

1           **SECTION 9455. Effective dates; workforce development.**

2           (1) SOCIAL SECURITY NUMBERS ON CERTAIN REPORTS, RECORDS AND JUDGMENTS. The  
3           treatment of sections 69.15 (3) (d), 767.37 (1) (a) and 767.51 (2) (by SECTION 476) of  
4           'the statutes and SECTION 9355 (1) of this act take effect on April 1, 1998, or on the  
5           day after publication, whichever is later.

6           (2) LICENSE, PERMIT OR CERTIFICATE WITHHOLDING, SUSPENSION OR RESTRICTION FOR  
7           FAILURE TO PAY SUPPORT<sup>a</sup>. The treatment of sections 102.17 (1) (c) and (cm), 103.005  
8           (lo), 103.275 (2) (b) (intro.) and (bm) and (7) (b) and (c), 103.92 (3) and (6) and 104.07  
9           (1), (2) and (5) of the statutes, the renumbering of section 103.91 (4) of the statutes,  
10          the renumbering and amendment of section 105.13 of the statutes, the creation of  
11          sections 103.91 (4) (b) and 105.13 (2) of the statutes and SECTION 9355 (2) of this act  
12          take effect on April 1, 1998, or on the day after publication, whichever is later.

13          (3) SOCIAL SECURITY NUMBERS ON LICENSE, PERMIT OR CERTIFICATE APPLICATIONS.  
14          The treatment of sections 102.17 (1) (cg), 103.275 (2) (bg), 104.07 (4) and 105.06 (lm)  
15          of the statutes, the renumbering and amendment of sections 103.91 (2) and 103.92  
16          (1) of the statutes, the creation of sections 103.91 (2) (b) and 103.92 (1) (b) of the  
17          statutes and SECTION 9355 (3) of this act take effect on April 1, 1998, or on the day  
18          after publication, whichever is later.

19          (4) FINANCIAL RECORD MATCHING PROGRAM AND CHILD SUPPORT LIENS. The  
20          treatment of sections 20.445 (1) (L), 25.17 (1) (tm), 49.853, 49.854, 224.092, 224.093  
21          and 224.40 and chapter 224 (title) of the statutes, the renumbering of subchapter II  
22          of chapter 224 of the statutes and the creation of sections 20.445 (3) (k) and (r) and  
23          25.68 and subchapter II (title) of chapter 224 of the statutes take effect on April 1,  
24          1998.

1 (5) **CENTRALIZED RECEIPT AND DISBURSEMENT OF CHILDSUPPORT.** Therepealand  
2 recreation of sections 20.445 (3) (k) and (r) and 25.68 of the statutes takes effect on  
3 the date stated in the notice published by the department of workforce development  
4 in the Wisconsin Administrative Register under section 767.29 (1) (f) of the statutes,  
5 as created by 1997 Wisconsin Act 27, or on October 1, 1999, whichever is earlier.

6 (6) **MODIFICATIONS RELATED TO CENTRALIZED RECEIPT AND DISBURSEMENT.** The  
7 amendment of sections 767.027 (1) (b) and 767.263 (2) of the statutes and the repeal  
8 and recreation of sections 767.25 (6) (intro.), 767.261 (intro.), 767.263 (1), 767.265 (1),  
9 (2r), (3h) and (6) (a) and (b), 767.29 (1m) (intro.), 767.51 (5p) (intro.) and 767.62 (4)  
10 (b) 3. a. (by SECTION 489) and (g) (intro.) (by SECTION 490) of the statutes take effect  
11 on the date stated in the notice published by the department of workforce  
12 development in the Wisconsin Administrative Register under section 767.29 (1) (f)  
13 of the statutes, or on October 1, 1999, whichever is earlier.

14 (7) **NOTIFICATION TO NEW EMPLOYER OF PARENT'S OBLIGATION TO PROVIDE HEALTH**  
15 **CARE COVERAGE FOR A CHILD.** The treatment of sections 767.25 (4m) (d) 2. and 2m. and  
16 (f) and 767.51 (3m) (d) 2. and 2m. and (f) of the statutes takes effect on April 1, 1998.

17 (8) **VOLUNTARY ACKNOWLEDGMENT OF PATERNITY.** The treatment of sections  
18 20.921 (2) (a), 48.02 (13), 48.42 (4) (b) 2., 48.837 (4) (e),<sup>a</sup> 48.91 (2), 49.25 (3) (a) 8.,  
19 66.184, 69.15 (3) (b) 3. and (3m), 69.22 (5) (a) 3., 102.27 (2) (a), 120.13 (2) (g), 565.30  
20 (5m), 632.897 (10) (a) 3., 767.045 (1) (c) (intro.), 767.078 (1) (a) 1. and (2), 767.253,  
21 767.254 (2) (intro.), 767.265 (4) and (6) (c), 767.27 (2m), 767.295 (2) (a) (intro.) and  
22 (c), 767.30 (1), 767.303 (1), 767.305, 767.32 (1) (b) 4., (2m) and (2s), 767.45 (1) (c) and  
23 (k), (5m), (6m) and (6p), 767.458 (3), 767.466 (intro.), 767.62 (by SECTION 488), 802.12  
24 (3) (d) 1. and 3., 808.075 (4) (d) 9., 10. and 11., 852.05 (2) and 938.02 (13) of the  
25 statutes, the amendment of sections 767.265 (1), (3h) and (6) (a) and (b) and 767.29

1 (1m) (intro.) of the statutes and SECTION 9355 (6) of this act take effect on April 1,  
2 1998, or on the day after publication, whichever is later.

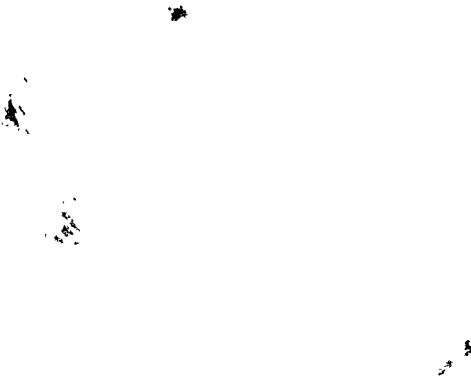
3 **SECTION 9456. Effective dates; other.**

4 (1) CERTIFICATION, DECERTIFICATION OR RECERTIFICATION OF LAW ENFORCEMENT  
5 OFFICERS BY LAW ENFORCEMENT STANDARDS BOARD. ~~The~~ treatment of section 165.85 (3)  
6 (c) and (cm), (3m) and (4) (d) and (f) of the statutes and SECTION 9356 (1) of this act  
7 take effect on April 1, 1998, or on the day after publication, whichever is later,

8

(END)

↑  
stays



Section #. CR: 13.63 (1)(d)

INSERT 8-4:

13.63 (1)(d) The board shall refuse to issue a license or shall suspend any existing license of an applicant or licensee who is in default on a student loan, as defined in s. 440.01 (1) (gs). If their ~~in~~ <sup>in</sup> default is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The board shall mail the individual written notice ~~of the~~ default and that his or her request for a license will be refused until he or she is not in default or that his or her license will be suspended if the default continues for more than 90 days after the board mails the notice.

that he or she is in

INSERT 8-4:

no fl The board shall refuse to accept a registration statement filed by an individual who is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The board shall mail the individual written notice of the default and that his or her registration statement will be refused until he or she is not in default.

INSERT 86-24:

SECTION 1. 29.024 (2m) of the statutes is created to read:

29.024 (2m) DENIAL AND REVOCATION OF APPROVALS BASED ON STUDENT LOAN DEFAULT. The department shall deny an application to issue or renew, or revoke if already issued, an approval listed in sub. (2r) if the applicant for or the holder of the approval is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the

score text

individual shall be considered in default on the student loan. The department shall mail the individual written notice of ~~the~~<sup>3</sup> default and that his or her request for an approval will be refused until he or she is not in default or that his or her license will be revoked if the default continues for more than 90 days after the ~~board~~<sup>department</sup> mails the notice. For purposes of this subsection, an application for a duplicate of an approval listed in sub. (2r) shall be considered an application for the issuance of the approval.

that he or she is in

no 91

INSERT 89-23:

if the applicant for or the holder of the license, registration, registration certificate or ~~certificate~~<sup>certification</sup> is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice of ~~the~~ default and that his or her application will be refused until he or she is not in default or that his or her license, registration, registration certificate or ~~certificate~~<sup>certification</sup> will be suspended or restricted if the default continues for more than 90 days after the ~~board~~<sup>department</sup> mails the notice

WFO - this is a number "0" (zero)

INSERT ~~89-23~~ 91-24

101.02 (21) (cm) The department shall deny an application to issue or renew a license if the ~~applicant~~<sup>12</sup> applicant for or the holder of the license is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice of ~~the~~ default and that his or her request for a license will be refused until he or she is not in default.

(END OF INSERT 93-4)

INSERT 96-24:

no 9

The department shall deny an application to issue or renew, or suspend if already issued, a house-to-house certificate if the applicant for or the holder of the certificate is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice of the default and that his or her request for a certificate will be refused until he or she is not in default or that his or her certificate will be suspended if the default continues for more than 90 days after the department mails the notice.

that he or she is in

department

INSERT 99-5:

no 9

is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice of the default and that his or her request for a certificate will be refused until he or she is not in default or that his or her certificate will be suspended or restricted if the default continues for more than 90 days after the Board mails the notice.

Board  
4 department

INSERT 103-6:

SECTION 20 105.13 (1) of the statutes is amended to read:

105.13 (1) The department may issue licenses to employment agents, and refuse to issue a license whenever, after investigation, the department finds that the character of the applicant makes the applicant unfit to be an employment agent, that



the applicant has failed to pay court-ordered payments as provided in sub. (2) ~~or~~, that the applicant is liable for delinquent taxes as provided in sub. (3), that the applicant is in default on a student loan as provided in sub. (4) or when the premises for conducting the business of an employment agent is found upon investigation to be unfit for such use. Any license granted by the department may be suspended or revoked by it upon notice to the licensee and good cause. Failure to comply with this chapter and rules promulgated thereunder, or with any lawful orders of the department, is cause to suspend or revoke a license. Failure to pay court-ordered payments as provided in sub. (2) is cause to deny, suspend, restrict, refuse to renew or otherwise withhold a license. Liability for delinquent taxes as provided in sub. (3) is cause to deny or revoke a license.

History: 1913 c. 226; 1993 a. 492; 1997 a. 191,231.

