly method of completing remedial action at the site in order to comply with par.
14 (c) 3. and with enforcement standards. The department shall notify the owner or
15 operator of its determination of the least costly method and shall notify the owner
16 or operator that reimbursement under this section for any remedial action conducted
17 after the date of the notice is limited to the amount necessary to implement that
18 method.

19 **SECTION 304.** 101.143 (3) (cw) 2. of the statutes is amended to read:

20 101.143 (3) (cw) 2. The department of natural resources and the department
21 of ~~commerce~~ safety and professional services shall conduct the annual review
22 required under sub. (2) (i) 1. for a site that is classified as high risk under s. 101.144
23 and shall jointly determine the least costly method of completing remedial action at
24 the site in order to comply with par. (c) 3. and with enforcement standards. The
25 departments shall notify the owner or operator of their determination of the least

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

4 **SECTION 305.** 101.143 (3) (cw) 3. of the statutes is amended to read:

5 101.143 (3) (cw) 3. In making determinations under subs. 1. and 2., the
6 department of natural resources and the department of ~~commerce~~ safety and
7 professional services shall determine whether natural attenuation will achieve
8 compliance with par. (c) 3. and with enforcement standards.

9 **SECTION 306.** 101.143 (3) (cw) 4. of the statutes is amended to read:

10 101.143 (3) (cw) 4. The department of ~~commerce~~ safety and professional
11 services may review and modify an amount established under subd. 1. if the
12 department determines that new circumstances, including newly discovered
13 contamination at a site, warrant those actions. The department of ~~commerce~~ safety
14 and professional services and the department of natural resources may review and
15 modify an amount established under subd. 2. if the departments determine that new
16 circumstances, including newly discovered contamination at a site, warrant those
17 actions.

18 **SECTION 307.** 101.143 (3) (d) of the statutes is amended to read:

19 101.143 (3) (d) *Final review of remedial action activities.* The department of
20 natural resources or, if the discharge is covered under s. 101.144 (2) (b), the
21 department of ~~commerce~~ safety and professional services shall complete a final
22 review of the remedial action activities within 60 days after the claimant notifies the
23 appropriate department that the remedial action activities are completed.

24 **SECTION 308.** 101.143 (3) (f) 5. of the statutes is amended to read:

1 101.143 (3) (f) 5. The written approval of the department of natural resources
2 or the department of ~~commerce~~ safety and professional services under par. (c) 4.

3 **SECTION 309.** 101.143 (3) (g) of the statutes is amended to read:

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

14 **SECTION 310.** 101.143 (4) (a) 6. of the statutes is amended to read:

15 101.143 (4) (a) 6. In any fiscal year, the department may not award more than
16 5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for
17 petroleum product storage systems described in par. (ei).

18 **SECTION 311.** 101.143 (4) (a) 7. of the statutes is amended to read:

19 101.143 (4) (a) 7. In any fiscal year, the department may not award more than
20 5% of the amount appropriated under s. ~~20.143 (3)~~ 20.165 (2) (v) as awards for
21 petroleum product storage systems that are owned by school districts and that are
22 used for storing heating oil for consumptive use on the premises where stored.

23 **SECTION 312.** 101.143 (4) (ei) 2m. of the statutes is amended to read:

24 101.143 (4) (ei) 2m. The owner or operator of the farm tank has received a letter
25 or notice from the department of ~~commerce~~ safety and professional services or

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1 department of natural resources indicating that the owner or operator must conduct
2 a site investigation or remedial action because of a discharge from the farm tank or
3 an order to conduct such an investigation or remedial action.

4 **SECTION 313.** 101.143 (4) (es) 1. of the statutes is amended to read:

5 101.143 (4) (es) 1. The department shall issue an award for a claim filed after
6 August 9, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987,
7 by an owner or operator or a person owning a home oil tank system in investigating
8 the existence of a discharge or investigating the presence of petroleum products in
9 soil or groundwater if the investigation is undertaken at the written direction of the
10 department of ~~commerce~~ safety and professional services or the department of
11 natural resources and no discharge or contamination is found.

