



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-4460/P1
MDK:./:ch

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P2

SOON

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

WPO: Inserts are out of order.

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Regen

1 AN ACT *to repeal* 15.405 (6m) (c) 1., 15.405 (6m) (d) 1., 15.407 (4) (a) 1., 15.407

2 (4) (b) 1., 440.04 (8), 440.08 (2) (a) 2., 440.26 (title), 440.26 (1m) (intro.), 440.26

3 (2) (title), 440.26 (4) (title), 440.26 (4m) (title), 442.03 (2), 442.04 (3), 442.06,

4 442.11 (3), 442.11 (4), 442.11 (6), 443.10 (4) (a), 443.10 (6), 443.11 (3), (4) and (5),

5 443.12 (2), (3) and (4), 458.08 (5), 459.22 (1) and subchapter III of chapter 459

6 [precedes 459.40]; *to renumber* 440.26 (1) (title) and (a) 1., 2., 3. and 4., 440.26

7 (1m) (h), 440.26 (2) (b), 443.10 (4) (b) and 443.12 (1); *to renumber and amend*

8 15.405 (6m) (c) 2., 15.405 (6m) (d) 2., 15.407 (4) (a) 2., 15.407 (4) (b) 2., 440.26

9 (1) (a) (intro.), 440.26 (1) (a) 11., 440.26 (1) (b), 440.26 (2) (a), 440.26 (2) (c),

10 440.26 (3), 440.26 (3m), 440.26 (4), 440.26 (4m) (a), 440.26 (4m) (b), 440.26 (5),

11 440.26 (5m), 440.26 (5r), 440.26 (6) and 440.26 (8); *to amend* 15.405 (6m) (e),

12 29.193 (2) (a) 1., 29.324 (1) (a), 45.353 (3), 49.45 (8) (a) 7., 66.044 (3), 77.54 (22)

13 (b), 100.03 (1) (bm), 100.03 (1) (ym) 2., 102.01 (2) (c), 111.335 (1) (cg) 1., 111.335

14 (1) (cg) 2., 111.335 (1) (cg) 3., 114.103 (1) (c), 127.01 (1r), 127.01 (25m) (b), 127.06

15 (1) (e), 127.06 (1m) (e), 149.14 (3) (k), 149.14 (4) (h) and (i), 167.31 (4) (a) 4.

1 (intro.), 167.31 (4) (a) 4. a., 440.03 (7m), 440.05 (intro.), 440.08 (2) (a) (intro.),
2 440.23 (1), 440.963 (1), 442.02 (7), 442.02 (9), 442.03 (3), 442.07 (title), 442.07
3 (1), 442.07 (2), 442.07 (3), 442.08, 442.10 (1), 442.11 (7), 442.11 (8), 442.11 (9),
4 442.11 (10), 442.11 (13), 442.13, 443.13, 448.13 (1) (a), 449.18 (7), 458.09 (2)
5 (intro.), 459.01 (2), (3) and (5), 459.02, 459.03 (title), 459.03 (1), 459.03 (2) (b),
6 459.035, 459.04, 459.05 (1m), 459.06 (2) (a) (intro.) and 3. and (b) (intro.) and
7 4. and (3), 459.07 (2), 459.08 (1), 459.085, 459.095 (3), 459.10 (1) (d), (e), (j), (k)
8 and (p), 459.14 (2), 459.20 (2) (b), 459.20 (3g), 459.20 (3p), 459.22 (2) (b), 459.22
9 (2) (c), 459.24 (1m), 459.24 (3m), 459.26 (2) (b) (intro.), 459.26 (2) (b) 4., 459.34
10 (2) (ce), 459.34 (2) (cm), 459.34 (2) (cs), 895.527 (6), 940.34 (1) (b), 940.34 (2) (b),
11 940.34 (2) (c) 1., 941.237 (1) (em), 941.237 (3) (cm) 1. and 968.27 (7) (b); **to**
12 **repeal and recreate** 443.10 (4) (title); and **to create** 440.27 (intro.), 440.30
13 (title) and 448.03 (2) (L) of the statutes; **relating to:** eliminating outdated
14 references to certificates of registration to practice audiology and
15 speech-language pathology, and replacing the term "hearing aid" with "hearing
16 instrument"; eliminating outdated references to transitional appraiser
17 licenses; exempting certain persons who assist occupational therapists from
18 licensure and certification requirements; ~~use of titles and representations~~
19 ~~regarding Wisconsin registered interior designers by firms, partnerships and~~
20 ~~corporations;~~ continuing education requirements for physicians and
21 podiatrists; continuing education requirements for optometrists certified to use
22 therapeutic pharmaceutical agents or to remove foreign bodies from an eye; and
23 public accountants practicing under a certificate of authority and qualifications
24 for applicants for a certificate as a certified public accountant; ~~suggested as~~
25 ~~remedial legislation by the department of regulation and licensing;~~ private

1 detective and private detective agency licenses and private security permits
 2 (~~suggested as remedial legislation by the department of regulation and~~
 3 ~~licensing~~) disciplinary action taken and rosters prepared by the examining
 4 board of architects, landscape architects, professional engineers, designers and
 5 land surveyors (suggested as remedial legislation by the department of
 regulation and licensing).

hearing and speech examining

Sub-Sub Head

WFO: The analysis begins on the next page -

Analysis by the Legislative Reference Bureau

***** ANALYSIS FROM 3543/1 *****

Other changes

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A*

Under current law, a person is not allowed to use a title related to audiology or speech-language pathology, or practice audiology or speech-language pathology, unless he or she is granted a license by the hearing and speech examining board (board). Prior to July 1, 1993, such persons were granted certificates of registration by the board. This bill eliminates all outdated references to audiology and speech-language pathology certificates of registration.

Under current law, a person may not fit or sell hearing aids unless he or she is granted a license by the board to practice as a hearing instrument specialist. "Hearing aid" is defined as a device that aids or compensates for impaired hearing. In addition, certain requirements apply to the fitting and sale of hearing aids by a person who is licensed by the board. This bill replaces the term "hearing aid" with the term "hearing instrument", which the bill defines to have the same meaning as "hearing aid" under current law.

This bill eliminates outdated references in state law to transitional appraiser licenses. Under current law, no transitional appraiser license granted by the ~~department of regulation and licensing~~ is valid after January 1, 1996.

Under current law, the medical examining board grants licenses and certificates that allow a person to engage in the following professions: occupational therapist, occupational therapy assistant, physician, physician assistant, podiatrist and respiratory care practitioner. A license or certificate is not required for a person who assists a respiratory care practitioner in practice under the direct, immediate and on-premises supervision of the respiratory care practitioner.

This bill exempts a person from the requirement to be licensed or certified by the medical examining board if he or she assists an occupational therapist or occupational therapy assistant in practice under the direct, immediate and on-premises supervision of the occupational therapist or occupational therapy assistant.

~~Under current law, a firm, partnership or corporation may use the term "Wisconsin registered interior designer" or "Wisconsin registered interior designers" and may advertise or represent that it provides the services of a Wisconsin registered interior designer only if at least one principal, partner or officer is an interior~~

DORL

INSERT A (continued)

~~designer registered with the department of regulation and licensing and if he or she is responsible for the interior design services provided by the firm, partnership or corporation.~~

~~This bill allows a firm, partnership or corporation to use the term and advertise or make the representation if at least one employee meets these requirements.~~

Under current law, a physician or podiatrist must renew his or her certificate of registration on November 1 of each odd-numbered year. When a physician or podiatrist applies for renewal, he or she must submit proof that he or she attended and completed at least 30 hours of continuing education courses within the two calendar years preceding the calendar year for which his or her certificate of registration is effective.

by

This bill requires a physician or podiatrist to attend and complete the courses within the two-year period preceding the date of his or her application for renewal, instead of within the two calendar years preceding the calendar year for which his or her certificate of registration is effective.

Also, under current law, a certificate that allows an optometrist to use therapeutic pharmaceutical agents or remove foreign bodies from an eye expires on January 1 of each even-numbered year. An optometrist who applies for renewal of this certificate must satisfy continuing education requirements established in rules promulgated by the optometry examining board. The rules may not require an optometrist to complete more than 30 hours of continuing education courses within the two calendar years immediately preceding the expiration date of the certificate.

This bill requires an optometrist who applies for renewal of the certificate to complete the continuing education courses within the two years immediately preceding the date of his or her application for renewal, instead of within the two calendar years immediately preceding the expiration date of the certificate.

Under current law, the accounting examining board regulates both public accountants and certified public accountants. A person may not practice as a public accountant unless he or she holds both a certificate of authority as a public accountant that is issued by the accounting examining board and a license. A person may not practice as a certified public accountant unless he or she holds a certificate as a certified public accountant that is issued by the accounting examining board and a license. The accounting examining board may issue a certificate of authority as a public accountant only to a person who applied for the certificate before December 1, 1935. This bill eliminates the certificate of authority as a public accountant.

Current law also provides that a person who applied for a certificate as a certified public accountant before July 1, 1968, must satisfy certain education and experience requirements. This bill eliminates these requirements.

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For further information, see the NOTES provided by the law revision committee of the joint legislative council.

*** ANALYSIS FROM 3546/1 ***

Under current law, the department of regulation and licensing (DORL) issues private detective and private detective agency licenses and private security permits to persons who satisfy certain requirements. With certain exceptions, a person may not act as a private detective, private detective agency or private security person

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without a license or permit. One of the requirements for a private security permit is that a private detective agency that employs an applicant for the permit must provide a recent photograph and the fingerprints of the applicant. Under this bill, the applicant for the permit, rather than the applicant's employer, must provide a recent photograph and his or her fingerprints.

Also under current law, DORL is required to promulgate rules relating to the carrying of dangerous weapons by persons who are issued private detective licenses and private security permits. The rules must meet minimum requirements under a federal law regarding the reciprocity of state licenses for certain employes of armored car companies. Under current law, this state does not have licensing requirements for such employes. This bill eliminates the requirement that DORL's rules for private detectives and private security persons meet the federal law's requirements for armored car company employes.

The bill also makes nonsubstantive changes to the provisions under current law regarding private detective and private detective agency licenses and private security permits.

For further information, see the NOTES provided by the law revision committee of the joint legislative council.

