

2013 DRAFTING REQUEST

Bill

Received: 7/2/2013 Received By: mgallagh
Wanted: As time permits Same as LRB: -2849
For: Frank Lasee (608) 266-3512 By/Representing: Jeff Weigand
May Contact: Drafter: mgallagh
Subject: Buildings/Safety - misc. Addl. Drafters: mglass
Occupational Reg. - misc
Extra Copies: MED

Submit via email: YES
Requester's email: Sen.Lasee@legis.wisconsin.gov
Carbon copy (CC) to: michael.gallagher@legis.wisconsin.gov
mary.glass@legis.wisconsin.gov
jeffrey.weigand@wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Various changes to laws administered by DSPS

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass 7/24/2013			_____			
/1	mgallagh 8/5/2013	scalvin 8/5/2013	phenry 8/5/2013	_____	srose 8/5/2013		State S&L

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/2	mgallagh 8/7/2013	scalvin 8/7/2013	jmurphy 8/7/2013	_____ _____	sbasford 8/5/2013	lparisi 8/5/2013	State S&L
/3				_____ _____	sbasford 8/7/2013	sbasford 8/7/2013	State S&L

FE Sent For:

→ A+
Intro.

<END>

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/3				_____	sbasford	sbasford	State
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13 sac
08/07/2013

Jm
8/7

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1/2 sac
08/05/2013
JG
ph

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/?	mgallagh	1 sac 08/01/2013	8/2 ph	ph pgf 8/5			

FE Sent For:

<END>

Gallagher, Michael

From: Weigand, Jeffrey - DSPS <Jeffrey.Weigand@wisconsin.gov>
Sent: Monday, July 01, 2013 5:22 PM
To: Gallagher, Michael; Gibson-Glass, Mary
Subject: 2013 DSPS Cleanup Bill

Mike and Mary –

Thank you for your work on our 2013 DSPS Cleanup Bill.

After reviewing all the separate drafts that you have written, we are all set. Can you start merging the drafts into one bill? We would like to have the bill formally introduced shortly. Can you please put it together as a preliminary draft? We would like to review it one last time before it is formally introduced.

Thanks,

Jeff Weigand
Legislative Liaison
Wisconsin Department of Safety and Professional Services
608-267-9794

MPG	MSG
-1856 ✓	13 - 1086
-1857 ✓	13 - 1087
-1858 ✓	13 - 1088
-1859 ✓	
-1861 ✓	
-1862 ✓	
-1863 ✓	
-1864 ✓	
-1865 ✓	

Gibson-Glass, Mary

From: Weigand, Jeffrey - DSPS <Jeffrey.Weigand@wisconsin.gov>
Sent: Thursday, July 25, 2013 11:56 AM
To: Gibson-Glass, Mary
Cc: Weigand, Jeffrey - DSPS
Subject: Memo 145.01 (5) POWTS; attached
Attachments: 145 powts memo.doc

Hi Mary –

I just let you a voicemail as well. We have one additional item to include in our cleanup bill. Please see the attached memo.

I hope it makes sense. Please give me a call if you have any questions.

Jeff Weigand
Legislative Liaison
WI Department of Safety and Professional Services
608-267-9794



State of Wisconsin

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

CORRESPONDENCE / MEMORANDUM

DATE:

TO:

FROM:

SUBJECT: s. 145.01 (5) Governmental unit administering code for POWTS when population is more than 500,000

The issue of concern is that the population of Dane County, which administers the POWTS (private on-site wastewater treatment systems) code, ch. SPS 383 via the Madison Dane County Public Health, will exceed the population threshold of 500,000 by the next regular or special U.S. Census (2020).

Census predictions from the Wisconsin Department of Administration (<http://www.doa.state.wi.us/docview.asp?docid=2114>) estimate Dane County's population to be 559,005 for 2020 and approximately 625,000 for 2030. In this same report, Milwaukee County is estimated to have a population of 1,031,000 for 2030.

As the Statutes are currently written, after exceeding the population threshold, a county would no longer be responsible for administering the POWTS program, and this program would inevitably default to the cities, villages and towns in lieu of the county program. To date, all but one of the 72 counties administer all or part of the POWTS program.

The department at this time recommends amending s. 145.01 (5), Stats., to replace the current threshold to a population to **625,000** (see suggested text below).

S. 145.01 (5), Stats.: "GOVERNMENTAL UNIT RESPONSIBLE FOR REGULATION OF PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEMS. "Governmental unit responsible for the regulation of private on-site wastewater treatment systems" or "governmental unit", unless otherwise qualified, means the county except that in a county with a population of ~~500,000~~ 625,000 or more these terms mean the city, village or town where the private on-site wastewater treatment system is located."



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1802/P1
MGG:sac:ph

out

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to amend** 101.983 (2) (title); and **to create** 101.983 (2) (e) and 101.983
2 (3) of the statutes; **relating to:** inspections of dumbwaiters and lifts that serve
3 individual dwelling units.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

4 **SECTION 1.** 101.983 (2) (title) of the statutes is amended to read:
5 101.983 (2) (title) OPERATION; INSPECTIONS.
6 **SECTION 2.** 101.983 (2) (e) of the statutes is created to read:
7 101.983 (2) (e) *Exemption.* This subsection does not apply to dumbwaiters that
8 serve individual residential dwelling units.
9 **SECTION 3.** 101.983 (3) of the statutes is created to read:



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1805/1
MGG:sac:ph

2013 BILL

out

1 **AN ACT to amend** 101.983 (title), 101.983 (1) (a), 101.983 (1) (b), 101.983 (1) (c)
2 (intro.), 101.983 (1) (c) 1., 101.983 (1) (c) 2., 101.983 (1) (c) 3., 101.983 (1) (d)
3 (intro.), 101.983 (1) (d) 1., 101.983 (1) (d) 2. and 101.983 (2) (a) (title) of the
4 statutes; **relating to:** terminology used in authorizing the construction,
5 installations or alterations of elevators and similar conveyances.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Safety and Professional Services (DSPS) regulates elevators and certain other types of lifts that move people or things (conveyances). Under current law, no person may construct, install, or alter a conveyance unless the contractor who will perform the work has received a permit from DSPS that authorizes the work. This bill changes the term used to describe this authorization from “permit” to “approval.”