12 **SECTION 314.** 101.144 (3) (b) of the statutes is amended to read:

13 101.144 (3) (b) The department of ~~commerce~~ safety and professional services
14 requests the department of natural resources to take the action or issue the order.

15 **SECTION 315.** 101.144 (3) (c) of the statutes is amended to read:

16 101.144 (3) (c) The secretary of natural resources approves the action or order
17 in advance after notice to the secretary of ~~commerce~~ safety and professional services.

18 **SECTION 316.** 101.144 (3g) (a) of the statutes is amended to read:

19 101.144 (3g) (a) If, on December 1, 1999, more than 35% of sites classified
20 under this section, excluding sites that are contaminated by a hazardous substance
21 other than a petroleum product or an additive to a petroleum product, are classified
22 as high-risk sites, the department of ~~commerce~~ safety and professional services and
23 the department of natural resources shall attempt to reach an agreement that
24 specifies standards for determining whether the site of a discharge of a petroleum
25 product from a petroleum storage tank is classified as high risk. The standards shall

1 be designed to classify no more than 35% of those sites as high-risk sites and may
2 not classify all sites at which an enforcement standard is exceeded as high-risk sites.
3 If the department of ~~commerce~~ safety and professional services and the department
4 of natural resources are unable to reach an agreement, they shall refer the matters
5 on which they are unable to agree to the secretary of administration for resolution.
6 The secretary of administration shall resolve any matters on which the departments
7 disagree in a manner that is consistent with this paragraph. The department of
8 ~~commerce~~ safety and professional services shall promulgate rules incorporating any
9 agreement between the department of ~~commerce~~ safety and professional services
10 and the department of natural resources under this paragraph and any resolution
11 of disagreements between the departments by the secretary of administration under
12 this paragraph.

13 **SECTION 317.** 101.144 (3g) (b) of the statutes is amended to read:

14 101.144 (3g) (b) If, 6 months after rules under par. (a) are in effect, more than
15 35% of the sites classified under this section, excluding sites that are contaminated
16 by a hazardous substance other than a petroleum product or an additive to a
17 petroleum product, are classified as high-risk sites, the department of ~~commerce~~
18 safety and professional services shall revise the rules using the procedure for
19 promulgating the rules in par. (a).

20 **SECTION 318.** 101.144 (3m) (a) (intro.) of the statutes is amended to read:

21 101.144 (3m) (a) (intro.) The department of ~~commerce~~ safety and professional
22 services and the department of natural resources shall enter into a memorandum of
23 understanding that does all of the following:

24 **SECTION 319.** 101.144 (3m) (b) of the statutes is amended to read:

1 101.144 **(3m)** (b) The department of ~~commerce~~ safety and professional services
2 and the department of natural resources shall submit a memorandum of
3 understanding under this subsection to the secretary of administration for review.
4 A memorandum of understanding under this subsection does not take effect until it
5 is approved by the secretary of administration.

6 **SECTION 320.** 101.149 (6) (b) of the statutes is amended to read:

7 101.149 **(6)** (b) The department shall promulgate rules, in consultation with
8 the department of health services, under which the department of ~~commerce~~ safety
9 and professional services shall authorize certified heating, ventilating, and air
10 conditioning inspectors to conduct regular inspections of sealed combustion units, as
11 required under par. (5) (c), for carbon monoxide emissions in residential buildings
12 other than hotels, tourist rooming houses, and bed and breakfast establishments.
13 The rules shall specify conditions under which it may issue orders as specified under
14 sub. (8) (a). The rules may not require the department of ~~commerce~~ safety and
15 professional services to authorize inspection of sealed combustion units during the
16 period in which the sealed combustion units are covered by a manufacturer's
17 warranty against defects.

