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1 121.006 (2) (a) 4. Hours during which school is closed by order of the school
2 district administrator because of a threat to the health or safety of pupils or school
3 personnel, but not including inclement weather, unless the school board determines
4 that the hours will not count as hours of direct pupil instruction for purposes of s.
5 121.02 (1) (f).

6 **SECTION 2566.** 121.007 of the statutes is amended to read:

7 **121.007 Use of state aid; exemption from execution.** All moneys paid to
8 a school district under s. 20.255 (2) (ac), ~~(be)~~, (cg), and (cr), shall be used by the school
9 district solely for the purposes for which paid. Such moneys are exempt from
10 execution, attachment, garnishment, or other process in favor of creditors, except as
11 to claims for salaries or wages of teachers and other school employees and as to
12 claims for school materials, supplies, fuel, and current repairs.

13 **SECTION 2567.** 121.02 (1) (a) 2. of the statutes is amended to read:

14 121.02 (1) (a) 2. Subject to s. 118.40 (2r) (d) 1. and (8) (b) 2., ensure that all
15 instructional staff of charter schools located in the school district hold a license or
16 permit to teach issued by the department. For purposes of this subdivision, a virtual
17 charter school is located in the school district specified in s. 118.40 (8) (a) and a
18 charter school established under s. 118.40 (3) (c) 1. c. is located in the school district
19 specified in s. 118.40 (3) (c) 1. c. The state superintendent shall promulgate rules
20 defining "instructional staff" for purposes of this subdivision.

21 **SECTION 2568.** 121.02 (1) (f) 1. of the statutes is repealed.

22 **SECTION 2569.** 121.02 (1) (f) 2. of the statutes is renumbered 121.02 (1) (f) and
23 amended to read:

24 121.02 (1) (f) Annually, schedule at least 437 hours of direct pupil instruction
25 in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6 and

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1 at least 1,137 hours of direct pupil instruction in grades 7 to 12. Scheduled hours
2 under this ~~subdivision~~ paragraph include recess and time for pupils to transfer
3 between classes but do not include the lunch period. Scheduled hours under this
4 paragraph may include up to 35 hours on Saturdays. A school board operating a
5 4-year-old kindergarten program may use up to 87.5 of the scheduled hours for
6 outreach activities.

7 **SECTION 2570.** 121.02 (1) (n) of the statutes is repealed.

8 **SECTION 2571.** 121.08 (4) (a) 1. of the statutes is amended to read:

9 121.08 (4) (a) 1. ~~In the 2009-10 and 2010-11 school year, add~~ Add the amounts
10 paid under s. 118.40 (2r) in the current school year, ~~and in the 2011-12 school year~~
11 ~~and each school year thereafter, add the amounts paid under s. 118.40 (2r) in the~~
12 ~~2010-11 school year.~~

13 **SECTION 2572.** 121.23 (2) (intro.) of the statutes is amended to read:

14 121.23 (2) (intro.) If a school district ~~holds less than 180 days of school~~ fails to
15 provide the number of hours of direct pupil instruction specified under s. 121.02 (1)
16 (f) as the result of a strike by school district employees, for the purposes of computing
17 general aid, the state superintendent shall compute the school district's primary and
18 secondary ceiling costs per member in accordance with the procedure specified in
19 pars. (a) to (e). In making the calculation, the state superintendent shall:

20 **SECTION 2573.** 121.55 (3) (b) of the statutes is amended to read:

21 121.55 (3) (b) Except as provided in par. (c), if 2 or more pupils reside in the
22 same household and attend the same private school, the contract under par. (a) may,
23 at the discretion of the school board ~~of the school district operating under ch. 119,~~
24 provide for a total annual payment for all such pupils of not less than \$5 times the
25 distance in miles between the pupils' residence and the private school they attend,

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1 or the school district's average cost per pupil for bus transportation in the previous
2 year exclusive of transportation for kindergarten pupils during the noon hour and
3 for pupils with disabilities, whichever is greater.

4 **SECTION 2574.** 121.905 (1) of the statutes is amended to read:

5 121.905 (1) In this section, "revenue ceiling" means ~~\$9,000 in the 2009-10~~
6 ~~school year and in the 2010-11 school year and \$9,800~~ \$8,900 in the 2011-12 school
7 year and in any subsequent school year.

8 **SECTION 2575.** 121.905 (3) (c) 3r. of the statutes is repealed.

9 **SECTION 2576.** 121.905 (3) (c) 4. of the statutes is repealed.

10 **SECTION 2577.** 121.91 (2m) (e) (intro.) of the statutes is amended to read:

11 121.91 (2m) (e) (intro.) Except as provided in subs. (3), and (4), ~~and (8)~~, no
12 school district may increase its revenues for the 2008-09 school year to an amount
13 that exceeds the amount calculated as follows:

14 **SECTION 2578.** 121.91 (2m) (f) (intro.) of the statutes is amended to read:

15 121.91 (2m) (f) (intro.) Except as provided in subs. (3), and (4), ~~and (8)~~, no school
16 district may increase its revenues for the 2009-10 school year or for the 2010-11
17 school year to an amount that exceeds the amount calculated as follows:

18 **SECTION 2579.** 121.91 (2m) (g) (intro.) of the statutes is amended to read:

19 121.91 (2m) (g) (intro.) Except as provided in subs. (3), and (4), ~~and (8)~~, no
20 school district may increase its revenues for the 2011-12 school year to an amount
21 that exceeds the amount calculated as follows:

22 **SECTION 2580.** 121.91 (2m) (g) 2. of the statutes is repealed.

23 **SECTION 2581.** 121.91 (2m) (g) 3. of the statutes is amended to read:

24 121.91 (2m) (g) 3. Multiply the result under subd. 2. 1. by the average of the
25 number of pupils enrolled in the current and the 2 preceding school years.

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1 **SECTION 2582.** 121.91 (2m) (g) 4. of the statutes is created to read:

2 121.91 (2m) (g) 4. Multiply the result under subd. 3. by 0.055.

3 **SECTION 2583.** 121.91 (2m) (g) 5. of the statutes is created to read:

4 121.91 (2m) (g) 5. Subtract the product under subd. 4. from the result under
5 subd. 3.

6 **SECTION 2584.** 121.91 (2m) (h) (intro.) of the statutes is amended to read:

7 121.91 (2m) (h) (intro.) Except as provided in subs. (3), and (4), ~~and (8)~~, no
8 school district may increase its revenues for the 2012-13 school year ~~or for any school~~
9 ~~year thereafter~~ to an amount that exceeds the amount calculated as follows:

10 **SECTION 2585.** 121.91 (2m) (h) 2. of the statutes is repealed.

11 **SECTION 2586.** 121.91 (2m) (h) 3. of the statutes is repealed.

12 **SECTION 2587.** 121.91 (2m) (h) 4. of the statutes is amended to read:

13 121.91 (2m) (h) 4. Multiply the result under subd. ~~3.~~ 1. by the average of the
14 number of pupils enrolled in the current and the 2 preceding school years.

15 **SECTION 2588.** 121.91 (2m) (r) 1. b. of the statutes is repealed.

16 **SECTION 2589.** 121.91 (2m) (r) 1. c. of the statutes is amended to read:

17 121.91 (2m) (r) 1. c. Multiply the result under subd. 1. ~~b.~~ a. by the number of
18 pupils who in the previous school year were enrolled in a school district from which
19 territory was detached to create the new school district and who resided in the
20 detached territory, or by the number of pupils enrolled in the new school district in
21 the current school year, whichever is greater.

22 **SECTION 2590.** 121.91 (2m) (r) 1. d. of the statutes is created to read:

23 121.91 (2m) (r) 1. d. In the 2011-12 school year, multiply the result under subd.
24 1. c. by 0.055. In the 2012-13 school year, multiply the result under subd. 1. c. by 1.0.

25 **SECTION 2591.** 121.91 (2m) (r) 1. e. of the statutes is created to read:

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1 121.91 (2m) (r) 1. e. Subtract the product of subd. 1. d. from the result under
2 subd. 1. c.

3 **SECTION 2592.** 121.91 (2m) (s) 1. b. of the statutes is repealed.

4 **SECTION 2593.** 121.91 (2m) (s) 1. c. of the statutes is amended to read:

5 121.91 (2m) (s) 1. c. Multiply the result under subd. 1. ~~b.~~ a. by the number of
6 pupils who in the previous school year were enrolled in the school district and who
7 did not reside in the detached territory, or by the number of pupils enrolled in the
8 school district in the current school year, whichever is greater.

9 **SECTION 2594.** 121.91 (2m) (s) 1. d. of the statutes is created to read:

10 121.91 (2m) (s) 1. d. In the 2011-12 school year, multiply the result under subd.
11 1. c. by 0.055. In the 2012-13 school year, multiply the result under subd. 1. c. by 1.0.

12 **SECTION 2595.** 121.91 (2m) (s) 1. e. of the statutes is created to read:

13 121.91 (2m) (s) 1. e. Subtract the product of subd. 1. d. from the result under
14 subd. 1. c.

15 **SECTION 2596.** 121.91 (2m) (t) 1. (intro.) of the statutes is amended to read:

16 121.91 (2m) (t) 1. (intro.) If 2 or more school districts are consolidated under
17 s. 117.08 or 117.09, except as follows, in the 2011-12 school year, the consolidated
18 school district's revenue limit shall be determined as provided under par. (e) except
19 as follows (g) and in the 2012-13 school year, the consolidated school district's
20 revenue limit shall be determined as provided under par. (h):

21 **SECTION 2597.** 121.91 (4) (d) of the statutes is repealed.

22 **SECTION 2598.** 121.91 (4) (L) of the statutes is repealed.

23 **SECTION 2599.** 121.91 (4) (m) of the statutes is repealed.

24 **SECTION 2600.** 121.91 (4) (n) of the statutes is repealed.

25 **SECTION 2601.** 121.91 (4) (p) of the statutes is created to read:

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1 121.91 (4) (p) The limit otherwise applicable to a school district under sub. (2m)
2 in any school year is increased by the amount of any reduction to that school district's
3 state aid payment made under s. 118.51 (16) (b) 2. and (c) in the previous school year
4 for a pupil who was not included in the calculation of the number of pupils enrolled
5 in that school district in the previous school year.