INSERT 103-18:  
if the applicant or licensee  
is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual

score

Defaulting on a student loan as provided in sub. (4) is cause to deny, suspend, restrict or renew or otherwise withhold a license.

is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice of the default and that his or her request for a license will be refused until he or she is not in default or that his or her license will be suspended or restricted if the default continues for more than 90 days after the ~~board~~ mails the notice.

no pt

that he or she is in

department

INSERT 104-3:

SECTION ~~6~~ 115.32 of the statutes is created to read:





**115.32 License restriction or restriction; student loan default.** The department shall restrict or suspend a license or permit granted by the department if the applicant for or the holder of the license is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice of the default and that his or her request for a license or permit will be suspended or restricted if the default continues for more than 90 days after the ~~board~~ <sup>department</sup> mails the notice.

that he or she is in default

INSERT 104-24:

**SECTION 4.** 118.19 (1s) of the statutes is created to read:

**118.19 (1s)** The department of public instruction may not issue or renew a license or permit or revalidate a license that has no expiration date if the applicant is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice of the default and that his or her request for a license or permit will be refused until he or she is not in default or that his or her license or permit will not be renewed or revalidated if the default continues for more than 90 days after the ~~board~~ mails the notice.

department

INSERT 114-8:

**SECTION 5.** 146.51 (4) of the statutes is created to read:

146.51 (4) The department of health and family services shall deny an application for the issuance or renewal of a license, training permit or certification

specified in sub. (1), shall suspend a license, training permit or certification specified in sub. (1) or may restrict a license, training permit or certification specified in sub. (1) if the applicant is in default on a student loan, as defined in s. 440.01 (1)(gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice of the default and that his or her request for a license or permit will be refused until he or she is not in default or that his or her license, training permit or certification will be suspended or restricted if the default continues for more than 90 days after the ~~board~~ <sup>department</sup> mails the notice.

that he or she is in

INSERT 116-3:

**SECTION 6.** 165.85 (3s) of the statutes is created to read:

The board shall

165.85 (3s) **DUTIES RELATED TO STUDENT LOANS.** Refuse certification to an individual who applies for certification under this section, refuse recertification to an individual certified under this section or decertify an individual certified under this section if the individual is in default on a student loan, as defined in s. 440.01 (1)(gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The board shall mail the individual written notice of the default and that his or her request for certification will be refused until he or she is not in default or that his or her recertification will be refused if the default continues for more than 90 days after the board mails the notice.

WPO  
please  
check  
spacing

INSERT 140-2:

**SECTION 7.** 224.72 (7m) (d) of the statutes is created to read:



224.72 (7m) (d) The applicant for the issuance or renewal is an individual who is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice ~~of the~~ default and that his or her request for a certificate of registration will be refused until he or she is not in default or that his or her certificate of registration will not be renewed if the default continues for more than 90 days after the department mails the notice.

that he or she is in

INSERT 140-15:

is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice ~~of the~~ default and that his or her registration will be restricted or suspended if the default continues for more than 90 days after the department mails the notice.

no 9

INSERT 142-14:

~~is~~ in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice ~~of the~~ default and that his or her request for an approval, certificate, certification, license, <sup>or</sup> registration ~~approval~~ will be refused until he or she is not in default or <sup>or</sup> will be restricted or suspended if the default continues for more than 90 days after the department mails the notice.

that his or her approval, certificate, certification, license or registration

(END  
INSERT  
142-14)

INSERT 153-2:

no 91

of an individual who is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice ~~of the~~ default and that his or her request for an ~~certification~~<sup>or certification</sup> license <sup>or</sup> registration will be refused until he or she is not in default or will be suspended if the default continues for more than 90 days after the department mails the notice.

that his or her license, registration or certification

that he or she is in

INSERT 159-18:

no 91

~~is~~<sup>is</sup> in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice ~~of the~~ default and that his or her request for a license will be refused until he or she is not in default or <sup>that his or her license</sup> will be restricted, suspended, limited or not renewed if the default continues for more than 90 days after the department mails the notice.

INSERT 163-3:

**SECTION 8.** 440.01 (1) (gs) of the statutes is created to read:

440.01 (1) (gs) "Student loan" means a loan to provide educational assistance to a borrower that is made, insured or guaranteed by a federal or state governmental agency.

INSERT 163-25:



163-25

**SECTION 9.** 440.14 of the statutes is created to read:

**440.14 Default of student loan.** Notwithstanding any other provision of chs. 440 to 480 relating to issuance or renewal of a credential, the department or credentialing board shall deny an application for an initial credential or credential renewal or revoke a credential if the individual is in default on a student loan. If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department or board shall mail the individual written notice of the default and that his or her request for credentialing will be refused until he or she is not in default or will be revoked or not renewed if the default continues for more than 90 days after the department mails the notice.

credentialing

or credentialing board

that he or she is in

that his or her credential

INSERT 165-16:

**SECTION 10.** 442.12 (7) of the statutes is amended to read:

442.12 (7) Upon application in writing and after hearing pursuant to notice, issue a new license to a licensee whose license has been revoked, reinstate a revoked certificate or modify the suspension of any license or certificate which has been suspended. This subsection does not apply to a license or certificate that is suspended under s. 440.13 (2) (c) or that is revoked under s. 440.12 or 440.14.

History: 1977 c. 187,418; 1981 c. 356; 1997 a. 191,237.

**SECTION 11.** 445.13 (2) of the statutes is amended to read:

445.13 (2) No reprimand or order limiting, suspending or revoking a license, certificate of registration or permit, or no assessment of forfeiture, shall be made until after a hearing conducted by the examining board. This subsection does not

apply to a license, certificate of registration or permit that is limited or suspended under s. 440.13 (2) (c) or that is revoked under s. 440.12 or 440.14.

History: 1975 c. 39 ss. 657j, 6570,732 (2); 1977 c. 418; 1979 c. 175 s. 29; 1979c. 221 s. 662; Stats. 1979 s. 445.13; 1983 a. 485; 1985 a. 315; 1995 a. 27 s. 9126 (19); 1995 a. 295; 1997 a. 191,237.

**SECTION 12.** 446.05 (2) of the statutes is amended to read:

446.05 (2) Upon application and satisfactory proof that the cause of such revocation or suspension no longer exists, the examining board may reinstate any license or registration suspended, or revoked by it. This subsection does not apply to a license or registration that is suspended under s. 440.13 (2) (c) or that is revoked under s. 440.12 or 440.14.

History: 1977 c. 418; 1997 a. 191,237.

INSERT 166-23:

**SECTION 13.** 449.07 (3) of the statutes is amended to read:

449.07 (3) Upon application and satisfactory proof that the cause of such revocation or suspension no longer exists, the examining board may reinstate any license or registration by it suspended or revoked. This subsection does not apply to a license or registration that is suspended under s. 440.13 (2) (c) or that is revoked under s. 440.12 or 440.14.

History: 1975 c. 39, 199; 1977 c. 29, 125, 280; 1977 c. 418 ss. 851,853; 1979 c. 162; 1981 c. 334 s. 25 (1); 1983 8.289; 1989 a. 31; 1991 a. 39; 1997 a.191, 237.

INSERT 167-25:

no 91

or restrict or suspend a license under this subchapter if the individual is in default on a student loan. If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The division shall mail the individual written notice ~~of the~~ default and that his or her request for a license will be refused until he or she is not in default

that he or she is in



or will be restricted, suspended or not renewed if the default continues for more than 90 days after the ~~department~~ mails the notice.

that his or her license

division

INSERT 169-7:

~~of the individual~~ in default on a student loan. If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice ~~of the~~ default and that his or her request for a license will be refused until he or she is not in default.

that he or she is in

INSERT 169-23:

**SECTION 14.** 562.05 (8) (f) of the statutes is created to read:

562.05 (8) (f) The department shall restrict, suspend or not renew the license of any individual who is in default on a student loan. If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice ~~of the~~ default and that his or her license will be restricted, suspended or not renewed if the default continues for more than 90 days after the department mails the notice.

INSERT 173-22:

no 9

individual is in default on a student loan. If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice



~~at the~~ default and that his or her license or temporary license will be will be refused until he or she is not in default.

INSERT 17443:

NSP

individual is in default on a student loan. If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice ~~of the~~ default and that his or her license will be suspended or limited if the default continues for more than 90 days after the department mails the notice.

that he or she is in

INSERT 182-11:

NSP

is in default on a student loan. If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The rule should provide that written notice of the default be mailed to the individual stating that his or her request for a license will be refused until he or she is not in default or <sup>that his or her license</sup> will be restricted, suspended or not renewed if the default continues for more than 90 days after the notice is mailed.

END OF  
INSERTS

D-NOTE



## D-Note

This draft does not include provisions preventing a person who is in default on a student loan from obtaining the following approvals, licenses, permits or certificates:

1. Those granted under ch. 29, including hunting, fishing, examining and trapping permits.
2. Those granted under ch. 48, including child welfare agency, group home and day care center licenses.
3. Those granted under ch. 49, including certification of medical assistance providers.
4. Business tax certificates under ch. 73.
5. Migrant labor camp licenses under ch. 103.

6. Sheltered workshop licenses  
under ch. 104.
7. Warehouse keepers or grain  
dealer's licenses under ch. 127.
8. Those provided under ch.  
138, including pawn brokers  
and insurance premium  
finance companies.
9. Sunken log removal  
permits under ch. 170.
10. Seller of checks licenses  
under ch. 2170.
11. Those provided under ch. 218,  
including finance company  
~~and~~ motor dealer's ~~licenses~~ and  
salvage dealer's licenses.
12. Motor vehicle dealer, distributor  
manufacturer and transporter  
~~licenses~~ registration under ch. 341.
13. Operating privileges under  
ch. 343, except instructor's  
licenses.
14. ~~Also~~ Those under ch. 563,  
including a bingo supplier's  
license.





PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-15072

reg cut

1 **AN ACT to amend** 13.64 (2), 93.06 (8), 93.11 (1), 94.65 (3) (c) l., 94.66 (8), 95.72  
2 (2) (c) 5., 99.02 (l), 103.275 (2) (b) (intro.), 105.13 (1), 165.85 (3) (c), 165.85 (3)  
3 (cm), 165.85 (4) (d), 165.85 (4) (f), 343.69, 442.12 (7), 445.13 (2), 446.05 (2) and  
4 449.07 (3); and **to create** 13.63 (1) (d), 29.024 (2m), 93.137, 101.02 (21) (cm),  
5 103.275 (2) (bs), 103.91 (4) (d), 105.13 (4), 115.32, 118.19 (1s), 146.51 (4), 165.85  
6 (3s), 224.72 (7m) (d), 224.77 (6s), 250.041 (4), 299.08 (3), 343.675 (3), 440.01 (1)  
7 (gs), 440.14, 551.34 (1m) (d), 562.05 (5) (a) ll., 562.05 (8) (f), 628.097 (1) (c),  
8 628.10 (2) (cs) and 751.15 (4) of the statutes; **relating to:** suspension of licenses,  
9 permits and other credentials for failure to pay student loans.

---

***Analysis by the Legislative Reference Bureau***

---

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

10 SECTION 1. 13.63 (1) (d) of the statutes is created to read:

1           13.63 (1) (d) The board shall refuse to issue a license or shall suspend any  
2 existing license of an applicant or licensee who is in default on a student loan, as  
3 defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a  
4 payment of a student loan, the individual shall be considered in default on the  
5 student loan. The board shall mail the individual written notice that he or she is in  
6 default and that his or her request for a license will be refused until he or she is not  
7 in default or that his or her license will be suspended if the default continues for more  
8 than 90 days after the board mails the notice.