18 **SECTION 321.** 101.149 (8) (a) of the statutes is amended to read:

19 101.149 **(8)** (a) If the department of ~~commerce~~ safety and professional services
20 or the department of health services determines after an inspection of a building
21 under this section or s. 254.74 (1g) that the owner of the building has violated sub.
22 (2) or (3), the respective department shall issue an order requiring the person to
23 correct the violation within 5 days or within such shorter period as the respective
24 department determines is necessary to protect public health and safety. If the person
25 does not correct the violation within the time required, he or she shall forfeit \$50 for

1 each day of violation occurring after the date on which the respective department
2 finds that the violation was not corrected.

3 **SECTION 322.** 101.563 (2) (b) 1. of the statutes is amended to read:

4 101.563 (2) (b) 1. 'Payments from calendar year 2001 dues.' Notwithstanding
5 s. 101.573 (3) (a), by the 30th day following July 30, 2002, the department shall
6 compile the fire department dues paid by all insurers under s. 601.93 and the dues
7 paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573
8 (3) (b), subtract the total amount due to be paid under par. (a), withhold 0.5%, and
9 certify to the secretary of administration the proper amount to be paid from the
10 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town entitled
11 to a proportionate share of fire department dues as provided under sub. (1) (b) and
12 s. 101.575. If the department has previously certified an amount to the secretary of
13 administration under s. 101.573 (3) (a) during calendar year 2002, the department
14 shall recertify the amount in the manner provided under this subdivision. On or
15 before August 1, 2002, the secretary of administration shall pay the amounts
16 certified or recertified by the department under this subdivision to each city, village,
17 and town entitled to a proportionate share of fire department dues as provided under
18 sub. (1) and s. 101.575. The secretary of administration may combine any payment
19 due under this subdivision with any amount due to be paid on or before August 1,
20 2002, to the same city, village, or town under par. (a).

21 **SECTION 323.** 101.563 (2) (b) 2. of the statutes is amended to read:

22 101.563 (2) (b) 2. 'Payments from dues for calendar years 2002 to 2004.'
23 Notwithstanding s. 101.573 (3) (a) and except as otherwise provided in this
24 subdivision, on or before May 1 in each year, the department shall compile the fire
25 department dues paid by all insurers under s. 601.93 and the dues paid by the state

1 fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), withhold
2 0.5% and certify to the secretary of administration the proper amount to be paid from
3 the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, and town
4 entitled to a proportionate share of fire department dues as provided under sub. (1)
5 (b) and s. 101.575. Annually, on or before August 1, the secretary of administration
6 shall pay the amounts certified by the department to each such city, village, and
7 town. This paragraph applies only to payment of a proportionate share of fire
8 department dues collected for calendar years 2002 to 2004.

9 **SECTION 324.** 101.573 (3) (a) of the statutes is amended to read:

10 101.573 (3) (a) On or before May 1 in each year, the department shall compile
11 the fire department dues paid by all insurers under s. 601.93 and the dues paid by
12 the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5%
13 and certify to the secretary of administration the proper amount to be paid from the
14 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (L) to each city, village, or town entitled
15 to fire department dues under s. 101.575. Annually, on or before August 1, the
16 secretary of administration shall pay the amounts certified by the department to the
17 cities, villages and towns eligible under s. 101.575.

18 **SECTION 325.** 101.573 (5) of the statutes is amended to read:

19 101.573 (5) The department shall promulgate a rule defining “administrative
20 expenses” for purposes of s. ~~20.143 (3)~~ 20.165 (2) (La).

21 **SECTION 326.** 101.657 (5) of the statutes is amended to read:

22 101.657 (5) From the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j), beginning
23 with fiscal year 2005-06, the department shall allocate \$100,000 annually for the
24 contract required under sub. (2) and at least \$600,000 annually for the contract
25 required under sub. (3).