IN SEAT J
D

*** ANALYSIS FROM -3548/1 ***

Under current law, the department of regulation and licensing (DORL) and any board in DORL, including the examining board of architects, landscape architects, professional engineers, designers and land surveyors (examining board) may take disciplinary action against a person credentialed by DORL or a board if a complaint is filed against the person. Current law also contains specific provisions that allow the different sections of the examining board to take the same action. This bill eliminates these specific provisions that deal only with the examining board.

Also under current law, a credential that is issued by a board in DORL, including the examining board, may be suspended or revoked upon a vote by two-thirds of the voting members of the board. Current law also contains specific provisions that allow the land surveyor section of the examining board to take disciplinary action, including suspending or revoking a credential, or to reinstate a credential, upon a vote of three of the five members of the section. This bill eliminates these specific provisions that deal only with the land surveyor section. The bill also eliminates provisions under current law that specify that the designer section of the examining board may take disciplinary action upon a two-thirds vote by its five members.

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The bill also eliminates the requirement under current law that the examining board prepare a roster of all engineers-in-training and land surveyors that are credentialed by the board.

For further information, see the NOTES provided by the law revision committee of the joint legislative council.

NOTE: The bill does not affect a requirement under current law that each board in DORL, including the examining board, maintain a register of the names and addresses of all persons who are credentialed.

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

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the department of regulation and licensing and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 *~~-3543/1.1~~* *~~-4773/P1.1~~* SECTION 1. 15.405 (6m) (c) 1. of the statutes is
2 repealed.

3 *~~-3543/1.2~~* *~~-4773/P1.2~~* SECTION 2. 15.405 (6m) (c) 2. of the statutes is
4 renumbered 15.405 (6m) (c) and amended to read:

5 15.405 (6m) (c) One audiologist licensed under subch. II of ch. 459. This
6 subdivision applies after June 30, 1993.

7 *~~-3543/1.3~~* *~~-4773/P1.3~~* SECTION 3. 15.405 (6m) (d) 1. of the statutes is
8 repealed.

9 *~~-3543/1.4~~* *~~-4773/P1.4~~* SECTION 4. 15.405 (6m) (d) 2. of the statutes is
10 renumbered 15.405 (6m) (d) and amended to read:

11 15.405 (6m) (d) One speech-language pathologist licensed under subch. II of
12 ch. 459. This subdivision applies after June 30, 1993.

13 *~~-3543/1.5~~* *~~-4773/P1.5~~* SECTION 5. 15.405 (6m) (e) of the statutes is
14 amended to read:

15 15.405 (6m) (e) Two public members. One of the public members shall be a
16 hearing aid instrument user.

17 *~~-3543/1.6~~* SECTION 6. 15.407 (4) (a) 1. of the statutes is repealed.

1 ^{A.R. (8)} ~~*-3543/1.7*~~ SECTION 7. 15.407 (4) (a) 2. [✓] of the statutes is renumbered 15.407
2 (4) (am) [✓] and amended to read:

3 15.407 (4) (am) Three speech-language pathologists licensed under subch. II
4 of ch. 459. ~~This subdivision applies after June 30, 1993.~~

5 ~~*-3543/1.8*~~ ~~*-4773/P1.6*~~ SECTION 8. ^{A.R. (6)} 15.407 (4) (b) 1. [✓] of the statutes is
6 repealed.

7 ~~*-3543/1.9*~~ ~~*-4773/P1.7*~~ SECTION 9. ^{A.R. (7)} 15.407 (4) (b) 2. [✓] of the statutes is
8 renumbered 15.407 (4) (bm) [✓] and amended to read:

9 15.407 (4) (bm) Two audiologists licensed under subch. II of ch. 459. ~~This~~
10 ~~subdivision applies after June 30, 1993.~~

11 ~~*-3543/1.10*~~ ~~*-4773/P1.8*~~ SECTION 10. ^{A.R. (59)} 29.193 (2) (a) 1. [✓] of the statutes is
12 amended to read:

13 29.193 (2) (a) 1. "Accompanied" means being subject to continuous visual or
14 voice contact without the aid of any mechanical or electronic amplifying device other
15 than a hearing aid instrument.

16 ~~*-3543/1.11*~~ ~~*-4773/P1.9*~~ SECTION 11. ^{A.R. (11)} 29.324 (1) (a) [✓] of the statutes is
17 amended to read:

18 29.324 (1) (a) "Contact" means visual or voice contact without the aid of any
19 mechanical or electronic amplifying device other than a hearing aid instrument.

20 ~~*-3543/1.12*~~ ~~*-4798/P1.1*~~ SECTION 12. ^{A.R. (P)} 45.353 (3) of the statutes is amended
21 to read:

22 45.353 (3) Application by any such state veterans organization shall be filed
23 annually with the department for the 12-month period commencing on April 1 and
24 ending on March 31 of the year in which it is filed. An application shall contain a
25 statement of salaries and travel expenses paid to employes engaged in veterans

1 claims service maintained at the regional office by such state veterans organization
2 covering the period for which application for a grant is made, which statement has
3 been certified as correct by ~~an~~ a certified public accountant certified licensed under
4 ch. 442 and sworn to as correct by the adjutant or principal officer of the state
5 veterans organization. The application shall also contain the state organization's
6 financial statement for its last completed fiscal year and such evidence of claims
7 service activity as the department requires. Sufficient evidence shall be submitted
8 with an initial application to establish that the state veterans organization, or its
9 national organization, or both, has maintained a full-time service office at the
10 regional office without interruption throughout 5 years out of the 10-year period
11 immediately preceding such application. Subsequent applications must be
12 accompanied by an affidavit by the adjutant or principal officer of such state veterans
13 organization stating that a full-time service office was maintained at the regional
14 office by such state veterans organization, or by such state organization and its
15 national organization, for the entire 12-month period for which application for a
16 grant is made.

17 ^{A.R. (U)} *~~3543/1.13~~* *~~4773/P1.10~~* SECTION 13. 49.45 (8) (a) 7. [✓] of the statutes is
18 amended to read:

19 49.45 (8) (a) 7. "Speech-language pathologist" ~~means an individual engaged~~
20 ~~in the practice of speech-language pathology, as regulated under ch. 459~~ has the
21 meaning given in s. 459.20 (4). [✓]

22 ^{A.R. (Q)} *~~3543/1.14~~* *~~4798/P1.2~~* SECTION 14. 66.044 (3) [✓] of the statutes is amended
23 to read:

24 66.044 (3) The ordinance shall provide that the governing body of the city or
25 village shall authorize an annual detailed audit of its financial transactions and

1 accounts by a certified public accountant licensed under ch. 442 and designated by
2 the governing body.

3 ^{A.R. (V)} *-3543/1.15* *-4773/P1.11* SECTION 15. 77.54 (22) (b)[✓] of the statutes is
4 amended to read:

5 77.54 (22) (b) Artificial limbs, artificial eyes, hearing aids instruments and
6 other equipment worn as a correction or substitute for any functioning portion of the
7 body.

8 ^{A.R. (R)} *-3543/1.16* *-4798/P1.3* SECTION 16. 100.03 (1) (bm)[✓] of the statutes is
9 amended to read:

10 100.03 (1) (bm) "Audited financial statement" means a financial statement
11 that, in the accompanying opinion of an independent certified public accountant ~~or~~
12 ~~a public accountant holding a certificate of authority~~ licensed under ch. 442, fairly
13 and in all material respects represents the financial position of the contractor, the
14 results of the contractor's operations and the contractor's cash flows in conformity
15 with generally accepted accounting principles.

16 ^{A.R. (S)} *-3543/1.17* *-4798/P1.4* SECTION 17. 100.03 (1) (ym) 2.[✓] of the statutes is
17 amended to read:

18 100.03 (1) (ym) 2. Reviewed according to generally accepted accounting
19 principles by an independent certified public accountant ~~or a public accountant~~
20 ~~holding a certificate of authority~~ licensed under ch. 442.

21 ^{A.R. (NW)} *-3543/1.18* *-4773/P1.12* SECTION 18. 102.01 (2) (c)[✓] of the statutes is
22 amended to read:

23 102.01 (2) (c) "Injury" means mental or physical harm to an employe caused
24 by accident or disease, and also means damage to or destruction of artificial
25 members, dental appliances, teeth, hearing aids instruments and eyeglasses, but, in

1 the case of hearing aids instruments or eyeglasses, only if such damage or
2 destruction resulted from accident ~~which~~ that also caused personal injury entitling
3 the employe to compensation therefor either for disability or treatment.

A.R. (H)

4 *-3546/1.1* SECTION 19. 111.335 (1) (cg) 1. of the statutes is amended to read:

5 111.335 (1) (cg) 1. Notwithstanding s. 111.322, it is not employment
6 discrimination because of conviction record to deny or refuse to renew a license or
7 permit under s. 440.26 subch. II of ch. 440 to a person who has been convicted of a
8 felony and has not been pardoned for that felony.

9 *-3546/1.2* SECTION 20. 111.335 (1) (cg) 2. of the statutes is amended to read:

10 111.335 (1) (cg) 2. Notwithstanding s. 111.322, it is not employment
11 discrimination because of conviction record to revoke a license or permit under s.
12 440.26 (6) (b) 440.35 (2) if the person holding the license or permit has been convicted
13 of a felony and has not been pardoned for that felony.

14 *-3546/1.3* SECTION 21. 111.335 (1) (cg) 3. of the statutes is amended to read:

15 111.335 (1) (cg) 3. Notwithstanding s. 111.322, it is not employment
16 discrimination because of conviction record to refuse to employ a person in a business
17 licensed under s. 440.26 subch. II of ch. 440 or as an employe specified in s. 440.26
18 (5) (b) 440.29 (2) if the person has been convicted of a felony and has not been
19 pardoned for that felony.

A.R. (II)

20 *-3546/1.4* SECTION 22. 114.103 (1) (c) of the statutes is amended to read:

21 114.103 (1) (c) "Private security person" has the meaning given in s. 440.26
22 (1m) (h) 440.27 (1), but does not include any law enforcement officer.

A.R. (I)

23 *-3543/1.19* *-4798/P1.5* SECTION 23. 127.01 (1r) of the statutes is amended

24 to read:

1 127.01 (1r) “Audited financial statement” means a financial statement on
2 which an independent certified public accountant, ~~or an independent public~~
3 ~~accountant holding a certificate of authority licensed~~ under ch. 442, has expressed
4 an opinion according to generally accepted accounting principles and has conducted
5 an audit according to generally accepted auditing standards.