9           **SECTION 2.** 13.64 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is  
10 amended to read:

11           13.64 (2) The registration shall expire on December 31 of each even-numbered  
12 year. Except as provided in sub. (2m), the board shall refuse to accept a registration  
13 statement filed by an individual who does not provide his or her social security  
14 number. The board shall refuse to accept a registration statement filed by an  
15 individual or shall suspend any existing registration of an individual for failure of  
16 the individual or registrant to pay court-ordered payments of child or family  
17 support, maintenance, birth expenses, medical expenses or other expenses related  
18 to the support of a child or former spouse or failure of the individual or registrant to  
19 comply, after appropriate notice, with a subpoena or warrant issued by the  
20 department of workforce development or a county child support agency under s.  
21 59.53 (5) and related to paternity or child support proceeding, as provided in a  
22 memorandum of understanding entered into under s. 49.857. The board shall refuse  
23 to accept a registration statement filed by an individual who is in default on a student  
24 loan, as defined in s. 440.01 (1) (as). If the individual is more than 120 days past due  
25 on a payment of a student loan, the individual shall be considered in default on the

1 ~~The board shall mail the individual written notice that he or she is in~~  
2 ~~default and that his or her registration statement will be refused until he or she is~~  
3 ~~not in default.~~ If all lobbying by or on behalf of the principal which is not exempt  
4 under s. 13.621 ceases, the board shall terminate the principal's registration and any  
5 authorizations under s. 13.65 as of the day after the principal files a statement of  
6 cessation and expense statements under s. 13.68 for the period covering all dates on  
7 which the principal was registered. Refusal to accept a registration statement or  
8 suspension of an existing registration pursuant to a memorandum of understanding  
9 under s. 49.857 is not subject to review under ch. 227.

10 SECTION 3. 29.024 (2m) of the statutes is created to read:

11 **29.024 (2m) DENIAL AND REVOCATION OF APPROVALS BASED ON STUDENT LOAN**  
12 **DEFAULT.** The department shall deny an application to issue or renew, or revoke if  
13 already issued, an approval listed in sub. (2r) if the applicant for or the holder of the  
14 approval is in default on a student loan, as defined in s. 440.01 (1) (gs). If the  
15 individual is more than 120 days past due on a payment of a student loan, the  
16 individual shall be considered in default on the student loan. The department shall  
17 mail the individual written notice that he or she is in default and that his or her  
18 request for an approval will be refused until he or she is not in default or that his or  
19 her license will be revoked if the default continues for more than 90 days after the  
20 department mails the notice. For purposes of this subsection, an application for a  
21 duplicate of an approval listed in sub. (2r) shall be considered an application for the  
22 issuance of the approval.

23 SECTION 4. 93.06 (8) of the statutes is amended to read:

24 **93.06 (8) PRESCRIBE CONDITIONS OF LICENSES.** Except as provided in s. 93.135  
25 and 93.137, issue any permit, certificate, registration or license on a temporary or

1 conditional basis, contingent upon pertinent circumstances or acts. If the temporary  
2 or conditional permit, certificate, registration or license is conditioned upon  
3 compliance with chs. 93 to 100, ch. 127, a rule promulgated by the department or a  
4 regulation adopted under s. 97.41 (7) within a specified period of time and the  
5 condition is not met within the specified period, the permit, certificate, registration  
6 or license shall be void.

7 SECTION 5. 93.11 (1) of the statutes is amended to read:

8 93.11 (1) Except as provided in ~~s. ss.~~ 93.135 and 93.137, the department, upon  
9 presentation of satisfactory evidence that the applicant is competent, may issue a  
10 license to any person to certify the grade of food products or farm products or of  
11 receptacles therefor, for which standards have become effective under s. 93.09. The  
12 purpose of such certification may be either to enforce the standard or merely to  
13 furnish to an interested party an offkial statement of the grade. A certificate issued  
14 under this section, unless superseded by a finding as provided in sub. (4), shall be  
15 accepted in any court of this state as prima facie evidence of the facts to which the  
16 certificate relates.

17 SECTION 6. 93.137 of the statutes is created to read:

18 **93.137 License denial, nonrenewal, suspension or restriction based on**  
19 **failure to pay student loans.** The department shall deny an application for the  
20 issuance or renewal of a license, registration, registration certificate or certification  
21 specified in s. 93.135 (1) or shall suspend or restrict a license, registration,  
22 registration certificate or certification specified in s. 93.135 (1) if the applicant for or  
23 the holder of the license, registration, registration certificate or <sup>certification</sup> ~~certificate~~ is in  
24 default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more  
25 than 120 days past due on a payment of a student loan, the individual shall be

1 considered in default on the student loan. The department shall mail the individual  
2 written notice that he or she is in default and that his or her application will be  
3 refused until he or she is not in default or ~~that~~ his or her license, registration,  
4 registration certificate or ~~certificate~~ <sup>certification</sup> will be suspended or restricted if the default  
5 continues for more than 90 days after the department mails the notice.

6 **SECTION 7.** 94.65 (3) (c) 1. of the statutes is amended to read:

7 94.65 (3) (c) 1. Except as provided in ~~s. ss.~~ 93.135 and 93.137, if the department  
8 finds that the applicant has fulfilled the requirements of par. (b), the department  
9 shall issue a permit.

10 **SECTION 8.** 94.66 (8) of the statutes is amended to read:

11 94.66 (8) Except as provided in ~~s. ss.~~ 93.135 and 93.137, the department may  
12 revoke a license, after reasonable notice, only for wilful failure to comply with any  
13 of the provisions of this section and in the event the license is revoked the licensee  
14 may have the order of revocation reviewed by the circuit court of the county wherein  
15 the producing plant is located and the review by the court shall be of all questions  
16 therein whether of fact or law; any such appeal must be taken within 20 days of the  
17 date of the service of the order of revocation upon the licensee.

18 **SECTION 9.** 95.72 (2) (c) 5. of the statutes is amended to read:

19 95.72 (2) (c) 5. Subject to ~~s. ss.~~ 93.135 and 93.137, a person may renew a license  
20 by submitting the required license fee and renewal form.

21 **SECTION 10.** 99.02 (1) of the statutes is amended to read:

22 99.02 (1) **APPLICATION.** Except as provided in sub. (2), no person may operate  
23 a warehouse, including a cold storage warehouse, for the storage of property as bailee  
24 for hire without a public warehouse keeper's license. A person desiring a public  
25 warehouse keeper's license shall apply on a form furnished by the department and

1 shall set forth the location, size, character and equipment of the building or premises  
2 to be used by the applicant, the kinds of goods intended to be stored, the name of each  
3 partner if a partnership or of each member if a limited liability company, the names  
4 of the officers if a corporation, and such other facts as the department requires to  
5 show that the property proposed to be used is suitable for a warehouse and that the  
6 applicant is qualified as a public warehouse keeper. Subject to ~~s.~~ ss. 93.135 and  
7 93.137. if the property proposed to be used is suitable for a public warehouse and the  
8 applicant is otherwise qualified, a license shall be issued upon payment of the license  
9 fee under sub. (3) and the filing of security or insurance as required under s. 99.03.

10 **SECTION 11.** 101.02 (21) (cm) of the statutes is created to read:

11 101.02 (21) (cm) The department shall deny an application to issue or renew  
12 a license if the applicant for or the holder of the license is in default on a student loan,  
13 as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on  
14 a payment of a student loan, the individual shall be considered in default on the  
15 student loan. The department shall mail the individual written notice that he or she  
16 is in default and that his or her request for a license will be refused until he or she  
17 is not in default.

18 **SECTION 12.** 103.275 (2) (b) (intro.) of the statutes is amended to read:

19 103.275 (2) (b) (intro.) Except as provided under pars. (bm) ~~and~~, (br) ~~and~~ (bs),  
20 upon receipt of a properly completed application, the department shall issue a  
21 house-to-house employer certificate if all of the following apply:

22 **SECTION 13.** 103.275 (2) (bs) of the statutes is created to read:

23 103.275 (2) (bs) The department shall deny an application to issue or renew,  
24 or suspend if already issued, a house-t-house certificate if the applicant for or the  
25 holder of the certificate is in default on a student loan, as defined in s. 440.01 (1) (gs).



1 If the individual is more than 120 days past due on a payment of a student loan, the  
2 individual shall be considered in default on the student loan. The department shall  
3 mail the individual written notice that he or she is in default and that his or her  
4 request for a certificate will be refused until he or she is not in default or that his or  
5 her certificate will be suspended if the default continues for more than 90 days after  
6 the department mails the notice.

7 **SECTION 14.** 103.91 (4) (d) of the statutes is created to read:

8 103.91 (4) (d) The department shall deny, suspend, restrict, refuse to renew or  
9 otherwise withhold a certificate of registration under sub. (1) if the applicant or  
10 registrant is in default on a student loan, as defined in s. 440.01 (1) (gs). If the  
11 individual is more than 120 days past due on a payment of a student loan, the  
12 individual shall be considered in default on the student loan. The department shall  
13 mail the individual written notice that he or she is in default and that his or her  
14 request for a certificate will be refused until he or she is not in default or that his or  
15 her certificate will be suspended or restricted if the default continues for more than  
16 90 days after the department mails the notice.

17 **SECTION 15.** 105.13 (1) of the statutes is amended to read:

18 105.13 (1) The department may issue licenses to employment agents, and  
19 refuse to issue a license whenever, after investigation, the department finds that the  
20 character of the applicant makes the applicant unfit to be an employment agent, that  
21 the applicant has failed to pay court-ordered payments as provided in sub. (2) ~~or~~, that  
22 the applicant is liable for delinquent taxes as provided in sub. (3), that the applicant  
23 is in default on a student loan as provided in sub. (4) or when the premises for  
24 conducting the business of an employment agent is found upon investigation to be  
25 unfit for such use. Any license granted by the department may be suspended or

1 revoked by it upon notice to the licensee and good cause. Failure to comply with this  
2 chapter and rules promulgated thereunder, or with any lawful orders of the  
3 department, is cause to suspend or revoke a license. Failure to pay court-ordered  
4 payments as provided in sub. (2) is cause to deny, suspend, restrict, refuse to renew  
5 or otherwise withhold a license. Liability for delinquent taxes as provided in sub. (3)  
6 is cause to deny or revoke a license. Defaulting on a student loan as provided in sub.  
7 (4) is cause to deny, suspend, restrict or renew or otherwise withhold a license.

8 **SECTION 16.** 105.13 (4) of the statutes is created to read:

9 105.13 (4) The department shall deny, suspend, restrict, refuse to renew or  
10 otherwise withhold an employment agent's license if the applicant or licensee is in  
11 default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more  
12 than 120 days past due on a payment of a student loan, the individual shall be  
13 considered in default on the student loan. The department shall mail the individual  
14 written notice that he or she is in default and that his or her request for a license will  
15 be refused until he or she is not in default or that his or her license will be suspended  
16 or restricted if the default continues for more than 90 days after the department  
17 mails the notice.

18 **SECTION 17.** 115.32 of the statutes is created to read:

19 **115.32 License restriction or restriction; student loan default.** The  
20 department shall restrict or suspend a license or permit granted by the department  
21 if the applicant for or the holder of the license is in default on a student loan, as  
22 defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a  
23 payment of a student loan, the individual shall be considered in default on the  
24 student loan. The department shall mail the individual written notice that he or she  
25 is in default and that his or her request for a license or permit will be suspended or

1 restricted if the default continues for more than 90 days after the department mails  
2 the notice.