1 **SECTION 327.** 101.935 (2) (e) of the statutes is amended to read:

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

6 **SECTION 328.** 101.951 (7) (a) of the statutes is amended to read:

7 101.951 (7) (a) The department of ~~commerce~~ safety and professional services
8 may, without notice, deny the application for a license within 60 days after receipt
9 thereof by written notice to the applicant, stating the grounds for the denial. Within
10 30 days after such notice, the applicant may petition the department of
11 administration to conduct a hearing to review the denial, and a hearing shall be
12 scheduled with reasonable promptness. The division of hearings and appeals shall
13 conduct the hearing. This paragraph does not apply to denials of applications for
14 licenses under s. 101.02 (21).

15 **SECTION 329.** 101.951 (7) (b) of the statutes is amended to read:

16 101.951 (7) (b) No license may be suspended or revoked except after a hearing
17 thereon. The department of ~~commerce~~ safety and professional services shall give the
18 licensee at least 5 days' notice of the time and place of the hearing. The order
19 suspending or revoking such license shall not be effective until after 10 days' written
20 notice thereof to the licensee, after such hearing has been had; except that the
21 department of ~~commerce~~ safety and professional services, when in its opinion the
22 best interest of the public or the trade demands it, may suspend a license upon not
23 less than 24 hours' notice of hearing and with not less than 24 hours' notice of the
24 suspension of the license. Matters involving suspensions and revocations brought
25 before the department of ~~commerce~~ safety and professional services shall be heard

1 and decided upon by the department of administration. The division of hearings and
2 appeals shall conduct the hearing. This paragraph does not apply to licenses that
3 are suspended or revoked under s. 101.02 (21).

4 **SECTION 330.** 101.951 (7) (c) of the statutes is amended to read:

5 101.951 (7) (c) The department of ~~commerce~~ safety and professional services
6 may inspect the pertinent books, records, letters and contracts of a licensee. The
7 actual cost of each such examination shall be paid by such licensee so examined
8 within 30 days after demand therefor by the department, and the department may
9 maintain an action for the recovery of such costs in any court of competent
10 jurisdiction.

11 **SECTION 331.** 101.953 (1) (a) of the statutes is amended to read:

12 101.953 (1) (a) A statement that the manufactured home meets those
13 standards prescribed by law or administrative rule of the department of
14 administration or of the department of ~~commerce~~ safety and professional services
15 that are in effect at the time of the manufacture of the manufactured home.

16 **SECTION 332.** 101.973 (8) of the statutes is amended to read:

17 101.973 (8) Deposit the moneys received from the fees under sub. (7) in the
18 appropriation under s. ~~20.143 (3)~~ 20.165 (2) (j).

19 **SECTION 333.** 106.20 (1) (e) of the statutes is amended to read:

20 106.20 (1) (e) "Minority business" has the meaning given in s. ~~560.036~~ 490.04
21 (1) (e).

22 **SECTION 334.** 106.30 (2) of the statutes is amended to read:

23 106.30 (2) SURVEY FORM. Each odd-numbered year, the department of
24 workforce development shall develop and submit to the department of ~~regulation~~
25 ~~and licensing~~ safety and professional services a survey form to gather data under s.

1 441.01 (7) (a) 1. to assist the department of workforce development in evaluating the
2 supply of, demand for, and turnover among nurses in this state and in determining
3 whether there are any regional shortages of nurses, shortages of nurses in any
4 speciality areas, or impediments to entering the nursing profession in this state.

5 **SECTION 335.** 106.30 (5) (a) of the statutes is amended to read:

6 106.30 (5) (a) From the appropriation account under s. 20.445 (1) (km), the
7 department of workforce development shall award grants equal to the amount
8 appropriated under s. 20.445 (1) (km) minus the amount expended under sub. (4) to
9 a nonprofit statewide nursing center that is comprised of and led by nurses and that
10 has demonstrated coordination with constituent groups within the nursing
11 community, including professional nursing organizations; organizations
12 representing nurse educators, staff nurses, and nurse managers or executives; labor
13 organizations representing nurses; the department of ~~regulation and licensing~~
14 safety and professional services; the department of health services; and legislators
15 who are concerned with issues affecting the nursing profession.