6 *~~-3543/1.20~~* *~~-4798/P1.6~~* SECTION 24. 127.01 (25m) (b) [✓] of the statutes is
7 amended to read:

8 127.01 (25m) (b) The financial statement is reviewed according to generally
9 accepted accounting principles by an independent certified public accountant ~~or an~~
10 ~~independent public accountant who holds a certificate of authority licensed~~ under ch.
11 442.

12 *~~-3543/1.21~~* *~~-4798/P1.7~~* SECTION 25. 127.06 (1) (e) [✓] of the statutes is
13 amended to read:

14 127.06 (1) (e) The department may extend the filing deadline under par. (a) 2.
15 by up to 30 days in response to a written request from a warehouse keeper or an
16 independent certified public accountant, ~~or an independent public accountant~~
17 ~~holding a certificate of authority licensed~~ under ch. 442, that is auditing or reviewing
18 the financial statement for a warehouse keeper if the department receives the
19 request on or before the 5th day of the 4th month beginning after the close of the
20 warehouse keeper’s fiscal year and if the request states the reason for the extension.

21 *~~-3543/1.22~~* *~~-4798/P1.8~~* SECTION 26. ^{A.R. (V)} 127.06 (1m) (e) [✓] of the statutes is
22 amended to read:

23 127.06 (1m) (e) The department may extend the filing deadline under par. (b)
24 2. by up to 30 days in response to a written request from a grain dealer or an
25 independent certified public accountant, ~~or an independent public accountant who~~

1 holds a certificate of authority licensed under ch. 442, that is auditing or reviewing
 2 the financial statement for a grain dealer, if the department receives the written
 3 request on or before the 5th day of the 4th month beginning after the close of the grain
 4 dealer's fiscal year and if the request states the reason for the extension.

5 ***-3543/1.23* *-4773/P1.13* SECTION 27.** ^{A.R. (XX)} 149.14 (3) (k) [✓] of the statutes is
 6 amended to read:

7 149.14 (3) (k) Rental or purchase, as appropriate, of durable medical
 8 equipment or disposable medical supplies, other than eyeglasses and hearing aids
 9 instruments.

10 ***-3543/1.24* *-4773/P1.14* SECTION 28.** ^{A.R. (YY)} 149.14 (4) (h) [✓] and (i) [✓] of the statutes,
 11 are amended to read:

12 149.14 (4) (h) Eyeglasses and hearing aids instruments.

13 (i) Routine physical examinations, including routine examinations to
 14 determine the need for eyeglasses and hearing aids instruments.

15 ***-3546/1.5* SECTION 29.** ^{A.R. (JJ)} 167.31 (4) (a) 4. (intro.) [✓] of the statutes is amended to
 16 read:

17 167.31 (4) (a) 4. (intro.) A private security person, as defined in s. 440.26 (1m)
 18 440.27 (1), who meets all of the following requirements:

19 ***-3546/1.6* SECTION 30.** 167.31 (4) (a) 4. a. [✓] of the statutes is amended to read:

20 167.31 (4) (a) 4. a. He or she holds either a private detective license issued
 21 under s. 440.26 (2)(a) 2. or a private security permit issued under s. 440.26 (5) subch.
 22 II of ch. 440.

23 ***-3546/1.7* SECTION 31.** ^{A.R. (KK)} 440.03 (7m) [✓] of the statutes is amended to read:

24 440.03 (7m) The department may promulgate rules that establish procedures
 25 for submitting an application for a credential or credential renewal by electronic

1 transmission. Any rules promulgated under this subsection shall specify procedures
 2 for complying with any requirement that a fee be submitted with the application.
 3 The rules may also waive any requirement in chs. 440 to 480 that an application
 4 submitted to the department, an examining board or an affiliated credentialing
 5 board be executed, verified, signed, sworn or made under oath, notwithstanding ss.
 6 440.26 (2) (b) 440.30 (2), 440.42 (2) (intro.), 440.91 (2) (intro.), 443.06 (1) (a), 443.10
 7 (2) (a), 445.04 (2), 445.08 (4), 445.095 (1) (a), 448.05 (7), 450.09 (1) (a), 452.10 (1) and
 8 480.08 (2m).

9 *~~3543/1.25~~* *~~4773/P1.15~~* SECTION ^{A.R. (1)}32. 440.04 (8) of the statutes is repealed.
 10 *~~3543/1.26~~* *~~4773/P1.16~~* SECTION ^{A.R. (2)}33. 440.05 (intro.) of the statutes is
 11 amended to read:

12 **440.05 Standard fees.** (intro.) The following standard fees apply to all initial
 13 credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, ~~442.06~~, 444.03,
 14 444.05, 444.11, 447.04 (2) (c) 2., 449.17, and 449.18 and ~~459.46~~:

15 *~~3543/1.27~~* *~~4773/P1.17~~* SECTION 34. 440.08 (2) (a) (intro.) of the statutes
 16 is amended to read:

17 440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,
 18 ~~442.06~~, 444.03, 444.05, 444.11, 447.04 (2) (c) 2., ~~448.065~~, ~~447.04 (2) (c) 2.~~, 449.17, and
 19 449.18 and ~~459.46~~, the renewal dates and renewal fees for credentials are as follows:

20 *~~3543/1.28~~* *~~4798/P1.11~~* SECTION ^{A.R. (3)}35. 440.08 (2) (a) 2. of the statutes is
 21 repealed. *was affected by 1999 Wisconsin Act 9,*

22 *~~3543/1.29~~* *~~4773/P1.18~~* SECTION 36. 440.23 (1) of the statutes is amended
 23 to read:

INSERT
13-23

24 440.23 (1) If the holder of a credential pays a fee required under s. 440.05 (1)
 25 or (6), 440.08, 444.03, 444.05, or 444.11 or ~~459.46~~ (2) (b) by check and the check is not

INSECT 14-3

1 paid by the bank upon which the check is drawn, the department may cancel the
2 credential on or after the 60th day after the department receives the notice from the
3 bank, subject to sub. (2).

4 ***-3546/1.8* SECTION 37.** 440.26 (title) of the statutes is repealed.

5 ***-3546/1.9* SECTION 38.** 440.26 (1) (title) and (a) 1., 2., 3. and 4. of the statutes
6 are renumbered 440.28 (title) and (1) (a), (b), (c) and (d).

7 ***-3546/1.11* SECTION 39.** 440.26 (1) (a) (intro.) of the statutes is renumbered
8 440.28 (1) (intro.) and amended to read:

9 440.28 (1) (intro.) No Except as provided in s. 440.29 and in rules promulgated
10 under sub. (2), no person may do any of the following unless he or she has a license
11 or permit issued under this section subchapter.

12 ***-3546/1.10* SECTION 40.** 440.26 (1) (a) 11. of the statutes is renumbered
13 440.28 (1) (e) and amended to read:

14 440.28 (1) (e) Receive any fees or compensation for acting as any person,
15 engaging in any business or performing any service specified in subds. 1. to 10. pars.
16 (a) to (d).

17 ***-3546/1.12* SECTION 41.** 440.26 (1) (b) of the statutes is renumbered 440.28
18 (2) and amended to read:

19 440.28 (2) The In addition to the exemptions specified under s. 440.29, the
20 department may promulgate rules specifying activities in which a person may
21 engage without obtaining a license or permit under this section subchapter.

22 ***-3546/1.13* SECTION 42.** 440.26 (1m) (intro.) of the statutes is repealed.

23 ***-3546/1.14* SECTION 43.** 440.26 (1m) (h) of the statutes is renumbered 440.27
24 (1).

25 ***-3546/1.15* SECTION 44.** 440.26 (2) (title) of the statutes is repealed.

1 *~~3546/1.16~~* SECTION 45. 440.26 (2) (a)[✓] of the statutes is renumbered 440.30
2 (1)[✓], and 440.30 (1) (a) and (b), as renumbered, are amended to read:

3 440.30 (1) (a) Issue a private detective agency license to an individual,
4 partnership, limited liability company or corporation that meets the qualifications
5 specified under ~~par. (c) sub. (3)~~[✓]. The department may not issue a license under this
6 ~~subdivision paragraph~~ unless the individual or each member of the partnership or
7 limited liability company or officer or director of the corporation who is actually
8 engaged in the work of a private detective is issued a private detective license under
9 ~~this section par. (b)~~[✓].

10 (b) Issue a private detective license to an individual who meets the
11 qualifications specified under ~~par. (c) sub. (3)~~ if the individual is an owner, coowner
12 or employe of a private detective agency required to be licensed under ~~this section~~
13 ~~par. (a)~~[✓].

14 *~~3546/1.17~~* SECTION 46. 440.26 (2) (b)[✓] of the statutes is renumbered 440.30
15 (2)[✓].

16 *~~3546/1.18~~* SECTION 47. 440.26 (2) (c)[✓] of the statutes is renumbered 440.30[✓]
17 (3) and amended to read:

18 440.30 (3) ~~APPROVAL QUALIFICATIONS~~. (a) Subject to ~~subds. 2. and 3. pars. (b)~~
19 ~~and (c)~~, the department shall prescribe, by rule, ~~such the~~ qualifications as it deems
20 ~~appropriate, with due regard to~~ required for a license under this subchapter. In
21 promulgating rules under this paragraph, the department shall consider
22 investigative experience, special professional education and training and other
23 factors bearing on professional competence.

1 (b) An individual who has been convicted in this state or elsewhere of a felony
2 and who has not been pardoned for that felony is not eligible for a license under this
3 ~~section subchapter.~~

4 (c) The department may not issue a license under this ~~section subchapter~~ to an
5 individual unless the individual is over 18 years of age.

6 (d) The department, in considering ~~applicants~~ an applicant for a license, shall
7 seek the advice of the appropriate local law enforcement agency or governmental
8 official, and conduct such further investigation, as it deems proper to determine the
9 competence of the applicant.