3 SECTION 18. 118.19 (1s) of the statutes is created to read:

4 118.19 (1s) The department of public instruction may not issue or renew a  
5 license or permit or revalidate a license that has no expiration date if the applicant  
6 is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more  
7 than 120 days past due on a payment of a student loan, the individual shall be  
8 considered in default on the student loan. The department shall mail the individual  
9 written notice that he or she is in default and that his or her request for a license or  
10 permit will be refused until he or she is not in default or that his or her license or  
11 permit will not be renewed or revalidated if the default continues for more than 90  
12 days after the department mails the notice.

13 SECTION 19. 146.51 (4) of the statutes is created to read:

14 146.51 (4) The department shall deny an application for the issuance or  
15 renewal of a license, training permit or certification specified in sub. (1), shall  
16 suspend a license, training permit or certification specified in sub. (1) or may restrict  
17 a license, training permit or certification specified in sub. (l), if the applicant is in  
18 default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more  
19 than 120 days past due on a payment of a student loan, the individual shall be  
20 considered in default on the student loan. The department shall mail the individual  
21 written notice that he or she is in default and that his or her request for a license or  
22 permit will be refused until he or she is not in default or that his or her license,  
23 training permit or certification will be suspended or restricted if the default  
24 continues for more than 90 days after the department mails the notice.

25 SECTION 20. 165.85 (3) (c) of the statutes is amended to read:

1           165.85 (3) (c) Except as provided under ~~sub. subs.~~ (3m) ~~(a)~~ and (3s), certify  
2 persons as being qualified under this section to be law enforcement, tribal law  
3 enforcement, jail or secure detention offkers. Prior to being certified under this  
4 paragraph, a tribal law enforcement officer shall agree to accept the duties of law  
5 enforcement offkers under the laws of this state.

6           **SECTION 21.** 165.85 (3) (cm) of the statutes is amended to read:

7           165.85 (3) (cm) Decertify law enforcement, tribal law enforcement, jail or  
8 secure detention offkers who terminate employment or are terminated ~~or~~, who  
9 violate or fail to comply with a rule or order of the board relating to curriculum or  
10 training, who default on a student loan, who fail to pay court-ordered payments of  
11 child or family support, maintenance, birth expenses, medical expenses or other  
12 expenses related to the support of a child or former spouse or who fail to comply, after  
13 appropriate notice, with a subpoena or warrant issued by the department of  
14 workforce development or a county child support agency under s. 59.53 (5) and  
15 related to paternity or child support proceedings. The board shall establish  
16 procedures for decertification in compliance with ch. 227, except that decertification  
17 for failure to pay court-ordered payments of child or family support, maintenance,  
18 birth expenses, medical expenses or other expenses related to the support of a child  
19 or former spouse or for failure to comply, after appropriate notice, with a subpoena  
20 or warrant issued by the department of workforce development or a county child  
21 support agency under s. 59.53 (5) and related to paternity or child support  
22 proceedings shall be done as provided under sub. (3m) (a).

23           **SECTION 22.** 165.85 (3s) of the statutes is created to read:

24           165.85 (3s) **DUTIES RELATED TO STUDENT LOANS.** The board shall refuse  
25 certification to an individual who applies for certification under this section, refuse

1 recertification to an individual certified under this section or decertify an individual  
2 certified under this section if the individual is in default on a student loan, as defined  
3 in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment  
4 of a student loan, the individual shall be considered in default on the student loan.  
5 The board shall mail the individual written notice that he or she is in default and that  
6 his or her request for certification will be refused until he or she is not in default or  
7 that his or her recertification will be refused if the default continues for more than  
8 90 days after the board mails the notice.

9 **SECTION 23.** 165.85 (4) (d) of the statutes is amended to read:

10 165.85 (4) (d) Except as provided under ~~sub. subs. (3m) (a) and (3s)~~, the board  
11 shall issue a certificate evidencing satisfaction of the requirements of pars. (b), (bn)  
12 and (c) to any applicant who presents such evidence, as is required by its rules, of  
13 satisfactory completion of requirements equivalent in content and quality to those  
14 fixed by the board under the board's authority as set out in pars. (b), (bn) and (c).

15 **SECTION 24.** 165.85 (4) (f) of the statutes is amended to read:

16 165.85 (4) (f) Except as provided under ~~sub. subs. (3m) (a) and (3s)~~, and in  
17 addition to certification procedures under pars. (a) to (d), the board may certify any  
18 person as being a tribal law enforcement officer on the basis of the person's  
19 completion of the training requirements for law enforcement officer certification  
20 prior to May 6, 1994. The officer must also meet the agreement requirements under  
21 sub. (3) (c) prior to certification as a tribal law enforcement officer.

22 **SECTION 25.** 224.72 (7m) (d) of the statutes is created to read:

23 224.72 (**7m**) (d) The applicant for the issuance or renewal is an individual who  
24 is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more  
25 than 120 days past due on a payment of a student loan, the individual shall be

1 considered in default on the student loan. The department shall mail the individual  
2 written notice that he or she is in default and that his or her request for a certificate  
3 of registration will be refused until he or she is not in default or that his or her  
4 certificate of registration will not be renewed if the default continues for more than  
5 90 days after the department mails the notice.

6 **SECTION 26.** 224.77 (6s) of the statutes is created to read:

7 **224.77 (6s) STUDENT LOAN DEFAULT.** The department shall restrict or suspend  
8 the registration of a mortgage banker, loan originator or mortgage broker if the  
9 registrant is an individual who is in default on a student loan, as defined in s. 440.01  
10 (1) (gs). If the individual is more than 120 days past due on a payment of a student  
11 loan, the individual shall be considered in default on the student loan. The  
12 department shall mail the individual written notice that he or she is in default and  
13 that his or her registration will be restricted or suspended if the default continues  
14 for more than 90 days after the department mails the notice.

15 **SECTION 27.** 250.041 (4) of the statutes is created to read:

16 250.041 (4) The department shall deny an application for the issuance or  
17 renewal of a registration, license, certification, approval, permit or certificate  
18 specified in sub. (1) (a), (b), (c), (d) and (f) or may suspend or restrict a registration,  
19 license, certification, approval, permit or certificate specified in sub. (1) (a), (b), (c),  
20 (d) and (f) if the applicant for or holder of the registration, license, certification,  
21 approval, permit or certificate is in default on a student loan, as defined in s. 440.01  
22 (1) (gs). If ~~the individual~~ is more than 120 days past due on a payment of a student  
23 loan, the individual shall be considered in default on the student loan. The  
24 department shall mail the individual written notice that he or she is in default and  
25 that his or her request for an approval, certificate, certification, license or

1 registration will be refused until he or she is not in default or that his or her approval,  
2 certificate, certification, license or registration will be restricted or suspended if the  
3 default continues for more than 90 days after the department mails the notice.

4 **SECTION 28.** 299.08 (3) of the statutes is created to read:

5 299.08 (3) The department shall deny the application for the issuance or  
6 renewal of a license, registration or certification specified in sub. (1) (a) 1., 2., 3., 6.  
7 or 7., or shall suspend a license, registration or certification specified in sub. (1) (a)  
8 1., 2., 3., 6. or 7., of an individual who is in default on a student loan, as defined in  
9 s. 440.01 (1)(gs). If the individual is more than 120 days past due on a payment of  
10 a student loan, the individual shall be considered in default on the student loan. The  
11 department shall mail the individual written notice that he or she is in default and  
12 that his or her request for a license, registration or certification will be refused until  
13 he or she is not in default or that his or her license, registration or certification will  
14 be suspended if the default continues for more than 90 days after the department  
15 mails the notice.

16 **SECTION 29.** 343.675 (3) of the statutes is created to read:

17 343.675 (3) The secretary shall deny, restrict, limit or suspend any instructor's  
18 license issued under s. 343.62 or refuse to issue a renewal for such license if the  
19 applicant or licensee is an individual who is in default on a student loan, as defined  
20 in s. 440.01 (1)(gs). If the individual is more than 120 days past due on a payment  
21 of a student loan, the individual shall be considered in default on the student loan.  
22 The department shall mail the individual written notice that he or she is in default  
23 and that his or her request for a license will be refused until he or she is not in default  
24 or that his or her license will be restricted, suspended, limited or not renewed if the  
25 default continues for more than 90 days after the department mails the notice.

1           **SECTION 30.** 343.69 of the statutes is amended to read:

2           **343.69 Hearings on license denials and revocations.** Before the  
3 department denies an application for a driver school license or instructor's license  
4 or revokes any such license, the department shall notify the applicant or licensee of  
5 the pending action and that the division of hearings and appeals will hold a hearing  
6 on the pending denial or revocation. The division of hearings and appeals shall send  
7 notice of the hearing by registered or certified mail to the last-known address of the  
8 licensee or applicant, at least 10 days prior to the date of the hearing. This section  
9 does not apply to denials of applications of licenses under s. 343.665 or 343.675 (1)  
10 or (2).

11           **SECTION 31.** 440.01 (1) (gs) of the statutes is created to read:

12           440.01 **(1)** (gs) "Student loan" means a loan to provide educational assistance  
13 to a borrower that is made, insured or guaranteed by a federal or state governmental  
14 agency.

15           **SECTION 32.** 440.14 of the statutes is created to read:

16           **440.14 Default of student loan.** Notwithstanding any other provision of chs.  
17 440 to 480 relating to issuance or renewal of a credential, the department or  
18 credentialing board shall deny an application for an initial credential or credential  
19 renewal or revoke a credential if the individual is in default on a student loan. If the  
20 individual is more than 120 days past due on a payment of a student loan, the  
21 individual shall be considered in default on the student loan. The department or  
22 credentialing board shall mail the individual written notice that he or she is in  
23 default and that his or her request for credentialing will be refused until he or she  
24 is not in default or that his or her credential will be revoked or not renewed if the



1 default continues for more than 90 days after the department or credentialing board  
2 mails the notice.

3 **SECTION 33.** 442.12 (7) of the statutes is amended to read:

4 442.12 (7) Upon application in writing and after hearing pursuant to notice,  
5 issue a new license to a licensee whose license has been revoked, reinstate a revoked  
6 certificate or modify the suspension of any license or certificate which has been  
7 suspended. This subsection does not apply to a license or certificate that is  
8 suspended under s. 440.13 (2) (c) or that is revoked under s. 440.12 or 440.14.

9 **SECTION 34.** 445.13 (2) of the statutes is amended to read:

10 445.13 (2) No reprimand or order limiting, suspending or revoking a license,  
11 certificate of registration or permit, or no assessment of forfeiture, shall be made  
12 until after a hearing conducted by the examining board. This subsection does not  
13 apply to a license, certificate of registration or permit that is limited or suspended  
14 under s. 440.13 (2) (c) or that is revoked under s. 440.12 or 440.14.

15 **SECTION 35.** 446.05 (2) of the statutes is amended to read:

16 446.05 (2) Upon application and satisfactory proof that the cause of such  
17 revocation or suspension no longer exists, the examining board may reinstate any  
18 license or registration suspended or revoked by it. This subsection does not apply to  
19 a license or registration that is suspended under s. 440.13 (2) (c) or that is revoked  
20 under s. 440.12 or 440.14.