6 **SECTION 2602.** 121.91 (7) of the statutes is amended to read:

7 121.91 (7) Except as provided in sub. (4) (f) 2. and (L) to (o) ~~and (8)~~, if an excess
8 revenue is approved under sub. (3) for a recurring purpose or allowed under sub. (4),
9 the excess revenue shall be included in the base for determining the limit for the next
10 school year for purposes of this section. If an excess revenue is approved under sub.
11 (3) for a nonrecurring purpose, the excess revenue shall not be included in the base
12 for determining the limit for the next school year for purposes of this section.

13 **SECTION 2603.** 121.91 (8) of the statutes is repealed.

14 **SECTION 2604.** 125.02 (3m) of the statutes is amended to read:

15 125.02 (3m) "Campus" has the meaning given under s. 36.05 (3) and s. 37.01
16 (4).

17 **SECTION 2605.** 132.001 (1m) of the statutes is created to read:

18 132.001 (1m) "Department" means the department of financial institutions.

19 **SECTION 2606.** 132.01 (1) of the statutes is amended to read:

20 132.01 (1) Any person, firm, partnership, corporation, association, or union of
21 workingmen, which has heretofore adopted or used or shall hereafter adopt or use
22 any mark for the purpose of designating, making known, or distinguishing any
23 goods, wares, merchandise, service, business, or other product of labor or
24 manufacture as having been made, manufactured, produced, prepared, packed, or
25 put on sale by such person, firm, partnership, corporation, association, or union of

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1 workingmen, or by a member or members thereof, he, she, or they, if residents of this
2 or any other state of the United States, and such foreign corporations as may have
3 been duly licensed to transact business in the state of Wisconsin, may file an original,
4 a copy, or photographs, or cuts with specifications of the same for record ~~in the office~~
5 ~~of the secretary of state~~ with the department, by leaving 2 such originals, copies,
6 photographs, or cuts with specifications, the same being counterparts, facsimiles, or
7 drawings thereof, with ~~said secretary~~ the department and by filing therewith a
8 sworn statement, in such form as may be prescribed by the ~~secretary of state~~
9 department, specifying the name of the person, firm, partnership, corporation,
10 association, or union of workingmen, on whose behalf such mark is to be filed, the
11 class of merchandise and a separate description of the goods to which the same has
12 been or is intended to be appropriated, the residence, location, or place of business
13 of such party, that the party, on whose behalf such mark is to be filed, has the right
14 to the use of the same, and that no other person, or persons, firm, partnership,
15 corporation, association, or union of workingmen has such right either in the
16 identical form or in any such near resemblance thereto as may be calculated to
17 deceive, and that the originals, copies, photographs, or cuts, counterparts,
18 facsimiles, or drawings filed therewith are correct.

19 **SECTION 2607.** 132.01 (3) of the statutes is amended to read:

20 132.01 (3) For an original or renewal registration, or the recording of an
21 assignment, there shall be paid to the ~~secretary of state~~ department the fee of \$15.

22 **SECTION 2608.** 132.01 (5) of the statutes is amended to read:

23 132.01 (5) The ~~secretary of state~~ department may not register any mark which
24 consists of or comprises a replica or simulation of the flag, coat of arms, or insignia
25 of the United States of America, or of any state or municipality or any foreign nation.

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1 **SECTION 2609.** 132.01 (6) of the statutes is amended to read:

2 132.01 **(6)** (a) A registration recorded or renewed under this section or s. 132.04
3 or 132.11 before May 1, 1990, is effective for 20 years. A registration may be renewed
4 on or after May 1, 1990, for 10-year periods upon application to the ~~secretary of state~~
5 department and payment of the same fee required for a registration. Application for
6 renewal shall be made within 6 months before the expiration of the 20-year
7 registration period or 10-year renewal period specified in this paragraph.

8 (b) A registration recorded under this section or s. 132.04 or 132.11 on or after
9 May 1, 1990, is effective for 10 years. A registration may be renewed for 10-year
10 periods upon application to the ~~secretary of state~~ department and payment of the
11 same fee required for a registration. Application for renewal shall be made within
12 6 months before the expiration of the 10-year period specified in this paragraph.

13 **SECTION 2610.** 132.01 (7) (intro.) of the statutes is amended to read:

14 132.01 **(7)** (intro.) The ~~secretary of state~~ department shall do all of the
15 following:

16 **SECTION 2611.** 132.01 (7) (b) of the statutes is amended to read:

17 132.01 **(7)** (b) Cancel from his or her register a registration of a mark under this
18 section upon the request of the registrant of the mark. The ~~secretary of state~~
19 department may not charge a fee for canceling a registration under this paragraph.

20 **SECTION 2612.** 132.01 (8) of the statutes is amended to read:

21 132.01 **(8)** Any person, firm, partnership, corporation, association or union who
22 claims a right to the use of subject matter conflicting with any registration by another
23 may bring action against such other in the circuit court for the county in which such
24 other resides, or in the circuit court for Dane County, and in any such action the right
25 to the use and registration of such subject matter shall be determined as between the

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1 parties, and registration shall be granted or withheld or canceled by the ~~secretary~~
2 ~~of state~~ department in accordance with the final judgment in any such action.
3 Nonuser for a period of at least 2 years continuing to the date of commencement of
4 any action in which abandonment is in issue shall be prima facie evidence of
5 abandonment to the extent of such nonuser.

6 **SECTION 2613.** 132.01 (9) of the statutes is amended to read:

7 132.01 (9) Title to any registration hereunder shall pass to any person, firm or
8 corporation succeeding to the registrant's business to which such registration
9 pertains. Written assignments of any such registration from a registrant to such a
10 successor may be filed with and shall be recorded by the ~~secretary of state~~
11 department upon payment of the fee specified in sub. (3). When such assignment is
12 recorded, a new registration shall be entered in the name of the assignee, and on such
13 registration and any subsequent certificates or registration of an assigned
14 registration the ~~secretary of state~~ department shall show the previous ownership
15 and dates of assignment thereof.

16 **SECTION 2614.** 132.031 of the statutes is amended to read:

17 **132.031 Certificate; evidence.** The ~~secretary of state~~ department shall
18 deliver to the person, corporation, association or union so filing or causing to be filed
19 any such mark, or any assignment of such subject matter previously registered, or
20 to any person, corporation, association or union renewing a registration, as many
21 duly attested certificates of the registration or renewal of the same as may be desired.
22 Any such certificate shall, in all suits and prosecutions arising out of or depending
23 upon any rights claimed under such mark, be prima facie evidence of the adoption
24 thereof and of the facts prerequisite to registrations thereof as required by s. 132.01.

25 **SECTION 2615.** 132.04 (1) of the statutes is amended to read:

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1 132.04 (1) Any person who is the owner of cans, tubs, firkins, boxes, bottles,
2 casks, barrels, kegs, cartons, tanks, fountains, vessels or containers with his or her
3 names, brands, designs, trademarks, devices or other marks of ownership stamped,
4 impressed, labeled, blown in or otherwise marked thereon, may file with the
5 ~~secretary of state~~ department and record with the register of deeds of any county in
6 which the person has his or her principal place of business, a written statement or
7 description verified by affidavit of the owner or his or her agent, of the names, brands,
8 designs, trademarks, devices or other marks of ownership used by him or her, and
9 of the articles upon which they are used, or if the principal place of business is outside
10 the state, then a written statement or verified description may be recorded with the
11 register of deeds of any county. The statement shall be published as a class 3 notice,
12 under ch. 985, in the county, and a copy of the publication, proved as provided in s.
13 985.12, shall also be filed with the ~~secretary of state~~ department and recorded with
14 the register of deeds.

15 **SECTION 2616.** 132.04 (2) of the statutes is amended to read:

16 132.04 (2) All such written statements or descriptions and all such certificates
17 of publication so filed or recorded shall be subject at all reasonable hours to public
18 inspection. The ~~secretary of state~~ department and the register of deeds shall deliver
19 to all applicants certified copies of all such written statements or descriptions or
20 names, brands, designs, trademarks, devices, or other marks of ownership and of all
21 certificates of publication filed or recorded with them and such certified copies shall
22 be admissible in evidence in all prosecutions under ss. 132.04 to 132.08, and shall be
23 prima facie evidence that this section has been complied with, and of the title of the
24 owner named therein to the property upon which the name, brand, design,

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1 trademark, device, or other marks of ownership of the owner appear as described
2 therein.

3 **SECTION 2617.** 132.04 (3) of the statutes is amended to read:

4 132.04 (3) The ~~secretary of state~~ department shall receive a fee of \$15 and the
5 register of deeds shall receive the fee specified in s. 59.43 (2) (ag) or (e) for each
6 statement and certificate of publication filed or recorded and shall also receive the
7 fee specified in s. 59.43 (2) (b) for each certified copy of such statement and certificate
8 of publication, to be paid for by the person filing, recording or applying for the same.

9 **SECTION 2618.** 132.04 (4) of the statutes is amended to read:

10 132.04 (4) (a) The ~~secretary of state~~ department and register of deeds shall
11 cancel a statement or description under this section upon the request of the person
12 named in the records of the ~~secretary of state~~ department or register of deeds as the
13 owner of marks of ownership described in the statement or description.

14 (b) The ~~secretary of state~~ department and register of deeds may not charge a
15 fee for canceling a statement or description under par. (a).

16 **SECTION 2619.** 132.11 (1) (intro.) of the statutes is amended to read:

17 132.11 (1) (intro.) The ~~secretary of state~~ department shall do all of the
18 following:

19 **SECTION 2620.** 132.11 (1) (c) of the statutes is amended to read:

20 132.11 (1) (c) Cancel the description of a name, brand or trademark recorded
21 under par. (a) upon the request of the person, firm or corporation named in the
22 records of the ~~secretary of state~~ department as the owner of the name, brand or
23 trademark. The ~~secretary of state~~ department may not charge a fee for canceling a
24 description under this paragraph.

25 **SECTION 2621.** 132.16 (1m) of the statutes is amended to read:

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1 132.16 (1m) Any organization may register, ~~in the office of the secretary of~~
2 ~~state, with the department~~ a facsimile, duplicate, or description of any of the
3 organization's identifying information and may, by reregistration, alter or cancel the
4 organization's identifying information.

5 **SECTION 2622.** 132.16 (2) of the statutes is amended to read:

6 132.16 (2) Application for registration or reregistration under sub. (1m) shall
7 be made by the organization's chief officer or officers upon forms provided by the
8 ~~secretary of state~~ department. The registration shall be for the use, benefit, and on
9 behalf of the organization and the organization's current and future individual
10 members throughout this state.