10 ~~*-3546/1.19*~~ ^{A.R. (MM) ✓} SECTION 48. 440.26 (3) of the statutes is renumbered 440.30 (4)
11 and amended to read:

12 440.30 (4) ISSUANCE AND RENEWAL OF LICENSES; FEES. ~~Upon receipt and~~
13 ~~examination of an application executed under sub. (2), and after~~ After any
14 investigation of an applicant for a license that ~~it~~ the department considers necessary,
15 the department shall, if it determines that the applicant ~~is qualified~~ satisfies the
16 requirements of this section, grant the proper license upon payment of the fee
17 specified in s. 440.05 (1). No license shall be issued for a longer period than 2 years,
18 and the license of a private detective shall expire on the renewal date of the license
19 of the private detective agency, even if the license of the private detective has not
20 been in effect for a full 2 years. Renewals of ~~the original~~ licenses issued under this
21 section shall be issued in accordance with renewal forms prescribed by the
22 department and shall be accompanied by the fees specified in s. 440.08. The
23 department may not renew a license unless the applicant provides evidence that the
24 applicant has in force at the time of renewal the bond or liability policy specified in
25 this section sub. (3) (e).

INSERT 17-7

1 ***-3546/1.20*** SECTION 49. 440.26 (3m) of the statutes is renumbered 440.33
2 and amended to read:

3 **440.33 Rules concerning dangerous weapons.** The department shall
4 promulgate rules relating to the carrying of dangerous weapons by a person who
5 holds a license or permit issued under this ~~section~~ subchapter or who is employed by
6 a person licensed under this ~~section~~. ~~The rules shall meet the minimum~~
7 ~~requirements specified in 15 USC 5902 (b) subchapter.~~

8 ***-3546/1.21*** SECTION 50. 440.26 (4) (title) of the statutes is repealed.

9 ***-3546/1.22*** SECTION 51. 440.26 (4) of the statutes is renumbered 440.30 (3)
10 (e) and amended to read:

11 440.30 (3) (e) No license may be issued under this ~~section~~ subchapter until a
12 bond or liability policy, approved by the department, in the amount of \$100,000 if the
13 applicant for the license is a private detective agency and includes all principals,
14 partners, members or corporate officers, or in the amount of \$2,000 if the applicant
15 is a private detective, has been executed and filed with the department. Such bonds
16 or liability policies shall be furnished by an insurer authorized to do a surety
17 business in this state in a form approved by the department.

18 ***-3546/1.23*** SECTION 52. 440.26 (4m) (title) of the statutes is repealed.

19 ***-3546/1.24*** SECTION 53. 440.26 (4m) (a) of the statutes is renumbered 440.27
20 (2) and amended to read:

21 440.27 (2) ~~DEFINITION. In this subsection, "violation"~~ "Violation" means a
22 violation of any state or local law that is punishable by a forfeiture.

23 ***-3546/1.25*** SECTION 54. 440.26 (4m) (b) of the statutes is renumbered 440.34
24 and amended to read:

1 **440.34 Reporting requirement violations of law.** A person who holds a
2 license or permit issued under this ~~section~~ subchapter and who is convicted of a
3 felony or misdemeanor, or is found to have committed a violation, in this state or
4 elsewhere, shall notify the department in writing of the date, place and nature of the
5 conviction or finding within 48 hours after the entry of the judgment of conviction or
6 the judgment finding that the person committed the violation. Notice may be made
7 by mail and may be proven by showing proof of the date of mailing the notice.

8 *~~3546/1.26~~* ^{A.R. (M)} SECTION 55. 440.26 (5) [✓] of the statutes is renumbered 440.29 and
9 amended to read:

10 **440.29 Exemptions from licensing.** (1) The requirement that a person
11 acting as a private detective, investigator or special investigator be licensed under
12 this ~~section~~ subchapter does not apply to attorneys, law students or law school
13 graduates employed by an attorney or persons directly employed by an attorney or
14 firm of attorneys whose work as private detective, investigator or special
15 investigator is limited to such attorney or firm or to persons directly employed by an
16 insurer or a retail credit rating establishment. A person who accepts employment
17 with more than one law firm shall be subject to the licensing provisions of this ~~section~~
18 subchapter.

19 (2) The license requirements of this ~~section~~ subchapter do not apply to any
20 person employed directly or indirectly by the state or by a municipality, as defined
21 in s. 345.05 (1) (c), [✓] or to any employe of a railroad company under s. 192.47, [✓] or to any
22 employe of a commercial establishment, while the person is acting within the scope
23 of his or her employment and whether or not he or she is on the employer's premises.

24 (3) An employe of any agency that is licensed as a private detective agency
25 under this ~~section~~ subchapter and that is doing business in this state as a supplier

1 of uniformed private security personnel to patrol exclusively on the private property
2 of industrial plants, business establishments, schools, colleges, hospitals, sports
3 stadiums, exhibits and similar activities is exempt from the license requirements of
4 this section subchapter while engaged in such employment, if all of the following
5 apply:

6 (a) The employe obtains a private security permit under ~~this sub. (5m) s.~~
7 440.31.[✓]

8 (b) The private detective agency furnishes an up-to-date written record of its
9 employes to the department. The record shall include the name, residence address,
10 date of birth and a physical description of each employe ~~together with a recent~~
11 ~~photograph and 2 fingerprint cards bearing a complete set of fingerprints of each~~
12 employe.

13 (c) The private detective agency notifies the department in writing within 5
14 days of any change in the information under ~~subd. 2. par. (b)~~[✓] regarding its employes,
15 including the termination of employment of any person.

16 ^{A.R. (N)}
17 ***-3546/1.27* SECTION 56.** 440.26 (5m) of the statutes is renumbered 440.31,
18 and 440.31 (1) (a) and (c), (2), (3) and (4), as renumbered, are amended to read:

19 440.31 (1) (a) The individual submits an application for a private security
20 permit to the department on a form provided by the department and includes with
21 the application a recent photograph and 2 fingerprint cards bearing a complete set
22 of his or her fingerprints.

23 (c) The individual provides evidence satisfactory to the department that he or
24 she is an employe of a private detective agency described in ~~sub. (5) (e) s. 440.29 (3)~~
(intro.).[✓]

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1 (2) The renewal dates for permits issued under this subsection ~~section~~ are
2 specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the
3 department on a form provided by the department and shall include the renewal fee
4 specified in s. 440.08 (2) (a).

5 (3) A private security permit issued under this subsection ~~section~~ authorizes
6 the holder of the permit to engage in private security activities described in sub. (5)
7 (e) s. 440.29 (3) (intro.)[↓] for an employer described in sub. (5) (e) s. 440.29 (3) (intro.)[↓]
8 anywhere in this state.

9 (4) The department shall maintain a record pertaining to each applicant for a
10 permit under this subsection ~~section~~ and each holder of a permit issued under this
11 subsection ~~section~~. The record shall include all information received by the
12 department that is relevant to the approval or denial of the application, the issuance
13 of the permit and any limitations, suspensions or revocations of the permit.

14 → INSERT 20-13

-3546/1.28 SECTION 57. 440.26 (5r) of the statutes is renumbered 440.32, and
15 440.32 (1) (a), (2) and (3), as renumbered, are amended to read:

16 440.32 (1) (a) The individual has completed an application and provided
17 information required under sub. (5m) (a) s. 440.31 (1).[↓]

18 (2) (a) Except as provided in sub. 2. par. (b),[↓] an individual who has been issued
19 a temporary private security permit under par. (a) sub. (1)[↓] may act as a private
20 security person in the same manner as an individual issued a private security permit
21 under sub. (5m) s. 440.31.[↓]

22 (b) An individual may not carry a dangerous weapon while acting as a private
23 security person under a temporary private security permit issued under par. (a) sub.
24 (1).[↓]

1 (3) (a) Except as provided in ~~subd. 2. par. (b)~~[✓], a temporary private security
2 permit issued under ~~par. (a) sub. (1)~~[✓] is valid for 30 days.

3 (b) A temporary private security permit issued under ~~par. (a) sub. (1)~~[✓] shall
4 expire on the date that the individual receives written notice from the department
5 that a background check of the individual has been completed and that the
6 department is granting or denying the individual's application for a private security
7 permit, if that date occurs before the end of the period specified in ~~subd. 1 par. (a)~~[✓].

8 (c) A temporary private security permit issued under ~~par. (a) sub. (1)~~[✓] may not
9 be renewed.

10 *~~-3546/1.29~~* **SECTION 58.** 440.26 (6)[✓] of the statutes is renumbered 440.35[✓], and
11 440.35 (1) (intro.)[✓], (c)[✓] and (d)[✓], as renumbered, are amended to read:

12 **440.35 Discipline.** (1) (intro.) Subject to the rules adopted under s. 440.03
13 (1), the department may reprimand the holder of a license or permit issued under this
14 section subchapter or revoke, suspend or limit the license or permit of any person
15 who has done any of the following:

16 (c) Made a false statement in connection with any application for a license or
17 permit under this ~~section~~ subchapter.

18 (d) Violated this ~~section~~ subchapter or any rule promulgated or order issued
19 under this ~~section~~ subchapter.

20 *~~-3546/1.30~~* **SECTION 59.** 440.26 (8)[✓] of the statutes is renumbered 440.36[✓] and
21 amended to read:

22 **440.36 Penalties.** Any person, acting as a private detective, investigator or
23 private security person, or who employs any person who solicits, advertises or
24 performs services in this state as a private detective or private security person, or
25 investigator or special investigator, without having procured the license or permit

1 required by this ~~section~~ subchapter, may be fined not less than \$100 nor more than
 2 \$500 or imprisoned not less than 3 months nor more than 6 months or both. Any
 3 agency having an employe, owner, officer or agent convicted of the above offense may
 4 have its agency license revoked or suspended by the department. Any person
 5 convicted of the above offense shall be ineligible for a license for one year.

6 ***-3546/1.31* SECTION 60.** 440.27 (intro.)[↓] of the statutes is created to read:

7 **440.27 Definitions.** (intro.) In this subchapter[↓]:

8 ***-3546/1.32* SECTION 61.** 440.30 (title)[↓] of the statutes is created to read:

9 **440.30 (title) Private detective and private detective agency licenses.**

10 ~~***-3543/1.30* *-4778/P1.1* SECTION 62.** 440.963 (1) of the statutes is amended
 11 to read:~~

12 ~~440.963 (1) A firm, partnership or corporation may use the term "Wisconsin
 13 registered interior designer" or "Wisconsin registered interior designers", or may
 14 advertise or make representations that it provides the services of a Wisconsin
 15 registered interior designer, only if at least one principal, partner or, officer or
 16 employe who is in responsible charge of the interior design services provided by the
 17 firm, partnership or corporation is a Wisconsin registered interior designer.~~

18 ***-3543/1.31* *-4798/P1.12* SECTION 63.** 442.02 (7)[↓] of the statutes is amended
 19 to read:

20 442.02 (7) Nothing contained in this chapter shall prevent the employment by
 21 a certified public accountant, ~~or by a public accountant~~, or by a firm or corporation,
 22 furnishing public accounting services as principal, of persons to serve as accountants
 23 in various capacities, as needed; provided, that such persons work under the control
 24 and supervision of certified public accountants ~~or accountants with certificates of~~
 25 authority as hereinafter provided, that such employes shall not issue any statements

1 or reports over their own names except such office reports to their employer as are
2 customary and that such employees are not in any manner held out to the public as
3 certified public accountants as described in this chapter.