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

6 **SECTION 1.** 101.983 (title) of the statutes is amended to read:
7 **101.983 (title) Conveyance Approvals and permits for conveyances**
8 **required.**

BILL

1 **SECTION 2.** 101.983 (1) (a) of the statutes is amended to read:

2 101.983 (1) (a) *Permit Approval required.* No person may construct, install, or
3 alter a conveyance in this state unless an elevator contractor licensed by the
4 department under s. 101.985 (1) has received a ~~permit~~ an approval for the
5 construction, installation, or alteration from the department.

6 **SECTION 3.** 101.983 (1) (b) of the statutes is amended to read:

7 101.983 (1) (b) *Application.* A person applying for ~~a permit~~ an approval under
8 par. (a) shall include, along with the application, copies of specifications and
9 accurately scaled and fully dimensioned plans showing the location of the
10 construction, installation, or alteration in relation to the plans and elevation of the
11 building; the location of the applicable machinery room, if any, and the equipment
12 to be constructed, installed, or altered; and all structural supporting members
13 relevant to the construction, installation, or alteration, including foundations. The
14 specifications and plans shall be sufficiently complete to illustrate all details of
15 design and construction, installation, or alteration. The application shall specify all
16 materials to be used and all loads to be supported or conveyed. The department may
17 authorize a person to include the application and other information required under
18 this paragraph with any submission required under s. 101.12 (1) to avoid duplicative
19 filing of information.

20 **SECTION 4.** 101.983 (1) (c) (intro.) of the statutes is amended to read:

21 101.983 (1) (c) *Revocation.* (intro.) The department may revoke ~~a permit~~ an
22 approval issued under this subsection if the department finds any of the following:

23 **SECTION 5.** 101.983 (1) (c) 1. of the statutes is amended to read:

BILL

1 101.983 (1) (c) 1. That information submitted under par. (b) by the person
2 obtaining the permit approval contains false statements or misrepresentations of
3 material fact.

4 **SECTION 6.** 101.983 (1) (c) 2. of the statutes is amended to read:

5 101.983 (1) (c) 2. That the permit approval was issued in error.

6 **SECTION 7.** 101.983 (1) (c) 3. of the statutes is amended to read:

7 101.983 (1) (c) 3. That the work performed under the permit approval is not
8 consistent with information submitted under par. (b) by the person obtaining the
9 permit approval or is in violation of this subchapter or rules promulgated under this
10 subchapter.

11 **SECTION 8.** 101.983 (1) (d) (intro.) of the statutes is amended to read:

12 101.983 (1) (d) *Expiration.* (intro.) ~~A permit~~ An approval issued under this
13 subsection expires under any of the following circumstances:

14 **SECTION 9.** 101.983 (1) (d) 1. of the statutes is amended to read:

15 101.983 (1) (d) 1. If the work authorized under the permit approval is not
16 commenced within 6 months after the date on which the permit approval is issued,
17 or within a shorter period of time as specified by the department at the time the
18 permit approval is issued.

19 **SECTION 10.** 101.983 (1) (d) 2. of the statutes is amended to read:

20 101.983 (1) (d) 2. If the work authorized under the permit approval is
21 suspended or abandoned for 60 consecutive days at any time following the
22 commencement of the work, or for a shorter period of time as specified by the
23 department at the time the permit approval is issued.

24 **SECTION 11.** 101.983 (2) (a) (title) of the statutes is amended to read:



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1806/1
MGG:sac:ph

2013 BILL

W

1 **AN ACT to amend** 101.983 (title), 101.983 (1) (a), 101.983 (1) (b), 101.983 (1) (c)
2 (intro.), 101.983 (1) (c) 1., 101.983 (1) (c) 2., 101.983 (1) (c) 3., 101.983 (1) (d)
3 (intro.), 101.983 (1) (d) 1., 101.983 (1) (d) 2., 101.983 (2) (a), 101.983 (2) (c),
4 101.984 (3) and 101.985 (3); and **to create** 101.983 (3) of the statutes; **relating**
5 **to:** permits issued for, and inspections of, elevators and other similar
6 conveyances.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Safety and Professional Services (DSPS) regulates the construction, installation, alteration, operation, and inspection of elevators and other lifts that move people and things (conveyances). No person may construct, install, or alter a conveyance without having an elevator contractor license and a permit to construct, install, or alter the conveyance. Also, no person may operate a conveyance without having a permit issued by DSPS to operate the conveyance (operating permit). DSPS may not issue or renew an operating permit unless the conveyance has been inspected by an inspector licensed by DSPS and the inspector indicates that the conveyance is in compliance with the applicable safety requirements.

This bill authorizes DSPS to appoint a city or village as its agent to issue permits to construct, install, or alter conveyances. The bill changes the term used in the statutes for this type of permit from “permit” to “approval.”

BILL

The bill also authorizes DSPS to appoint a city or village as its agent to issue and renew operating permits and to conduct inspections of conveyances for purposes of issuing and renewing these permits.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 101.983 (title) of the statutes is amended to read:

2 **101.983 (title) Conveyance Approvals and permits for conveyances**
3 **required.**

4 **SECTION 2.** 101.983 (1) (a) of the statutes is amended to read:

5 101.983 (1) (a) *Permit Approval required.* No person may construct, install, or
6 alter a conveyance in this state unless an elevator contractor licensed by the
7 department under s. 101.985 (1) has received ~~a permit~~ an approval for the
8 construction, installation, or alteration from the department.

9 **SECTION 3.** 101.983 (1) (b) of the statutes is amended to read:

10 101.983 (1) (b) *Application.* A person applying for ~~a permit~~ an approval under
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3 filing of information.