11 **SECTION 2623.** 132.16 (3) of the statutes is amended to read:

12 132.16 (3) The ~~secretary of state~~ department shall keep a properly indexed file
13 of all registrations under this section, which shall also show any alterations or
14 cancelations by reregistration.

15 **SECTION 2624.** 132.16 (5) of the statutes is amended to read:

16 132.16 (5) Upon granting registration under this section, the ~~secretary of state~~
17 department shall issue ~~his or her~~ a certificate to the petitioners, setting forth the fact
18 of the registration.

19 **SECTION 2625.** 132.16 (6) of the statutes is amended to read:

20 132.16 (6) The fees of the ~~secretary of state~~ department for registration or
21 reregistration under this section, searches made by the ~~secretary of state~~
22 department, and certificates issued by the ~~secretary of state~~ department under this
23 section, shall be the same as provided by law for similar services. The fees collected
24 under this section shall be paid by the ~~secretary of state~~ department into the state
25 treasury.

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1 **SECTION 2626.** 137.01 (1) (a) of the statutes is amended to read:

2 137.01 (1) (a) The governor shall appoint notaries public who shall be United
3 States residents and at least 18 years of age. Applicants who are not attorneys shall
4 file an application with the ~~secretary of state~~ department of financial institutions
5 and pay a \$20 fee.

6 **SECTION 2627.** 137.01 (1) (b) of the statutes is amended to read:

7 137.01 (1) (b) The secretary of state financial institutions shall satisfy himself
8 or herself that the applicant has the equivalent of an 8th grade education, is familiar
9 with the duties and responsibilities of a notary public and, subject to ss. 111.321,
10 111.322 and 111.335, does not have an arrest or conviction record.

11 **SECTION 2628.** 137.01 (1) (d) of the statutes is amended to read:

12 137.01 (1) (d) Qualified applicants shall be notified by the ~~secretary of state~~
13 department of financial institutions to take and file the official oath and execute and
14 file an official bond in the sum of \$500, with a surety executed by a surety company
15 and approved by the secretary of state financial institutions.

16 **SECTION 2629.** 137.01 (1) (e) of the statutes is amended to read:

17 137.01 (1) (e) The qualified applicant shall file his or her signature, post-office
18 address and an impression of his or her official seal, or imprint of his or her official
19 rubber stamp with the ~~secretary of state~~ department of financial institutions.

20 **SECTION 2630.** 137.01 (1) (g) of the statutes is amended to read:

21 137.01 (1) (g) At least 30 days before the expiration of a commission the
22 ~~secretary of state~~ department of financial institutions shall mail notice of the
23 expiration date to the holder of a commission.

24 **SECTION 2631.** 137.01 (2) (a) of the statutes is amended to read:

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1 137.01 (2) (a) Except as provided in par. (am), any United States resident who
2 is licensed to practice law in this state is entitled to a permanent commission as a
3 notary public upon application to the ~~secretary of state~~ department of financial
4 institutions and payment of a \$50 fee. The application shall include a certificate of
5 good standing from the supreme court, the signature and post-office address of the
6 applicant and an impression of the applicant's official seal, or imprint of the
7 applicant's official rubber stamp.

8 **SECTION 2632.** 137.01 (2) (am) of the statutes is amended to read:

9 137.01 (2) (am) If a United States resident has his or her license to practice law
10 in this state suspended or revoked, upon reinstatement of his or her license to
11 practice law in this state, the person may be entitled to receive a certificate of
12 appointment as a notary public for a term of 4 years. An eligible notary appointed
13 under this paragraph is entitled to reappointment for 4-year increments. At least
14 30 days before the expiration of a commission under this paragraph the ~~secretary of~~
15 ~~state~~ department of financial institutions shall mail notice of the expiration date to
16 the holder of the commission.

17 **SECTION 2633.** 137.01 (2) (b) of the statutes is amended to read:

18 137.01 (2) (b) The secretary of state financial institutions shall issue a
19 certificate of appointment as a notary public to persons who qualify under the
20 requirements of this subsection. The certificate shall state that the notary
21 commission is permanent or is for 4 years.

22 **SECTION 2634.** 137.01 (2) (c) of the statutes is amended to read:

23 137.01 (2) (c) The supreme court shall file with the ~~secretary of state~~
24 department of financial institutions notice of the surrender, suspension or revocation

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1 of the license to practice law of any attorney who holds a permanent commission as
2 a notary public. Such notice shall be deemed a revocation of said commission.

3 **SECTION 2635.** 137.01 (6) (a) of the statutes is amended to read:

4 137.01 (6) (a) The secretary of state financial institutions may certify to the
5 official qualifications of any notary public and to the genuineness of the notary
6 public's signature and seal or rubber stamp.

7 **SECTION 2636.** 137.01 (6m) of the statutes is amended to read:

8 137.01 (6m) CHANGE OF RESIDENCE. A notary public does not vacate his or her
9 office by reason of his or her change of residence within the United States. Written
10 notice of any change of address shall be given to the ~~secretary of state~~ department
11 of financial institutions within 10 days of the change.

12 **SECTION 2637.** 137.01 (7) of the statutes is amended to read:

13 137.01 (7) OFFICIAL RECORDS TO BE FILED. When any notary public ceases to hold
14 office, the notary public, or in case of the notary public's death the notary public's
15 personal representative, shall deposit the notary public's official records and papers
16 ~~in the office of the secretary of state~~ with the department of financial institutions.

17 If the notary or personal representative, after the records and papers come to his or
18 her hands, neglects for 3 months to deposit them, he or she shall forfeit not less than
19 \$50 nor more than \$500. If any person knowingly destroys, defaces, or conceals any
20 records or papers of any notary public, the person shall forfeit not less than \$50 nor
21 more than \$500, and shall be liable for all damages resulting to the party injured.

22 The ~~secretary of state~~ department of financial institutions shall receive and safely
23 keep all such papers and records.

24 **SECTION 2638.** 145.01 (4) of the statutes is amended to read:

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1 145.01 (4) DEPARTMENT. "Department" means the department of ~~commerce~~
2 safety and professional services.

3 **SECTION 2639.** 145.02 (4) (a) of the statutes is amended to read:

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

10 **SECTION 2640.** 145.17 (2) of the statutes is amended to read:

11 145.17 (2) The department shall prescribe rules as to the qualifications,
12 examination and licensing of journeymen automatic fire sprinkler system fitters and
13 automatic fire sprinkler contractors and for the registration and training of
14 automatic fire sprinkler system apprentices. The automatic fire sprinkler system
15 contractors and journeymen council, created under s. ~~15.157 (9)~~ 15.407 (17), shall
16 advise the department in formulating the rules.

17 **SECTION 2641.** 145.20 (5) (c) of the statutes is amended to read:

18 145.20 (5) (c) The department of natural resources may suspend or revoke a
19 license issued under s. 281.48 or a certificate issued under s. 281.17 (3) to the
20 operator of a septage servicing vehicle if the department of natural resources finds
21 that the licensee or operator falsified information on inspection forms. The
22 department of ~~commerce~~ safety and professional services may suspend or revoke the
23 license of a plumber licensed under this chapter if the department finds that the
24 plumber falsified information on inspection forms.

25 **SECTION 2642.** 145.245 (12m) (e) of the statutes is amended to read:

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1 145.245 (12m) (e) The department of ~~commerce~~ safety and professional
2 services and the department of administration may enter into a financial assistance
3 agreement with a governmental unit that applies for a loan under this subsection
4 and meets the eligibility requirements for a loan, including the requirements under
5 par. (d).

6 **SECTION 2643.** 145.245 (12m) (f) of the statutes is amended to read:

7 145.245 (12m) (f) The department of administration, in consultation with the
8 department of ~~commerce~~ safety and professional services, may establish those terms
9 and conditions of a financial assistance agreement that relate to its financial
10 management, including what type of municipal obligation is required for the
11 repayment of the financial assistance. In setting the terms and conditions, the
12 department of administration may consider factors that the department of
13 administration finds are relevant, including the type of obligation evidencing the
14 loan, the pledge of security for the obligation and the applicant's creditworthiness.

15 **SECTION 2644.** 145.245 (12m) (g) of the statutes is amended to read:

16 145.245 (12m) (g) The department of administration shall make and disburse
17 a loan to an applicant that has entered into a financial assistance agreement under
18 par. (e). The department of administration, in consultation with the department of
19 ~~commerce~~ safety and professional services, shall establish procedures for disbursing
20 loans.

21 **SECTION 2645.** 145.245 (12m) (h) of the statutes is amended to read:

22 145.245 (12m) (h) If a governmental unit fails to make a principal repayment
23 after its due date, the department of administration shall place on file a certified
24 statement of all amounts due under this subsection. After consulting the
25 department of ~~commerce~~ safety and professional services, the department of

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1 administration may collect all amounts due by deducting those amounts from any
2 state payments due the governmental unit or may add a special charge to the amount
3 of taxes apportioned to and levied upon the county under s. 70.60. If the department
4 of administration collects amounts due, it shall remit those amounts to the fund to
5 which they are due and notify the department of ~~commerce~~ safety and professional
6 services of that action.

7 **SECTION 2646.** 146.085 (3) of the statutes is amended to read:

8 146.085 (3) ENFORCEMENT. The department, the department of ~~commerce~~
9 safety and professional services, and the public service commission shall enforce this
10 section within their respective jurisdictions.

11 **SECTION 2647.** 146.40 (4r) (em) of the statutes is amended to read:

12 146.40 (4r) (em) If the department receives a report under par. (a) or (am) and
13 determines that an individual who is the subject of the report holds a credential that
14 is related to the individual's employment at, or contract with, the entity, the
15 department shall refer the report to the department of ~~regulation and licensing~~
16 safety and professional services.

17 **SECTION 2648.** 146.59 (2) (b) of the statutes is amended to read:

18 146.59 (2) (b) If a contractual services agreement is terminated under s. 233.04
19 (4m) (b), the University of Wisconsin Hospitals and Clinics Board may negotiate and
20 enter into a contractual services agreement with the University of Wisconsin
21 Hospitals and Clinics Authority or the ~~board of regents~~ Board of Trustees of the
22 University of ~~Wisconsin System~~ Wisconsin-Madison under s. 233.04 (4m) (b).

23 **SECTION 2649.** 146.83 (1c) (a) of the statutes is created to read:

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1 146.83 (1c) (a) Inspect the health care records of a health care provider
2 pertaining to that patient at any time during regular business hours, upon
3 reasonable notice.

4 **SECTION 2650.** 146.83 (1c) (b) of the statutes is created to read:

5 146.83 (1c) (b) Receive a copy of the patient's health care records upon payment
6 of fees, as established by rule under sub. (3f).