4 ***-3543/1.32* *-4798/P1.13* SECTION 64.** 442.02 (9)^J of the statutes is amended
5 to read:

6 442.02 (9) Nothing contained in this chapter shall apply to any persons who
7 may be employed by more than one person, partnership or corporation, for the
8 purpose of keeping books, making trial balances or statements, and preparing audits
9 or reports, provided such audits or reports are not used or issued by the employers
10 as having been prepared by a certified public accountant and provided such persons
11 do not do any of the things enumerated in sub. (5m) (a), without complying with sub.
12 (5m) (b).

13 ***-3543/1.33* *-4798/P1.14* SECTION 65.** 442.03 (2)^J of the statutes is repealed.

14 ***-3543/1.34* *-4798/P1.15* SECTION 66.** 442.03 (3)^J of the statutes is amended
15 to read:

16 442.03 (3) No corporation or other entity and no officer, partner, stockholder
17 or employe thereof may lawfully practice in this state as a ~~public accountant or a~~
18 certified public accountant either in the entity's or person's name, or as an employe
19 or under an assumed name, unless the natural person has been granted by this
20 examining board a certificate of authority as a certified public accountant and unless
21 the person or entity, jointly and severally, has complied with all the provisions of this
22 chapter, including licensure.

23 ***-3543/1.35* *-4798/P1.16* SECTION 67.** 442.04 (3)^J of the statutes is repealed.

24 ***-3543/1.36* *-4798/P1.17* SECTION 68.** 442.06^J of the statutes is repealed.

1 *~~-3543/1.37~~* *~~-4798/P1.18~~* SECTION 69. 442.07 (title)[✓] of the statutes is
2 amended to read:

3 **442.07 (title) Requirements for practice as certified public accountant**
4 **~~or public accountant.~~**

5 *~~-3543/1.38~~* *~~-4798/P1.19~~* SECTION 70. 442.07 (1)[✓] of the statutes is amended
6 to read:

7 442.07 (1) Any person who has been issued a certificate of the person's
8 qualifications to practice as a certified public accountant, shall be styled and known
9 as a "certified public accountant" and no other person shall assume to use such title
10 or the abbreviation "C.P.A." or any other word, words, letters or figures to indicate
11 that the person using the same is a certified public accountant. The terms "chartered
12 accountant", "public accountant" and "certified accountant" and the abbreviation
13 "C.A." are specifically prohibited to such other persons as being prima facie
14 misleading to the public. ~~Any person who has been issued a certificate of authority,~~
15 ~~as herein provided, shall be styled and known as a "public accountant" and no other~~
16 ~~person, other than a certified public accountant, shall assume to use such~~
17 ~~designation or any other word, words, letters or figures to indicate that such person~~
18 ~~is entitled to practice as a public accountant.~~

19 *~~-3543/1.39~~* *~~-4798/P1.20~~* SECTION 71. 442.07 (2)[✓] of the statutes is amended
20 to read:

21 442.07 (2) No person may practice in this state as a certified public accountant
22 ~~or a public accountant~~, either in the person's name, under an assumed name, or as
23 a member of a partnership, except as provided in s. 442.02 (10), unless the person has
24 been granted a certificate by the examining board and secured a license for the
25 current licensure period. No person may practice in this state as a certified public

1 accountant, as an officer or director of a corporation engaged in the practice of public
2 accounting, unless the corporation has secured a license for the current licensure
3 period.

4 *~~3543/1.40~~* *~~4798/P1.21~~* SECTION 72. 442.07 (3)[√] of the statutes is amended
5 to read:

6 442.07 (3) Any partnership, which is entitled to practice as certified public
7 accountants in this state or any other state, every resident member and resident
8 manager of which is a certified public accountant of this state, after registering the
9 partnership name with the examining board, may use the designation “certified
10 public accountants” in connection with the partnership name. Any partnership,
11 every member and resident manager of which is a certified public accountant of this
12 state or any other state ~~or holds a certificate of authority under this chapter~~, after
13 registering the partnership name with the examining board, may use the
14 designation “certified public accountants” in connection with the partnership name.
15 An assumed name, in use prior to September 21, 1935, may be used the same as a
16 partnership name, provided the individual persons practicing as principals under
17 that name hold certificates granted by the examining board and register the name
18 with the examining board.

19 *~~3543/1.41~~* *~~4798/P1.22~~* SECTION 73. 442.08[√] of the statutes is amended to
20 read:

21 **442.08 Licensure.** Upon application by a holder of an unrevoked Wisconsin
22 certificate as a certified public accountant ~~or an unrevoked Wisconsin certificate of~~
23 ~~authority as provided for in this chapter~~, the department shall issue a license to the
24 holder. A license shall also be issued to any partnership or corporation, upon

1 application, which has complied with this chapter. The renewal date and renewal
2 fee for licenses issued under this chapter are specified under s. 440.08 (2) (a).[✓]

3 ***-3543/1.42* *-4798/P1.23* SECTION 74.** 442.10 (1)[✓] of the statutes is amended
4 to read:

5 442.10 (1) Whenever any person, as a certified public accountant ~~or public~~
6 ~~accountant~~, signs or certifies any report, schedule or statement relative to the affairs
7 of any corporation, association or partnership in which the person is financially
8 interested or by which the person is regularly engaged as an officer or employe, the
9 signature or certification shall be accompanied by a specific statement setting forth
10 the fact that the person is financially interested in or is an officer or regular employe
11 of the corporation, association or partnership. If the person is both financially
12 interested and an officer or regular employe, the statement shall cover both financial
13 interest and employment. In the case of a corporation holding a certificate ~~of~~
14 ~~authority~~ signing or certifying as above, the interest of any of its stockholders shall
15 be disclosed.

16 ***-3543/1.43* *-4798/P1.24* SECTION 75.** 442.11 (3)[✓] of the statutes is repealed.

17 ***-3543/1.44* *-4798/P1.25* SECTION 76.** 442.11 (4)[✓] of the statutes is repealed.

18 ***-3543/1.45* *-4798/P1.26* SECTION 77.** 442.11 (6)[✓] of the statutes is repealed.

19 ***-3543/1.46* *-4798/P1.27* SECTION 78.** 442.11 (7)[✓] of the statutes is amended
20 to read:

21 442.11 (7) Who shall practice as a certified public accountant ~~or as a public~~
22 ~~accountant~~ after his or her certificate has been revoked; or

23 ***-3543/1.47* *-4798/P1.28* SECTION 79.** 442.11 (8)[✓] of the statutes is amended
24 to read:

1 442.11 (8) Who shall as an individual, or, as a member of a partnership or as
2 an officer or director of a corporation, practice or permit the partnership or
3 corporation to practice as a certified public accountant ~~or as a public accountant~~
4 unless a license has been secured for the current licensure period; or

5 *~~-3543/1.48~~* *~~-4798/P1.29~~* **SECTION 80.** 442.11 (9) of the statutes is amended
6 to read:

7 442.11 (9) Who shall sell, buy, give or obtain an alleged certificate as a certified
8 public accountant, ~~or a certificate of authority~~, or a license in any other manner than
9 is provided for by this chapter; or

10 *~~-3543/1.49~~* *~~-4798/P1.30~~* **SECTION 81.** 442.11 (10) of the statutes is
11 amended to read:

12 442.11 (10) Who attempts to practice as a certified public accountant ~~or as a~~
13 ~~public accountant~~ under guise of a certificate not granted by the examining board,
14 or under cover of a certificate obtained illegally or fraudulently; or

15 *~~-3543/1.50~~* *~~-4798/P1.31~~* **SECTION 82.** 442.11 (13) of the statutes is
16 amended to read:

17 442.11 (13) Who shall, as an individual, or as a member of a partnership or as
18 an officer of a corporation, permit to be announced by printed or written statement
19 that any report, certificate, exhibit, schedule or statement has been prepared by or
20 under supervision of a certified public accountant ~~or by or under supervision of a~~
21 ~~public accountant~~ when the person who prepared the same was not such certified
22 public accountant ~~or public accountant~~.

23 *~~-3543/1.51~~* *~~-4798/P1.32~~* **SECTION 83.** 442.13 of the statutes is amended to
24 read:

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1 **442.13 Ownership of accountant's working papers.** All statements,
 2 records, schedules, working papers and memoranda made by a certified public
 3 accountant ~~or public accountant~~ incident to or in the course of professional service
 4 to clients by such accountant, except reports submitted by a certified public
 5 accountant ~~or public accountant~~ to a client, shall be and remain the property of such
 6 accountant, in the absence of an express agreement between such accountant and
 7 the client to the contrary. No such statement, record, schedule, working paper or
 8 memorandum shall be sold, transferred or bequeathed, without the consent of the
 9 client or the client's personal representative or assignee, to anyone other than one
 10 or more surviving partners or new or successor partners of such accountant.

11 ***-3548/1.1*** SECTION ^{A.R. (Y)}84. 443.10 (4) (title) ✓ of the statutes is repealed and
 12 recreated to read:

13 443.10 (4) (title) RECORDS.

14 ***-3548/1.2*** SECTION 85. 443.10 (4) (a) ✓ of the statutes is repealed.

15 ***-3548/1.3*** SECTION 86. 443.10 (4) (b) ✓ of the statutes is renumbered 443.10 (4) ✓.

16 ***-3548/1.4*** SECTION ^{A.R. (Z)}87. 443.10 (6) ✓ of the statutes is repealed.

17 ***-3548/1.5*** SECTION ^{A.R. (AA)}88. 443.11 (3) ✓, (4) ✓ and (5) ✓ of the statutes are repealed.

18 ***-3548/1.6*** SECTION 89. 443.12 (1) ✓ of the statutes is renumbered 443.12.

19 ***-3548/1.7*** SECTION 90. 443.12 (2) ✓, (3) ✓ and (4) ✓ of the statutes are repealed.