21 **SECTION 36.** 449.07 (3) of the statutes is amended to read:

22 449.07 (3) Upon application and satisfactory proof that the cause of such  
23 revocation or suspension no longer exists, the examining board may reinstate any  
24 license or registration by it suspended or revoked. This subsection does not apply to

1 a license or registration that is suspended under s. 440.13 (2) (c) or that is revoked  
2 under s. 440.12 or 440.14.

3 **SECTION 37.** 551.34 (1m) (d) of the statutes is created to read:

4 551.34 **(1m)** (d) The division shall deny an application for the issuance or  
5 renewal of a license under this subchapter or restrict or suspend a license under this  
6 subchapter if the individual is in default on a student loan. If the individual is more  
7 than 120 days past due on a payment of a student loan, the individual shall be  
8 considered in default on the student loan. The division shall mail the individual  
9 written notice that he or she is in default and that his or her request for a license will  
10 be refused until he or she is not in default or that his or her license will be restricted,  
11 suspended or not renewed if the default continues for more than 90 days after the  
12 division mails the notice.

13 **SECTION 38.** 562.05 (5) (a) 11. of the statutes is created to read:

14 562.05 (5) (a) 11. If an individual, the individual is in default on a student loan.  
15 If the individual is more than 120 days past due on a payment of a student loan, the  
16 individual shall be considered in default on the student loan. The department shall  
17 mail the individual written notice that he or she is in default and that his or her  
18 request for a license will be refused until he or she is not in default.

19 **SECTION 39.** 562.05 (8) (f) of the statutes is created to read:

20 562.05 (8) (f) The department shall restrict, suspend or not renew the license  
21 of any individual who is in default on a student loan. If the individual is more than  
22 120 days past due on a payment of a student loan, the individual shall be considered  
23 in default on the student loan. The department shall mail the individual written  
24 notice that he or she is in default and that his or her license will be restricted,

suspended or not renewed if the default continues for more than 90 days after the department mails the notice.

**SECTION 40.** 628.097 (1) (c) of the statutes is created to read:

628.097 (1) (c) The commissioner shall refuse to issue to an individual a license, including a temporary license, under this subchapter if the individual is in default on a student loan. If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice that he or she is in default and that his or her license or temporary license will be will be refused until he or she is not in default.

**SECTION 41.** 628.10 (2) (cs) of the statutes is created to read:

628.10 (2) (cs) *For failure to pay a student loan.* The commissioner shall suspend or limit the license of an intermediary who is an individual, or a temporary license of an individual under s. 628.09, if the individual is in default on a student loan. If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The department shall mail the individual written notice that he or she is in default and that his or her license will be suspended or limited if the default continues for more than 90 days after the department mails the notice.

**SECTION 42.** 751.15 (4) of the statutes is created to read:

751.15 (4) The supreme court is requested to promulgate rules that deny, suspend, restrict or refuse to renew a license to practice law if the applicant or licensee is in default on a student loan. If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The rule should provide that written notice of the default be mailed

1 to the individual stating that his or her request for a license will be refused until he  
2 or she is not in default or that his or her license will be restricted, suspended or not  
3 renewed if the default continues for more than 90 days after the notice is mailed.

4 **SECTION 43. Nonstatutory provisions.**

5 (1) The supreme court is requested to promulgate rules under section 751.15  
6 (4) of the statutes, as created by this act, so that those rules are effective beginning  
7 on the effective date of this subsection.

8 **SECTION 44. Initial applicability.**

9 (1) This act first applies to applications for initial or renewal certificates,  
10 certifications, licenses, training permits, registrations and approvals that are  
11 received on the effective date of this subsection.

12 **SECTION 45. Effective date.**

13 (1) This act takes effect on the first day of the 6th month beginning after  
14 publication.

15 (END)

DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-4009/P1dn  
MDK d- RPN:cmh:mrc

January 4, 2000

Mark 1/10/00

This draft does not include provisions preventing a person who is in default on a student loan from obtaining the following approvals, licenses, permits or certificates:

- X
1. Those granted under ch. 29, <sup>related to</sup> ~~including~~ hunting, <sup>and</sup> ~~clamm~~ <sup>and</sup> ~~trapping~~ permits.
  2. Those granted under ch. 48, including child welfare agency, group home and day care center licenses.
  3. Those granted under ch. 49, including certification of medical assistance providers.
  4. Business tax certificates under ch. 73.
  5. Migrant labor camp licenses under ch. 103.
  6. Sheltered workshop licenses under ch. 104.
  7. Warehouse keeper's or grain dealer's licenses under ch. 127.
  - Wants 8. Those provided under ch. 138, including pawnbrokers and insurance premium finance companies.
  9. Sunken log removal permits under ch. 170.
  10. Seller of checks licenses under ch. 217.
  11. Those provided under ch. 218, including finance company, motor dealer's and salvage dealer's licenses.
  - Wants CPL's 12. Motor vehicle dealer, distributor, manufacturer and transporter registration under ch. 341.
  13. Operating privileges under ch. 343, except instructor's licenses.
  - Wants 14. Those under ch. 563, including a bingo supplier's license.
  15. Viatical settlement provider's license under ch. 632.
  16. Employe benefit plan administrator's license under ch. 633.
- Let me know if I should include any of these in this proposal.

— Robert P. Nelson  
Senior Legislative Attorney  
Phone: (608) 267-7511

— MDK

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4009/P1dn  
MDK&RPN:cmh:kjf

January 5, 2000

This draft does not include provisions preventing a person who is in default on a student loan from obtaining the following approvals, licenses, permits or certificates:

1. Those granted under ch. 29, related to hunting and fishing permits.
  2. Those granted under ch. 48, including child welfare agency, group home and day care center licenses.
  3. Those granted under ch. 49, including certification of medical assistance providers.
  4. Business tax certificates under ch. 73.
  5. Migrant labor camp licenses under ch. 103.
  6. Sheltered workshop licenses under ch. 104.
  7. Warehouse keeper's or grain dealer's licenses under ch. 127.
  8. Those provided under ch. 138, including pawnbrokers and insurance premium finance companies.
  9. Sunken log removal permits under ch. 170.
  10. Seller of checks licenses under ch. 217.
  - 11.** Those provided under ch. 218, including finance company, motor dealer's and salvage dealer's licenses.
  12. Motor vehicle dealer, distributor, manufacturer and transporter registration under ch. 341.
  13. Operating privileges under ch. 343, except instructor's licenses.
  14. Those under ch. 563, including a bingo supplier's license.
  15. Viatical settlement provider's license under ch. 632.
  16. Employee benefit plan administrator's license under ch. 633.
- Let me know if I should include any of these in this proposal.

Robert I? Nelson  
Senior Legislative Attorney  
Phone: (608) 267-7511

Mark D. Kunkel  
Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [Mark.Kunkel@legis.state.wi.us](mailto:Mark.Kunkel@legis.state.wi.us)



*DRAFT*

*PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION*

*regen*

1 **AN ACT** *to amend* 13.64(2), 93.06(8), 93.11 (1), 94.65 (3) (c)1., 94.66(8), 95.72  
2 (2) (c) 5., 99.02 (1), 103.275 (2) (b) (intro.), 105.13 (l), 165.85 (3) (c), 165.85 (3)  
3 (cm), 165.85 (4) (d), 165.85 (4) (f), 343.69, 442.12 (7), 445.13 (2), 446.05 (2) and  
4 449.07 (3); and **to create** 13.63 (1) (d), 29.024 (2m), 93.137, 101.02 (21) (cm),  
5 103.275 (2) (bs), 103.91 (4) (d), 105.13(4), 115.32, 118.19 (Is), 146.51 (4), 165.85  
6 (3s), 224.72 (7m) (d), 224.77 (6s), 250.041 (4), 299.08 (3), 343.675 (3), 440.01 (1)  
7 (gs), 440.14, 551.34 (lm) (d), 562.05 (5) (a) ll., 562.05 (8) (f), 628.097 (1) (c),  
8 628.10 (2) (cs) and 751.15 (4) of the statutes; **relating to:** suspension of licenses,  
9 permits and other credentials for failure to pay student loans.

*Insert and*

---

**Analysis by the Legislative Reference Bureau**  
→ This is a preliminary draft. An analysis will be provided in a later version.

---

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

10 SECTION 1. 13.63 (1) (d) of the statutes is created to read:

1           13.63 (1) (d) The board shall refuse to issue a license or shall suspend any  
2 existing license of an applicant or licensee who is in default on a student loan, as  
3 defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a  
4 payment of a student loan, the individual shall be considered in default on the  
5 student loan. The board shall mail the individual written notice that he or she is in  
6 default and that his or her request for a license will be refused until he or she is not  
7 in default or that his or her license will be suspended if the default continues for more  
8 than 90 days after the board mails the notice.

9           **SECTION 2.** 13.64 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is  
10 amended to read:

11           13.64 (2) The registration shall expire on December 31 of each even-numbered  
12 year. Except as provided in sub. (2m), the board shall refuse to accept a registration  
13 statement filed by an individual who does not provide his or her social security  
14 number. The board shall refuse to accept a registration statement filed by an  
15 individual or shall suspend any existing registration of an individual for failure of  
16 the individual or registrant to pay court-ordered payments of child or family  
17 support, maintenance, birth expenses, medical expenses or other expenses related  
18 to the support of a child or former spouse or failure of the individual or registrant to  
19 comply, after appropriate notice, with a subpoena or warrant issued by the  
20 department of workforce development or a county child support agency under s.  
21 59.53 (5) and related to paternity or child support proceeding, as provided in a  
22 memorandum of understanding entered into under s. 49.857. The board shall refuse  
23 to accept a registration statement filed by an individual who is in default on a student  
24 loan. as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due  
25 on a payment of a student loan, the individual shall be considered in default on the



1 student loan. The board shall mail the individual written notice that he or she is in  
2 default and that his or her registration statement will be refused until he or she is  
3 not in default. If all lobbying by or on behalf of the principal which is not exempt  
4 under s. 13.621 ceases, the board shall terminate the principal's registration and any  
5 authorizations under s. 13.65 as of the day after the principal files a statement of  
6 cessation and expense statements under s. 13.68 for the period covering all dates on  
7 which the principal was registered. Refusal to accept a registration statement or  
8 suspension of an existing registration pursuant to a memorandum of understanding  
9 under s. 49.857 is not subject to review under ch. 227.

10 **SECTION 3.** 29.024 (2m) of the statutes is created to read:

11 **29.024 (2m) DENIAL AND REVOCATION OF APPROVALS BASED ON STUDENT LOAN**  
12 **DEFAULT.** The department shall deny an application to issue or renew, or revoke if  
13 already issued, an approval listed in sub. (2r) if the applicant for or the holder of the  
14 approval is in default on a student loan, as defined in s. 440.01 (1) (gs). If the  
15 individual is more than 120 days past due on a payment of a student loan, the  
16 individual shall be considered in default on the student loan. The department shall  
17 mail the individual written notice that he or she is in default and that his or her  
18 request for an approval will be refused until he or she is not in default or that his or  
19 her license will be revoked if the default continues for more than 90 days after the  
20 department mails the notice. For purposes of this subsection, an application for a  
21 duplicate of an approval listed in sub. (2r) shall be considered an application for the  
22 issuance of the approval.