7 **SECTION 2651.** 146.83 (1c) (c) of the statutes is created to read:

8 146.83 (1c) (c) Receive a copy of the health care provider's X-ray reports or
9 have the X-rays referred to another health care provider of the patient's choice upon
10 payment of fees, as established by rule under sub. (3f).

11 **SECTION 2652.** 146.83 (1d) of the statutes is renumbered 146.83 (1c) (intro.) and
12 amended to read:

13 146.83 (1c) (intro.) Except as provided in s. 51.30 or 146.82 (2), any patient or
14 person authorized by the patient may, upon submitting a statement of informed
15 consent, ~~inspect the health care records of a health care provider pertaining to that~~
16 ~~patient. Except as provided in sub. (1g), the health care provider shall make the~~
17 ~~records available for inspection by the patient or person authorized by the patient~~
18 ~~during regular business hours, after the health care provider receives notice from the~~
19 ~~patient or person authorized by the patient. A health care provider may not charge~~
20 ~~a fee for inspection under this subsection.;~~

21 **SECTION 2653.** 146.83 (1f) (a) of the statutes is repealed.

22 **SECTION 2654.** 146.83 (1f) (b) of the statutes is repealed.

23 **SECTION 2655.** 146.83 (1f) (c) of the statutes is repealed.

24 **SECTION 2656.** 146.83 (1f) (d) 1. of the statutes is renumbered 146.83 (1f) (am)
25 and amended to read:

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1 146.83 **(1f)** (am) If a patient or person authorized by the patient requests copies
2 of the patient's health care records under this ~~subsection~~ section for use in appealing
3 a denial of social security disability insurance, under 42 USC 401 to 433, or
4 supplemental security income, under 42 USC 1381 to 1385, the health care provider
5 may charge the patient or person authorized by the patient no more than the amount
6 that the federal social security administration reimburses the department for copies
7 of patient health care records.

8 **SECTION 2657.** 146.83 (1f) (d) 2. of the statutes is renumbered 146.83 (1f) (bm)
9 and amended to read:

10 146.83 **(1f)** (bm) Except as provided in sub. (1g), a health care provider may not
11 charge a fee for providing one set of copies of a patient's health care records under
12 this ~~subsection~~ section if the patient is eligible for medical assistance, as defined in
13 s. 49.43 (8). A health care provider may require that a patient or person authorized
14 by the patient provide proof that the patient is eligible for medical assistance before
15 providing copies under this subdivision without charge. A health care provider may
16 charge the fees ~~under par. (e)~~ established by rule under sub. (1c) for providing a 2nd
17 or additional set of copies of patient health care records for a patient who is eligible
18 for medical assistance.

19 **SECTION 2658.** 146.83 (1g) of the statutes is amended to read:

20 146.83 **(1g)** The time limit for making records available for inspection and for
21 providing copies of records under sub. (1d), ~~the time limits for providing copies of~~
22 ~~records under sub. (1f) (a) and (b), (1c) and the requirement under sub. (1f) (d) 2. (bm)~~
23 to provide one set of copies of records without charge if the patient is eligible for
24 medical assistance do not apply if the health care provider is the department or the
25 department of corrections.

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1 **SECTION 2659.** 146.83 (1h) of the statutes is repealed.

2 **SECTION 2660.** 146.83 (1k) of the statutes is repealed.

3 **SECTION 2661.** 146.83 (1m) of the statutes is renumbered 146.83 (1m) (a).

4 **SECTION 2662.** 146.83 (1m) (b) of the statutes is created to read:

5 146.83 **(1m)** (b) The health care provider under par. (a) may be charged
6 reasonable costs for the provision of the patient's health care records.

7 **SECTION 2663.** 146.83 (3f) of the statutes is created to read:

8 146.83 **(3f)** (a) The department shall, by rule, prescribe fees that are based on
9 an approximation of actual costs. The fees, plus applicable tax, are the maximum
10 amount that a health care provider may charge under sub. (1c) (b) for duplicate
11 patient health care records and under sub. (1c) (c) for duplicate X-ray reports or the
12 referral of X-rays to another health care provider of the patient's choice. The rule
13 shall also permit the health care provider to charge for actual postage or other actual
14 delivery costs. In determining the approximation of actual costs for the purposes of
15 this subsection, the department may consider all of the following factors:

16 1. Operating expenses, such as wages, rent, utilities, and duplication
17 equipment and supplies.

18 2. The varying cost of retrieval of records, based on the different media on which
19 the records are maintained.

20 3. The cost of separating requested patient health care records from those that
21 are not requested.

22 4. The cost of duplicating requested patient health care records.

23 5. The impact on costs of advances in technology.

24 (b) By July 1, 2014, and every 3 years thereafter, the department shall revise
25 the rules under par. (a) to account for increases or decreases in actual costs.

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1 **SECTION 2664.** 146.84 (2) (a) 1. of the statutes is amended to read:

2 146.84 (2) (a) 1. Requests or obtains confidential information under s. 146.82
3 or 146.83 ~~(1d), (1f), or (1h)~~ (1c) under false pretenses.

4 **SECTION 2665.** 150.31 (5m) of the statutes is amended to read:

5 150.31 (5m) The department shall decrease the statewide bed limit specified
6 in sub. (1) to account for any reduction in the approved bed capacity of a skilled
7 nursing facility operated by the department of veterans affairs under s. 45.50 ~~(1)~~, as
8 specified in s. 45.50 (10).

9 **SECTION 2666.** 150.84 (3) of the statutes is amended to read:

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

13 **SECTION 2667.** 153.60 (1) of the statutes is amended to read:

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

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1 this subchapter in a manner specified by the department by rule. The department
2 shall work together with the department of ~~regulation and licensing~~ safety and
3 professional services to develop a mechanism for collecting assessments from health
4 care providers other than hospitals and ambulatory surgery centers. No health care
5 provider that is not a facility may be assessed under this subsection an amount that
6 exceeds \$75 per fiscal year. All payments of assessments shall be credited to the
7 appropriation under s. 20.435 (1) (hg).

8 **SECTION 2668.** 157.061 (5) of the statutes is amended to read:

9 157.061 (5) "Department" means the department of ~~regulation and licensing~~
10 safety and professional services.

11 **SECTION 2669.** 157.11 (9m) of the statutes is amended to read:

12 157.11 (9m) ACTION BY DISTRICT ATTORNEY. If any money or property is not
13 turned over when required by this section, or default occurs under a bond, the district
14 attorney, upon the request of the department of ~~regulation and licensing~~ safety and
15 professional services, shall bring action to recover.

16 **SECTION 2670.** 157.12 (1) of the statutes is amended to read:

17 157.12 (1) DEFINITION. Notwithstanding s. 157.061 (5), in this section,
18 "department" means the department of ~~commerce~~ safety and professional services.

19 **SECTION 2671.** 157.12 (3) (b) of the statutes is amended to read:

20 157.12 (3) (b) The cemetery's treasurer is the custodian of the fund. The
21 treasurer shall file with the cemetery, at the cemetery's expense, a bond with sureties
22 approved by the department of ~~regulation and licensing~~ safety and professional
23 services to indemnify the cemetery against loss if the treasurer fails to maintain the
24 fund. No indemnity is required if the terms of sale of a mausoleum space require the
25 purchaser to pay directly to a trust company in the state, designated by the cemetery

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1 as custodian of the fund. The fund shall be invested as provided in s. 157.19. Income
2 from investment may be used only to maintain the mausoleum, except that if the
3 amount of income exceeds the amount necessary to properly maintain the
4 mausoleum the excess amount may be used to maintain any portion of the cemetery.

5 **SECTION 2672.** 157.65 (1) (a) of the statutes is amended to read:

6 157.65 (1) (a) If the department of ~~regulation and licensing~~ safety and
7 professional services has reason to believe that any person is violating or has violated
8 this subchapter or any rule promulgated under this subchapter and that the
9 continuation of that activity might cause injury to the public interest, the
10 department of ~~regulation and licensing~~ safety and professional services may
11 investigate.

12 **SECTION 2673.** 157.65 (1) (b) of the statutes is amended to read:

13 157.65 (1) (b) If the department of ~~commerce~~ safety and professional services
14 has reason to believe that any person is violating s. 157.12 or any rule promulgated
15 under s. 157.12 and that the continuation of that activity might cause injury to the
16 public interest, the department of ~~commerce~~ safety and professional services may
17 investigate.

18 **SECTION 2674.** 157.65 (2) of the statutes is amended to read:

19 157.65 (2) The department of justice or any district attorney, upon informing
20 the department of justice, may commence an action in circuit court in the name of
21 the state to restrain by temporary or permanent injunction any violation of this
22 subchapter. The court may, prior to entry of final judgment, make such orders or
23 judgments as may be necessary to restore to any person any pecuniary loss suffered
24 because of the acts or practices involved in the action, if proof of such loss is submitted
25 to the satisfaction of the court. The department of justice may subpoena persons and

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1 require the production of books and other documents, and may request the board
2 described in s. 15.405 (3m) or the department of ~~commerce~~ safety and professional
3 services to exercise its authority under sub. (1) to aid in the investigation of alleged
4 violations of this subchapter.

5 **SECTION 2675.** 160.01 (7) of the statutes is amended to read:

6 160.01 (7) "Regulatory agency" means the department of agriculture, trade and
7 consumer protection, the department of ~~commerce~~ safety and professional services,
8 the department of transportation, the department of natural resources and other
9 state agencies which regulate activities, facilities or practices which are related to
10 substances which have been detected in or have a reasonable probability of entering
11 the groundwater resources of the state.

12 **SECTION 2676.** 160.50 (1m) of the statutes is amended to read:

13 160.50 (1m) FUNDING FOR GROUNDWATER RESEARCH. The groundwater
14 coordinating council shall advise the secretary of administration on the allocation of
15 funds appropriated to the ~~board of regents~~ Board of Regents of the University of
16 Wisconsin System under s. 20.285 (1) (a) and the Board of Trustees of the University
17 of Wisconsin-Madison under s. 20.280 (1) (a) for groundwater research.

18 **SECTION 2677.** 165.25 (4) (ag) of the statutes is amended to read:

19 165.25 (4) (ag) The department of justice shall furnish legal services upon
20 request of the department of ~~commerce~~ safety and professional services under s.
21 167.35 (7).