20 ***-3548/1.8*** SECTION ^{A.R. (BB)}91. 443.13 ✓ of the statutes is amended to read:

21 **443.13 Disciplinary proceedings against designers of engineering**
 22 **systems.** The examining board may limit, suspend or revoke a permit or reprimand
 23 the permittee if the permittee is guilty of fraud or deceit in obtaining the permit,
 24 gross negligence, incompetency or misconduct in practice, signing documents not
 25 prepared by the permittee or under the permittee's control, knowingly aiding or

INSERT 28-16 ✓

INSERT 29-13 ↓

1 abetting unauthorized designing of engineering systems as stated in s. 443.07 (3) by
 2 persons not granted permits under this chapter or conviction of a felony, subject to
 3 ss. 111.321, 111.322 and 111.335, or adjudication of mental incompetency by a court
 4 of competent jurisdiction. ~~If, after a hearing conducted under the rules promulgated~~
 5 ~~under s. 440.03 (1) before the designers' section of the examining board, two thirds~~
 6 ~~of the members of the section vote in favor of sustaining the charges, the examining~~
 7 ~~board shall reprimand the permittee or limit, suspend or revoke the permit. The~~
 8 ~~action of the examining board is subject to review under ch. 227.~~

9 ^{A.R. (C)} *-3543/1.52* *-4777/P1.1* SECTION 92. 448.03 (2) (L) of the statutes is created
 10 to read: INSERT 29-8 ↓

11 448.03 (2) (L) Any person assisting an occupational therapist or occupational
 12 therapy assistant in practice under the direct, immediate, on-premises supervision
 13 of the occupational therapist or occupational therapy assistant.

14 ^{A.R. (D)} *-3543/1.53* *-4779/P1.1* SECTION 93. 448.13 (1) (a) of the statutes is
 15 amended to read:

16 448.13 (1) (a) Each physician shall, in each 2nd year at the time of application
 17 for a certificate of registration under s. 448.07, submit proof of attendance at and
 18 completion of continuing education programs or courses of study approved for at
 19 least 30 hours of credit by the board within the 2 calendar years immediately
 20 preceding the calendar year for which the registration is effective date of his or her
 21 application for a certificate of registration. The board may waive this requirement
 22 if it finds that exceptional circumstances such as prolonged illness, disability or other
 23 similar circumstances have prevented a physician from meeting the requirement.

24 ^{A.R. (E)} *-3543/1.54* *-4780/P1.6* SECTION 94. 449.18 (7) of the statutes is amended
 25 to read:

INSERT 29-23 ↓

INSERT 30-6 ↓

1 449.18 (7) The examining board shall promulgate rules requiring applicants
2 for renewal under sub. (4) to attend continuing education courses approved by the
3 examining board. The rules shall establish criteria for the approval of such courses
4 and may not require an applicant for renewal to attend more than 30 hours of courses
5 within the 2 calendar years immediately preceding the expiration date specified in
6 sub. (4) of his or her application for renewal.

7 *-3543/1.55* *-4775/P1.1* SECTION 95. 458.08 (5) of the statutes is repealed.

8 *-3543/1.56* *-4775/P1.2* SECTION 96. 458.09 (2) (intro.) of the statutes is
9 amended to read:

10 458.09 (2) (intro.) If an applicant for a certificate under s. 458.06 (3) or (4) or
11 458.08 (3) or (5) (a) or for renewal of that certificate under s. 458.11 is an assessor,
12 all of the following apply:

13 *-3543/1.57* *-4773/P1.19* SECTION 97. 459.01 (2), (3) and (5) of the statutes

14 are amended to read:

15 459.01 (2) "Hearing aid instrument" means any wearable instrument or device
16 designed for or offered for the purpose of aiding or compensating for impaired human
17 hearing and any parts, attachments or accessories of such an instrument or device,
18 except batteries and cords.

19 (3) "Hearing instrument specialist" means any person who is or is required to
20 be licensed under s. 459.05 to engage in the practice of dealing in or fitting hearing
21 aids instruments.

22 (5) "Practice of fitting and dealing in hearing aids instruments" means the
23 measurement of human hearing by means of an audiometer or by any other means
24 accepted by the examining board solely for the purpose of making selections,

1 adaptations or sales of hearing aids instruments intended to compensate for
2 impaired hearing. This term also includes making impressions for ear molds.

3 *-3543/1.58* SECTION 98. 459.02[✓] of the statutes is amended to read:

4 **459.02 License required to sell and fit hearing aids instruments. (1)**

5 No person may engage in the practice of selling or fitting hearing aids instruments
6 or display a sign or in any other way advertise or represent himself or herself as a
7 person who practices the fitting or sale of hearing aids instruments unless he or she
8 holds a valid license issued under this subchapter or a valid license or permit to
9 practice audiology issued under subch. II. The license required by s. 459.05 shall be
10 conspicuously posted in his or her office or place of business as registered with the
11 department at all times. Duplicate licenses shall be issued by the department under
12 this subchapter to valid license holders operating more than one office without
13 additional payment.

14 (2) Nothing in this subchapter or subch. II shall prohibit any corporation or
15 mercantile establishment ~~which~~^{that} maintains an established business address from
16 engaging in the business of selling or offering for sale hearing aids instruments at
17 retail without a license, provided that for the purpose of selling and fitting hearing
18 aids instruments it employs persons licensed under this subchapter or persons
19 issued licenses or permits to practice audiology under subch. II. Such corporation
20 or mercantile establishment shall annually file with the examining board a list of all
21 persons employed for the purpose of selling and fitting hearing aids instruments.

22 *-3543/1.59* *-4773/P1.22* SECTION 99. 459.03 (title)[✓] of the statutes is
23 amended to read:

24 **459.03 (title) Receipt required to be furnished to a person supplied**
25 **with hearing aid instrument.**

1 *~~-3543/1.60~~* SECTION 100. 459.03 (1)[✓] of the statutes is amended to read:

2 459.03 (1) Whoever practices fitting or selling of hearing aids instruments
3 under this subchapter shall deliver to each person supplied with a hearing aid
4 instrument a receipt. The receipt shall contain the licensee's signature and show the
5 licensee's business address and certificate number, together with specifications as to
6 the make and model of the hearing aid instrument furnished and full terms of sale
7 clearly stated. If a hearing aid instrument which is not new is sold, the receipt and
8 the container thereof must be clearly marked as "used" or "reconditioned" whichever
9 is applicable.

10 *~~-3543/1.61~~* *~~-4773/P1.25~~* SECTION 101. 459.03 (2) (b)[✓] of the statutes is
11 amended to read:

12 459.03 (2) (b) A statement that the purchaser has been advised at the outset
13 of the purchaser's relationship with the hearing instrument specialist that any
14 examination or representation made by a hearing instrument specialist in
15 connection with the fitting and selling of this hearing aid instrument is not an
16 examination, diagnosis or prescription by a person licensed to practice medicine in
17 this state and therefore must not be regarded as medical opinion or advice.

18 *~~-3543/1.62~~* *~~-4773/P1.26~~* SECTION 102. 459.035[✓] of the statutes is amended
19 to read:

20 **459.035 Medical exam before being fitted.** A hearing aid instrument shall
21 not be fitted for or sold to a child 16 years of age or younger unless within 90 days
22 prior to the fitting the person to be fitted has been examined by a physician to
23 determine whether or not he or she has any physical deficiencies that would prohibit
24 the effective use of a hearing aid instrument.

1 *~~-3543/1.63~~* *~~-4773/P1.27~~* **SECTION 103.** 459.04[✓] of the statutes is amended
2 to read:

3 **459.04 Seller's guarantee.** The seller of a hearing aid instrument shall give
4 to the purchaser a personal guarantee that is at least identical in its terms to the
5 guarantee of the manufacturer of the hearing aid instrument.

6 *~~-3543/1.64~~* *~~-4773/P1.28~~* **SECTION 104.** 459.05 (1m)[✓] of the statutes is
7 amended to read:

8 459.05 (1m) Whenever the examining board determines that another state or
9 jurisdiction has requirements equivalent to or higher than those in effect in the state
10 for the practice of fitting and selling hearing aids instruments, and that such state
11 or jurisdiction has a program equivalent to or stricter than the program for
12 determining whether applicants in this state are qualified to fit and sell hearing aids
13 instruments, the department may issue a license by reciprocity to applicants who
14 hold valid certificates or licenses to deal in or fit hearing aids instruments in such
15 other state or jurisdiction, who pay the fee specified in s. 440.05 (2) and who are
16 otherwise qualified for licensure. No applicant for a license by reciprocity under this
17 subsection shall be required to submit to or undergo a qualifying examination, if the
18 applicant personally appears at the next meeting of the examining board after filing
19 the application to answer any questions the examining board has.

20 *~~-3543/1.65~~* *~~-4773/P1.29~~* **SECTION 105.** 459.06 (2) (a) (intro.)[✓] and 3.[✓] and (b)
21 (intro.)[✓] and 4.[✓] and (3)[✓] of the statutes are amended to read:

22 459.06 (2) (a) (intro.) Tests of knowledge in the following areas as they pertain
23 to the fitting of hearing aids instruments:

24 3. The function of hearing aids instruments.

1 (b) (intro.) Practical tests of proficiency in the following techniques as they
2 pertain to the fitting of hearing aids instruments:

3 4. Recording and evaluation of audiograms and speech audiometry to
4 determine proper selection and adaption of a hearing aid instrument.

5 (3) The applicant for license by examination shall appear at a time and place
6 as the examining board designates, to be examined by means of written and practical
7 tests in order to demonstrate that he or she is qualified to practice the fitting of
8 hearing aids instruments. Such examinations shall be conducted at least twice a
9 year and at such other times and places designated by the examining board.

10 *-3543/1.66* *-4773/P1.30* SECTION 106. 459.07 (2)¹ of the statutes is
11 amended to read:

12 459.07 (2) Upon receiving an application under this section, accompanied by
13 the fee under s. 440.05 (6), the examining board may grant a trainee permit ~~which~~ ^{that}
14 may entitle the applicant to practice fitting of hearing aids instruments for a period
15 of one year. A person holding a valid hearing instrument specialist license shall be
16 responsible for the direct supervision and training of the applicant and shall be liable
17 for all negligent acts and omissions of the trainee in the fitting of hearing aids
18 instruments.