23 **SECTION 4.** 93.06 (8) of the statutes is amended to read:

24 **93.06 (8) PRESCRIBECONDITIONSOFLICENSES.** Except as provided in ~~s. ss.~~ 93.135  
25 and 93.137, issue any permit, certificate, registration or license on a temporary or

1 conditional basis, contingent upon pertinent circumstances or acts. If the temporary  
2 or conditional permit, certificate, registration or license is conditioned upon  
3 compliance with chs. 93 to 100, ch. 127, a rule promulgated by the department or a  
4 regulation adopted under s. 97.41 (7) within a specified period of time and the  
5 condition is not met within the specified period, the permit, certificate, registration  
6 or license shall be void.

7 **SECTION 5.** 93.11 (1) of the statutes is amended to read:

8 **93.11 (1)** Except as provided in ~~s. ss.~~ 93.135 and 93.137, the department, upon  
9 presentation of satisfactory evidence that the applicant is competent, may issue a  
10 license to any person to certify the grade of food products or farm products or of  
11 receptacles therefor, for which standards have become effective under s. 93.09. The  
12 purpose of such certification may be either to enforce the standard or merely to  
13 furnish to an interested party an official statement of the grade. A certificate issued  
14 under this section, unless superseded by a finding as provided in sub. (4), shall be  
15 accepted in any court of this state as prima facie evidence of the facts to which the  
16 certificate relates.

17 **SECTION 6.** 93.137 of the statutes is created to read:

18 **93.137 License denial, nonrenewal, suspension or restriction based on**  
19 **failure to pay student loans.** The department shall deny an application for the  
20 issuance or renewal of a license, registration, registration certificate or certification  
21 specified in s. 93.135 (1) or shall suspend or restrict a license, registration,  
22 registration certificate or certification specified in s. 93.135 (1) if the applicant for or  
23 the holder of the license, registration, registration certificate or certification is in  
24 default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more  
25 than 120 days past due on a payment of a student loan, the individual shall be

1 considered in default on the student loan. The department shall mail the individual  
2 written notice that he or she is in default and that his or her application will be  
3 refused until he or she is not in default or that his or her license, registration,  
4 registration certificate or certification will be suspended or restricted if the default  
5 continues for more than 90 days after the department mails the notice.

6 **SECTION 7.** 94.65 (3) (c) 1. of the statutes is amended to read:

7 94.65 (3) (c) 1. Except as provided in ~~s. ss.~~ 93.135 and 93.137, if the department  
8 finds that the applicant has fulfilled the requirements of par. (b), the department  
9 shall issue a permit.

10 **SECTION 8.** 94.66 (8) of the statutes is amended to read:

11 94.66 (8) Except as provided in ~~s. ss.~~ 93.135 and 93.137, the department may  
12 revoke a license, after reasonable notice, only for wilful failure to comply with any  
13 of the provisions of this section and in the event the license is revoked the licensee  
14 may have the order of revocation reviewed by the circuit court of the county wherein  
15 the producing plant is located and the review by the court shall be of all questions  
16 therein whether of fact or law; any such appeal must be taken within 20 days of the  
17 date of the service of the order of revocation upon the licensee.

18 **SECTION 9.** 95.72 (2) (c) 5. of the statutes is amended to read:

19 95.72 (2) (c) 5. Subject to ~~s. ss.~~ 93.135 and 93.137, a person may renew a license  
20 by submitting the required license fee and renewal form.

21 **SECTION 10.** 99.02 (1) of the statutes is amended to read:

22 99.02 (1) **APPLICATION.** Except as provided in sub. (2), no person may operate  
23 a warehouse, including a cold storage warehouse, for the storage of property as bailee  
24 for hire without a public warehouse keeper's license. A person desiring a public  
25 warehouse keeper's license shall apply on a form furnished by the department and

1 shall set forth the location, size, character and equipment of the building or premises  
2 to be used by the applicant, the kinds of goods intended to be stored, the name of each  
3 partner if a partnership or of each member if a limited liability company, the names  
4 of the officers if a corporation, and such other facts as the department requires to  
5 show that the property proposed to be used is suitable for a warehouse and that the  
6 applicant is qualified as a public warehouse keeper. Subject to ~~s. ss.~~ 93.135 and  
7 93.137, if the property proposed to be used is suitable for a public warehouse and the  
8 applicant is otherwise qualified, a license shall be issued upon payment of the license  
9 fee under sub. (3) and the filing of security or insurance as required under s. 99.03.

10 **SECTION 11.** 101.02 (21) (cm) of the statutes is created to read:

11 101.02 (21) (cm) The department shall deny an application to issue or renew  
12 a license if the applicant for or the holder of the license is in default on a student loan,  
13 as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on  
14 a payment of a student loan, the individual shall be considered in default on 'the  
15 student loan. The department shall mail the individual written notice that he or she  
16 is in default and that his or her request for a license will be refused until he or she  
17 is not in default.

18 **SECTION 12.** 103.275 (2) (b) (intro.) of the statutes is amended to read:

19 103.275 (2) (b) (intro.) Except as provided under pars. (bm) ~~and~~, (br) ~~and~~ (bs),  
20 upon receipt of a properly completed application, the department shall issue a  
21 house-t-house employer certificate if all of the following apply:

22 **SECTION 13.** 103.275 (2) (bs) of the statutes is created to read:

23 103.275 (2) (bs) The department shall deny an application to issue or renew,  
24 or suspend if already issued, a ~~house-to-house~~ certificate if the applicant for or the  
25 holder of the certificate is in default on a student loan, as defined in s. 440.01 (1) (gs).

1 If the individual is more than 120 days past due on a payment of a student loan, the  
2 individual shall be considered in default on the student loan. The department shall  
3 mail the individual written notice that he or she is in default and that his or her  
4 request for a certificate will be refused until he or she is not in default or that his or  
5 her certificate will be suspended if the default continues for more than 90 days after  
6 the department mails the notice.

7 **SECTION 14.** 103.91 (4) (d) of the statutes is created to read:

8 103.91 (4)(d) The department shall deny, suspend, restrict, refuse to renew or  
9 otherwise withhold a certificate of registration under sub. (1) if the applicant or  
10 registrant is in default on a student loan, as defined in s. 440.01 (1) (gs). If the  
11 individual is more than 120 days past due on a payment of a student loan, the  
12 individual shall be considered in default on the student loan. The department shall  
13 mail the individual written notice that he or she is in default and that his or her  
14 request for a certificate will be refused until he or she is not in default or that his or  
15 her certificate will be suspended or restricted if the default continues for more than  
16 90 days after the department mails the notice.

17 **SECTION 15.** 105.13 (1) of the statutes is amended to read:

18 105.13 (1) The department may issue licenses to employment agents, and  
19 refuse to issue a license whenever, after investigation, the department finds that the  
20 character of the applicant makes the applicant unfit to be an employment agent, that  
21 the applicant has failed to pay court-ordered payments as provided in sub. (2) ~~or~~, that  
22 the applicant is liable for delinquent taxes as provided in sub. (3), that the applicant  
23 is in default on a student loan as provided in sub. (4) or when the premises for  
24 conducting the business of an employment agent is found upon investigation to be  
25 unfit for such use. Any license granted by the department may be suspended or

1 revoked by it upon notice to the licensee and good cause. Failure to comply with this  
2 chapter and rules promulgated thereunder, or with any lawful orders of the  
3 department, is cause to suspend or revoke a license. Failure to pay court-ordered  
4 payments as provided in sub. (2) is cause to deny, suspend, restrict, refuse to renew  
5 or otherwise withhold a license. Liability for delinquent taxes as provided in sub. (3)  
6 is cause to deny or revoke a license. Defaulting on a student loan as provided in sub.  
7 (4) is cause to deny, suspend, restrict or renew or otherwise withhold a license.

8 **SECTION 16.** 105.13 (4) of the statutes is created to read:

9 105.13 (4) The department shall deny, suspend, restrict, refuse to renew or  
10 otherwise withhold an employment agent's license if the applicant or licensee is in  
11 default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more  
12 than 120 days past due on a payment of a student loan, the individual shall be  
13 considered in default on the student loan. The department shall mail the individual  
14 written notice that he or she is in default and that his or her request for a license will  
15 be refused until he or she is not in default or that his or her license will be suspended  
16 or restricted if the default continues for more than 90 days after the department  
17 mails the notice.

18 **SECTION 17.** 115.32 of the statutes is created to read:

19 **115.32 License restriction or restriction; student loan default.** The  
20 department shall restrict or suspend a license or permit granted by the department  
21 if the applicant for or the holder of the license is in default on a student loan, as  
22 defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a  
23 payment of a student loan, the individual shall be considered in default on the  
24 student loan. The department shall mail the individual written notice that he or she  
25 is in default and that his or her request for a license or permit will be suspended or

1 restricted if the default continues for more than 90 days after the department mails  
2 the notice.

3 **SECTION 18.** 118.19 (1s) of the statutes is created to read:

4 118.19 (1s) The department of public instruction may not issue or renew a  
5 license or permit or revalidate a license that has no expiration date if the applicant  
6 is in default on a student loan, as defined in s. 440.01 (1)(gs). If the individual is more  
7 than 120 days past due on a payment of a student loan, the individual shall be  
8 considered in default on the student loan. The department shall mail the individual  
9 written notice that he or she is in default and that his or her request for a license or  
10 permit will be refused until he or she is not in default or that his or her license .or  
11 permit will not be renewed or revalidated if the default continues for more than. 90  
12 days after the department mails the notice.

13 **SECTION 19.** 146.51 (4) of the statutes is created to read:

14 146.51 (4) The department shall deny an application for the issuance or  
15 renewal of a license, training permit or certification specified in sub. (l), shall  
16 suspend a license, training permit or certification specified in sub. (1) or may restrict  
17 a license, training permit or certification specified in sub. (1), if the applicant is in  
18 default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more  
19 than 120 days past due on a payment of a student loan, the individual shall be  
20 considered in default on the **student loan**. The department shall mail the individual  
21 written notice that he or she is in default and that his or her request for a license or  
22 permit will be refused until he or she is not in default or that his or her license,  
23 training permit or certification will be suspended or restricted if the default  
24 continues for more than 90 days after the department mails the notice.

25 **SECTION 20.** 165.85 (3) (c) of the statutes is amended to read:

insert  
9-12

1           165.85 (3) (c) Except as provided under ~~sub. subs. (3m) (a)~~ and (3s), certify  
2 persons as being qualified under this section to be law enforcement, tribal law  
3 enforcement, jail or secure detention offkrs. Prior to being certified under this  
4 paragraph, a tribal law enforcement officer shall agree to accept the duties of law  
5 enforcement offkrs under the laws of this state.