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5 101.983 (1) (c) *Revocation.* (intro.) The department may revoke ~~a permit~~ an
6 approval issued under this subsection if the department finds any of the following:

7 **SECTION 5.** 101.983 (1) (c) 1. of the statutes is amended to read:

8 101.983 (1) (c) 1. That information submitted under par. (b) by the person
9 obtaining the ~~permit~~ approval contains false statements or misrepresentations of
10 material fact.

11 **SECTION 6.** 101.983 (1) (c) 2. of the statutes is amended to read:

12 101.983 (1) (c) 2. That the ~~permit~~ approval was issued in error.

13 **SECTION 7.** 101.983 (1) (c) 3. of the statutes is amended to read:

14 101.983 (1) (c) 3. That the work performed under the ~~permit~~ approval is not
15 consistent with information submitted under par. (b) by the person obtaining the
16 ~~permit~~ approval or is in violation of this subchapter or rules promulgated under this
17 subchapter.

18 **SECTION 8.** 101.983 (1) (d) (intro.) of the statutes is amended to read:

19 101.983 (1) (d) *Expiration.* (intro.) ~~A permit~~ An approval issued under this
20 subsection expires under any of the following circumstances:

21 **SECTION 9.** 101.983 (1) (d) 1. of the statutes is amended to read:

22 101.983 (1) (d) 1. If the work authorized under the ~~permit~~ approval is not
23 commenced within 6 months after the date on which the ~~permit~~ approval is issued,
24 or within a shorter period of time as specified by the department at the time the
25 ~~permit~~ approval is issued.

BILL

1 **SECTION 10.** 101.983 (1) (d) 2. of the statutes is amended to read:

2 101.983 (1) (d) 2. If the work authorized under the permit approval is
3 suspended or abandoned for 60 consecutive days at any time following the
4 commencement of the work, or for a shorter period of time as specified by the
5 department at the time the permit approval is issued.

6 **SECTION 11.** 101.983 (2) (a) of the statutes is amended to read:

7 101.983 (2) (a) *Permit Operating permit required.* No person may allow a
8 conveyance to be operated on property owned by the person unless the person has
9 received a permit ~~for the~~ under this subsection that authorizes its operation from the
10 ~~department. The department may not issue a permit required under this paragraph~~
11 ~~until all inspections required under par. (c) are completed.~~

12 **SECTION 12.** 101.983 (2) (c) of the statutes is amended to read:

13 101.983 (2) (c) *Inspections.* The department may not issue or renew a permit
14 for a conveyance under this subsection unless the department has received or an
15 independent inspector has conducted an inspection of the conveyance and has
16 prepared an inspection report for certifying that the conveyance issued by ~~an~~
17 ~~elevator inspector licensed under s. 101.985 (3) indicating that the conveyance~~
18 ~~complies with this subchapter and any applicable rules promulgated under this~~
19 ~~subchapter. This inspection by the department does not exempt the owner from the~~
20 ~~requirement to ensure that the department receives an inspection report from a~~
21 ~~licensed elevator inspector. Upon performing this inspection, the~~ Any inspection
22 under this subsection shall be performed by an inspector who is licensed under s.
23 101.985 (3).

24 (d) *Instruction on operation.* When issuing or renewing a permit under this
25 subsection, the department shall give the owner notice of relevant conveyance safety

BILL

1 requirements and shall instruct the owner as to the procedure for obtaining periodic
2 inspections and renewing the permit under which the ~~lift or equipment~~ conveyance
3 is operated.

4 **SECTION 13.** 101.983 (3) of the statutes is created to read:

5 101.983 (3) MUNICIPALITIES AS AGENTS. The department may appoint a city or
6 village as its agent to do any of the following:

7 (a) Issue approves under sub. (1) (a).

8 (b) Issue or renew permits under sub. (2) (a).

9 (c) Conduct inspections and prepare inspection reports that are required under
10 sub. (2) (c).

11 (d) Give notice and provide instruction as required under sub. (2) (d).

12 **SECTION 14.** 101.984 (3) of the statutes is amended to read:

13 101.984 (3) ELEVATOR INSPECTOR. No individual may perform an elevator
14 inspection of a conveyance in this state unless the individual is licensed as an
15 elevator inspector under s. 101.985 (3) and holds a certification as an elevator
16 inspector issued by a person approved by the American Society of Mechanical
17 Engineers.

18 **SECTION 15.** 101.985 (3) of the statutes is amended to read:

19 101.985 (3) ELEVATOR INSPECTOR. The department shall issue an elevator
20 inspector license to each individual who demonstrates to the satisfaction of the
21 department that the individual is adequately qualified and able to provide elevator
22 inspection services of conveyances as required under s. 101.983 (2). The department
23 shall promulgate rules that establish the qualifications required for issuance of an
24 elevator inspector license.

25

(END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1807/P1
MGG:sac:rs

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IN

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to amend* 101.984 (3) of the statutes; **relating to:** licenses issued to
2 inspectors of elevators and similar conveyances.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Safety and Professional Services (DSPS) regulates the construction, installation, alteration, operation, and inspection of elevators and other lifts that move people and things (conveyances). Under current law, no person may operate a conveyance unless it has been inspected by an inspector licensed by DSPS. To be licensed as an inspector by DSPS, a person must hold a certification issued by an entity approved by the American Society of Mechanical Engineers (ASME certification) and must demonstrate to DSPS's satisfaction that the individual is adequately qualified and able to provide elevator inspection services. Current law requires that DSPS promulgate rules that establish these qualifications. This bill eliminates the requirement that an elevator inspector hold an ASME certification.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 101.984 (3) of the statutes is amended to read:

1 101.984 (3) ELEVATOR INSPECTOR. No individual may perform an elevator
2 inspection in this state unless the individual is licensed as an elevator inspector
3 under s. 101.985 (3) and ~~holds a certification as an elevator inspector issued by a~~
4 ~~person approved by the American Society of Mechanical Engineers.~~

5

(END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1808/1
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2013 BILL

IN

1 **AN ACT** *to amend* 101.985 (5) (b) 1. and 101.985 (5) (b) 2. b. of the statutes;
2 **relating to:** continuing education requirements for elevator mechanics,
3 elevator inspectors, and elevator contractors.