16 **SECTION 336.** 106.30 (5) (b) of the statutes is amended to read:

17 106.30 (5) (b) A statewide nursing center that receives a grant under par. (a)
18 shall use the grant moneys to develop strategies to ensure that there is a nursing
19 workforce that is adequate to meet the current and future health care needs of this
20 state. The statewide nursing center may use those moneys to fund activities that are
21 aimed at ensuring such a nursing workforce, including monitoring trends in the
22 applicant pool for nursing education programs; evaluating the effectiveness of
23 nursing education programs in increasing access to those programs and in
24 enhancing career mobility for nurses, especially for populations that are
25 underrepresented in the nursing profession; and facilitating partnerships between

1 the nursing community and other health care providers, the department of
2 ~~regulation and licensing~~ safety and professional services, the business community,
3 the legislature, and educators to promote diversity within the nursing profession,
4 enhance career mobility and leadership development for nurses, and achieve
5 consensus regarding policies aimed at ensuring an adequate nursing workforce in
6 this state.

7 **SECTION 337.** 106.50 (6) (a) 3. of the statutes is amended to read:

8 106.50 (6) (a) 3. The complaint may be filed by an aggrieved person, by an
9 interested person, by the department of workforce development under par. (b) or, if
10 the complaint charges a violation of sub. (2r) (c), by the department of ~~commerce~~
11 safety and professional services. The department of workforce development shall,
12 upon request, provide appropriate assistance in completing and filing complaints.

13 **SECTION 338.** 106.50 (6) (b) of the statutes is amended to read:

14 106.50 (6) (b) *Powers and duties of department.* The department of workforce
15 development and its duly authorized agents may hold hearings, subpoena witnesses,
16 take testimony and make investigations as provided in this subsection. The
17 department of workforce development may test and investigate for the purpose of
18 establishing violations of sub. (2), (2m) or (2r) and may make, sign and file
19 complaints alleging violations of sub. (2), (2m) or (2r). In addition, the department
20 of ~~commerce~~ safety and professional services may make, sign and file complaints
21 alleging violations of sub. (2r) (c). The department of workforce development shall
22 employ examiners to hear and decide complaints of discrimination under this
23 section, and to assist in the administration of this section. The examiners may make
24 findings and issue orders under this subsection. The department of workforce

1 development shall develop and implement an investigation manual for use in
2 conducting investigations under par. (c).

3 **SECTION 339.** 107.30 (4) of the statutes is amended to read:

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

6 **SECTION 340.** 107.30 (10) of the statutes is amended to read:

7 107.30 (10) "Mining damage appropriation" means the appropriation under s.
8 ~~20.143 (3)~~ 20.165 (2) (a).

9 **SECTION 341.** 107.31 (5) (a) (intro.) of the statutes is amended to read:

10 107.31 (5) (a) *Calculation.* (intro.) The mining damage reserve accumulation
11 is calculated by subtracting the total amount of all mining damages awards paid
12 from the appropriation under s. 20.445 (4) (a), 2001 stats., beginning on May 22, 1980
13 or paid from the appropriation under s. ~~20.143 (3)~~ 20.165 (2) (a) from the sum of:

14 **SECTION 342.** 108.02 (21e) (intro.) of the statutes is amended to read:

15 108.02 (21e) PROFESSIONAL EMPLOYER ORGANIZATION. (intro.) "Professional
16 employer organization" means any person who is currently registered as a
17 professional employer organization with the department of ~~regulation and licensing~~
18 safety and professional services in accordance with ch. 461, who contracts to provide
19 the nontemporary, ongoing employee workforce of more than one client under a
20 written leasing contract, the majority of whose clients are not under the same
21 ownership, management, or control as the person other than through the terms of
22 the contract, and who under contract and in fact:

23 **SECTION 343.** 115.33 (2) (a) (intro.) of the statutes is amended to read:

1 115.33 (2) (a) (intro.) The state superintendent may request the department
2 of ~~commerce~~ safety and professional services to inspect a public school if any of the
3 following occurs:

4 **SECTION 344.** 115.33 (2) (b) of the statutes is amended to read:

5 115.33 (2) (b) The department of ~~commerce~~ safety and professional services
6 shall inspect the school within 30 days after receiving a request from the state
7 superintendent under par. (a).