6           **SECTION 21.** 165.85 (3) (cm) of the statutes is amended to read:

7           165.85 (3) (cm) Decertify law enforcement, tribal law enforcement, jail or  
8 secure detention officers who terminate employment or are terminated ~~or~~, who  
9 violate or fail to comply with a rule or order of the board relating to curriculum or  
10 training, who default on a student loan, who fail to pay court-ordered payments of  
11 child or family support, maintenance, birth expenses, medical expenses or other  
12 expenses related to the support of a child or former spouse or who fail to comply, after  
13 appropriate notice, with a subpoena or warrant issued by the department of  
14 workforce development or a county child support agency under s. 59.53 (5) and  
15 related to paternity or child support proceedings. The board shall establish  
16 procedures for decertifikation in compliance with ch. 227, except that decertification  
17 for failure to pay court-ordered payments of child or family support, maintenance,  
18 birth expenses, medical expenses or other expenses related to the support of a child  
19 or former spouse or for failure to comply, after appropriate notice, with a subpoena  
20 or warrant issued by the department of workforce development or a county child  
21 support agency under s. 59.53 (5) and related to paternity or child support  
22 proceedings shall be done as provided under sub. (3m) (a).

23           **SECTION 22.** 165.85 (3s) of the statutes is created to read:

24           165.85 (3s) **DUTIES RELATED TO STUDENT LOANS.** The board shall refuse  
25 certification to an individual who applies for certification under this section, refuse



1 recertification to an individual certified under this section or decertify an individual  
2 certified under this section if the individual is in default on a student loan, as defined  
3 in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment  
4 of a student loan, the individual shall be considered in default on the student loan.  
5 The board shall mail the individual written notice that he or she is in default and that  
6 his or her request for certification will be refused until he or she is not in default or  
7 that his or her recertification will be refused if the default continues for more than  
8 90 days after the board mails the notice.

9 **SECTION 23.** 165.85 (4) (d) of the statutes is amended to read:

10 165.85 (4) (d) Except as provided under ~~sub. subs.~~ (3m) ~~(a)~~ and (3s), the board  
11 shall issue a certificate evidencing satisfaction of the requirements of pars. (b), (bn)  
12 and (c) to any applicant who presents such evidence, as is required by its rules, of  
13 satisfactory completion of requirements equivalent in content and quality to those  
14 fixed by the board under the board's authority as set out in pars. (b), (bn) and (c).

15 **SECTION 24.** 165.85 (4) (f) of the statutes is amended to read:

16 165.85 (4) (f) Except as provided under ~~sub. subs.~~ (3m) ~~(a)~~ and (3s), and in  
17 addition to certification procedures under pars. (a) to (d), the board may certify any  
18 person as being a tribal law enforcement officer on the basis of the person's  
19 completion of the training requirements for law enforcement officer certification  
20 prior to May 6, 1994. The offker must also meet the agreement requirements under  
21 sub. (3) (c) prior to certification as a tribal law enforcement offker.

22 **SECTION 25.** 224.72 (7m) (d) of the statutes is created to read:

23 224.72 (7m) (d) The applicant for the issuance or renewal is an individual who  
24 is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more  
25 than 120 days past due on a payment of a student loan, the individual shall be

1 considered in default on the student loan. The department shall mail the individual  
2 written notice that he or she is in default and that his or her request for a certificate  
3 of registration will be refused until he or she is not in default or that his or her  
4 certificate of registration will not be renewed if the default continues for more than  
5 90 days after the department mails the notice.

6 **SECTION 26.** 224.77 (6s) of the statutes is created to read:

7 224.77 (6s) **STUDENT LOAN DEFAULT.** The department shall restrict or suspend  
8 the registration of a mortgage banker, loan originator or mortgage broker if the  
9 registrant is an individual who is in default on a student loan, as defined in s. 440.01  
10 (1) (gs). If the individual is more than 120 days past due on a payment of a student  
11 loan, the individual shall be considered in default on the student loan. The  
12 department shall mail the individual written notice that he or she is in default and  
13 that his or her registration will be restricted or suspended if the default continues  
14 for more than 90 days after the department mails the notice.

15 **SECTION 27.** 250.041 (4) of the statutes is created to read:

16 250.041 (4) The department shall deny an application for the issuance or  
17 renewal of a registration, license, certification, approval, permit or certificate  
18 specified in sub. (1) (a), (b), (c), (d) and (f) or may suspend or restrict a registration,  
19 license, certification, approval, permit or certificate specified in sub. (1) (a), (b), (c),  
20 (d) and (f) if the applicant for or holder of the registration, license, certification,  
21 approval, permit or certificate is in default on a student loan, as defined in s. 440.01  
22 (1) (gs). If the individual is more than 120 days past due on a payment of a student  
23 loan, the individual shall be considered in default on the student loan. The  
24 department shall mail the individual written notice that he or she is in default and  
25 that his or her request for an approval, certificate, certification, license or

1 registration will be refused until he or she is not in default or that his or her approval,  
2 certificate, certification, license or registration will be restricted or suspended if the  
3 default continues for more than 90 days after the department mails the notice.

4 **SECTION 28.** 299.08 (3) of the statutes is created to read:

5 299.08 (3) The department shall deny the application for the issuance or  
6 renewal of a license, registration or certification specified in sub. (1) (a) 1., 2., 3., 6.  
7 or 7., or shall suspend a license, registration or certification specified in sub; (1) (a)  
8 1., 2., 3., 6. or 7., of an individual who is in default on a student loan, as defined in  
9 s. 440.01 (1)(gs). If the individual is more than 120 days past due on a payment of  
10 a student loan, the individual shall be considered in default on the student loan. The  
11 department shall mail the individual written notice that he or she is in default and  
12 that his or her request for a license, registration or certification will be refused until  
13 he or she is not in default or that his or her license, registration or certification will  
14 be suspended if the default continues for more than 90 days after the department  
15 mails the notice.

16 **SECTION 29.** 343.675 (3) of the statutes is created to read:

17 343.675 (3) The secretary shall deny, restrict, limit or suspend any instructor's  
18 license issued under s. 343.62 or refuse to issue a renewal for such license if the  
19 applicant or licensee is an individual who is in default on a student loan, as defined  
20 in s. 440.01 (1)(gs). If the individual is more than 120 days past due on a payment  
21 of a student loan, the individual shall be considered in default on the student loan.  
22 The department shall mail the individual written notice that he or she is in default  
23 and that his or her request for a license will be refused until he or she is not in default  
24 or that his or her license will be restricted, suspended, limited or not renewed if the  
25 default continues for more than 90 days after the department mails the notice.

insert  
13-15

1           **SECTION 30.** 343.69 of the statutes is amended to read:

2           **343.69 Hearings on license denials and revocations.** Before the  
3 department denies an application for a driver school license or instructor's license  
4 or revokes any such license, the department shall notify the applicant or licensee of  
5 the pending action and that the division of hearings and appeals will hold a hearing  
6 on the pending denial or revocation. The division of hearings and appeals shall send  
7 notice of the hearing by registered or certified mail to the last-known address of the  
8 licensee or applicant, at least 10 days prior to the date of the hearing. This section  
9 does not apply to denials of applications of licenses under s. 343.665 or 343.675 (1)  
10 or (2).

11           **SECTION 31.** 440.01 (1) (gs) of the statutes is created to read:

12           440.01 **(1)** (gs) "Student loan" means a loan to provide educational assistance  
13 to a borrower that is made, insured or guaranteed by a federal or state governmental  
14 agency.

15           **SECTION 32.** 440.14 of the statutes is created to read:

16           **440.14 Default of student loan.** Notwithstanding any other provision of chs.  
17 440 to 480 relating to issuance or renewal of a credential, the department or  
18 credentialing board shall deny an application for an initial credential or credential  
19 renewal or revoke a credential if the individual is in default on a student loan. If the  
20 individual is more than 120 days past due on a payment of a student loan, the  
21 individual shall be considered in default on the student loan. The department or  
22 credentialing board shall mail the individual written notice that he or she is in  
23 default and that his or her request for credentialing will be refused until he or she  
24 is not in default or that his or her credential will be revoked or not renewed if the

1 default continues for more than 90 days after the department or credentialing board  
2 mails the notice.

3 **SECTION 33.** 442.12 (7) of the statutes is amended to read:

4 442.12 (7) Upon application in writing and after hearing pursuant to notice,  
5 issue a new license to a licensee whose license has been revoked, reinstate a revoked  
6 certificate or modify the suspension of any license or certificate which has been  
7 suspended. This subsection does not apply to a license or certificate that is  
8 suspended under s. 440.13 (2) (c) or that is revoked under s. 440.12 or 440.14.

9 **SECTION 34.** 445.13 (2) of the statutes is amended to read:

10 445.13 (2) No reprimand or order limiting, suspending or revoking a license,  
11 certificate of registration or permit, or no assessment of forfeiture, shall be made  
12 until after a hearing conducted by the examining board. This subsection does not  
13 apply to a license, certificate of registration or permit that is limited or suspended  
14 under s. 440.13 (2) (c) or that is revoked under s. 440.12 or 440.14.

15 **SECTION 35.** 446.05 (2) of the statutes is amended to read:

16 446.05 (2) Upon application and satisfactory proof that the cause of such  
17 revocation or suspension no longer exists, the examining board may reinstate any  
18 license or registration suspended or revoked by it. This subsection does not apply to  
19 a license or registration that is suspended under s. 440.13 (2) (c) or that is revoked  
20 under s. 440.12 or 440.14.

21 **SECTION 36.** 449.07 (3) of the statutes is amended to read:

22 449.07 (3) Upon application and satisfactory proof that the cause of such  
23 revocation or suspension no longer exists, the examining board may reinstate any  
24 license or registration by it suspended or revoked. This subsection does not apply to

1 a license or registration that is suspended under s. 440.13 (2) (c) or that is revoked  
2 under s. 440.12 or 440.14.

3 **SECTION 37.** 551.34 (lm) (d) of the statutes is created to read:

4 551.34 **(lm)** (d) The division shall deny an application for the issuance or  
5 renewal of a license under this subchapter or restrict or suspend a license under this  
6 subchapter if the individual is in default on a student loan. If the individual is more  
7 than 120 days past due on a payment of a student loan, the individual shall be  
8 considered in default on the student loan. The division shall mail the individual  
9 written notice that he or she is in default and that his or her request for a license will  
10 be refused until he or she is not in default or that his or her license will be restricted,  
11 suspended or not renewed if the default continues for more than 90 days after the  
12 division mails the notice.

13 **SECTION 38.** 562.05 (5) (a) 11. of the statutes is created to read:

14 562.05 (5) (a) 11. If an individual, the individual is in default on a student loan.  
15 If the individual is more than 120 days past due on a payment of a student loan, the  
16 individual shall be considered in default on the student loan. The department shall  
17 mail the individual written notice that he or she is in default and that his or her  
18 request for a license will be refused until he or she is not in default.

19 **SECTION 39.** 562.05 (8) (f) of the statutes is created to read:

20 562.05 (8) (f) The department shall restrict, suspend or not renew the license  
21 of any individual who is in default on a student loan. If the individual is more than  
22 120 days past due on a payment of a student loan, the individual shall be considered  
23 in default on the student loan. The department shall mail the individual written  
24 notice that he or she is in default and that his or her license will be restricted,

1 suspended or not renewed if the default continues for more than 90 days after the  
2 department mails the notice.