19 *-3543/1.67* *-4773/P1.31* SECTION 107. 459.08 (1) of the statutes is
20 amended to read:

21 459.08 (1) A person who holds a license shall notify the department in writing
22 or in accordance with other notification procedures approved by the department of
23 the regular address of the places where he or she engages or intends to engage in the
24 practice of fitting or selling hearing aids instruments. The licensee shall inform the
25 board of any changes in these addresses within 30 days of the change.

1 *~~3543/1.68~~* *~~4773/P1.32~~* **SECTION 108.** 459.085[✓] of the statutes is amended
2 to read:

3 **459.085 Calibration of audiometric equipment.** Audiometric equipment
4 used in the evaluation of hearing sensitivity for the fitting and sale of hearing aids
5 instruments shall be calibrated periodically, as specified by rule by the examining
6 board. Certification of these calibrations shall be sent to the examining board with
7 the renewal fee required in s. 459.09.

8 *~~3543/1.69~~* **SECTION 109.** 459.095 (3)[✓] of the statutes is amended to read:

9 459.095 (3) In consultation with the department, promulgate rules that
10 require each person issued a license under this subchapter to complete a specified
11 continuing education program or course of study to ensure competence with respect
12 to a matter related to the practice of fitting and dealing in hearing aids instruments
13 if the examining board has received a significant number of consumer complaints
14 about the matter or if the examining board otherwise determines that there is a need
15 for such a requirement. Rules promulgated under this subsection shall establish
16 criteria for the examining board's approval of the continuing education program or
17 course of study and of sponsors and cosponsors of the continuing education program
18 or course of study. The rules shall also require the examining board to administer,
19 prior to the continuing education program or course of study, an examination on the
20 matter that is the subject of the continuing education program or course of study and
21 to waive a requirement to complete the continuing education program or course of
22 study if a person granted a license under this subchapter passes the examination.
23 A person who takes an examination specified in this subsection shall pay the fee
24 specified in s. 440.05 (1) (b).

1 ***-3543/1.70*** ***-4773/P1.35*** SECTION 110. 459.10 (1) (d),[✓](e),[✓](j),[✓](k)[✓] and (p)[✓] of
2 the statutes are amended to read:

3 459.10 (1) (d) Been found guilty of an offense the circumstances of which
4 substantially relate to the practice of fitting and dealing in hearing aids instruments.

5 (e) Violated this subchapter or ch. 440 or any federal or state statute or rule
6 which that relates to the practice of fitting and dealing in hearing aids instruments.

7 (j) Engaged in conduct which that evidenced a lack of knowledge or ability to
8 apply principles or skills of the practice of fitting and dealing in hearing aids
9 instruments.

10 (k) Engaged in unprofessional conduct. In this subsection, “unprofessional
11 conduct” means the violation of any standard of professional behavior which that
12 through experience, state statute or administrative rule has become established in
13 the practice of fitting and dealing in hearing aids instruments.

14 (p) Sold a hearing aid instrument to a person who was not given tests using
15 appropriate procedures and instrumentation or without proper measurement of the
16 functional intensity and range of the person’s hearing.

17 ***-3543/1.71*** ***-4773/P1.36*** SECTION 111. 459.14 (2)[✓] of the statutes is
18 amended to read:

19 459.14 (2) This subchapter does not apply to a person engaged in the practice
20 of measuring human hearing for selecting hearing aids instruments or any other
21 purpose if the person or the organization employing such person does not sell hearing
22 aids instruments or hearing accessories.

23 ***-3543/1.72*** SECTION 112. 459.20 (2) (b)[✓] of the statutes is amended to read:

24 459.20 (2) (b) Engaging in the practice of fitting and dealing in hearing aids
25 instruments.

1 *~~-3543/1.73~~* **SECTION 113.** 459.20 (3g) of the statutes is amended to read:

2 459.20 (3g) "Hearing aid instrument" means any wearable or implantable
3 instrument or device designed for or offered for the purpose of aiding or
4 compensating for impaired human hearing and any parts, attachments or
5 accessories of such an instrument or device, except batteries and cords.

6 *~~-3543/1.74~~* **SECTION 114.** 459.20 (3p) of the statutes is amended to read:

7 459.20 (3p) "Practice of fitting and dealing in hearing aids instruments" means
8 the measurement of human hearing by means of an audiometer or by any other
9 means accepted by the examining board for the purpose of making selections,
10 adaptations or sales of hearing aids instruments intended to compensate for
11 impaired hearing, and includes making impressions for ear molds.

12 *~~-3543/1.75~~* *~~-4773/P1.37~~* **SECTION 115.** 459.22 (1) of the statutes is
13 repealed.

14 *~~-3543/1.76~~* **SECTION 116.** 459.22 (2) of the statutes is amended to read:

15 459.22 (2) ~~is~~ Authorize a speech-language pathologist licensed under this
16 subchapter to dispense or sell hearing aids instruments without obtaining a hearing
17 instrument specialist license under subch. I.

18 ~~*~~-3543/1.77~~* *~~-4773/P1.40~~* **SECTION 117.** 459.22 (2) (c) of the statutes is
19 amended to read.~~

20 ~~459.22 (2) (c)~~ Require a hearing instrument specialist licensed under subch.
21 I to be licensed as an audiologist under this subchapter to engage in the testing of
22 hearing or in other practices or procedures solely for the purpose of fitting or selling
23 hearing aids instruments.

24 *~~-3543/1.78~~* *~~-4773/P1.41~~* **SECTION 118.** 459.24 (1m) of the statutes is
25 amended to read:

1 459.24 (1m) PROHIBITED TITLES. No person may use the title “certified hearing
2 aid audiologist” or, “certified hearing instrument audiologist”, “licensed hearing aid
3 audiologist” or “licensed hearing instrument audiologist”.

4 ***-3543/1.79*** SECTION 119. 459.24 (3m)[√] of the statutes is amended to read:

5 459.24 (3m) FITTING AND SALE OF HEARING AIDS INSTRUMENTS. An audiologist
6 licensed under this subchapter or an individual granted a permit to practice
7 audiology under this subchapter who engages in the practice of fitting and dealing
8 in hearing aids instruments shall do all of the following:

9 (a) Deliver to each person supplied with a hearing aid instrument a receipt.
10 The receipt shall contain the signature and show the business address and certificate
11 number of the licensee or permittee, together with specifications as to the make and
12 model of the hearing aid instrument and full terms of sale clearly stated. If a hearing
13 aid instrument that is not new is sold, the receipt and the container must be clearly
14 marked as “used” or “reconditioned”, whichever is applicable. The terms of the
15 guarantee, if there is any given, shall be set out in not less than 8-point type.

16 (b) Give to a purchaser of a hearing aid instrument a personal guarantee that
17 is at least identical in its terms to the guarantee given by the manufacturer of the
18 hearing aid instrument.

19 ***-3543/1.80*** SECTION 120. 459.26 (2) (b) (intro.)[√] of the statutes is amended to
20 read:

21 459.26 (2) (b) (intro.) An applicant for an audiologist license shall also complete
22 an examination administered by the examining board that consists of practical tests
23 of proficiency in techniques that pertain to the fitting of hearing aids instruments,
24 including the following:

25 ***-3543/1.81*** SECTION 121. 459.26 (2) (b) 4.[√] of the statutes is amended to read:

1 459.26 (2) (b) 4. Recording and evaluation of audiograms and speech
2 audiometry to determine proper selection and adaption of a hearing aid instrument.

3 ***-3543/1.82*** SECTION 122. 459.34 (2) (ce)[✓] of the statutes is amended to read:

4 459.34 (2) (ce) Violated any federal or state statute, rule or regulation that
5 relates to the practice of fitting and dealing in hearing aids instruments. This
6 paragraph does not apply to speech–language pathologists.

7 ***-3543/1.83*** SECTION 123. 459.34 (2) (cm)[✓] of the statutes is amended to read:

8 459.34 (2) (cm) Failed to conduct a direct observation of the ear canal of a
9 purchaser of a hearing aid instrument. This paragraph does not apply to
10 speech–language pathologists.

11 ***-3543/1.84*** SECTION 124. 459.34 (2) (cs)[✓] of the statutes is amended to read:

12 459.34 (2) (cs) Sold a hearing aid instrument to a person who was not given
13 tests using appropriate procedures and instrumentation or without proper
14 measurement of the functional intensity and range of the person’s hearing. This
15 paragraph does not apply to speech–language pathologists.

16 ***-3543/1.85*** ***-4773/P1.42*** SECTION 125. Subchapter III of chapter 459
17 [precedes 459.40] of the statutes is repealed.

18 ***-3546/1.33*** SECTION 126. 895.527 (6)^{A.R. (PP) ✓} of the statutes is amended to read:

19 895.527 (6) A city, village town or county may regulate the hours between
20 11:00 p.m. and 6:00 a.m. that an outdoor sport shooting range may operate, except
21 that such a regulation may not apply to a law enforcement officer as defined in s.
22 165.85 (2) (c), a member of the U.S. armed forces or a private security person as
23 defined in s. 440.26 (1m) (h) 440.27 (1)[✓] who meets all of the requirements under s.
24 167.31 (4) (a) 4.

25 ***-3546/1.34*** SECTION 127. 940.34 (1) (b)[✓] of the statutes is amended to read:

1 940.34 (1) (b) Whoever violates sub. (2) (b) is guilty of a Class C misdemeanor
2 and is subject to discipline under s. ~~440.26 (6)~~ 440.35. ✓

3 *-3546/1.35* SECTION 128. 940.34 (2) (b) ✓ of the statutes is amended to read:

4 940.34 (2) (b) Any person licensed as a private detective or granted a private
5 security permit under s. ~~440.26~~ subch. II of ch. 440 who has reasonable grounds to
6 believe that a crime is being committed or has been committed shall notify promptly
7 an appropriate law enforcement agency of the facts which form the basis for this
8 belief.

9 *-3546/1.36* SECTION 129. 940.34 (2) (c) 1. ✓ of the statutes is amended to read:

10 940.34 (2) (c) 1. In this paragraph, "unlicensed private security person" means
11 a private security person, as defined in s. ~~440.26 (1m)~~ (h) 440.27 (1), who is exempt
12 from the permit and licensure requirements of s. ~~440.26~~ subch. II of ch. 440. ✓

13 *-3546/1.37* SECTION 130. 941.237 (1) (em) ✓ of the statutes is amended to read:

14 941.237 (1) (em) "Private security person" has the meaning given in s. ~~440.26~~
15 (1m) (h) 440.27 (1). ✓

16 *-3546/1.38* SECTION 131. ^{A.R. (QQ)} 941.237 (3) (cm) 1. ✓ of the statutes is amended to

17 read:

INSERT 40-19 ✓

18 941.237 (3) (cm) 1. The private security person is covered by a license or permit
19 issued under s. ~~440.26~~ subch. II of ch. 440.