Analysis by the Legislative Reference Bureau

Current law requires that any individual who constructs, alters, maintains, or removes elevators or other lifts that move persons or things (conveyances) be licensed as an elevator mechanic by the Department of Safety and Professional Services (DSPS). Current law also requires that any individual who inspects conveyances be licensed as an elevator inspector by DSPS. Current law requires that a licensed mechanic or inspector who seeks to renew his or her license comply with certain continuing education requirements promulgated as rules by DSPS. Both the mechanic's license and the inspector license are valid for two years. Under current law, the continuing education requirements for these licenses must be satisfied in the second year of the two-year period. Under this bill, an elevator mechanic or inspector renewing a license may satisfy these education requirements at any time during the two-year period.

Current law requires that a person who is engaged in the business of constructing, altering, or maintaining conveyances be licensed by DSPS as an elevator contractor. Current law requires that an elevator contractor also meet certain continuing education requirements promulgated as rules by DSPS. This bill eliminates these education requirements for elevator contractors.



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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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1 AN ACT ...; relating to: the authority and responsibilities of the Department of
2 Safety and Professional Services and the various boards under that
3 department, professional licensure of pharmacists, the Pharmacy Examining
4 Board's operation of the prescription drug monitoring program,...

Analysis by the Legislative Reference Bureau

PROFESSIONAL REGULATION

This bill makes a number of changes to the laws the Department of Safety and Professional Services (DPS) and various boards under DPS administer related to professional regulation, including the following:

1. Under current law, DPS is required to take the fingerprints of an applicant for a private detective license or a private security permit, an applicant for a juvenile martial arts instructor permit, and a person for whom DPS conducts an investigation into the person's criminal history. Current law authorizes DPS to submit the fingerprints to the federal bureau of investigation.

Under the bill, DPS must also take the fingerprints of an applicant for a real estate appraiser certification or license, and the bill requires DPS to submit the fingerprints of an applicant for a real estate appraiser certification or license to the federal bureau of investigation.

2. The bill authorizes DPS or the appropriate board to reprimand a credential holder, or deny, limit, suspend, or revoke a credential, if the credential holder fails to respond, to the satisfaction of the department or the appropriate board, within 30

related to professional regulation that are administered by

days to a request for information from the department or board in connection with an investigation of alleged misconduct of the credential holder.

3. Current law prohibits the Pharmacy Examining Board from issuing a license to practice pharmacy in this state to a person who is licensed in another state if that person has had a license to practice pharmacy in another state voluntarily surrendered, limited, suspended, or revoked. The bill gives the Pharmacy Examining Board discretion to grant or deny a license to practice pharmacy in this state to such a person.

4. Under current law, a pharmacist may renew his or her license by satisfying certain continuing education requirements and paying the required renewal fee on or before the renewal date. If a pharmacist fails to renew his or her license by the renewal date, the pharmacist may not practice pharmacy unless the pharmacist passes an examination to the satisfaction of the Pharmacy Examining Board.

The bill authorizes, but does not require, the board to suspend a pharmacist's license if the pharmacist fails to renew his or her license by the renewal date, and the bill authorizes, but does not require, the Pharmacy Examining Board to require the pharmacist to pass an examination to restore the pharmacist's license.

5. Current law requires the Pharmacy Examining Board to establish a prescription drug monitoring program. Under the program, a pharmacist or other practitioner must generate a record documenting the dispensing of each prescription drug that is subject to the program, generally certain controlled substances or other drugs the Pharmacy Examining Board identifies as having a substantial potential for abuse. The pharmacist or practitioner must then deliver that record to the Pharmacy Examining Board.

This bill applies the requirements of the prescription drug monitoring program^x to pharmacies instead of pharmacists and to any practitioner who dispenses a prescription drug subject to the program outside of a pharmacy. The bill also creates an exemption from the prescription drug monitoring program for a schedule V controlled substance if the substance is not a narcotic and the prescription order is for a number of doses that is intended to last the patient seven days or less.

BUILDINGS AND SAFETY

← INSERT ANL

For further information see the *state*^{and local} fiscal estimate, which will be printed as an appendix to this bill.

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

- 1 **SECTION 1.** 15.405 (2) (a) of the statutes is amended to read:
- 2 15.405 (2) (a) In operation, the examining board shall be divided into an
- 3 architect section, a landscape architect section, ~~an~~ a professional engineer section,
- 4 a designer section and a land surveyor section. Each section shall consist of the 3

Fix Component

1 members of the named profession appointed to the examining board and 2 public
2 members appointed to the section. The examining board shall elect its own officers,
3 and shall meet at least twice annually.

4 SECTION 2. 101.983 (title) of the statutes is amended to read:

5 **101.983 (title) Conveyance Approvals and permits for conveyances**
6 **required.**

7 SECTION 3. 101.983 (title) of the statutes is amended to read:

8 **101.983 (title) Conveyance Approvals and permits for conveyances**
9 **required.**

10 SECTION 4. 101.983 (1) (a) of the statutes is amended to read:

11 101.983 (1) (a) *Permit Approval* required. No person may construct, install, or
12 alter a conveyance in this state unless an elevator contractor licensed by the
13 department under s. 101.985 (1) has received ~~a permit~~ an approval for the
14 construction, installation, or alteration from the department.

15 SECTION 5. 101.983 (1) (a) of the statutes is amended to read:

16 101.983 (1) (a) *Permit Approval* required. No person may construct, install, or
17 alter a conveyance in this state unless an elevator contractor licensed by the
18 department under s. 101.985 (1) has received ~~a permit~~ an approval for the
19 construction, installation, or alteration from the department.

20 SECTION 6. 101.983 (1) (b) of the statutes is amended to read:

21 101.983 (1) (b) *Application*. A person applying for ~~a permit~~ an approval under
22 par. (a) shall include, along with the application, copies of specifications and
23 accurately scaled and fully dimensioned plans showing the location of the
24 construction, installation, or alteration in relation to the plans and elevation of the
25 building; the location of the applicable machinery room, if any, and the equipment

SECTION 6

1 to be constructed, installed, or altered; and all structural supporting members
2 relevant to the construction, installation, or alteration, including foundations. The
3 specifications and plans shall be sufficiently complete to illustrate all details of ✓
4 design and construction, installation, or alteration. The application shall specify all
5 materials to be used and all loads to be supported or conveyed. The department may
6 authorize a person to include the application and other information required under
7 this paragraph with any submission required under s. 101.12 (1) to avoid duplicative
8 filing of information.