3 **SECTION 40.** 628.097 (1) (c) of the statutes is created to read:

4 628.097 (1) (c) The commissioner shall refuse to issue to an individual a license,  
5 including a temporary license, under this subchapter if the individual is in default  
6 on a student loan. If the individual is more than 120 days past due on a payment of  
7 a student loan, the individual shall be considered in default on the student loan. The  
8 department shall mail the individual written notice that he or she is in default and  
9 that his or her license or temporary license will be will be refused until he or she is  
10 not in default.

11 **SECTION 41.** 628.10 (2) (cs) of the statutes is created to read:

12 628.10 (2) (cs) ***For failure to pay a student Loan.*** The commissioner shall  
13 suspend or limit the license of an intermediary who is an individual, or a temporary  
14 license of an individual under s. 628.09, if the individual is in default on a student  
15 loan. If the individual is more than 120 days past due on a payment of a student loan,  
16 the individual shall be considered in default on the student loan. The department  
17 shall mail the individual written notice that he or she is in default and that his or  
18 her license will be suspended or limited if the default continues for more than 90 days  
19 after the department mails the notice.

20 **SECTION 42.** 751.15 (4) of the statutes is created to read:

21 751.15 (4) The supreme court is requested to promulgate rules that deny,  
22 suspend, restrict or refuse to renew a license to practice law if the applicant or  
23 licensee is in default on a student loan. If the individual is more than 120 days past  
24 due on a payment of a student loan, the individual shall be considered in default on  
25 the student loan. The rule should provide that written notice of the default be mailed.

instr  
17-19



3

1 to the individual stating that his or her request for a license will be refused until he  
2 or she is not in default or that his or her license will be restricted, suspended or not  
3 renewed if the default continues for more than 90 days after the notice is mailed.

4 **SECTION 43. Nonstatutory provisions.**

5 (1) The supreme court is requested to promulgate rules under section 751.15  
6 (4) of the statutes, as created by this act, so that those rules are effective beginning  
7 on the effective date of this subsection.

8 **SECTION 44. Initial applicability.**

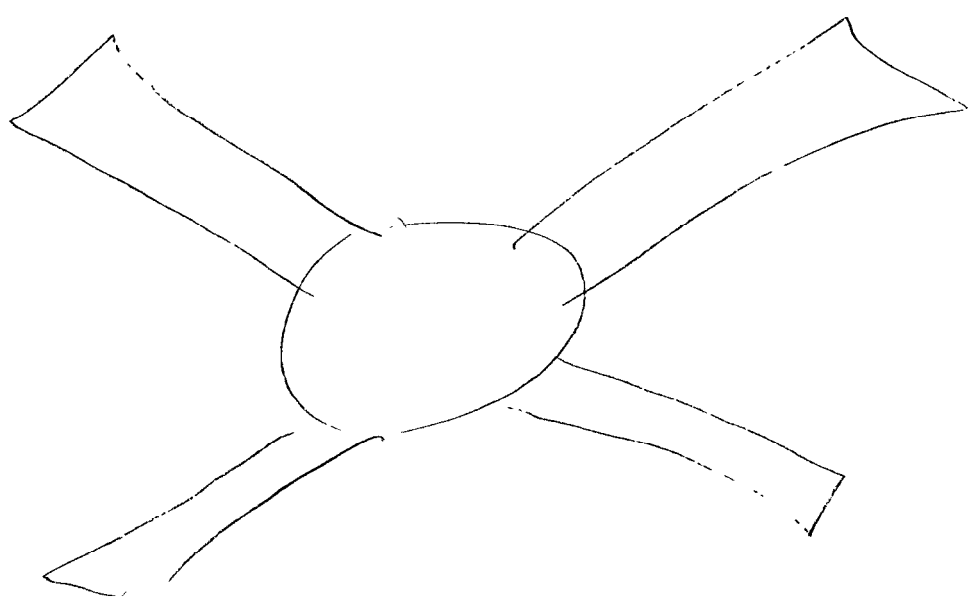
9 (1) This act first applies to applications for initial or renewal certificates,  
10 certifications, licenses, training permits, registrations and approvals that are  
11 received on the effective date of this subsection.

12 **SECTION 45. Effective date.**

13 (1) This act takes effect on the first day of the 6th month beginning after  
14 publication.

15 (END)





1

Insert anl:

Under current law, the department of regulation and licensing, examining and affiliated credentialing boards and many other state agencies issue licenses, permits, certificates or other credentials for professional or occupational purposes. Current law prohibits those agencies and boards from issuing or renewing a professional or occupational license, permit, certificate or other credential if the individual fails to provide his or her social security number, fails to pay child, family or spousal support ordered by a court or if the individual is delinquent in the payment of taxes. The agencies and boards are required by current law to limit, restrict or suspend the professional or occupational license, permit, certificate or other credential if the individual fails to provide his or her social security number, fails to pay child, family or spousal support ordered by a court or if the individual is delinquent in the payment of taxes.

This bill would prohibit state agencies and boards from issuing or renewing a professional or occupational license, permit, certificate or other credential if the individual is in default (more than 120 days past due on the payment) on a student loan. The agency or board is required to notify the individual that the license, permit, certificate or other credential will not be issued or renewed until the individual is not in default on the loan. The bill also requires the agencies and boards to limit, restrict or suspend the professional or occupational license, permit, certificate or other credential if the individual is in default on a student loan 90 days after the notice of the default is mailed to the individual. The bill also asks the supreme court to promulgate rules that deny, suspend, restrict or renew a license to practice law if the individual is in default on a student loan.

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

2

Insert 9-12:

3

4

**SECTION 1.** 138.09 (3) (am) 5. of the statutes is created to read:

5

138.09 (3) (am) 5. If the applicant is an individual who is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The division shall mail the individual written notice that he or she is in default and that his or her application will be refused until he or she is not in default.

10

departments

departments  
department

use  
to

departments

departments  
and boards  
or

departments



SECTION 2. 138.09 (4) (d) of the statutes is created to read:

138.09 (4) (d) The division shall suspend a license issued under this section to an individual if the applicant is an individual who is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The division shall mail the individual written notice that he or she is in default and that his or her license will be suspended if the default continues for more than 90 days after the department mails the notice.

insert 13-15:

SECTION 3. 343.345 (title) of the statutes is amended to read:

343.345 (title) **Restriction, limitation, denial or suspension of operating privilege certain licenses.**

History: 1997 a. 191.

SECTION 4. 343.345 of the statutes is renumbered 343.345 (1).

~~SECTION 5. 343.345 of the statutes is amended to read:~~

SECTION 6. 343.345 (2) of the statutes is created to read:

343.345 (2) ~~THE~~ The department shall restrict, limit, deny or suspend an individual's commercial driver license if the individual is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The ~~division~~ <sup>department</sup> shall mail the individual written notice that he or she is in default and that his or her application will be refused until he or she is not in default or that his or her license will be restricted, limited or suspended if the default continues for more than 90 days after the ~~department~~ <sup>division</sup> mails the notice.

END OF INSERT  
Stet. "department"

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

insert 17-19: ✓

**SECTION 7.** 632.68 (2) (bm) 3. of the statutes is created to read:

632.68 (2) (bm) 3. Notwithstanding par. (b), the commissioner may not issue a license under this subsection to an individual if the individual is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The commissioner shall mail the individual written notice that he or she is in default and that his or her application will be refused until he or she is not in default.



**SECTION 8.** 632.68 (3) (b) 3. of the statutes is created to read:

632.68 (3) (b) 3. The commissioner shall suspend, limit or refuse to renew a viatica settlement provider license issued to an individual if the individual is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of a student loan, the individual shall be considered in default on the student loan. The commissioner shall mail the individual written notice that he or she is in default and that his or her license will be suspended, limited or not renewed if the default continues for more than 90 days after the ~~department~~ <sup>commissioner</sup> mails the notice.

END OF INSERTS

DRAFTERS NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-4009/1dn  
MJB/RPN:cmh:kjf

es

*pawnbrokers*  
I was unable to affect ~~pawnbrokers~~ only, because they receive a license as a lender under s. 138.09, stats. (See s. 138.10 (2m)). So, I required all lenders licensed under s. 138.09, stats. who are individuals to be current in the payment of their student loans.

I could not find licensing authority for security agents. The bill does require all mortgage bankers, loan originators and mortgage brokers who are individuals to be current in the payment of their student loans.

Robert P. Nelson  
Senior Legislative Attorney  
Phone: (608) 267-7511

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4009/1dn  
RPN:cmh:hmh

January 18, 2000

I was unable to affect pawnbrokers only, because they receive a license as a lender under s. 138.09, stats. (See s. 138.10 (2m)). So, I required all lenders licensed under s. 138.09, stats. who are individuals to be current in the payment of their student loans.

I could not find licensing authority for security agents. The bill does require all mortgage bankers, loan originators and mortgage brokers who are individuals to be current in the payment of their student loans.

Robert P. Nelson  
Senior Legislative Attorney  
Phone: (608) 267-7511

## Williams, Landon

---

To: Wadium, Mark  
Subject: 99-4009/1 per your request



99-4009/1



99-4009/1 dn

### Landon T. Williams

Legislative Program Assistant  
Legislative Reference Bureau  
100 N. Hamilton  
(608) 266-3561  
[landon.williams@legis.state.wi.us](mailto:landon.williams@legis.state.wi.us)

**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

**Date:** 01/18/2000

**To:** Representative F. Lasee

**Relating to LRB drafting number:** LRB-4009

**Topic**

Professional credential revocation based on failure to pay student loans

**Subject(s)**

Occupational Reg. - misc

1. **JACKET** the draft for introduction \_\_\_\_\_

in the Senate or the Assembly  (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal,

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert P. Nelson, Senior Legislative Attorney  
Telephone: (608) 267-75 11





# State of Wisconsin

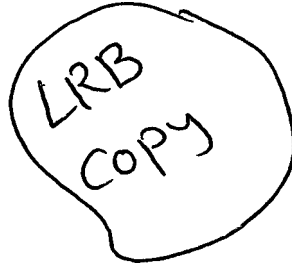
## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
P. O. BOX 2037  
MADISON, WI 53701-2037

LEGAL SECTION  
REFERENCE SECTION  
FAX

(608) 266-3561  
(608) 266-0341  
(608) 266-5646

STEPHEN R. MILLER  
CHIEF



February 22, 2000

## MEMORANDUM

**To:** Representative Frank Lasee

**From:** Mark D. Knukel, Legislative Attorney, (608) 266-013 1  
Robert I? Nelson, Sr. Legislative Attorney, (608) 267-75 1 1

**Subject:** Technical Memorandum to 1999 AB 725 (LRB 994009/I)

---

We received the attached technical memorandum relating to your bill. This copy is for your information and your file. If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.



# CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

Date: 2/14/2000

File Ref:

To: Legislative Reference Bureau

From: James Thiel  
General Counsel, Department of Transportation

Subject: Technical Note for AB 725 related to suspension of licenses, permits and other credentials for failure to pay student loans.

We suggest a technical change in Section 31, 33 and 34 of adding "cancel" to the list of licensing actions. This allows WisDOT to process licensing actions required by this bill in a consistent manner with similar existing licensing actions.

P.S. I doubt if we would ever "restrict" or "limit"... no  
criteria. Jim T.

Agency/Prepared by: (Name & Phone No.1

Authorized Signature