22 **SECTION 2678.** 165.25 (4) (am) of the statutes is amended to read:

23 165.25 (4) (am) The department of justice shall furnish legal services to the
24 department of ~~regulation and licensing~~ safety and professional services in all
25 proceedings under s. 440.21 (3), together with any other services, including

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1 stenographic and investigational, as are necessarily connected with the legal
2 services.

3 **SECTION 2679.** 165.25 (4) (ar) of the statutes is amended to read:

4 165.25 (4) (ar) The department of justice shall furnish all legal services
5 required by the department of agriculture, trade and consumer protection relating
6 to the enforcement of ss. 91.68, ~~93.73~~, 100.171, 100.173, 100.174, 100.175, 100.177,
7 100.18, 100.182, 100.195, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37,
8 100.42, 100.50, 100.51, 100.55, and 846.45 and chs. 126, 136, 344, 704, 707, and 779,
9 together with any other services as are necessarily connected to the legal services.

10 **SECTION 2680.** 165.25 (8r) of the statutes is created to read:

11 165.25 (8r) BOARD OF TRUSTEES OF THE UNIVERSITY OF WISCONSIN. In subs. (1),
12 (1m), (6) and (6m), treat the Board of Trustees of the University of
13 Wisconsin-Madison as a department of state government and any official, employee,
14 or agent of the Board of Trustees as a state official, employee or agent.

15 **SECTION 2681.** 165.25 (12) of the statutes is created to read:

16 165.25 (12) REPRESENTATION ARISING FROM AGREEMENTS WITH MINNESOTA.
17 Represent any employee of the state of Minnesota who is named as a defendant in
18 any civil action brought under the laws of this state as a result of performing services
19 for this state under a valid agreement between this state and the state of Minnesota
20 providing for interchange of employees or services and any employee of this state who
21 is named as a defendant as a result of performing services for the state of Minnesota
22 under such an agreement in any action brought under the laws of this state. Witness
23 fees in any action specified in this subsection shall be paid in the same manner as
24 provided in s. 885.07. The attorney general may compromise and settle any action
25 specified in this subsection to the same extent as provided in s. 165.25 (6) (a).

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1 **SECTION 2682.** 165.70 (3m) of the statutes is repealed.

2 **SECTION 2683.** 165.82 (1) (a) of the statutes, as affected by 2009 Wisconsin Act
3 28, is repealed.

4 **SECTION 2684.** 165.82 (1) (am) of the statutes, as created by 2009 Wisconsin Act
5 28, is amended to read:

6 165.82 (1) (am) For each record check, except a fingerprint card record check,
7 requested by a governmental agency, \$7.

8 **SECTION 2685.** 165.82 (1) (b) of the statutes is repealed.

9 **SECTION 2686.** 165.825 of the statutes is amended to read:

10 **165.825 Information link; department of health services.** The
11 department of justice shall cooperate with the departments of ~~regulation and~~
12 ~~licensing safety and professional services~~ and health services in developing and
13 maintaining a computer linkup to provide access to the information obtained from
14 a criminal history search.

15 **SECTION 2687.** 167.10 (3) (b) 2. of the statutes is amended to read:

16 167.10 (3) (b) 2. The possession or use of explosives in accordance with rules
17 or general orders of the department of ~~commerce~~ safety and professional services.

18 **SECTION 2688.** 167.10 (6m) (a) of the statutes is amended to read:

19 167.10 (6m) (a) No person may manufacture in this state fireworks or a device
20 listed under sub. (1) (e), (f) or (i) to (n) without a fireworks manufacturing license
21 issued by the department of ~~commerce~~ safety and professional services under par.
22 (d).

23 **SECTION 2689.** 167.10 (6m) (b) of the statutes is amended to read:

24 167.10 (6m) (b) No person may manufacture in this state fireworks or a device
25 listed under sub. (1) (e), (f) or (i) to (n) unless the person complies with the rules of

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1 the department of ~~commerce~~ safety and professional services promulgated under
2 par. (e).

3 **SECTION 2690.** 167.10 (6m) (c) of the statutes is amended to read:

4 167.10 (6m) (c) Any person who manufactures in this state fireworks or a
5 device listed under sub. (1) (e), (f) or (i) to (n) shall provide the department of
6 ~~commerce~~ safety and professional services with a copy of each federal license issued
7 under 18 USC 843 to that person.

8 **SECTION 2691.** 167.10 (6m) (d) of the statutes is amended to read:

9 167.10 (6m) (d) The department of ~~commerce~~ safety and professional services
10 shall issue a license to manufacture fireworks or devices listed under sub. (1) (e), (f)
11 or (i) to (n) to a person who complies with the rules of the department promulgated
12 under par. (e). The department may not issue a license to a person who does not
13 comply with the rules promulgated under par. (e). The department may revoke a
14 license under this subsection for the refusal to permit an inspection at reasonable
15 times by the department or for a continuing violation of the rules promulgated under
16 par. (e).

17 **SECTION 2692.** 167.10 (6m) (e) of the statutes is amended to read:

18 167.10 (6m) (e) The department of ~~commerce~~ safety and professional services
19 shall promulgate rules to establish safety standards for the manufacture in this state
20 of fireworks and devices listed under sub. (1) (e), (f) or (i) to (n).

21 **SECTION 2693.** 167.10 (6m) (f) of the statutes is amended to read:

22 167.10 (6m) (f) The department of ~~commerce~~ safety and professional services
23 may inspect at reasonable times the premises on which each person licensed under
24 this subsection manufactures fireworks or devices listed under sub. (1) (e), (f) or (i)
25 to (n).

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1 **SECTION 2694.** 167.21 (1) (b) of the statutes is amended to read:

2 167.21 (1) (b) "Department" means the department of ~~commerce~~ safety and
3 professional services.

4 **SECTION 2695.** 167.27 (5) of the statutes is amended to read:

5 167.27 (5) Whenever any mine shaft, exploration shaft or test well is
6 abandoned or its use discontinued, the operator or contractor shall promptly fill
7 same to grade or enclose the same with a fence of strong woven wire not less than 46
8 inches wide with one barbwire above or cap same with a reinforced concrete slab at
9 least 6 inches thick or with a native boulder at least 3 times the diameter of the top
10 of the shaft or test well bore. The strands of the woven wire shall not be smaller than
11 No. 12 wire and the cross wires and meshes shall not be smaller than No. 16 wire;
12 the strands shall not be more than 12 inches apart, and the meshes shall not exceed
13 8 inches square. All wires must be tightly stretched and securely fastened to
14 sufficient posts firmly set not more than 8 feet apart. In case any person shall neglect
15 to repair or rebuild such fence which the person is so required to build and maintain,
16 any person may complain to the department of ~~commerce~~ safety and professional
17 services or to the local governing body, which shall give notice in writing to the person
18 who is required to build and maintain such fence. The department of ~~commerce~~
19 safety and professional services or the local governing body shall then proceed to
20 examine the fence, and if it shall determine that such fence is insufficient, it shall
21 notify the person responsible for its erection and maintenance and direct the person
22 to repair or rebuild the fence within such time as it shall deem reasonable. Any
23 person refusing to comply with such order shall be subject to the penalties provided.

24 **SECTION 2696.** 167.27 (8) of the statutes is amended to read:

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1 167.27 (8) Any violation of this section coming to the attention of the
2 department of ~~commerce~~ safety and professional services or municipal authorities
3 shall be reported to the attorney general or district attorney for prosecution.

4 **SECTION 2697.** 167.31 (4) (a) 4. b. of the statutes is amended to read:

5 167.31 (4) (a) 4. b. He or she holds a certificate of proficiency to carry a firearm
6 issued by the department of ~~regulation and licensing~~ safety and professional
7 services.

8 **SECTION 2698.** 167.31 (4) (a) 4. e. of the statutes is amended to read:

9 167.31 (4) (a) 4. e. His or her firearm is in plain view, as defined by rule by the
10 department of ~~regulation and licensing~~ safety and professional services.

11 **SECTION 2699.** 167.35 (1) (b) of the statutes is amended to read:

12 167.35 (1) (b) "Department" means the department of ~~commerce~~ safety and
13 professional services unless the context requires otherwise.

14 **SECTION 2700.** 167.35 (7) (b) of the statutes is amended to read:

15 167.35 (7) (b) The department of revenue, in the course of conducting any
16 inspection or examination authorized under s. 139.39, may inspect cigarettes to
17 determine if the cigarettes are marked as provided under sub. (4), and the
18 department of revenue shall notify the department of ~~commerce~~ safety and
19 professional services of any unmarked cigarettes.

20 **SECTION 2701.** 167.35 (7) (c) of the statutes is amended to read:

21 167.35 (7) (c) Authorized personnel from the department of justice, from the
22 department of ~~commerce~~ safety and professional services, and from the department
23 of revenue, and any sheriff, police officer, or other law enforcement personnel, within
24 their respective jurisdictions, may enter and inspect any premises where cigarettes
25 are made, sold, offered for sale, or stored to determine if the cigarettes comply with

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1 this section. An inspection under this paragraph includes examining the books,
2 papers, invoices, and other records of any person who is subject to this section and
3 who is in control, possession, or occupancy of the premises.

4 **SECTION 2702.** 168.01 (1) of the statutes is amended to read:

5 168.01 (1) "Department" means the department of ~~commerce~~ safety and
6 professional services.

7 **SECTION 2703.** 170.12 (3) (dm) of the statutes is repealed.

8 **SECTION 2704.** 174.13 (2) of the statutes is amended to read:

9 174.13 (2) Any officer or pound which has custody of an unclaimed dog may
10 release the dog to the University of Wisconsin System, the University of
11 Wisconsin-Madison, the Medical College of Wisconsin, Inc., or to any other
12 educational institution of higher learning chartered under the laws of the state and
13 accredited to the University of Wisconsin System or University of
14 Wisconsin-Madison, upon requisition by the institution. The requisition shall be in
15 writing, shall bear the signature of an authorized agent, and shall state that the dog
16 is requisitioned for scientific or educational purposes. If a requisition is made for a
17 greater number of dogs than is available at a given time, the officer or pound may
18 supply those immediately available and may withhold from other disposition all
19 unclaimed dogs coming into the officer's or pound's custody until the requisition is
20 fully discharged, excluding impounded dogs as to which ownership is established
21 within a reasonable period. A dog left by its owner for disposition is not considered
22 an unclaimed dog under this section. If operated by a county, city, village or town,
23 the officer or pound is entitled to the payment of \$1 for each dog requisitioned. An
24 institution making a requisition shall provide for the transportation of the dog.