9 **SECTION 7.** 101.983 (1) (b) of the statutes is amended to read: ^{OL}

10 101.983 (1) (b) *Application.* A person applying for ~~a permit~~ an approval under
11 par. (a) shall include, along with the application, copies of specifications and
12 accurately scaled and fully dimensioned plans showing the location of the
13 construction, installation, or alteration in relation to the plans and elevation of the
14 building; the location of the applicable machinery room, if any, and the equipment
15 to be constructed, installed, or altered; and all structural supporting members
16 relevant to the construction, installation, or alteration, including foundations. The
17 specifications and plans shall be sufficiently complete to illustrate all details of
18 design and construction, installation, or alteration. The application shall specify all
19 materials to be used and all loads to be supported or conveyed. The department may
20 authorize a person to include the application and other information required under
21 this paragraph with any submission required under s. 101.12 (1) to avoid duplicative
22 filing of information. X

23 **SECTION 8.** 101.983 (1) (c) (intro.) of the statutes is amended to read:

24 101.983 (1) (c) *Revocation.* (intro.) The department may revoke ~~a permit~~ an ✓
25 approval issued under this subsection if the department finds any of the following:

1 **SECTION 9.** 101.983 (1) (c) (intro.) of the statutes is amended to read:

2 101.983 (1) (c) *Revocation.* (intro.) The department may revoke ~~a permit~~ an
3 approval issued under this subsection if the department finds any of the following:

4 **SECTION 10.** 101.983 (1) (c) 1. of the statutes is amended to read:

5 101.983 (1) (c) 1. That information submitted under par. (b) by the person ✓
6 obtaining the permit approval contains false statements or misrepresentations of
7 material fact.

8 **SECTION 11.** 101.983 (1) (c) 1. of the statutes is amended to read:

9 101.983 (1) (c) 1. That information submitted under par. (b) by the person
10 obtaining the permit approval contains false statements or misrepresentations of
11 material fact.

12 **SECTION 12.** 101.983 (1) (c) 2. of the statutes is amended to read:

13 101.983 (1) (c) 2. That the permit approval was issued in error. ✓

14 **SECTION 13.** 101.983 (1) (c) 2. of the statutes is amended to read:

15 101.983 (1) (c) 2. That the permit approval was issued in error.

16 **SECTION 14.** 101.983 (1) (c) 3. of the statutes is amended to read:

17 101.983 (1) (c) 3. That the work performed under the permit approval is not
18 consistent with information submitted under par. (b) by the person obtaining the ✓
19 permit approval or is in violation of this subchapter or rules promulgated under this
20 subchapter.

21 **SECTION 15.** 101.983 (1) (c) 3. of the statutes is amended to read:

22 101.983 (1) (c) 3. That the work performed under the permit approval is not
23 consistent with information submitted under par. (b) by the person obtaining the
24 permit approval or is in violation of this subchapter or rules promulgated under this
25 subchapter.

SECTION 16

1 **SECTION 16.** 101.983 (1) (d) (intro.) of the statutes is amended to read:

2 101.983 (1) (d) *Expiration.* (intro.) ~~A permit~~ An approval issued under this ✓
3 subsection expires under any of the following circumstances:

4 **SECTION 17.** 101.983 (1) (d) (intro.) of the statutes is amended to read:
5 101.983 (1) (d) *Expiration.* (intro.) ~~A permit~~ An approval issued under this
6 subsection expires under any of the following circumstances:

7 **SECTION 18.** 101.983 (1) (d) 1. of the statutes is amended to read:

8 101.983 (1) (d) 1. If the work authorized under the ~~permit~~ approval is not
9 commenced within 6 months after the date on which the ~~permit~~ approval is issued, ✓
10 or within a shorter period of time as specified by the department at the time the
11 ~~permit~~ approval is issued.

12 **SECTION 19.** 101.983 (1) (d) 1. of the statutes is amended to read:
13 101.983 (1) (d) 1. If the work authorized under the ~~permit~~ approval is not
14 commenced within 6 months after the date on which the ~~permit~~ approval is issued,
15 or within a shorter period of time as specified by the department at the time the
16 ~~permit~~ approval is issued.

17 **SECTION 20.** 101.983 (1) (d) 2. of the statutes is amended to read:

18 101.983 (1) (d) 2. If the work authorized under the ~~permit~~ approval is
19 suspended or abandoned for 60 consecutive days at any time following the ✓
20 commencement of the work, or for a shorter period of time as specified by the
21 department at the time the ~~permit~~ approval is issued.

22 **SECTION 21.** 101.983 (1) (d) 2. of the statutes is amended to read:
23 101.983 (1) (d) 2. If the work authorized under the ~~permit~~ approval is
24 suspended or abandoned for 60 consecutive days at any time following the

1 commencement of the work, or for a shorter period of time as specified by the
2 department at the time the permit approval is issued.

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3 SECTION 22. 101.983 (2) (title) of the statutes is amended to read:

as affected by 2013 Wisconsin Act 201 repealed and recreated

4 101.983 (2) (title) OPERATION; INSPECTIONS.

(S) OPERATING PERMITS INSPECTIONS

5 SECTION 23. 101.983 (2) (a) (title) of the statutes is amended to read:

6 101.983 (2) (a) (title) Permit Operation permit required.

7 SECTION 24. 101.983 (2) (a) of the statutes is amended to read:

8 101.983 (2) (a) Permit Operating permit required. No person may allow a
9 conveyance to be operated on property owned by the person unless the person has
10 received a permit for the under this subsection/that authorizes its operation from the
11 department. The department may not issue a permit required under this paragraph
12 until all inspections required under par. (e) are completed.