8 **SECTION 345.** 115.33 (3) (a) of the statutes is amended to read:

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

15 **SECTION 346.** 115.33 (3) (b) 1. of the statutes is amended to read:

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

1 compliance with the standard under s. 121.02 (1) (i) within the period specified in the
2 plan.

3 **SECTION 347.** 118.07 (2) (b) of the statutes is amended to read:

4 118.07 (2) (b) In each community having a recognized fire department, the
5 person having direct charge of any public or private school shall annually file a report
6 pertaining to such drills, on a form furnished by the department of ~~commerce~~ safety
7 and professional services, with the chief of the fire department. When no fire drill
8 is held during any month, or when only one or no tornado or other hazard drill is held
9 in a year, the person having direct charge of the school shall state the reasons in the
10 report.

11 **SECTION 348.** 118.075 (2) (a) 2. of the statutes is amended to read:

12 118.075 (2) (a) 2. The secretary of ~~commerce~~ safety and professional services
13 or his or her designee.

14 **SECTION 349.** 118.135 (2) of the statutes is amended to read:

15 118.135 (2) A pupil who complies with a request under sub. (1) shall provide
16 evidence of an eye examination or evaluation by December 31 following the pupil's
17 enrollment in kindergarten. The school board or charter school shall provide pupils
18 with the form distributed by the department of ~~regulation and licensing~~ safety and
19 professional services under s. 440.03 (16) for that purpose.

20 **SECTION 350.** 119.495 (2) of the statutes is amended to read:

21 119.495 (2) The board shall include in its budget transmitted to the common
22 council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing
23 to be authorized in the budget for the ensuing year. The common council shall issue
24 the notes and levy a direct annual irrepealable tax sufficient to pay the principal and
25 interest on the notes as they become due. The common council may issue the notes

1 by private sale. The common council shall make every effort to involve a minority
2 investment firm certified under s. ~~560.036~~ 490.04 as managing underwriter of the
3 notes or to engage a minority financial adviser certified under s. ~~560.036~~ 490.04 to
4 advise the city regarding any public sale of the notes.

5 **SECTION 351.** 119.496 (2) of the statutes is amended to read:

6 119.496 (2) The board shall include in its budget transmitted to the common
7 council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing
8 to be authorized in the budget for the ensuing year. The common council shall issue
9 the notes and levy a direct annual irrevocable tax sufficient to pay the principal and
10 interest on the notes as they become due. The common council may issue the notes
11 by private sale. The common council shall establish goals of involving minority
12 investment firms certified under s. ~~560.036~~ 490.04 as managing underwriters for at
13 least 50% of the total amount financed by the notes and of engaging a minority
14 financial adviser certified under s. ~~560.036~~ 490.04 to advise the city regarding any
15 public sale of the notes.

16 **SECTION 352.** 145.01 (4) of the statutes is amended to read:

17 145.01 (4) DEPARTMENT. "Department" means the department of ~~commerce~~
18 safety and professional services.

19 **SECTION 353.** 145.02 (4) (a) of the statutes is amended to read:

20 145.02 (4) (a) The department shall prescribe rules as to the qualifications,
21 examination and licensing of master and journeyman plumbers and restricted
22 plumber licensees, for the licensing of utility contractors, for the registration of
23 plumbing apprentices and pipe layers and for the registration and training of
24 registered learners. The plumbers council, created under s. ~~15.157(6)~~ 15.407 (16),
25 shall advise the department in formulating the rules.