25 **SECTION 2705.** 182.0175 (1m) (e) 2. of the statutes is amended to read:

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

5 **SECTION 2706.** 185.983 (1) (intro.) of the statutes is amended to read:

6 185.983 **(1)** (intro.) Every voluntary nonprofit health care plan operated by a
7 cooperative association organized under s. 185.981 shall be exempt from chs. 600 to
8 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44,
9 601.45, 611.26, 611.67, 619.04, 623.11, 623.12, 628.34 (10), 631.17, 631.89, 631.93,
10 631.95, 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.798, 632.85,
11 632.853, 632.855, 632.87 (2), (2m), (3), (4), (5), and (6), 632.885, 632.89, 632.895 (5)
12 and (8) to ~~(17)~~ (16m), 632.896, and 632.897 (10) and chs. 609, 620, 630, 635, 645, and
13 646, but the sponsoring association shall:

14 **SECTION 2707.** 186.235 (15) (b) of the statutes is amended to read:

15 186.235 **(15)** (b) Witness fees shall be the same as fees under s. 814.67 (1) (b)
16 and (c). The fees of witnesses who are called by the office in the interests of the state
17 shall be paid by the state upon presentation of proper vouchers approved by the office
18 of credit unions and charged to the appropriation under s. 20.144 ~~(2)~~ (1) (g). A witness
19 subpoenaed by the office at the instance of a party other than the office shall not be
20 entitled to payment of fees by the state unless the office certifies that the testimony
21 was material to the purpose for which the subpoena was issued.

22 **SECTION 2708.** 196.374 (2) (a) 2. e. of the statutes is amended to read:

23 196.374 **(2)** (a) 2. e. Components to implement energy efficiency or renewable
24 energy measures in facilities of manufacturing businesses in this state that are
25 consistent with ~~the objectives under s. 560.128 (1) (a)~~ the implementation of energy

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1 efficiency or renewable energy measures in manufacturing facilities to enhance their
2 competitiveness, the retooling of existing facilities to manufacture products that
3 support the green economy, the expansion or establishment of domestic clean energy
4 manufacturing operations, and creating or retaining jobs for workers engaged in
5 such activities.

6 **SECTION 2709.** 196.374 (2) (a) 4. of the statutes is repealed.

7 **SECTION 2710.** 196.374 (3) (a) of the statutes is amended to read:

8 196.374 (3) (a) *In general.* The commission shall have oversight of programs
9 under sub. (2). The commission shall maximize coordination of program delivery,
10 including coordination between programs under subs. (2) (a) 1., (b) 1. and 2., and (c)
11 and (7), ordered programs, low-income weatherization programs under s. 16.957,
12 renewable resource programs under s. 196.378, and other energy efficiency or
13 renewable resource programs. The commission shall cooperate with the department
14 of natural resources to ensure coordination of energy efficiency and renewable
15 resource programs with air quality programs and to maximize and document the air
16 quality improvement benefits that can be realized from energy efficiency and
17 renewable resource programs. ~~The commission shall cooperate with the department~~
18 ~~of commerce to ensure coordination of energy efficiency and renewable resource~~
19 ~~programs under sub. (2) (a) 2. e. with the loan program under s. 560.128 (1) (a).~~

20 **SECTION 2711.** 196.49 (4) of the statutes is amended to read:

21 196.49 (4) The commission may not issue a certificate under sub. (1), (2), or (3)
22 for the construction of electric generating equipment and associated facilities unless
23 the commission determines that brownfields, as defined in s. 238.13 (1) (a) or s.
24 560.13 (1) (a), 2009 stats., are used to the extent practicable.

25 **SECTION 2712.** 196.491 (2) (b) 2. of the statutes is amended to read:

BILL**SECTION 2712**

1 196.491 (2) (b) 2. Department of ~~commerce~~ safety and professional services.

2 **SECTION 2713.** 196.491 (2) (e) of the statutes is amended to read:

3 196.491 (2) (e) Any state ~~agency, as defined in s. 560.9810 (1), office,~~
4 commission, department, or independent agency in the executive branch of state
5 government or any county, municipality, town, or person may submit written
6 comments to the commission on a strategic energy assessment within 90 days after
7 copies of the draft are issued under par. (b).

8 **SECTION 2714.** 196.491 (3) (a) 2m. b. of the statutes is amended to read:

9 196.491 (3) (a) 2m. b. The applicant proposes alternative construction sites for
10 the facility that are contiguous or proximate, provided that at least one of the
11 proposed sites is a brownfield, as defined in s. ~~560.13~~ 238.13 (1) (a), or the site of a
12 former or existing large electric generating facility.

13 **SECTION 2715.** 196.491 (3) (d) 8. of the statutes is amended to read:

14 196.491 (3) (d) 8. For a large electric generating facility, brownfields, as defined
15 in s. ~~560.13~~ 238.13 (1) (a), are used to the extent practicable.

16 **SECTION 2716.** 200.49 (1) (b) of the statutes is amended to read:

17 200.49 (1) (b) "Minority group member" has the meaning given under s.
18 ~~560.036~~ 490.04 (1) (f).

19 **SECTION 2717.** 200.57 (1) (a) of the statutes is amended to read:

20 200.57 (1) (a) "Disabled veteran-owned financial adviser" and "disabled
21 veteran-owned investment firm" mean a financial adviser and investment firm,
22 respectively, certified by the department of ~~commerce~~ safety and professional
23 services under s. ~~560.0335~~ 490.02 (3).

24 **SECTION 2718.** 200.57 (1) (b) of the statutes is amended to read:

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

4 **SECTION 2719.** 214.48 (4) (a) of the statutes is amended to read:

5 214.48 (4) (a) An independent qualified appraiser, designated by the board of
6 directors, who is properly licensed and certified by the department of ~~regulation and~~
7 licensing safety and professional services or by another entity authorized to govern
8 appraisal licensure and certification and who meets the requirements of title XI of
9 the financial institutions reform, recovery and enforcement act of 1989, 12 USC 3331
10 to 3351 and regulations adopted pursuant to those sections.

11 **SECTION 2720.** 218.0171 (2) (c) of the statutes is amended to read:

12 218.0171 (2) (c) To receive a comparable new motor vehicle or a refund due
13 under par. (b) 1. or 2., a consumer described under sub. (1) (b) 1., 2. or 3. shall offer
14 to the manufacturer of the motor vehicle having the nonconformity to transfer title
15 of that motor vehicle to that manufacturer. No later than 30 days after that offer, the
16 manufacturer shall provide the consumer with the comparable new motor vehicle or
17 refund. When the manufacturer provides the new motor vehicle or refund, the
18 consumer shall return the motor vehicle having the nonconformity to the
19 manufacturer and provide the manufacturer with the certificate of title and all
20 endorsements necessary to transfer title to the manufacturer. If another person is
21 in possession of the certificate of title, as shown by the records of the department of
22 transportation, that person shall, upon request of the consumer, provide the
23 certificate to the manufacturer or to the consumer.

24 **SECTION 2721.** 218.0171 (2) (cm) 2. of the statutes is amended to read:

BILL**SECTION 2721**

1 218.0171 (2) (cm) 2. To receive a refund due under par. (b) 3., a motor vehicle
2 lessor shall offer to the manufacturer of the motor vehicle having the nonconformity
3 to transfer title of that motor vehicle to that manufacturer. No later than 30 days
4 after that offer, the manufacturer shall provide the refund to the motor vehicle lessor.
5 When the manufacturer provides the refund, the motor vehicle lessor shall provide
6 to the manufacturer the certificate of title and all endorsements necessary to
7 transfer title to the manufacturer. If another person is in possession of the certificate
8 of title, as shown by the records of the department of transportation, that person
9 shall, upon request of the motor vehicle lessor, provide the certificate to the
10 manufacturer or to the motor vehicle lessor.

11 **SECTION 2722.** 218.11 (2) (am) 3. of the statutes is amended to read:

12 218.11 (2) (am) 3. The department of ~~commerce~~ may not disclose any
13 information received under subd. 1. to any person except to the department of
14 children and families for purposes of administering s. 49.22 or to the department of
15 revenue for the sole purpose of requesting certifications under s. 73.0301.

16 **SECTION 2723.** 218.12 (2) (am) 2. of the statutes is amended to read:

17 218.12 (2) (am) 2. The department of ~~commerce~~ may not disclose a social
18 security number obtained under par. (a) to any person except to the department of
19 children and families for the sole purpose of administering s. 49.22 or to the
20 department of revenue for the sole purpose of requesting certifications under s.
21 73.0301.

22 **SECTION 2724.** 218.23 (1) of the statutes is amended to read:

23 218.23 (1) Whenever a licensed motor vehicle salvage dealer acquires a motor
24 vehicle for the purpose of wrecking it, the dealer shall mail or deliver the certificate
25 of title or if the transfer to the salvage dealer was by a bill of sale, the bill of sale, for

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1 such vehicle to the department within 30 days after the vehicle is delivered to the
2 salvage yard unless the previous owner already has done so or, if another person is
3 in possession of the certificate of title, as shown by the records of the department of
4 transportation, that person already has done so. If ~~he or she~~ the dealer subsequently
5 wishes to transfer such vehicle to another person, ~~he or she~~ the dealer shall make
6 such transfer only by bill of sale. In such bill of sale, ~~he or she~~ the dealer shall
7 describe the vehicle and shall state that the certificate of title for the vehicle has been
8 mailed or delivered to the department because the vehicle was to have been junked.

9 **SECTION 2725.** 227.01 (1) of the statutes is amended to read:

10 227.01 (1) "Agency" means a board, commission, committee, department or
11 officer in the state government, except the governor, a district attorney, or a military
12 or judicial officer, and in subch. II includes the Board of Trustees of the University
13 of Wisconsin-Madison with respect to rules promulgated under s. 37.11 (1m) (a), (c),
14 and (cm) and (8).

15 **SECTION 2726.** 227.01 (13) (yc) of the statutes is created to read:

16 227.01 (13) (yc) Adjusts the total cost threshold for highway projects under ss.
17 84.013 (2m) and 84.0145 (4).

18 **SECTION 2727.** 227.01 (13) (yL) of the statutes is repealed.

19 **SECTION 2728.** 227.01 (13) (zi) of the statutes is repealed.

20 **SECTION 2729.** 227.114 (5) of the statutes is repealed.

21 **SECTION 2730.** 227.115 of the statutes is repealed.