13 SECTION 25. 101.983 (2) (c) of the statutes is amended to read:

14 101.983 (2) (c) Inspections. The department may not issue or renew a permit
15 for a conveyance under this subsection unless the department has received or an
16 independent inspector has conducted an inspection of the conveyance and has
17 prepared an inspection report for certifying that the conveyance issued by an
18 elevator inspector licensed under s. 101.985 (3) indicating that the conveyance
19 complies with this subchapter and any applicable rules promulgated under this
20 subchapter. This inspection by the department does not exempt the owner from the
21 requirement to ensure that the department receives an inspection report from a
22 licensed elevator inspector. Upon performing this inspection, the Any inspection
23 under this subsection/shall be performed by an inspector who is licensed under s.
24 101.985 (3).

SECTION 25

1 (d) Instruction on operation. When issuing or renewing a permit under this
2 subsection, the department shall give the owner notice of relevant conveyance safety
3 requirements and shall instruct the owner as to the procedure for obtaining periodic
4 inspections and renewing the permit under which the ~~lift or equipment~~ conveyance
5 is operated.

6 **SECTION 26.** 101.983 (2)(e) of the statutes is created to read:
7 101.983 (2) (e) *Exemption.* This subsection does not apply to dumbwaiters that
8 serve individual residential dwelling units.

9 **SECTION 27.** 101.983 (3) of the statutes is created to read:
10 101.983 (3) MUNICIPALITIES AS AGENTS. The department may appoint a city or
11 village as its agent to do any of the following:

- 12 (a) Issue ^{approvals} ~~approves~~ under sub. (1) (a).
- 13 (b) Issue or renew permits under sub. (2) (a).
- 14 (c) Conduct inspections and prepare inspection reports ^{as provided} ~~that are required~~ under
15 sub. (2) (c) ^{and sub. (3)}
- 16 (d) Give notice and provide instruction as required under sub. (2) (d).

17 **SECTION 28.** 101.983 (3) of the statutes is created to read:
18 101.983 (3) INSPECTIONS; RESIDENCES. (a) *Dumbwaiters.* No owner of a
19 residence may sell or otherwise transfer an individual dwelling unit that is served
20 by a dumbwaiter unless the owner provides the owner or transferee, prior to the sale
21 or transfer of the property, an inspection report from an elevator inspector licensed
22 under s. 101.985 (3) that states that the dumbwaiter complies with this subchapter
23 and any applicable rules under this subchapter.
24 (b) *Lifts.* No owner of a residence may sell or otherwise transfer an individual
25 dwelling unit that is served by a vertical platform lift, an inclined platform lift, or a

1 stairway chair lift unless the owner provides the owner or transferee, prior to the sale
2 or transfer of the property, with an inspection report from an elevator inspector
3 licensed under s. 101.985 (3) that states the lift is safe to operate.

4 **SECTION 29.** 101.984 (3) of the statutes is amended to read:

5 101.984 (3) ELEVATOR INSPECTOR. No individual may perform an elevator
6 inspection in this state unless the individual is licensed as an elevator inspector
7 under s. 101.985 (3) and holds a certification as an elevator inspector issued by a
8 person approved by the American Society of Mechanical Engineers.

9 **SECTION 30.** 101.984 (3) of the statutes is amended to read:

10 101.984 (3) ELEVATOR INSPECTOR. No individual may perform an elevator
11 inspection of a conveyance in this state unless the individual is licensed as an
12 elevator inspector under s. 101.985 (3) and holds a certification as an elevator
13 inspector issued by a person approved by the American Society of Mechanical
14 Engineers. ^{plain}

15 **SECTION 31.** 101.985 (3) of the statutes is amended to read:

16 101.985 (3) ELEVATOR INSPECTOR. The department shall issue an elevator
17 inspector license to each individual who demonstrates to the satisfaction of the
18 department that the individual is adequately qualified and able to provide elevator
19 inspection services of conveyances as required under s. 101.983 (2). The department
20 shall promulgate rules that establish the qualifications required for issuance of an
21 elevator inspector license.

22 **SECTION 32.** 101.985 (5) (b) 1. of the statutes is amended to read:

23 101.985 (5) (b) 1. ~~Except as otherwise provided in this subdivision, an An~~
24 applicant for renewal of a license under sub. (1), (2) (ab), (ad), or (b), or (3) shall
25 provide to the department a certificate indicating that, during the one-year period

1 ~~before the date on which the applicant's license expires 2-year term of the license,~~
2 the applicant has satisfactorily met the education requirements established by rule ✓
3 under subd. 2. ~~If the applicant is not an individual, the certificate shall indicate that~~
4 ~~the education requirements were satisfactorily met by an individual who, as of the~~
5 ~~date of the application, is an agent of the applicant.~~

6 **SECTION 33.** 101.985^x (5) (b) 2. b. of the statutes is amended to read: ✓

7 101.985 (5) (b) 2. b. The number of hours of education required ~~on an annual~~
8 basis.

9 **SECTION 34.** 255.35^x (1m) (g) of the statutes is amended to read:

10 255.35 (1m) (g) "School of pharmacy" means a school of pharmacy that is
11 accredited by the American Accreditation Council on Pharmaceutical Education.

12 **SECTION 35.** 440.03^x (13) (c) of the statutes is amended to read:

13 440.03 (13) (c) The department shall require an applicant for a private
14 detective license or a private security permit under s. 440.26, an applicant for a
15 juvenile martial arts instructor permit under sub. (17), an applicant for a real estate
16 appraiser certification under s. 458.06 or license under s. 458.08, and a person for
17 whom the department conducts an investigation under par. (b), to be photographed
18 and fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's
19 fingerprints. The department of justice may submit the fingerprint cards, and the
20 department of justice shall submit the fingerprint cards of all applicants for a real
21 estate appraiser certification under s. 458.06 or license under s. 458.08, to the federal
22 bureau of investigation for the purpose of verifying the identity of the persons
23 fingerprinted and obtaining records of their criminal arrests and convictions.