20 *-3543/1.86* *-4773/P1.43* SECTION 132. ^{A.R. (BBB)} 968.27 (7) (b) ✓ of the statutes is

21 amended to read:

22 968.27 (7) (b) A hearing aid instrument or similar device being used to correct
23 subnormal hearing to not better than normal.

24 *-3543/1.87* *-4779/P1.2* SECTION 133. **Initial applicability; regulation**
25 **and licensing.**

INSERT 40-23 ✓

INSERT 13-23

440.23^{or} (1) If the holder of a credential pays a fee required under s. 440.05 (1) or (6), 440.08, 444.03, 444.05, 444.11 or 459.46 (2) (b) by check or debit or credit card and the check is not paid by the financial institution upon which the check is drawn or if the demand for payment under the debit or credit card transaction is not paid by the financial institution upon which demand is made, the department may cancel the credential on or after the 60th day after the department receives the notice from the financial institution, subject to sub. (2).

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4460/P2ins
MDK.....

1

INSERT B:

This bill makes various remedial changes to statutes concerning: 1) private detectives, private detective agencies and private security persons; 2) the examining board of architects, landscape architects, professional engineers, designers and land surveyors; and 3) miscellaneous other requirements.

INSERT C:

Private detectives, private detective agencies and private security persons.

INSERT D:

Examining board of architects, landscape architects, professional engineers, designers and land surveyors.

2
-sub
Subhead →

3
-sub
Subhead →

INSERTS to-4460/P1

SECTION notes to LRB 3543/1

Insert on page 9, after line 23:

A.R. (I) 32, A.R. (J) 33, A.R. (K) 36

INSERT 14-3: (VAA)

NOTE: SECTIONS 1 to 4, 6 to 9, ~~10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100~~ of this bill remove outdated provisions in current law that relate to the registration of speech-language pathologists and audiologists. These registration provisions were in effect between December 1, 1990, and June 30, 1993. The current licensing provisions for speech-language pathologists and audiologists became effective as of July 1, 1993.

Insert on page 24, after line 25:

(WW) 27, (XX) 27, (YY) 28, (ZZ) 96, (AAA) 123 and (BBB) 130.

INSERT 40-23:

NOTE: SECTIONS 5, 10, 11, 13, 15, 18, ~~19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100~~ change statutory references from "hearing aid" to "hearing instrument". In addition, the term "hearing aid dealers and fitters" is changed to "hearing instrument specialist".

Insert on page 15, after line 6:

(T) 23, (U) 26, (J) 33, (V) 35, (W) 62, (X) 82

INSERT 28-10:

NOTE: SECTIONS 12, 14, 16, 17, ~~18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100~~ eliminate obsolete references in current law relating to public accountants. First, the bill repeals statutes that provide that the accounting examining board may grant a certificate of authority to practice as a public accountant only to a person who applied for the certificate of authority before December 1, 1935. The accounting examining board is no longer able to grant certificates of authority to practice as a public accountant, and there are no longer any public accountants practicing public accounting under a certificate of authority.

(JW)

Second, a provision in current law specifies that a person who applies for a certificate as a certified public accountant before July 1, 1968, must satisfy certain education and experience requirements. This provision is now obsolete.

Insert on page 15, after line 10:

A.R. (CC) 91

INSERT 29-13:

NOTE: SECTION ~~12~~ of this bill permits occupational therapists to utilize an assistant or an occupational therapy assistant if they are under the direct, immediate, on-premises supervision of the occupational therapist ~~or~~ occupational therapy assistant. According to the department of regulation and licensing, this change provides parity for occupational therapists with respiratory care practitioners, physicians and podiatrists, who are permitted to use unlicensed health care aides, providing the aides act under the direct supervision of the credentialed professional.

Insert on page 15, after line 19:

A.R. (DD) 92
9
STET

NOTE: SECTION 27 of this bill corrects terminology in the statute which requires physicians to submit proof of attendance at and completion of continuing education programs. Under the bill, a physician must submit proof that at least 30 hours of courses have been completed during the 2 years immediately preceding the date of the physician's application for renewal. The current statute reads that the proof must be submitted within 2 calendar years immediately preceding the calendar year for which the registration is effective.

INSERT 29-23:

Insert on page 16, after line 2:

A.R. (EE) 93

NOTE: SECTION 27 of this bill corrects terminology in the statute which requires optometrists to submit proof of attendance at and completion of continuing education programs. Under the bill, an optometrist must submit proof that at least 30 hours of courses have been attended during the 2 years immediately preceding the date of the optometrist's application for renewal. The current statute reads that the proof must be submitted within 2 calendar years immediately preceding the calendar year for which the registration is effective.

INSERT 30-6:

Insert on page 16, after line 7:

A.R. (FF) 94
9
A.R. (GG) 95

NOTE: SECTIONS 55 and 56 of this bill removes obsolete provisions from the statutes which provide for transitional licenses for real estate appraisers expire on January 1, 1996.

INSERT 30-12:

Note to drafter: Please remove SECTION 30 from this bill when redrafting. Thanks.

INSERTS to -4460/P1

SECTION Notes for LRB 3546/1

A.R. (L)
49

Insert on page 7, after line 5:

INSERT
17-7:

(AR.V)

NOTE: SECTION 20 of this bill deletes a requirement that the department of regulation and licensing's rules relating to the carrying of dangerous weapons by persons who are issued private detective licenses and private security permits must meet the federal law's requirements for armored car company employees. This state does not have licensing requirements for armored car company employees.

Insert on page 9, after line 18:

55 A.R. (M)

56 A.R. (N)

INSERT
20-13
19-27

Should be placed @ 20-13

NOTE: SECTIONS 20 and 21 of this bill change a requirement in current law that a private detective agency furnish a photograph and fingerprint cards as part of the written record of its employes that it submits to the department of regulation and licensing. The change requires the individual submitting the application for a private security permit to submit this information to the department.

Insert on page 13, after line 5:

INSERT
40-19:

NOTE: SECTIONS 19 to 22 and 29 to 31 of this bill reorganize current statutes regulating private detectives, detective agencies and security guards. Currently, all of these provisions are in one statute section, s. 440.26, stats. This bill creates a new subchapter of ch. 440 (subchapter II) in which all of these requirements are placed. It also renumbers these requirements for better organization and readability.

A.R. (H) A.R. (I) A.R. (J) A.R. (K) A.R. (L) A.R. (M)
19 to 22, 29 to 31, 37 to 48,
A.R. (N) A.R. (O)
50 to 61 and
A.R. (P) A.R. (Q)
124 to 129

INSEATS to -4460/P1

~~SECTION Notes for LRB 3548/1~~

~~Insert on page 2, after line 5:~~
NOTE: ~~AR 83~~ 84-A.R. (Z)

INSEAT
28-16

SECTIONS 4 to 4 of this bill repeal provisions in current law relating to the use of annual printed rosters of professionals regulated by the examining board of architects, landscape architects, engineers, designers and land surveyors. According to the department of regulation and licensing, these provisions are obsolete because the department uses computerized lists instead of printed rosters.

INSEAT
29-8

~~Insert of page 3, after line 9:~~
NOTE: ~~A.R. (A) 89~~ 90 A.R. (B)

SECTIONS 8 to 8 of this bill repeal provisions in current law that set forth disciplinary proceedings against professionals regulated by the examining board of architects, landscape architects, engineers, designers and land surveyors. Because general statutes in ch. 440, stats., establish complaint and disciplinary proceedings that apply to all examining boards, the department of regulation and licensing states that the specific provisions in ch. 443, stats., are redundant and should be repealed.

In addition, in the analysis to this draft, please indicate that there is a requirement under current law, in ch. 440, that examining boards and affiliated credentialing boards keep a register of the names and addresses of all persons who are credentialed.

MEMORANDUM

from LAURA ROSE
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Mark

The only change I have
is on p. 28 (NOTE).

Please make this change,
and have the bill jacketed
for introduction in the
Senate.

Thanks -

Laura

1 448.03 (2) (L) Any person assisting an occupational therapist or occupational
2 therapy assistant in practice under the direct, immediate, on-premises supervision
3 of the occupational therapist or occupational therapy assistant.

NOTE: SECTION 91 of this bill permits ⁱⁿ occupational therapists ^{or an occupational therapy assistant} to utilize an assistant or an occupational therapy assistant if they are under the direct, immediate, on-premises supervision of the occupational therapist or occupational therapy assistant. According to the department of regulation and licensing, this change provides parity for occupational therapists with respiratory care practitioners, physicians and podiatrists, who are permitted to use unlicensed health care aides, providing the aides act under the direct supervision of the credentialed professional.

4 **SECTION 92.** 448.13 (1) (a) of the statutes is amended to read:

5 448.13 (1) (a) Each physician shall, in each 2nd year at the time of application
6 for a certificate of registration under s. 448.07, submit proof of attendance at and
7 completion of continuing education programs or courses of study approved for at
8 least 30 hours of credit by the board within the 2 calendar years immediately
9 preceding the calendar year for which the registration is effective date of his or her
10 application for a certificate of registration. The board may waive this requirement
11 if it finds that exceptional circumstances such as prolonged illness, disability or other
12 similar circumstances have prevented a physician from meeting the requirement.

NOTE: SECTION 92 of this bill corrects terminology in the statute that requires physicians to submit proof of attendance at and completion of continuing education programs. Under the bill, a physician must submit proof that at least 30 hours of courses have been completed during the 2 years immediately preceding the date of the physician's application for renewal. The current statute reads that the proof must be submitted within 2 calendar years immediately preceding the calendar year for which the registration is effective.

13 **SECTION 93.** 449.18 (7) of the statutes is amended to read:

14 449.18 (7) The examining board shall promulgate rules requiring applicants
15 for renewal under sub. (4) to attend continuing education courses approved by the
16 examining board. The rules shall establish criteria for the approval of such courses
17 and may not require an applicant for renewal to attend more than 30 hours of courses