22 **SECTION 2731.** 227.116 (1) of the statutes is renumbered 227.116 (1r) and
23 amended to read:

24 227.116 (1r) Each proposed rule submitted to the legislative council under s.
25 227.15 that includes a requirement for a business to obtain a permit, ~~as defined in~~

BILL**SECTION 2731**

1 s. 560.41 (2), shall specify the number of business days, calculated beginning on the
2 day a permit application is received, within which the agency will review and make
3 a determination on a permit application.

4 **SECTION 2732.** 227.116 (1g) of the statutes is created to read:

5 227.116 (1g) In this section, "permit" means any approval of an agency
6 required as a condition of operating a business in this state.

7 **SECTION 2733.** 227.116 (2) of the statutes is amended to read:

8 227.116 (2) If any existing rule does not comply with sub. (1) (1r), the agency
9 that promulgated the rule shall submit to the legislative council a proposed revision
10 of the rule that will bring the rule into compliance with sub. (1) (1r). The legislative
11 council staff's review of the proposed revision is limited to determining whether or
12 not the agency has complied with this subsection.

13 **SECTION 2734.** 227.116 (3) of the statutes is amended to read:

14 227.116 (3) Subsections (1) (1r) and (2) do not apply to a rule if the rule, or a
15 law under which the rule was promulgated, effective prior to November 17, 1983,
16 contains a specification of a time period for review and determination on a permit
17 application.

18 **SECTION 2735.** 227.116 (4) (intro.) of the statutes is amended to read:

19 227.116 (4) (intro.) If an agency fails to review and make a determination on
20 a permit application within the time period specified in a rule or law, for each such
21 failure the agency shall prepare a report and submit it to the department of
22 commerce safety and professional services within 5 business days of the last day of
23 the time period specified, setting forth all of the following:

24 **SECTION 2736.** 227.116 (5) of the statutes is amended to read:

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1 227.116 (5) If an agency fails to review and make a determination on a permit
2 application within the time period specified in a rule or law, upon completion of the
3 review and determination for that application, the agency shall notify the
4 department of ~~commerce~~ safety and professional services.

5 **SECTION 2737.** 227.137 (1) of the statutes is amended to read:

6 227.137 (1) In this section, “agency” means the departments of agriculture,
7 trade, and consumer protection; ~~commerce~~ safety and professional services; natural
8 resources; transportation; and workforce development.

9 **SECTION 2738.** 227.137 (3) (intro.) of the statutes is amended to read:

10 227.137 (3) (intro.) An economic impact report shall contain information on the
11 effect of the proposed rule on specific businesses, business sectors, and the state’s
12 economy. When preparing the report, the agency shall solicit information and advice
13 from the ~~department of commerce~~ Wisconsin Economic Development Corporation,
14 and from governmental units, associations, businesses, and individuals that may be
15 affected by the proposed rule. The agency may request information that is
16 reasonably necessary for the preparation of an economic impact report from other
17 state agencies, governmental units, associations, businesses, and individuals. The
18 economic impact report shall include all of the following:

19 **SECTION 2739.** 227.19 (3) (g) of the statutes is repealed.

20 **SECTION 2740.** 227.59 of the statutes is amended to read:

21 **227.59 Certification of certain cases from the circuit court of Dane**
22 **County to other circuits.** Any action or proceeding for the review of any order of
23 an administrative officer, commission, department or other administrative tribunal
24 of the state required by law to be instituted in or taken to the circuit court of Dane
25 County except an action or appeal for the review of any order of the department of

BILL**SECTION 2740**

1 workforce development or the department of ~~commerce~~ safety and professional
2 services or findings and orders of the labor and industry review commission which
3 is instituted or taken and is not called for trial or hearing within 6 months after the
4 proceeding or action is instituted, and the trial or hearing of which is not continued
5 by stipulation of the parties or by order of the court for cause shown, shall on the
6 application of either party on 5 days' written notice to the other be certified and
7 transmitted for trial to the circuit court of the county of the residence or principal
8 place of business of the plaintiff or petitioner, where the action or proceeding shall
9 be given preference. Unless written objection is filed within the 5-day period, the
10 order certifying and transmitting the proceeding shall be entered without hearing.
11 The plaintiff or petitioner shall pay to the clerk of the circuit court of Dane County
12 a fee of \$2 for transmitting the record.

13 **SECTION 2741.** 229.46 (1) (ag) of the statutes is amended to read:

14 229.46 (1) (ag) "Disabled veteran-owned business" means a business certified
15 by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~
16 490.02 (3).

17 **SECTION 2742.** 229.46 (1) (b) of the statutes is amended to read:

18 229.46 (1) (b) "Minority group member" has the meaning given in s. ~~560.036~~
19 490.04 (1) (f).

20 **SECTION 2743.** 229.70 (1) (ag) of the statutes is amended to read:

21 229.70 (1) (ag) "Disabled veteran-owned business" means a business certified
22 by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~
23 490.02 (3).

24 **SECTION 2744.** 229.70 (1) (am) of the statutes is amended to read:

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

2 (1) (e).

3 **SECTION 2745.** 229.70 (1) (b) of the statutes is amended to read:

4 229.70 (1) (b) "Minority group member" has the meaning given in s. ~~560.036~~
5 490.04 (1) (f).

6 **SECTION 2746.** 229.8273 (1) (am) of the statutes is amended to read:

7 229.8273 (1) (am) "Disabled veteran-owned business" means a business
8 certified by the department of ~~commerce~~ safety and professional services under s.
9 ~~560.0335~~ 490.02 (3).

10 **SECTION 2747.** 229.8273 (1) (b) of the statutes is amended to read:

11 229.8273 (1) (b) "Minority business" has the meaning given in s. ~~560.036~~ 490.04
12 (1) (e).

13 **SECTION 2748.** 229.8273 (1) (c) of the statutes is amended to read:

14 229.8273 (1) (c) "Minority group member" has the meaning given in s. ~~560.036~~
15 490.04 (1) (f).

16 **SECTION 2749.** 229.845 (1) (ag) of the statutes is amended to read:

17 229.845 (1) (ag) "Disabled veteran-owned business" means a business certified
18 by the department of ~~commerce~~ safety and professional services under s. ~~560.0335~~
19 490.02 (3).

20 **SECTION 2750.** 229.845 (1) (am) of the statutes is amended to read:

21 229.845 (1) (am) "Minority business" has the meaning given in s. ~~560.036~~
22 490.04 (1) (e).

23 **SECTION 2751.** 230.03 (3) of the statutes, as affected by 2011 Wisconsin Act 7,
24 is amended to read:

BILL**SECTION 2751**

1 230.03 (3) "Agency" means any board, commission, committee, council, or
2 department in state government or a unit thereof created by the constitution or
3 statutes if such board, commission, committee, council, department, unit, or the
4 head thereof, is authorized to appoint subordinate staff by the constitution or
5 statute, except a legislative or judicial board, commission, committee, council,
6 department, or unit thereof or an authority created under subch. II of ch. 114 or
7 subch. III of ch. 149 or under ch. 37, 52, 231, 232, 233, 234, 235, 237, 238, or 279.
8 "Agency" does not mean any local unit of government or body within one or more local
9 units of government that is created by law or by action of one or more local units of
10 government.

11 **SECTION 2752.** 230.08 (2) (dm) of the statutes is amended to read:

12 230.08 (2) (dm) Instructional staff employed by the board of regents of the
13 University of Wisconsin System who provide services for a charter school established
14 by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e.

15 **SECTION 2753.** 230.08 (2) (e) 1. of the statutes is amended to read:

16 230.08 (2) (e) 1. Administration — ~~14~~ 13.

17 **SECTION 2754.** 230.08 (2) (e) 4. of the statutes is created to read:

18 230.08 (2) (e) 4. Employment relations commission — 1.

19 **SECTION 2755.** 230.08 (2) (e) 6. of the statutes is amended to read:

20 230.08 (2) (e) 6. Workforce development — ~~6~~ 7.

21 **SECTION 2756.** 230.08 (2) (e) 10. of the statutes is repealed.

22 **SECTION 2757.** 230.08 (2) (e) 11m. of the statutes is created to read:

23 230.08 (2) (e) 11m. Safety and professional services — 7.

24 **SECTION 2758.** 230.08 (2) (g) of the statutes is amended to read:

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1 230.08 (2) (g) One stenographer appointed by each elective executive officer,
2 except the secretary of state and the state treasurer; and one deputy or assistant
3 appointed by each elective executive officer, except the attorney general and
4 superintendent of public instruction.

5 **SECTION 2759.** 230.08 (2) (pd) of the statutes is amended to read:

6 230.08 (2) (pd) The chairperson of the ~~earned release review~~ parole
7 commission.

8 **SECTION 2760.** 230.08 (2) (v) of the statutes is amended to read:

9 230.08 (2) (v) Not more than 5 10 bureau directors in the department of
10 ~~regulation and licensing~~ safety and professional services.

11 **SECTION 2761.** 230.08 (2) (yb) of the statutes is created to read:

12 230.08 (2) (yb) The director and the deputy director of the office of business
13 development in the department of administration.

14 **SECTION 2762.** 230.08 (2) (yc) of the statutes is repealed.

15 **SECTION 2763.** 230.08 (4) (a) of the statutes is amended to read:

16 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)
17 includes all administrator positions specifically authorized by law to be employed
18 outside the classified service in each department, board or commission and the
19 historical society. In this paragraph, "department" has the meaning given under s.
20 15.01 (5), "board" means the educational communications board, government
21 accountability board, investment board, public defender board and technical college
22 system board and "commission" means the employment relations commission and
23 the public service commission. Notwithstanding sub. (2) (z), no division
24 administrator position exceeding the number authorized in sub. (2) (e) may be
25 created in the unclassified service.

BILL**SECTION 2764**

1 **SECTION 2764.** 230.12 (1) (a) 1. b. of the statutes is amended to read:

2 230.12 (1) (a) 1. b. The provisions governing the pay of all unclassified positions
3 except positions for employees of the University of Wisconsin System, for employees
4 of the legislature who are not identified under s. 20.923 (4), for employees of a service
5 agency under subch. IV of ch. 13, for employees of the state court system, for
6 employees of the investment board identified under s. 230.08 (2) (p), for one
7 stenographer employed by each elective executive officer, except the secretary of
8 state and the state treasurer, under s. 230.08 (2) (g), for 3 sales representatives of
9 prison industries and one sales manager of prison industries identified under s.
10 303.01 (10), and for sales and development professional of the historical society
11 employed under s. 44.20 (4) (a).