24 **SECTION 36.** 440.20^x (5) of the statutes is created to read:

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1 440.20 (5) In addition to any grounds for discipline specified in chs. 440 to 480,
2 the department, or the appropriate credentialing board or other board in the
3 department, may reprimand a credential holder, or may deny, limit, suspend, or
4 revoke a credential, if the credential holder fails to respond, to the satisfaction of the
5 department, credentialing board, or other board in the department, within 30 days
6 to a request for information from the department, credentialing board, or other board
7 in the department in connection with an investigation of alleged misconduct of the
8 credential holder.

9 **SECTION 37.** 441.01 (4) of the statutes is amended to read:

10 441.01 (4) The board shall direct that those schools ~~which~~ that qualify be placed
11 on ~~the accredited~~ a list of schools the board has approved for professional nurses or
12 of schools the board has approved for licensed practical nurses on application and
13 proof of qualifications; and shall make a study of nursing education and initiate rules
14 and policies to improve it.

15 **SECTION 38.** 441.04 of the statutes is amended to read:

16 **441.04 Requisites for examination as a registered nurse.** Any person
17 who has graduated from a high school or its equivalent as determined by the board,
18 does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and
19 111.335, holds a diploma of graduation from ~~an accredited~~ a school of nursing
20 approved by the board or that the board has authorized to admit students pending
21 approval, and, if ~~the~~ that school is located outside this state, submits evidence of
22 general and professional educational qualifications comparable to those required in
23 this state at the time of graduation may apply to the department for licensure by the
24 board as a registered nurse; and upon payment of the fee specified under s. 440.05
25 (1), that person shall be entitled to examination.

x

1 **SECTION 39.** 441.08 of the statutes is amended to read:

2 **441.08 Temporary permit.** A nurse who has graduated from an ~~accredited~~
3 a school approved by the board or that the board has authorized to admit students
4 pending approval but who is not licensed in this state may be granted a temporary
5 permit upon payment of the fee specified in s. 440.05 (6) by the board to practice for
6 compensation until the nurse can qualify for licensure. The temporary permit may
7 be renewed once. Each applicant for renewal of a temporary permit under this
8 section shall complete the nursing workforce survey and pay the fee required under
9 s. 441.01 (7). Further renewals may be granted in hardship cases. The board may
10 promulgate rules limiting the use and duration of temporary permits and providing
11 for revocation of temporary permits.

x

12 **SECTION 40.** 441.10 (1) of the statutes is amended to read:

13 **441.10 (1) PREREQUISITES FOR EXAMINATION AS LICENSED PRACTICAL NURSES.** A
14 person who is 18 years of age or older, does not have an arrest or conviction record,
15 subject to ss. 111.321, 111.322 and 111.335, has completed 2 years of high school or
16 its equivalent as determined by the board, and holds a diploma of graduation from
17 ~~an accredited~~ a school for licensed practical nurses approved by that the board or that
18 the board has authorized to admit students pending approval, may apply to the board
19 for licensing as a licensed practical nurse; and, upon payment of the examination
20 fee specified in s. 440.05 (1), that person shall be entitled to take an examination.
21 Any school for licensed practical nurses, in order to be ~~accredited~~ approved by the
22 board, must offer a course of not less than 9 months.

x

23 **SECTION 41.** 441.10 (3) (e) of the statutes is amended to read:

24 **441.10 (3) (e)** The board may grant a temporary permit to a practical nurse who
25 has graduated from an ~~accredited~~ a school approved by the board or that the board

1 has authorized to admit students pending approval but who is not licensed in this
2 state, upon payment of the fee specified in s. 440.05 (6), to practice for compensation
3 until the practical nurse qualifies for licensure. The board may grant further
4 renewals in hardship cases. The board may promulgate rules limiting the use and
5 duration of temporary permits and providing for revocation of temporary permits.

6 **SECTION 42.** 441.115^x (1) of the statutes is amended to read:

7 441.115 (1) This chapter shall may not be construed to affect nursing by
8 friends, members of the family, or undergraduates in ~~an accredited~~ a school approved
9 by the board, nor be construed to interfere with members of religious communities
10 or orders having charge of hospitals or taking care of the sick in their homes, except
11 that none of ~~such excepted~~ those persons ~~while engaged in such activities shall~~ may
12 represent himself or herself as a registered, trained, certified, or graduate nurse
13 unless registered under this subchapter.

14 **SECTION 43.** 441.12^x (2) of the statutes is amended to read:

15 441.12 (2) No person shall may operate in this state a school for professional
16 nurses or a school for practical nurses unless the ~~same shall be accredited~~ school is
17 approved by the board. No solicitation shall may be made in this state of the sale of,
18 or registration in, a course by correspondence or conducted ~~without~~ outside of the
19 state for practical nurses unless all written material used in ~~such~~ the solicitation
20 plainly states in type as large as any other type on the material that the course is not
21 ~~accredited in this state~~ approved by the board for training of practical nurses.

22 **SECTION 44.** 450.035^x (1r) of the statutes is amended to read:

23 450.035 (1r) A pharmacist may not administer by injection a prescribed drug
24 product or device unless he or she has successfully completed a course of study and
25 training in injection technique conducted by a course provider approved by the

1 ~~American Accreditation~~ Council on Pharmaceutical Education or the board. A
2 pharmacist may administer a prescribed drug product or device under this
3 subsection only in the course of teaching self-administration techniques to a patient.
4 A pharmacist who administers a prescribed drug product or device under this
5 subsection shall comply with the requirements and procedures established in rules
6 promulgated by the board under s. 450.02 (2g) (b).

7 **SECTION 45.** 450.035^x (1t) of the statutes is amended to read:

8 450.035 (1t) A person engaged in the practice of pharmacy under s. 450.03 (1)
9 (f) or (g) may not administer a prescribed drug product or device unless he or she has
10 successfully completed a course of study and training in administration technique
11 conducted by a course provider approved by the ~~American Accreditation~~ Council on
12 Pharmaceutical Education or the board. A person engaged in the practice of
13 pharmacy under s. 450.03 (1) (f) or (g) may administer a prescribed drug product or
14 device under this subsection only under the direct supervision of a pharmacist who
15 has successfully completed a course of study and training in administration
16 technique conducted by a course provider approved by the ~~American Accreditation~~
17 Council on Pharmaceutical Education or the board, and only in the course of teaching
18 self-administration techniques to a patient. A person engaged in the practice of
19 pharmacy under s. 450.03 (1) (f) or (g) who administers a prescribed drug product or
20 device under this subsection shall comply with the requirements and procedures
21 established in rules promulgated by the board under s. 450.02 (2g) (b).

22 **SECTION 46.** 450.035^x (2) of the statutes is amended to read:

23 450.035 (2) A pharmacist may not administer a vaccine unless he or she has
24 successfully completed 12 hours in a course of study and training, approved by the
25 ~~American Accreditation~~ Council on Pharmaceutical Education or the board, in

1 vaccination storage, protocols, administration technique, emergency procedures,
2 and record keeping and has satisfied the requirements specified in sub. (2t). A
3 pharmacist may not administer a vaccine under this subsection to a person who is
4 under the age of 6.

5 **SECTION 47.** 450.035 (2g) of the statutes is amended to read:

6 450.035 (2g) A person engaged in the practice of pharmacy under s. 450.03 (1)
7 (f) or (g) may not administer a vaccine unless he or she acts under the direct
8 supervision of a pharmacist and he or she and the supervising pharmacist have
9 successfully completed 12 hours in a course of study and training, approved by the
10 American Accreditation Council on Pharmaceutical Education or the board, in
11 vaccination storage, protocols, administration technique, emergency procedures,
12 and record keeping and the supervising pharmacist has satisfied the requirements
13 specified in sub. (2t). A person engaged in the practice of pharmacy under s. 450.03
14 (1) (f) or (g) may not administer a vaccine under this subsection to a person who is
15 under the age of 18.

16 **SECTION 48.** 450.05 of the statutes is amended to read:

17 **450.05 Pharmacist licensed in other state; licensure.** The board may,
18 upon application and payment of the fee specified in s. 440.05 (2), license as a
19 pharmacist any person who is licensed in another state if the person produces
20 satisfactory evidence of having met requirements comparable to those that existed
21 in this state at the time the person became licensed in the other state. The board
22 ~~shall not~~ may deny a license as a pharmacist under this section to any person whose
23 license to practice pharmacy in another state has been voluntarily surrendered,
24 limited, suspended, or revoked. The board may require an applicant under this
25 section to pass an equivalency examination administered by the board. If the board

1 requires an equivalency examination, any person licensed as a pharmacist in
2 another state who is engaged in the active practice of pharmacy may only be required
3 to pass an examination on state and federal laws, rules, and regulations.

4 **SECTION 49.** 450.08 (1) of the statutes is amended to read:

5 450.08 (1) The renewal date for all licenses granted by the board is specified
6 under s. 440.08 (2) (a). ~~Only~~ Except as provided under sub. (2) (a), only a holder of
7 an unexpired license may engage in his or her licensed activity.

8 **SECTION 50.** 450.08 (2) (a) of the statutes is amended to read:

9 450.08 (2) (a) A pharmacist's license may be renewed by complying with
10 continuing education requirements under s. 450.085 and paying the applicable fee
11 determined by the department under s. 440.03 (9) (a) on or before the applicable
12 renewal date specified under s. 440.08 (2) (a). ~~Failure~~ Notwithstanding s. 440.08 (3)
13 (a), if a pharmacist fails to obtain renewal within the time period specified under this
14 paragraph terminates the right of the person to be licensed as a pharmacist by that
15 date, the board may suspend the pharmacist's license, and such right can only be
16 acquired by passing the board may require the pharmacist to pass an examination
17 to the satisfaction of the board to restore that license.

18 **SECTION 51.** 450.085 (1) of the statutes is amended to read:

19 450.085 (1) An applicant for renewal of a license under s. 450.08 (2) (a) shall
20 submit proof that he or she has completed, within the 2-year period immediately
21 preceding the date of his or her application, 30 hours of continuing education in
22 courses conducted by a provider that is approved by the American Accreditation
23 Council on Pharmaceutical Education or in courses approved by the board. Courses
24 specified in s. 450.035 (1r) and (2) are courses in continuing education for purposes
25 of this subsection. This subsection does not apply to an applicant for renewal of a

1 license that expires on the first renewal date after the date on which the board
2 initially granted the license.

3 **SECTION 52.** 450.19 (1) (a) of the statutes, as affected by 2013 Wisconsin Act 3,
4 is renumbered 450.19 (1) (ar).

5 **SECTION 53.** 450.19 (1) (b) of the statutes, as affected by 2013 Wisconsin Act 3,
6 is renumbered 450.19 (1) (ag) and amended to read:

7 450.19 (1) (ag) “~~Prescription~~ Monitored prescription drug” means a substance
8 identified in s. 961.16 or, 961.18, 961.20, or 961.22 or a drug identified by the board
9 by rule as having a substantial potential for abuse.

10 **SECTION 54.** 450.19 (2) (intro.) of the statutes is amended to read:

11 450.19 (2) (intro.) The board shall establish by rule a program for monitoring
12 the dispensing of monitored prescription drugs. The program shall do all of the
13 following:

14 **SECTION 55.** 450.19 (2) (a) of the statutes is renumbered 450.19 (2) (a) (intro.)
15 and amended to read:

16 450.19 (2) (a) (intro.) Require a pharmacist pharmacy or a practitioner to
17 generate a record documenting each dispensing of a monitored prescription drug at
18 the pharmacy or, if the monitored prescription drug is not dispensed at a pharmacy,
19 by the practitioner and to deliver the record to the board, except that the program
20 may not require the generation of a record ~~when a~~ in any of the following
21 circumstances:

22 1. A monitored prescription drug is administered directly to a patient.

23 **SECTION 56.** 450.19 (2) (a) 2. of the statutes is created to read:

24 450.19 (2) (a) 2. A monitored prescription drug is compounded, packaged, or
25 labeled in preparation for delivery but is not delivered.