12 **SECTION 2765.** 230.339 of the statutes is created to read:

13 **230.339 Rights of certain employees of the department of safety and**
14 **professional services.** (1) Notwithstanding s. 230.08 (2) (e) 11m. and (v), all of the
15 employees holding the following positions in the classified service at the department
16 of commerce on the day before the effective date of this subsection [LRB inserts
17 date], who have achieved permanent status in class on or before that date shall, upon
18 employment by the department of safety and professional services, retain, while
19 serving in the unclassified service at the department of safety and professional
20 services, those protections afforded employees in the classified service under ss.
21 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff,
22 or reduction in base pay:

23 (a) Administrator of the division of administrative services.

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

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

3 (d) Director of the bureau of integrated services in the division of safety and
4 buildings.

5 (e) Director of the bureau of program development in the division of safety and
6 buildings.

7 (2) Each employee specified under sub. (1) shall also have reinstatement
8 privileges to the classified service as provided under s. 230.33 (1).

9 **SECTION 2766.** 230.35 (1s) of the statutes is amended to read:

10 230.35 (1s) Annual leave of absence with pay for instructional staff employed
11 by the board of regents of the University of Wisconsin System who provide services
12 for a charter school established by contract under s. 118.40 (2r) ~~(em)~~ (b) 1. e. shall be
13 determined by the governing board of the charter school established by contract
14 under s. 118.40 (2r) ~~(em)~~ (b) 1. e., as approved by the chancellor of the appropriate
15 University of Wisconsin-Parkside Wisconsin System institution and subject to the
16 terms of any collective bargaining agreement under subch. V of ch. 111 covering the
17 instructional staff.

18 **SECTION 2767.** 230.44 (1) (h) of the statutes is repealed.

19 **SECTION 2768.** 231.01 (1) of the statutes is renumbered 231.01 (1t).

20 **SECTION 2769.** 231.01 (1m) of the statutes is created to read:

21 231.01 (1m) "Affiliate" means an entity that controls, is controlled by, or is
22 under common control with another entity.

23 **SECTION 2770.** 231.01 (4t) of the statutes is created to read:

24 231.01 (4t) "Entity" means any person other than a natural person.

25 **SECTION 2771.** 231.01 (5r) of the statutes is amended to read:

BILL**SECTION 2771**

1 231.01 (5r) "Participating child care provider" means a child care provider, or
2 an affiliate of a child care provider, that undertakes the financing and construction
3 or acquisition of a project or undertakes the refunding or refinancing of obligations
4 or of a mortgage or of advances as provided in this chapter.

5 **SECTION 2772.** 231.01 (5w) of the statutes is amended to read:

6 231.01 (5w) "Participating educational institution" means ~~a corporation,~~
7 ~~agency or association which is~~ an entity authorized by state law to provide or operate
8 an educational facility, or an affiliate of that entity, and ~~which~~ that undertakes the
9 financing and construction or acquisition of a project or undertakes the refunding or
10 refinancing of obligations or of a mortgage or of advances as provided in this chapter.

11 **SECTION 2773.** 231.01 (6) (intro.) and (a) of the statutes are consolidated,
12 renumbered 231.01 (6) and amended to read:

13 231.01 (6) "Participating health institution" means: ~~(a) A corporation, agency~~
14 ~~or association~~ an entity authorized by state law to provide or operate a health facility,
15 or an affiliate of that entity, and ~~which~~ that undertakes the financing and
16 construction or acquisition of a project or undertakes the refunding or refinancing
17 of obligations or of a mortgage or of advances as provided in this chapter.

18 **SECTION 2774.** 231.01 (6t) of the statutes is amended to read:

19 231.01 (6t) "Participating research institution" means an entity organized
20 under the laws of this state that provides or operates a research facility, or an affiliate
21 of that entity, and that undertakes the financing and construction or acquisition of
22 a project or undertakes the refunding or refinancing of obligations or of a mortgage
23 or of advances as provided in this chapter.

24 **SECTION 2775.** 231.01 (7) (c) of the statutes is amended to read:

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1 231.01 (7) (c) "Project" may include more than one project, and it may include
2 any combination of projects undertaken jointly by any participating health
3 institution, participating educational institution, participating research institution,
4 or participating child care provider with one or more other participating health
5 institutions, participating educational institutions, participating research
6 institutions, or participating child care providers.

7 **SECTION 2776.** 231.01 (7) (cg) of the statutes is created to read:

8 231.01 (7) (cg) "Project" includes any project located within or outside of this
9 state.

10 **SECTION 2777.** 231.01 (7) (d) 2. of the statutes is amended to read:

11 231.01 (7) (d) 2. Any office or clinic of a person licensed under ch. 446, 447, 448,
12 449, or 455, or the substantially equivalent laws or rules of another state.

13 **SECTION 2778.** 231.03 (6) (a) 3. c. of the statutes is amended to read:

14 231.03 (6) (a) 3. c. The expenditure, by or on behalf of a hospital, independent
15 practitioner, partnership, unincorporated medical group or service corporation, as
16 defined in s. 180.1901 (2), or the substantially equivalent laws or rules of another
17 state, for clinical medical equipment.

18 **SECTION 2779.** 231.03 (6) (b) of the statutes is amended to read:

19 231.03 (6) (b) Refinance outstanding debt of any participating health
20 institution if the department of health services certifies that refinancing will result
21 in a reduction in the participating health institution's rates below the rates which
22 would have otherwise prevailed, except that the authority may not refinance any
23 office or clinic of a person licensed under ch. 446, 447, 448, 449 or 455, or the
24 substantially equivalent laws or rules of another state, and except that this
25 certification is not required for the refinancing for a participating health institution

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1 that operates a facility as defined under s. 49.45 (6m) (a) 3, or for a participating
2 health institution that is located in another state.

3 **SECTION 2780.** 231.06 of the statutes is amended to read:

4 **231.06 Property acquisition.** The authority may acquire, directly or by and
5 through a participating health institution, participating educational institution,
6 participating research institution, or participating child care provider as its agent,
7 by purchase or by gift or devise, such lands, structures, property, rights,
8 rights-of-way, franchises, easements, and other interests in lands, including lands
9 lying under water and riparian rights, ~~which are located within this state~~ as it deems
10 necessary or convenient for the construction or operation of a project, upon such
11 terms and at such prices as it considers reasonable and can be agreed upon between
12 it and the owner thereof, and take title thereto in the name of the authority or in the
13 name of a health facility, educational facility, research facility, or child care center
14 as its agent.

15 **SECTION 2781.** 231.08 (8) of the statutes is created to read:

16 231.08 (8) The proceeds of a bond issued under this section may be used for a
17 project in this state or any other state, except that if the proceeds of a bond are used
18 for a project located in another state, that project shall include a substantial
19 component located in this state, as determined by the executive director.

20 **SECTION 2782.** 231.20 of the statutes is amended to read:

21 **231.20 Waiver of construction and bidding requirements.** In exercising
22 its powers under s. 101.12, the department of ~~commerce~~ safety and professional
23 services or any city, village, town, or county may, within its discretion for proper
24 cause shown, waive any particular requirements relating to public buildings,
25 structures, grounds, works, and improvements imposed by law upon projects under

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1 this chapter; the requirements of s. 101.13 may not be waived, however. If, however,
2 the prospective lessee so requests in writing, the authority shall, through the
3 participating health institution, participating educational institution, participating
4 research institution, or participating child care provider as its agent, call for
5 construction bids in such manner as is determined by the authority with the approval
6 of the lessee.

7 **SECTION 2783.** 231.27 (1) of the statutes is amended to read:

8 231.27 (1) In this section, “minority business”, “minority financial adviser” and
9 “minority investment firm” mean a business, financial adviser and investment firm,
10 respectively, certified by the department of ~~commerce~~ safety and professional
11 services under s. ~~560.036~~ 490.04 (2).

12 **SECTION 2784.** 231.29 (1) of the statutes is amended to read:

13 231.29 (1) In this section, “business,” “financial adviser,” and “investment firm”
14 mean a business, financial adviser, and investment firm certified by the department
15 of ~~commerce~~ safety and professional services under s. ~~560.0335~~ 490.02 (3).

16 **SECTION 2785.** 231.35 (6) (a) of the statutes is amended to read:

17 231.35 (6) (a) The authority shall enter into a guarantee agreement with any
18 person who makes loans described under sub. (3) (b) and who wishes to have those
19 loans guaranteed under this section. The guarantee agreement shall comply with
20 the rules promulgated by the department of ~~commerce~~ administration under sub. (7)
21 (b).

22 **SECTION 2786.** 231.35 (6) (b) of the statutes is amended to read:

23 231.35 (6) (b) The authority may use money from the rural hospital loan fund
24 to guarantee loans made for the purposes described in sub. (3) (b), if the authority
25 sets out the terms and conditions of the guarantee in a guarantee agreement that

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1 complies with the rules promulgated by the department of ~~commerce~~ administration
2 under sub. (7) (b).

3 **SECTION 2787.** 231.35 (7) (intro.) of the statutes is amended to read:

4 231.35 (7) (intro.) With the advice of the rural health development council, the
5 department of ~~commerce~~ administration shall promulgate rules specifying all of the
6 following:

7 **SECTION 2788.** 233.01 (3) of the statutes is repealed.

8 **SECTION 2789.** 233.01 (3m) of the statutes is created to read:

9 233.01 (3m) "Board of Trustees" means the Board of Trustees of the University
10 of Wisconsin-Madison.

11 **SECTION 2790.** 233.01 (6) of the statutes is amended to read:

12 233.01 (6) "Lease agreement" means the lease agreement that is required to
13 be entered into between the board of directors and the ~~board of regents~~ Board of
14 Trustees under s. 233.04 (7) or a lease agreement that is entered into between the
15 board of directors and the ~~board of regents~~ Board of Trustees under s. 233.04 (7g).

16 **SECTION 2791.** 233.01 (7) of the statutes is amended to read:

17 233.01 (7) "On-campus facilities" means facilities that are located on land
18 owned by the state or the University of Wisconsin-Madison, that are under the
19 control of the ~~board of regents~~ the Board of Trustees, and that are primarily related
20 to the operation of the University of Wisconsin Hospitals and Clinics and its related
21 services.

22 **SECTION 2792.** 233.02 (1) (b) of the statutes is amended to read:

23 233.02 (1) (b) Three members of the ~~board of regents~~ Board of Trustees
24 appointed by the ~~president~~ chairperson of the ~~board of regents~~ Board of Trustees.

25 **SECTION 2793.** 233.02 (1) (d) of the statutes is amended to read: