

1 **SECTION 128.** 145.245 (9) (c) of the statutes is amended to read:

2 145.245 (9) (c) Certify that grants will be used for private sewage on-site
3 wastewater treatment systems which will be properly installed and maintained;

4 **SECTION 129.** 145.245 (9) (e) of the statutes is amended to read:

5 145.245 (9) (e) Establish a process for regulation and inspection of private
6 sewage on-site wastewater treatment systems;

7 **SECTION 130.** 145.245 (11) (e) of the statutes is amended to read:

8 145.245 (11) (e) *Limitation; experimental private sewage on-site wastewater*
9 *treatment systems.* The department may not allocate more than 10% of the funds
10 available under this subsection each fiscal year for grants for the installation and
11 monitoring of experimental private sewage on-site wastewater treatment systems.

12 **SECTION 131.** 145.245 (11m) (b) of the statutes is amended to read:

13 145.245 (11m) (b) Except as provided in par. (d), if funds are sufficient to fully
14 fund all category 1 but not all category 2 failing private sewage on-site wastewater
15 treatment systems, the department shall fully fund all category 1 systems and
16 prorate the funds for category 2 systems on a proportional basis.

17 **SECTION 132.** 145.245 (11m) (c) of the statutes is amended to read:

18 145.245 (11m) (c) Except as provided in par. (d), if funds are not sufficient to
19 fully fund all category 1 failing private sewage on-site wastewater treatment
20 systems, the department shall fund the category 1 systems on a proportional basis
21 and deny the grant applications for all category 2 systems.

22 **SECTION 133.** 145.245 (11m) (d) of the statutes is amended to read:

23 145.245 (11m) (d) The department is not required to prorate available funds
24 for grants for the installation and monitoring of experimental private sewage on-site
25 wastewater treatment systems.

1 **SECTION 134.** 145.245 (13) of the statutes is amended to read:

2 145.245 (13) INSPECTION. Agents of the department or the governmental unit
3 may enter premises where private sewage on-site wastewater treatment systems
4 are located pursuant to a special inspection warrant as required under s. 66.0119,
5 to collect samples, records and information and to ascertain compliance with the
6 rules and orders of the department or the governmental unit.

7 **SECTION 135.** 145.245 (14) (d) of the statutes is amended to read:

8 145.245 (14) (d) Additional grants under this section to a governmental unit
9 previously awarded a grant under this section may be suspended or terminated if the
10 department finds that a private sewage on-site wastewater treatment system
11 previously funded in the governmental unit is not being or has not been properly
12 rehabilitated, constructed, installed or maintained.

13 **SECTION 136.** 157.12 (1) of the statutes, as affected by 2011 Wisconsin Act 32,
14 is repealed.

15 **SECTION 137.** 160.255 (title) of the statutes is amended to read:

16 **160.255 (title) Exceptions for private sewage on-site wastewater**
17 **treatment systems.**

18 **SECTION 138.** 160.255 (1) of the statutes is amended to read:

19 160.255 (1) In this section, "private sewage on-site wastewater treatment
20 system" has the meaning given in s. 145.01 (12).

21 **SECTION 139.** 160.255 (2) of the statutes is amended to read:

22 160.255 (2) Notwithstanding s. 160.19 (1), (2) and (4) (b), a regulatory agency
23 is not required to promulgate or amend rules that define design or management
24 criteria for private sewage on-site wastewater treatment systems to minimize the

1 amount of nitrate in groundwater or to maintain compliance with the preventive
2 action limit for nitrate.

3 **SECTION 140.** 160.255 (3) of the statutes is amended to read:

4 160.255 (3) Notwithstanding s. 160.19 (3), a regulatory agency may
5 promulgate rules that define design or management criteria for private sewage
6 on-site wastewater treatment systems that permit the enforcement standard for
7 nitrate to be attained or exceeded at the point of standards application.

8 **SECTION 141.** 160.255 (4) of the statutes is amended to read:

9 160.255 (4) Notwithstanding s. 160.21, a regulatory agency is not required to
10 promulgate rules that set forth responses that the agency may take, or require to be
11 taken, when the preventive action limit or enforcement standard for nitrate is
12 attained or exceeded at the point of standards application if the source of the nitrate
13 is a private sewage on-site wastewater treatment system.

14 **SECTION 142.** 160.255 (5) of the statutes is amended to read:

15 160.255 (5) Notwithstanding ss. 160.23 and 160.25, a regulatory agency is not
16 required to take any responses for a specific site at which the preventive action limit
17 or enforcement standard for nitrate is attained or exceeded at the point of standards
18 application if the source of the nitrate is a private sewage on-site wastewater
19 treatment system.

20 **SECTION 143.** 168.11 (1) (b) 1. of the statutes is amended to read:

21 168.11 (1) (b) 1. A device that dispenses a gasoline-ethanol fuel blend for sale
22 at retail shall be marked or labeled with the percentage of ethanol, ~~using one-half~~
23 ~~inch high letters with a stroke of not less than one-eighth inch in width,~~ at all times
24 when the product is offered for sale.

25 **SECTION 144.** 200.21 (11) of the statutes is amended to read:

As affected by 2011 Wisconsin Act 32

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1 200.21 (11) "Sewerage system" means all facilities of the district for collection,
2 transportation, storage, pumping, treatment and final disposition of sewage.
3 "Sewerage system" does not include any private sewage on-site wastewater
4 treatment system, as defined in s. 145.01 (12), or any local sewer.

5 **SECTION 145.** 200.29 (1) (c) 3. a. of the statutes is amended to read:

6 200.29 (1) (c) 3. a. The weight to be given to the need for private sewage on-site
7 wastewater treatment systems, as defined in s. 145.01 (12), to maintain the public
8 health and welfare in any area located within the district prior to a redefinition of
9 the boundary but located outside the district after any redefinition of the boundary.

10 **SECTION 146.** 236.13 (2m) of the statutes is amended to read:

11 236.13 (2m) As a further condition of approval when lands included in the plat
12 lie within 500 feet of the ordinary high-water mark of any navigable stream, lake
13 or other body of navigable water or if land in the proposed plat involves lake or stream
14 shorelands referred to in s. 236.16, the department of natural resources, to prevent
15 pollution of navigable waters, or the department of safety and professional services,
16 to protect the public health and safety, may require assurance of adequate drainage
17 areas for private sewage ~~disposal~~ on-site wastewater treatment systems and
18 building setback restrictions, or provisions by the owner for public sewage disposal
19 facilities for waters of the state, as defined in s. 281.01 (18), industrial wastes, as
20 defined in s. 281.01 (5), and other wastes, as defined in s. 281.01 (7). The public
21 sewage disposal facilities may consist of one or more systems as the department of
22 natural resources or the department of safety and professional services determines
23 on the basis of need for prevention of pollution of the waters of the state or protection
24 of public health and safety.

25 **SECTION 147.** 281.41 (3) (a) of the statutes is amended to read:

1 281.41 (3) (a) In this subsection, “septage service area” means the area
2 containing private ~~sewage~~ on-site wastewater treatment systems served or
3 anticipated to be served by a sewage disposal plant during the planning period.

4 **SECTION 148.** 281.41 (3) (b) 3. of the statutes is amended to read:

5 281.41 (3) (b) 3. The location of private ~~sewage~~ on-site wastewater treatment
6 systems within the septage service area, and the distances required to haul septage
7 for disposal either on land or in the sewage disposal plant.

8 **SECTION 149.** 281.41 (3) (b) 4. of the statutes is amended to read:

9 281.41 (3) (b) 4. The potential for contracts with private ~~sewage~~ on-site
10 wastewater treatment system owners, licensed disposers, as defined in s. 281.49 (1)
11 (b), or municipalities to assure delivery of septage to the sewage disposal plant.

12 **SECTION 150.** 281.48 (2) (bm) of the statutes is amended to read:

13 281.48 (2) (bm) “Private ~~sewage~~ on-site wastewater treatment system” has the
14 meaning given in s. 145.01 (12).

15 **SECTION 151.** 281.48 (2) (d) of the statutes is amended to read:

16 281.48 (2) (d) “Septage” means the scum, liquid, sludge or other waste in a
17 septic tank, soil absorption field, holding tank, grease interceptor, privy, or other
18 component of a private ~~sewage~~ on-site wastewater treatment system.

19 **SECTION 152.** 281.48 (2) (f) of the statutes is amended to read:

20 281.48 (2) (f) “Servicing” means removing septage from a septic tank, soil
21 absorption field, holding tank, grease interceptor, privy, or other component of a
22 private ~~sewage~~ on-site wastewater treatment system and disposing of the septage.

23 **SECTION 153.** 281.48 (2) (g) of the statutes is amended to read:

1 281.48 (2) (g) "Soil absorption field" means an area or cavity in the ground
2 which receives the liquid discharge of a septic tank or similar component of a private
3 sewage on-site wastewater treatment system.

4 **SECTION 154.** 281.48 (2m) of the statutes is amended to read:

5 281.48 (2m) **POWERS OF THE DEPARTMENT.** The department has general
6 supervision and control of servicing septic tanks, soil absorption fields, holding
7 tanks, grease interceptors, privies, and other components of private sewage on-site
8 wastewater treatment systems.

9 **SECTION 155.** 281.48 (3) (e) of the statutes is amended to read:

10 281.48 (3) (e) *Operator certification.* No person, except for a farmer exempted
11 from licensing under par. (d), may service a private sewage on-site wastewater
12 treatment system or operate a septage servicing vehicle unless the person is certified
13 as an operator of a septage servicing vehicle under s. 281.17 (3).

14 **SECTION 156.** 281.48 (4g) of the statutes is amended to read:

15 281.48 (4g) **RULES ON SERVICING.** The department shall promulgate rules
16 relating to servicing septic tanks, soil absorption fields, holding tanks, grease
17 interceptors, privies, and other components of private sewage on-site wastewater
18 treatment systems in order to protect the public health against unsanitary and
19 unhealthful practices and conditions, and to protect the surface waters and
20 groundwaters of the state from contamination by septage. The rules shall comply
21 with ch. 160. The rules shall apply to all septage disposal, whether undertaken
22 pursuant to a license or a license exemption under sub. (3). The rules shall require
23 each person with a license under sub. (3) to maintain records of the location of private
24 sewage on-site wastewater treatment systems serviced and the volume of septage
25 disposed of and location of that disposal.

1 **SECTION 157.** 281.59 (1m) (c) of the statutes is amended to read:

2 281.59 **(1m)** (c) There is established a private sewage on-site wastewater
3 treatment system replacement and rehabilitation loan program, administered
4 under s. 145.245 (12m).

5 **SECTION 158.** 281.68 (3) (a) 2. f. of the statutes is amended to read:

6 281.68 **(3)** (a) 2. f. Providing programs and materials that promote the
7 monitoring of private sewage on-site wastewater treatment systems, the reduction
8 in the use of environmentally harmful chemicals, water safety, and the protection of
9 natural lake ecosystems.

10 **SECTION 159.** 440.03 (13) (am) of the statutes is created to read:

11 440.03 **(13)** (am) A person holding a credential under chs. 440 to 480 who is
12 convicted of a felony or misdemeanor anywhere shall send a notice of the conviction
13 by 1st class mail to the department within 48 hours after the entry of the judgment
14 of conviction. The department shall by rule determine what information and
15 documentation the person holding the credential shall include with the written
16 notice.

17 **SECTION 160.** 440.19 of the statutes is created to read:

18 **440.19 Voluntary surrender of license, permit, or certificate.** A person
19 who holds a license, permit, or certificate of certification or registration issued under
20 chs. 440 to 480 may voluntarily surrender that license, permit, or certificate of
21 certification or registration. The department, examining board, affiliated
22 credentialing board, or board of the department that issued the license, permit, or
23 certificate of certification or registration may refuse to accept that surrender if a
24 complaint has been filed or disciplinary proceeding has been commenced against the
25 person under s. 440.20.

1 **SECTION 161.** 440.21 (4) (a) of the statutes is amended to read:

2 440.21 (4) (a) Any Notwithstanding any other provision of chs. 440 to 480
3 relating to fines, forfeitures, or imprisonment, any person who violates a special
4 order issued under sub. (2) may be required to forfeit not more than \$10,000 for each
5 offense. Each day of continued violation constitutes a separate offense. The attorney
6 general or any district attorney may commence an action in the name of the state to
7 recover a forfeiture under this paragraph.

8 **SECTION 162.** 440.21 (4) (b) of the statutes is amended to read:

9 440.21 (4) (b) Any Notwithstanding any other provision of chs. 440 to 480
10 relating to fines, forfeitures, or imprisonment, any person who violates a temporary
11 restraining order or an injunction issued by a court upon a petition under sub. (3)
12 may be fined not less than \$25 nor more than \$5,000 or imprisoned for not more than
13 one year in the county jail or both.

14 **SECTION 163.** 440.26 (2) (c) 5. of the statutes is created to read:

15 440.26 (2) (c) 5. The department may, based on rules adopted by the
16 department, refuse to issue a license under this section to an individual who has
17 committed any of the acts described in sub. (6) (a) 1. to 5.

18 **SECTION 164.** 440.26 (4) of the statutes is amended to read:

19 440.26 (4) **BONDS OR LIABILITY POLICIES REQUIRED.** No license may be issued
20 under this section until a bond or liability policy, approved by the department, in the
21 amount of \$100,000 if the applicant for the license is a private detective agency and
22 includes all principals, partners, members or corporate officers, or in the amount of
23 \$2,000 if the applicant is a private detective, has been executed and filed with the
24 department. Such bonds or liability policies shall be furnished by an insurer
25 authorized to do a surety business in this state in a form approved by the department.

1 The person shall maintain the bond or liability policy during the period that the
2 license is in effect.

3 **SECTION 165.** 440.26 (5m) (am) of the statutes is created to read:

4 440.26 (5m) (am) The department may refuse to issue a private security permit
5 to a person who has been convicted of a misdemeanor or found to have violated any
6 state or local law that is punishable by a forfeiture, subject to ss. 111.321, 111.322,
7 and 111.335.

8 **SECTION 166.** 440.26 (6) (a) 5. of the statutes is created to read:

9 440.26 (6) (a) 5. Failed to maintain a bond or liability policy as required under
10 sub. (4).

11 **SECTION 167.** 440.91 (2) (intro.) of the statutes is amended to read:

12 440.91 (2) (intro.) Except as provided in sub. (10), every ~~person that~~ individual
13 who sells or solicits the sale of, or that expects to sell or solicit the sale of, 20 or more
14 cemetery lots or mausoleum spaces per year during 2 consecutive calendar years
15 shall be licensed by the board. ~~A person~~ An individual may not be licensed as a
16 cemetery salesperson except upon the written request of a cemetery authority and
17 the payment of the initial credential fee determined by the department under s.
18 440.03 (9) (a). The cemetery authority shall certify in writing to the board that the
19 ~~person~~ individual is competent to act as a cemetery salesperson. An applicant for
20 licensure as a cemetery salesperson shall furnish to the board, in such form as the
21 board prescribes, all of the following information:

22 **SECTION 168.** 440.91 (2) (a) of the statutes is amended to read:

23 440.91 (2) (a) The name and address of the applicant ~~and, if the applicant is~~
24 ~~a business-entity, the name and address of each business representative.~~

25 **SECTION 169.** 440.91 (8) of the statutes is amended to read:

1 440.91 (8) Sections 452.13, ~~452.14~~, 452.15, ~~452.18~~, 452.21 and 452.22, as they
2 apply to real estate brokers or salespersons, apply with equal effect to cemetery
3 authorities and salespersons.

4 **SECTION 170.** 441.07 (title) of the statutes is repealed and recreated to read:

5 **441.07 (title) Denial, suspension, and revocation.**

6 **SECTION 171.** 441.07 (1) (intro.) of the statutes is amended to read:

7 441.07 (1) (intro.) The board may, after disciplinary proceedings conducted in
8 accordance with rules promulgated under s. 440.03 (1), deny a license to an applicant
9 for a licensure as a registered nurse, a nurse-midwife, or a licensed practical nurse;
10 revoke, limit, suspend, or deny renewal of a license of a registered nurse, a
11 nurse-midwife or a licensed practical nurse; may revoke, limit, suspend, or deny
12 renewal of a certificate to prescribe drugs or devices granted under s. 441.16; or may
13 reprimand a registered nurse, nurse-midwife, or licensed practical nurse, if the
14 board finds that the person committed any of the following:

15 **SECTION 172.** 443.01 (2) of the statutes is amended to read:

16 443.01 (2) "Engineer-in-training" means a person who is a graduate in an
17 engineering curriculum of 4 years or more from a school or college approved by the
18 professional engineer section of the examining board as of satisfactory standing, or
19 a person who has had 4 years or more of experience in engineering work of a character
20 satisfactory to the ~~examining board~~ professional engineer section; and who, in
21 addition, has successfully passed the examination in the fundamental engineering
22 subjects prior to the completion of the requisite years in engineering work, as
23 provided in s. 443.05, and who has been granted a certificate of record by the
24 ~~examining board~~ professional engineer section stating that the person has
25 successfully passed this portion of the professional examinations.

1 **SECTION 173.** 443.015 (title) of the statutes is amended to read:

2 **443.015 (title) Examining board to establish continuing education**
3 **requirements; promulgate rules.**

4 **SECTION 174.** 443.015 of the statutes is renumbered 443.015 (1) and amended
5 to read:

6 443.015 (1) ~~The~~ Each section of the examining board may establish continuing
7 education requirements for renewal of a credential issued by that section under this
8 chapter.

9 **SECTION 175.** 443.015 (2) of the statutes is created to read:

10 443.015 (2) Each section of the examining board may promulgate rules
11 governing the professional conduct of individuals, firms, partnerships, and
12 corporations registered, permitted, certified, or granted a certificate of authorization
13 by that section.

14 **SECTION 176.** 443.03 (1) (intro.) of the statutes is amended to read:

15 443.03 (1) (intro.) An applicant for registration as an architect shall submit as
16 satisfactory evidence to the architect section of the examining board all of the
17 following:

18 **SECTION 177.** 443.03 (1) (a) of the statutes is amended to read:

19 443.03 (1) (a) That he or she has acquired a thorough knowledge of sound
20 construction, building hygiene, architectural design and mathematics; ~~and~~

21 **SECTION 178.** 443.03 (1) (b) (intro.) of the statutes is created to read:

22 443.03 (1) (b) (intro.) One of the following:

23 **SECTION 179.** 443.03 (1) (b) 1. of the statutes is renumbered 443.03 (1) (b) 1m.
24 and amended to read:

1 443.03 (1) (b) 1m. A diploma of graduation, or a certificate, from an
2 architectural school or college approved by the ~~examining board~~ architect section as
3 of satisfactory standing, together with at least 2 years' practical experience of a
4 character satisfactory to the ~~examining board~~ architect section in the design and
5 construction of buildings; ~~or~~.

6 **SECTION 180.** 443.03 (1) (b) 2. of the statutes is amended to read:

7 443.03 (1) (b) 2. A specific record of 7 or more years of experience in
8 architectural work of a character satisfactory to the ~~examining board~~ architect
9 section in the design and construction of buildings.

10 **SECTION 181.** 443.03 (2) of the statutes is amended to read:

11 443.03 (2) Graduation in architecture from a school or college approved by the
12 ~~examining board~~ architect section as of satisfactory standing shall be considered as
13 equivalent to 5 years of experience, and the completion satisfactory to the ~~examining~~
14 ~~board~~ architect section of each year of work in architecture in such school or college
15 without graduation shall be considered equivalent to one year of experience.
16 Graduation in a course other than architecture from a school or college approved by
17 the ~~examining board~~ architect section as of satisfactory standing shall be considered
18 as equivalent to not more than 4 years of experience.

19 **SECTION 182.** 443.035 (intro.) of the statutes is amended to read:

20 **443.035 Registration requirements for landscape architects.** (intro.)
21 The landscape architect section of the examining board shall register as a landscape
22 architect an individual who does all of the following:

23 **SECTION 183.** 443.035 (1) of the statutes is amended to read:

24 443.035 (1) Submits to the department evidence satisfactory to the ~~examining~~
25 ~~board~~ landscape architect section of any of the following:

1 (a) That he or she has a bachelor's degree in landscape architecture, or a
2 master's degree in landscape architecture, from a curriculum approved by the
3 ~~examining board~~ landscape architect section and has at least 2 years of practical
4 experience in landscape architecture of a character satisfactory to the ~~examining~~
5 ~~board~~ landscape architect section.

6 (b) That he or she has a specific record of at least 7 years of training and
7 experience in the practice of landscape architecture including at least 2 years of
8 courses in landscape architecture approved by the ~~examining board~~ landscape
9 architect section, and 4 years of practical experience in landscape architecture of a
10 character satisfactory to the ~~examining board~~ landscape architect section.

11 **SECTION 184.** 443.04 of the statutes is amended to read:

12 **443.04 Registration requirements for professional engineers.** An
13 applicant for registration as a professional engineer shall submit satisfactory
14 evidence to the professional engineer section of the examining board of all of the
15 following:

16 (1m) A diploma of graduation, or a certificate, from an engineering school or
17 college approved by the ~~examining board~~ professional engineer section as of
18 satisfactory standing in an engineering course of not less than 4 years or a diploma
19 of graduation or degree from a technical college approved by the ~~examining board~~
20 professional engineer section as of satisfactory standing in an engineering-related
21 course of study of not less than 2 years.

22 (2m) (a) For an applicant possessing a diploma or certificate from a course of
23 study of not less than 4 years as specified in sub. (1m), a specific record of 4 or more
24 years of experience in engineering work of a character satisfactory to the ~~examining~~

1 ~~board~~ professional engineer section and indicating that the applicant is competent
2 to be placed in responsible charge of engineering work.

3 (b) For an applicant possessing a diploma or degree from a course of study of
4 not less than 2 years as specified in sub. (1m), a specific record of 6 or more years of
5 experience in engineering work of a character satisfactory to the ~~examining board~~
6 professional engineer section and indicating that the applicant is competent to be
7 placed in responsible charge of engineering work.

8 **SECTION 185.** 443.05 (1) (intro.), (a) and (b) and (2) of the statutes are amended
9 to read:

10 443.05 (1) An applicant for certification as an engineer-in-training shall
11 submit ~~as~~ satisfactory evidence to the professional engineer section of the examining
12 ~~board as follows~~ one of the following:

13 (a) A diploma of graduation in engineering or a certificate in engineering from
14 a school or college approved by the ~~examining board~~ professional engineer section as
15 of satisfactory standing, ~~or~~.

16 (b) A specific record of 4 years or more of experience in engineering work of a
17 character satisfactory to the ~~examining board~~ professional engineer section.

18 (2) Graduation in engineering from a school or college approved by the
19 ~~examining board~~ professional engineer section as of satisfactory standing shall be
20 considered as equivalent to 4 years of experience and the completion satisfactory to
21 the ~~examining board~~ professional engineer section of each year of work in
22 engineering in such school or college without graduation shall be considered as
23 equivalent to one year of experience. Graduation in a course other than engineering
24 from a school or college approved by the ~~examining board~~ professional engineer
25 section as of satisfactory standing shall be considered as equivalent to 2 years of

1 experience. No applicant may receive credit for more than 4 years of experience
2 under this subsection.

3 **SECTION 186.** 443.06 (1) (a) of the statutes is amended to read:

4 443.06 (1) (a) Application for registration as a land surveyor or a permit to
5 practice shall be made to the section under oath, on forms provided by the
6 department, which shall require the applicant to submit such information as the
7 land surveyor section of the examining board deems necessary. The land surveyor
8 section may require applicants to pass written or oral examinations or both.
9 Applicants who do not have an arrest or conviction record, subject to ss. 111.321,
10 111.322, and 111.335, shall be entitled to be registered or issued a permit to practice
11 as land surveyors when satisfactory evidence is submitted that the applicant has met
12 one or more of the requirements of sub. (2).

13 **SECTION 187.** 443.06 (2) (intro.) of the statutes is amended to read:

14 443.06 (2) REQUIREMENTS; CERTIFICATE OF REGISTRATION. (intro.) The land
15 surveyor section may grant a certificate of registration as a land surveyor to any
16 person who has submitted to it an application, the required fees, and one or more of
17 the following:

18 **SECTION 188.** 443.06 (3) of the statutes is amended to read:

19 443.06 (3) PERMIT TO PRACTICE. ~~The examining board~~ land surveyor section may
20 grant a permit to practice land surveying during the time an application is pending
21 to a person who is not registered in this state, if the person has submitted an
22 application for registration as a land surveyor and paid the required fee and holds
23 an unexpired certificate which in the opinion of the ~~examining board~~ land surveyor
24 section meets the requirements of sub. (2). The permit shall be revocable by the land
25 surveyor section at its pleasure.

1 **SECTION 189.** 443.07 (1) (intro.) of the statutes is amended to read:

2 443.07 (1) (intro.) An applicant for a permit as a designer shall submit as
3 evidence satisfactory to the designer section of the examining board indicating one
4 of the following to indicate that he or she is competent to be in charge of such work
5 as follows:

6 **SECTION 190.** 443.07 (1) (a) of the statutes is amended to read:

7 443.07 (1) (a) A specific record of 8 years or more of experience in specialized
8 engineering design work and the satisfactory completion of a written examination
9 in the field or branch, as determined by the board designer section, in which
10 certification is sought; ~~or~~.

11 **SECTION 191.** 443.07 (3) of the statutes is amended to read:

12 443.07 (3) Permits shall be granted, designated, and limited to the fields and
13 subfields of technology as are determined by the ~~examining board~~ designer section
14 and recognized in engineering design practice. Any person holding a permit may
15 prepare plans and specifications and perform consultation, investigation, and
16 evaluation in connection with the making of plans and specifications, within the
17 scope of the permit, notwithstanding that such activity constitutes the practice of
18 architecture or professional engineering under this chapter.

19 **SECTION 192.** 443.07 (5) of the statutes is amended to read:

20 443.07 (5) The permit shall, on its face, restrict the holder thereof to the specific
21 field and subfields of designing in which the permittee acquired his or her experience
22 in designing. If qualified in more than one type of designing, persons may receive
23 permits for more than one field or subfield of designing as may be determined by the
24 ~~examining board~~ designer section.

1 **SECTION 193.** 443.08 (1) of the statutes is renumbered 443.08 (1) (a) and
2 amended to read:

3 443.08 (1) (a) The practice of architecture ~~or professional engineering~~
4 pertaining to the internal operations of a firm, partnership, or corporation may be
5 performed by employees if the architectural ~~or professional engineering~~ services are
6 performed by or under the direct supervision of architects ~~or professional engineers~~
7 registered under this chapter, or persons exempt from registration under s. 443.14.
8 Registered or exempt architectural ~~or professional engineering~~ employees may
9 provide architectural ~~or professional engineering~~ data with respect to the
10 manufacture, sale, and utilization of the products of the firm, partnership, or
11 corporation to other registered or exempt architects ~~or professional engineers~~.

12 **SECTION 194.** 443.08 (1) (b) of the statutes is created to read:

13 443.08 (1) (b) The practice of professional engineering pertaining to the
14 internal operations of a firm, partnership, or corporation may be performed by
15 employees if the professional engineering services are performed by or under the
16 direct supervision of professional engineers registered under this chapter, or persons
17 exempt from registration under s. 443.14. Registered or exempt professional
18 engineering employees may provide professional engineering data with respect to
19 the manufacture, sale, and utilization of the products of the firm, partnership, or
20 corporation to other registered or exempt professional engineers.

21 **SECTION 195.** 443.08 (2) of the statutes is renumbered 443.08 (2) (a) (intro.) and
22 amended to read:

23 443.08 (2) (a) (intro.) The No individual architect registered under this chapter
24 may practice of or the offer to practice architecture, professional engineering or
25 designing by individual architects, professional engineers or designers registered or

1 ~~granted a permit under this chapter, through a firm, partnership or corporation as~~
2 ~~principals, officers, employees or agents, is permitted subject to this chapter, if a~~
3 ~~principal, officer, employee, or agent of a firm, partnership, or corporation unless all~~
4 ~~of the following are satisfied:~~

5 1. All personnel who practice or offer to practice in its behalf as architects,
6 ~~professional engineers or designers~~ are registered ~~or granted a permit~~ under this
7 chapter ~~and if the,~~

8 2. The firm, partnership, or corporation has been issued a certificate of
9 authorization under sub. (3) (a) 1.

10 **SECTION 196.** 443.08 (2) (b) of the statutes is created to read:

11 443.08 (2) (b) No individual professional engineer registered under this
12 chapter may practice or offer to practice professional engineering as a principal,
13 officer, employee, or agent of a firm, partnership, or corporation unless all of the
14 following are satisfied:

15 1. All personnel who practice or offer to practice in its behalf as professional
16 engineers are registered under this chapter.

17 2. The firm, partnership, or corporation has been issued a certificate of
18 authorization under sub. (3) (a) 2.

19 **SECTION 197.** 443.08 (2) (c) of the statutes is created to read:

20 443.08 (2) (c) No individual designer granted a permit under this chapter may
21 practice or offer to practice designing as a principal, officer, employee, or agent of a
22 firm, partnership, or corporation unless all of the following are satisfied:

23 1. All personnel who practice or offer to practice in its behalf as designers are
24 granted a permit under this chapter.

1 2. The firm, partnership, or corporation has been issued a certificate of
2 authorization under sub. (3) (a) 3.

3 **SECTION 198.** 443.08 (3) (a) of the statutes is renumbered 443.08 (3) (a) 1. and
4 amended to read:

5 443.08 (3) (a) 1. A firm, partnership, or corporation desiring a certificate of
6 authorization shall submit an application to the department on forms provided by
7 the department, listing the names and addresses of all officers and directors, and all
8 individuals in its employment registered ~~or granted a permit~~ to practice
9 architecture, ~~professional engineering or designing~~ in this state who will be in
10 responsible charge of architecture, ~~professional engineering or designing~~ being
11 practiced in this state through the firm, partnership, or corporation and other
12 relevant information required by the architect section of the examining board. A
13 similar type of form shall also accompany the renewal fee. If there is a change in any
14 of these persons, the change shall be reported on the same type of form, and filed with
15 the department within 30 days after the effective date of the change. The ~~examining~~
16 ~~board~~ architect section shall grant a certificate of authorization to a firm,
17 partnership, or corporation complying with this subsection upon payment of the
18 initial credential fee determined by the department under s. 440.03 (9) (a). This
19 subsection does not apply to firms, partnerships, or corporations exempt under s.
20 443.14 (3) or (5).

21 **SECTION 199.** 443.08 (3) (a) 2. of the statutes is created to read:

22 443.08 (3) (a) 2. A firm, partnership, or corporation desiring a certificate of
23 authorization shall submit an application to the department on forms provided by
24 the department, listing the names and addresses of all officers and directors, and all
25 individuals in its employment registered to practice professional engineering in this

1 state who will be in responsible charge of professional engineering being practiced
2 in this state through the firm, partnership, or corporation and other relevant
3 information required by the professional engineer section of the examining board.
4 A similar type of form shall also accompany the renewal fee. If there is a change in
5 any of these persons, the change shall be reported on the same type of form, and filed
6 with the department within 30 days after the effective date of the change. The
7 professional engineer section shall grant a certificate of authorization to a firm,
8 partnership, or corporation complying with this subsection upon payment of the
9 initial credential fee determined by the department under s. 440.03 (9) (a). This
10 subsection does not apply to firms, partnerships, or corporations exempt under s.
11 443.14 (3) or (5).

12 **SECTION 200.** 443.08 (3) (a) 3. of the statutes is created to read:

13 443.08 (3) (a) 3. A firm, partnership, or corporation desiring a certificate of
14 authorization shall submit an application to the department on forms provided by
15 the department, listing the names and addresses of all officers and directors, and all
16 individuals in its employment granted a permit to practice designing in this state
17 who will be in responsible charge of designing being practiced in this state through
18 the firm, partnership, or corporation and other relevant information required by the
19 designer section of the examining board. A similar type of form shall also accompany
20 the renewal fee. If there is a change in any of these persons, the change shall be
21 reported on the same type of form, and filed with the department within 30 days after
22 the effective date of the change. The designer section shall grant a certificate of
23 authorization to a firm, partnership, or corporation complying with this subsection
24 upon payment of the initial credential fee determined by the department under s.

1 440.03 (9) (a). This subsection does not apply to firms, partnerships, or corporations
2 exempt under s. 443.14 (3) or (5).

3 **SECTION 201.** 443.08 (4) (a) of the statutes is renumbered 443.08 (4) (a) 1. and
4 amended to read:

5 443.08 (4) (a) 1. No firm, partnership, or corporation may be relieved of
6 responsibility for the conduct or acts of its agents, employees, or officers by reason
7 of its compliance with this chapter, nor may any individual practicing architecture,
8 ~~landscape architecture, professional engineering or designing~~ be relieved of
9 responsibility for architectural, ~~landscape architectural, professional engineering or~~
10 ~~designing~~ services performed by reason of his or her employment or relationship with
11 the firm, partnership, or corporation.

12 **SECTION 202.** 443.08 (4) (a) 2. of the statutes is created to read:

13 443.08 (4) (a) 2. No firm, partnership, or corporation may be relieved of
14 responsibility for the conduct or acts of its agents, employees, or officers by reason
15 of its compliance with this chapter, nor may any individual practicing landscape
16 architecture be relieved of responsibility for landscape architectural services
17 performed by reason of his or her employment or relationship with the firm,
18 partnership, or corporation.

19 **SECTION 203.** 443.08 (4) (a) 3. of the statutes is created to read:

20 443.08 (4) (a) 3. No firm, partnership, or corporation may be relieved of
21 responsibility for the conduct or acts of its agents, employees, or officers by reason
22 of its compliance with this chapter, nor may any individual practicing professional
23 engineering be relieved of responsibility for professional engineering services
24 performed by reason of his or her employment or relationship with the firm,
25 partnership, or corporation.

1 **SECTION 204.** 443.08 (4) (a) 4. of the statutes is created to read:

2 443.08 (4) (a) 4. No firm, partnership, or corporation may be relieved of
3 responsibility for the conduct or acts of its agents, employees, or officers by reason
4 of its compliance with this chapter, nor may any individual practicing designing be
5 relieved of responsibility for designing services performed by reason of his or her
6 employment or relationship with the firm, partnership, or corporation.

7 **SECTION 205.** 443.08 (4) (b) of the statutes is renumbered 443.08 (4) (b) 1. and
8 amended to read:

9 443.08 (4) (b) 1. All final drawings, specifications, plans, reports, or other
10 architectural, ~~engineering or designing~~ papers or documents involving the practice
11 of architecture, ~~professional engineering or designing, or landscape architectural~~
12 ~~papers or documents prepared by a landscape architect registered under this~~
13 ~~chapter~~, prepared for the use of a firm, partnership, or corporation, for delivery by
14 it to any person, or for public record within the state shall be dated and bear the
15 signature and seal of the architect, ~~landscape architect, professional engineer or~~
16 ~~designer~~ who was in responsible charge of their preparation. This paragraph does
17 not apply to persons exempt under s. 443.14 (3), (4), or (5).

18 **SECTION 206.** 443.08 (4) (b) 2. of the statutes is created to read:

19 443.08 (4) (b) 2. All final drawings, specifications, plans, reports, or other
20 landscape architectural papers or documents prepared by a landscape architect
21 registered under this chapter, prepared for the use of a firm, partnership, or
22 corporation, for delivery by it to any person, or for public record within the state shall
23 be dated and bear the signature and seal of the landscape architect who was in
24 responsible charge of their preparation. This paragraph does not apply to persons
25 exempt under s. 443.14 (3), (4), or (5).

1 **SECTION 207.** 443.08 (4) (b) 3. of the statutes is created to read:

2 443.08 (4) (b) 3. All final drawings, specifications, plans, reports, or other
3 engineering papers or documents involving the practice of professional engineering,
4 prepared for the use of a firm, partnership, or corporation, for delivery by it to any
5 person, or for public record within the state shall be dated and bear the signature and
6 seal of the professional engineer who was in responsible charge of their preparation.
7 This paragraph does not apply to persons exempt under s. 443.14 (3), (4), or (5).

8 **SECTION 208.** 443.08 (4) (b) 4. of the statutes is created to read:

9 443.08 (4) (b) 4. All final drawings, specifications, plans, reports, or other
10 designing papers or documents involving the practice of designing, prepared for the
11 use of a firm, partnership, or corporation, for delivery by it to any person, or for public
12 record within the state shall be dated and bear the signature and seal of the designer
13 who was in responsible charge of their preparation. This paragraph does not apply
14 to persons exempt under s. 443.14 (3), (4), or (5).

15 **SECTION 209.** 443.08 (5) of the statutes is renumbered 443.08 (5) (a) and
16 amended to read:

17 443.08 (5) (a) No firm, partnership, or corporation may engage in the practice
18 of or offer to practice architecture, ~~professional engineering or designing~~ in this state,
19 or use in connection with its name, or otherwise assume, use or advertise any title
20 or description tending to convey the impression that it is engaged in the practice of
21 architecture, ~~professional engineering or designing~~, nor may it advertise or offer to
22 furnish an architectural, ~~professional engineering or designing~~ service, unless the
23 firm, partnership, or corporation has complied with this chapter.

24 **SECTION 210.** 443.08 (5) (b) of the statutes is created to read:

1 443.08 (5) (b) No firm, partnership, or corporation may engage in the practice
2 of or offer to practice professional engineering in this state, or use in connection with
3 its name, or otherwise assume, use or advertise any title or description tending to
4 convey the impression that it is engaged in the practice of professional engineering,
5 nor may it advertise or offer to furnish a professional engineering service, unless the
6 firm, partnership, or corporation has complied with this chapter.

7 **SECTION 211.** 443.08 (5) (c) of the statutes is created to read:

8 443.08 (5) (c) No firm, partnership, or corporation may engage in the practice
9 of or offer to practice designing in this state, or use in connection with its name, or
10 otherwise assume, use or advertise any title or description tending to convey the
11 impression that it is engaged in the practice of designing, nor may it advertise or offer
12 to furnish a designing service, unless the firm, partnership, or corporation has
13 complied with this chapter.

14 **SECTION 212.** 443.09 (4m) of the statutes is amended to read:

15 443.09 (4m) No person may be registered as a landscape architect under this
16 chapter unless he or she passes a written examination or written and oral
17 examinations conducted or approved by the landscape architect section of the
18 examining board under sub. (5).

19 **SECTION 213.** 443.09 (5) of the statutes is amended to read:

20 443.09 (5) Written or written and oral examinations shall be held at such time
21 and place as the landscape architect section of the examining board determines. The
22 scope of the examinations and the methods of procedure shall be prescribed by the
23 ~~examining board~~ landscape architect section with special reference to the applicant's
24 ability to design and supervise architectural, landscape architectural, or
25 engineering work, which shall promote the public welfare and ensure the safety of

1 life, health, and property. A candidate failing an examination may, upon application
2 and payment of the required reexamination fee, be examined again by the ~~examining~~
3 ~~board~~ landscape architect section. No restrictions may be placed on the number of
4 times an unsuccessful candidate may be reexamined, except that after failure of 3
5 reexaminations, the ~~examining board~~ landscape architect section may require a
6 one-year waiting period before further reexamination.

7 **SECTION 214.** 443.10 (1) (a) to (d) of the statutes are amended to read:

8 443.10 (1) (a) The appropriate section of the examining board may, upon
9 application and the payment of the required fee, grant a certificate of registration as
10 an architect, as a landscape architect, or as a professional engineer to any person who
11 holds an unexpired certificate of similar registration issued to the person by the
12 proper authority in any state or territory or possession of the United States or in any
13 country in which the requirements for the registration of architects, landscape
14 architects, or professional engineers are of a standard not lower than specified in this
15 chapter.

16 (b) The appropriate section of the examining board may, upon application and
17 payment of the required fee, grant a certificate of registration as an architect, as a
18 landscape architect, or as a professional engineer to any person who holds an
19 unrevoked card or certificate of national reciprocal registration, issued by any state,
20 territory, or possession of the United States or by any country, which is in conformity
21 with the regulations of the national council of state board of architectural, or
22 engineering examiners, or council of landscape architectural registration boards,
23 and who complies with the regulations of the ~~examining board~~ appropriate section,
24 except as to qualifications and registration fee.

1 (c) The professional engineer section of the examining board may, upon
2 application therefor, and the payment of the required fee, grant a
3 certificate-of-record as engineer-in-training to any person who holds an unexpired
4 certificate of similar certification issued to the person by the proper authority in any
5 state or territory or possession of the United States or in any country in which the
6 requirements for the certification of engineers-in-training are of a standard not
7 lower than specified in this chapter.

8 (d) The appropriate section of the examining board may, upon application and
9 payment of the required fee, grant a permit to practice or to offer to practice
10 architecture, landscape architecture, or professional engineering to a person who is
11 not a resident of and has no established place of business in this state, or who has
12 recently become a resident of this state, if the person holds an unexpired certificate
13 of similar registration issued to the person by the proper authority in any state or
14 territory or possession of the United States or in any country in which the
15 requirements for the registration of architects, landscape architects, or professional
16 engineers are of a standard not lower than specified in this chapter.

17 **SECTION 215.** 443.10 (2) (c) of the statutes is amended to read:

18 443.10 (2) (c) The appropriate section of the examining board shall grant a
19 certificate of registration upon payment of the registration fee to any applicant who,
20 in the opinion of the ~~examining board~~ appropriate section, has satisfactorily met all
21 the applicable requirements of this chapter. The certificate shall authorize the
22 practice of architecture, landscape architecture, or professional engineering, as
23 appropriate.

24 **SECTION 216.** 443.10 (2) (d) of the statutes is amended to read:

1 443.10 (2) (d) The granting of a certificate of registration by the appropriate
2 section of the examining board shall be evidence that the person named in the
3 certificate is entitled to all the rights and privileges of a registered architect, a
4 registered landscape architect, or a registered professional engineer under the
5 classification stated on the certificate, while the certificate remains unrevoked or
6 unexpired.

7 **SECTION 217.** 443.10 (2) (f) of the statutes is amended to read:

8 443.10 (2) (f) The professional engineer section of the examining board shall
9 grant a certificate of record as engineer-in-training to any applicant who, in the
10 opinion of the ~~examining board~~ professional engineer section, has satisfactorily met
11 all the requirements of this section pertaining to engineers-in-training.

12 **SECTION 218.** 443.10 (2) (h) of the statutes is amended to read:

13 443.10 (2) (h) Certificates of record as engineers-in-training shall expire on
14 July 31st of the 10th year after their issuance unless extended by the professional
15 engineer section of the examining board. An application for extension shall contain
16 evidence satisfactory to the ~~examining board~~ professional engineer section that the
17 applicant's professional experience has been delayed.

18 **SECTION 219.** 443.10 (3) of the statutes is amended to read:

19 443.10 (3) EMERGENCY RULES; LIMITATION. The No section of the examining board
20 may ~~not~~ adopt or change, by emergency rule, any requirement for the registration
21 of or issuance of a permit to any applicant under this chapter.

22 **SECTION 220.** 443.10 (4) (a) and (b) of the statutes are amended to read:

23 443.10 (4) (a) A list, showing the names and addresses of all
24 engineers-in-training certified by the professional engineer section of the
25 examining board during the period from July 1 to June 30, shall be prepared each

1 year by the ~~examining board~~ professional engineer section. The list shall be
2 obtainable by purchase at cost.

3 (b) The Each section of the examining board shall keep a record of its
4 proceedings together with a record of all other information pertaining to its
5 proceedings as may be deemed necessary by that section of the examining board. The
6 records of the each section of the examining board shall be prima facie evidence of
7 the proceedings of that section of the examining board set forth in the records, and
8 a transcript thereof, duly certified by the secretary of that section of the examining
9 board under seal, shall be admissible in evidence with the same effect as if the
10 original were produced.

11 **SECTION 221.** 443.11 (1) (intro.) of the statutes is amended to read:

12 443.11 (1) (intro.) The appropriate section of the examining board may
13 reprimand an architect, landscape architect, or professional engineer or limit,
14 suspend, or revoke the certificate of registration of any registrant, and the certificate
15 of record of any engineer-in-training, who is found guilty of:

16 **SECTION 222.** 443.11 (1) (e) of the statutes is amended to read:

17 443.11 (1) (e) Any violation of the rules of professional conduct adopted and
18 promulgated by that section of the examining board.

19 **SECTION 223.** 443.11 (2) of the statutes is amended to read:

20 443.11 (2) The appropriate section of the examining board may reprimand a
21 firm, partnership, or corporation holding a certificate of authorization issued under
22 this chapter or may limit, suspend, or revoke such a certificate if any of the agents,
23 employees, or officers of the firm, partnership, or corporation has committed any act
24 or has been guilty of any conduct which would authorize a reprimand or a limitation,
25 suspension, or revocation of the certificate of registration of a registrant or the

1 certificate of record of an engineer-in-training under this chapter, unless the firm,
2 partnership, or corporation submits evidence satisfactory to the appropriate section
3 of the examining board that the agent, employee, or officer is not now practicing or
4 offering to practice architecture, landscape architecture, or professional engineering
5 in its behalf.

6 **SECTION 224.** 443.11 (3) of the statutes is amended to read:

7 443.11 (3) Any person may make charges that any registrant, holder of a
8 certificate of record as engineer-in-training or corporate holder of a certificate of
9 authorization has committed an act for which a reprimand or limitation, suspension,
10 or revocation of registration is authorized under sub. (1). Such charges shall be in
11 writing, shall be sworn to by the person making them and shall be submitted to the
12 appropriate section of the examining board. The appropriate section of the
13 examining board may, on its own motion, make such charges. All charges, unless
14 dismissed by the appropriate section of the examining board as unfounded or trivial,
15 shall be heard by the appropriate section of the examining board, subject to the rules
16 promulgated under s. 440.03 (1).

17 **SECTION 225.** 443.11 (4) of the statutes is amended to read:

18 443.11 (4) If after a hearing under sub. (3), 3 members of a section of the
19 examining board vote in favor of sustaining charges specified in sub. (3), the
20 appropriate section of the examining board shall reprimand or limit, suspend, or
21 revoke the certificate of registration of the registered architect, registered landscape
22 architect, or registered professional engineer, the certificate of record of the holder
23 of a certificate as engineer-in-training, or the certificate of authorization of a firm,
24 partnership, or corporation.

25 **SECTION 226.** 443.11 (5) of the statutes is amended to read:

1 443.11 (5) ~~The action~~ actions of each section of the examining board under this
2 section shall be subject to review in the manner provided in ch. 227.

3 **SECTION 227.** 443.11 (6) of the statutes is amended to read:

4 443.11 (6) The appropriate section of the examining board, for reasons ~~the~~
5 ~~appropriate section of the examining board~~ it considers sufficient, may reissue a
6 certificate of registration or a certificate of record to any person, or a certificate of
7 authorization to any firm, partnership, or corporation, whose certificate has been
8 revoked, ~~except for a certificate revoked under s. 440.12,~~ this section if 3 members
9 of the section of the examining board vote in favor of such reissuance. Subject to the
10 rules of the examining board, the appropriate section of the examining board may,
11 upon payment of the required fee, issue a new certificate of registration, certificate
12 of record or certificate of authorization, to replace any certificate that is revoked, lost,
13 destroyed or mutilated.

14 **SECTION 228.** 443.13 of the statutes is renumbered 443.13 (1) (intro.) and
15 amended to read:

16 443.13 (1) (intro.) The designers' section of the examining board may limit,
17 suspend, or revoke a permit or reprimand the permittee if the permittee is guilty of
18 fraud any of the following:

19 (a) Fraud or deceit in obtaining the permit, ~~gross.~~

20 (b) Gross negligence, incompetency, or misconduct in practice, ~~signing.~~

21 (c) Signing documents not prepared by the permittee or under the permittee's
22 control, ~~knowingly.~~

23 (d) Knowingly aiding or abetting unauthorized designing of engineering
24 systems as stated in s. 443.07 (3) by persons not granted permits under this chapter
25 ~~or conviction.~~

1 (e) Conviction of a felony, subject to ss. 111.321, 111.322, and 111.335, or
2 adjudication of mental incompetency by a court of competent jurisdiction.

3 (2) If, after a hearing conducted under the rules promulgated under s. 440.03
4 (1) before the designers' section of the examining board, two-thirds of the members
5 of the section vote in favor of sustaining the charges, the designers' section of the
6 examining board shall reprimand the permittee or limit, suspend, or revoke the
7 permit. The action of the designers' section of the examining board under this section
8 is subject to review under ch. 227.

9 **SECTION 229.** 443.14 (1) of the statutes is renumbered 443.14 (1) (a) and
10 amended to read:

11 443.14 (1) (a) An employee of a person holding a certificate of registration in
12 ~~this state in architecture under s. 443.10~~ who is engaged in the practice of
13 architecture ~~or professional engineering~~ and an employee of a person temporarily
14 exempted from registration in architecture under this section, if the practice of the
15 employee does not include responsible charge of architecture ~~or professional~~
16 ~~engineering practice~~.

17 **SECTION 230.** 443.14 (1) (b) of the statutes is created to read:

18 443.14 (1) (b) An employee of a person holding a certificate of registration in
19 professional engineering under s. 443.10 who is engaged in the practice of
20 professional engineering and an employee of a person temporarily exempted from
21 registration in professional engineering under this section, if the practice of the
22 employee does not include responsible charge of professional engineering practice.

23 **SECTION 231.** 443.14 (4) of the statutes is renumbered 443.14 (4) (a) and
24 amended to read:

1 443.14 (4) (a) Any person who practices architecture ~~or professional~~
2 ~~engineering~~, exclusively as a regular employee of a private company or corporation,
3 by rendering to the company or corporation architectural ~~or professional engineering~~
4 services in connection with its operations, so long as the person is thus actually and
5 exclusively employed and no longer, if the company or corporation has at least one
6 architect ~~or professional engineer~~ who is registered under this chapter in responsible
7 charge of the company's or corporation's architectural ~~or professional engineering~~
8 work in this state.

9 **SECTION 232.** 443.14 (4) (b) of the statutes is created to read:

10 443.14 (4) (b) Any person who practices professional engineering, exclusively
11 as a regular employee of a private company or corporation, by rendering to the
12 company or corporation professional engineering services in connection with its
13 operations, so long as the person is thus actually and exclusively employed and no
14 longer, if the company or corporation has at least one professional engineer who is
15 registered under this chapter in responsible charge of the company's or corporation's
16 professional engineering work in this state.

17 **SECTION 233.** 443.18 (1) (a) of the statutes is amended to read:

18 443.18 (1) (a) Any person who practices or offers to practice architecture,
19 landscape architecture, or professional engineering in this state, or who uses the
20 term "architect," "landscape architect," or "professional engineer" as part of the
21 person's business name or title, except as provided in s. 443.08 (6), or in any way
22 represents himself or herself as an architect, landscape architect, or a professional
23 engineer unless the person is registered or exempted in accordance with this chapter,
24 or unless the person is the holder of an unexpired permit issued under s. 443.10 (1)
25 (d), or any person presenting or attempting to use as his or her own the certificate

1 of registration of another, or any person who gives any false or forged evidence of any
2 kind to the examining board or to any section of the examining board or to any
3 member of the examining board or to any member of any section of the examining
4 board in obtaining a certificate of registration, or any person who falsely
5 impersonates any other registrant of like or different name, or any person who
6 attempts to use an expired or revoked certificate of registration, or violates any of the
7 provisions of this section, may be fined not less than \$100 nor more than \$500 or
8 imprisoned for not more than 3 months or both.

9 **SECTION 234.** 443.18 (2) (a) and (b) of the statutes are amended to read:

10 443.18 (2) (a) If it appears upon complaint to the examining board or to any
11 section of the examining board by any person, or is known to the examining board
12 or to any section of the examining board that any person who is neither registered
13 nor exempt under this chapter nor the holder of an unexpired permit under s. 443.10
14 (1) (d) is practicing or offering to practice, or is about to practice or to offer to practice,
15 architecture, landscape architecture, or professional engineering in this state, the
16 appropriate section of the examining board or the attorney general or the district
17 attorney of the proper county may investigate and may, in addition to any other
18 remedies, bring action in the name and on behalf of this state against any such
19 person to enjoin the person from practicing or offering to practice architecture,
20 landscape architecture, or professional engineering.

21 (b) If it appears upon complaint or is known to the land surveyor section of the
22 examining board that any person who is not authorized is practicing or offering to
23 practice land surveying in this state, the land surveyor section, the department of
24 justice, or the district attorney of the proper county may, in addition to other

1 remedies, bring action in the name and on behalf of the state to enjoin the person
2 from practicing or offering to practice land surveying.

3 **SECTION 235.** 445.06 of the statutes is amended to read:

4 **445.06 Renewal of licenses.** The renewal date for a funeral directors'
5 director's license is specified under s. 440.08 (2) (a), and the renewal fee for such
6 license is determined by the department under s. 440.03 (9) (a). Before any renewal
7 license is delivered to any licensed funeral director, proof must be furnished by the
8 applicant, to the satisfaction of the examining board, that the applicant is doing
9 business at a recognized funeral establishment, ~~except that if such applicant is not~~
10 ~~doing business at a recognized funeral establishment at the time of application for~~
11 ~~a license, the applicant shall be given a certificate, without additional cost, to the~~
12 ~~effect that the applicant is in good standing as a funeral director, and shall be entitled~~
13 ~~to a renewal license at any time during that license period, when located at a~~
14 ~~recognized funeral establishment, without payment of any additional renewal fee.~~
15 The applicant must also furnish proof of completion of at least 15 hours of continuing
16 education during the previous 2-year licensure period, except that new licensees are
17 exempt from this requirement during the time between initial licensure and
18 commencement of a full 2-year licensure period.

19 **SECTION 236.** 447.07 (title) of the statutes is amended to read:

20 **447.07 (title) Disciplinary proceedings, denial, suspension, and**
21 **revocation.**

22 **SECTION 237.** 447.07 (3) (intro.) of the statutes is amended to read:

23 447.07 (3) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
24 examining board may make investigations and conduct hearings in regard to any
25 alleged action of any dentist or dental hygienist, or of any other person it has reason

1 to believe is engaged in or has engaged in the practice of dentistry or dental hygiene
2 in this state, and may, on its own motion, or upon complaint in writing, reprimand
3 any dentist or dental hygienist who is licensed or certified under this chapter or deny,
4 limit, suspend, or revoke his or her license or certificate or deny the license or
5 certificate of any applicant if it finds that the dentist ~~or~~, dental hygienist, or applicant
6 has done any of the following:

7 **SECTION 238.** 448.63 (1) (d) 2. of the statutes is amended to read:

8 448.63 (1) (d) 2. That the applicant has completed 2 years of postgraduate
9 training in a program approved by the affiliated credentialing board or one year of
10 postgraduate training in a program approved by the affiliated credentialing board
11 if the one-year postgraduate training was completed by June 1, 2010.

12 **SECTION 239.** 450.02 (3m) (a) (intro.) of the statutes is amended to read:

13 450.02 (3m) (a) (intro.) The board or its designee may grant a variance ~~to~~ from
14 a requirement of this chapter or ~~to~~ from a rule promulgated by the board if all of the
15 following are true:

16 **SECTION 240.** 450.02 (3m) (a) 4. of the statutes is created to read:

17 450.02 (3m) (a) 4. The requirement under this chapter or the rule specifically
18 permits a variance or requires review and approval from the board prior to obtaining
19 a variance.

20 **SECTION 241.** 450.071 (1) of the statutes is amended to read:

21 450.071 (1) No person may engage in the wholesale distribution of a
22 prescription drug in this state without obtaining a license from the board for each
23 facility from which the person distributes prescription drugs. This section does not
24 apply to a wholesale distributor if the only prescription drug the person distributes
25 is oxygen. The board shall exempt a manufacturer that distributes prescription

1 drugs or devices manufactured by the manufacturer from licensing and other
2 requirements under this section to the extent the license or requirement is not
3 required under federal law or regulation, unless the board determines that it is
4 necessary to apply a requirement to a manufacturer.

5 **SECTION 242.** 454.01 (5) (b) of the statutes is amended to read:

6 454.01 (5) (b) ~~Massaging, cleansing, stimulating, manipulating, wrapping,~~
7 ~~exercising, beautifying or applying cosmetic preparations, antiseptics, powders, oils,~~
8 ~~tonics, clay or lotion to or performing other similar work upon the skin of any person~~
9 Aesthetics.

10 **SECTION 243.** 454.08 (2) (a) of the statutes is amended to read:

11 454.08 (2) (a) A barber barbering or cosmetologist cosmetology establishment
12 license which authorizes the practice of barbering or cosmetology, aesthetics,
13 electrology and manicuring in the licensed establishment.

14 **SECTION 244.** 456.10 (title) of the statutes is amended to read:

15 **456.10 (title) Suspension Denial, suspension, and revocation.**

16 **SECTION 245.** 456.10 (1) (intro.) of the statutes is amended to read:

17 456.10 (1) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
18 examining board may, under sub. (2), revoke, limit or, suspend, or deny the license
19 or registration of any person practicing or offering to practice nursing home
20 administration or may reprimand, censure, or otherwise discipline a licensee under
21 this section if any of the following is applicable:

22 **SECTION 246.** 456.10 (2) of the statutes is amended to read:

23 456.10 (2) The examining board shall have jurisdiction to hear all charges
24 brought under this section against persons licensed and registered as nursing home
25 administrators or licensed as provisional nursing home administrators and upon

1 such hearings shall determine such charges upon their merits. If the examining
2 board determines that such person is guilty of the charges, the license or registration
3 may be revoked ~~or~~, suspended, or denied or the licensee may be reprimanded,
4 censured or disciplined.

5 **SECTION 247.** 457.02 (5) of the statutes is repealed.

6 **SECTION 248.** 459.12 (1) of the statutes is amended to read:

7 459.12 (1) The examining board may make rules not inconsistent with the laws
8 of this state which are necessary to carry out the intent of this ~~subchapter~~ chapter.

9 **SECTION 249.** 961.23 (5) of the statutes is amended to read:

10 961.23 (5) No person may purchase more than ~~8 ounces~~ 227 grams of a product
11 containing opium or more than ~~4 ounces~~ 113 grams of a product containing any other
12 schedule V substance within a 48-hour period without the authorization of a
13 physician, dentist, or veterinarian. This subsection does not apply to a
14 pseudoephedrine product unless it contains another schedule V substance.

15 **SECTION 250.** 961.23 (7) of the statutes is amended to read:

16 961.23 (7) No person other than a physician, dentist, veterinarian, or
17 pharmacist may possess more than ~~8 ounces~~ 227 grams of a product containing
18 opium or more than ~~4 ounces~~ 113 grams of a product containing any other schedule
19 V substance at any time without the authorization of a physician, dentist, or
20 veterinarian. This subsection does not apply to a pseudoephedrine product unless
21 it contains another schedule V substance.

22 **SECTION 251. Nonstatutory provisions.**

23 (1) APPOINTMENTS OF MEMBERS OF THE DWELLING CODE COUNCIL UPON EXPIRATION
24 OF TERMS.

25 (a) In this subsection, "council" means the dwelling code council.

1 (b) Notwithstanding the number of members specified for the council under
 2 section 15.407 (10) (a) of the statutes, as affected by this act, any member who is
 3 serving on the council on the day before the effective date of this paragraph may
 4 continue to serve as a member of the council under section 15.407 (10) (a) of the
 5 statutes, as affected by this act, for the term for which the member was appointed.
 6 During any period of time when the membership of the council exceeds 7 members,
 7 a majority of the members of the council shall constitute a quorum.

8 **SECTION 252. Initial applicability.**

9 (1) LICENSURE AS FUNERAL DIRECTOR. The treatment of section 445.06 of the
 10 statutes first applies to applications for initial licensure as a licensed funeral director
 11 that are received by the funeral directors examining board on the effective date of
 12 this subsection.

13 **SECTION 253. Effective date.**

14 (1) This act takes effect on the ^{30th} first day of the 7th month beginning after
 15 publication.
 16 *the day of*

(END)

Kuczenski, Tracy

From: Schoenfeldt, Eileen - GOV [Eileen.Schoenfeldt@wisconsin.gov] for 12
Sent: Thursday, February 02, 2012 5:31 PM
To: Kuczenski, Tracy
Cc: Gibson-Glass, Mary; Kite, Robin
Subject: FW: Draft review: LRB 11-3205/1 Topic: revisions to provisions regulating safety and professional services
Attachments: LRB-3205_1.pdf

Hi Tracy,

I have some requested changes to the DSPS comprehensive draft. I've cc'ed Mary and Robin since they drafted a few of the items. I was hoping that these wouldn't be too difficult and ask if I can have an updated draft back sometime tomorrow (Friday). I hope this isn't too much to ask. I've split them up by original LRB number and drafter.

- ✓ Tracy -
LRB 3289, Permit applicants for license as nurse, dentist, or nursing home administrators to be denied license under certain circumstances – delete this provision.
- ✓ Mary -
LRB 3258, Licensing of elevator mechanics - On page 23, line 8, delete "removal or dismantling" and add "or" after "maintenance"
- ✓ Robin -
LRB 3240, Energy conservation code for public buildings – delete this provision.
 ✓ LRB 3250, Building inspector review board – delete this provision.
 ✓ LRB 3511, Dwelling code council membership – please make these changes effective immediately.

Thanks!

Eileen

From: LRB.Legal [mailto:LRB-LegalServices@legis.wisconsin.gov]
Sent: Tuesday, January 24, 2012 8:41 AM
To: Schoenfeldt, Eileen - GOV
Subject: Draft review: LRB 11-3205/1 Topic: revisions to provisions regulating safety and professional services

State of Wisconsin - Legislative Reference Bureau
One East Main Street - Suite 200 - Madison

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Tracy K. Kuczenski, Attorney, at (608) 266-9867, at tracy.kuczenski@legis.wisconsin.gov, or at One East Main Street, Suite 200.

If you would like to jacket the draft for introduction, please click on the appropriate button below. Please select only one button. If you wish to introduce this draft in both houses please contact the

drafting attorney to have a companion bill drafted.

**Jacket for the
ASSEMBLY**

**Jacket for the
SENATE**

Please allow one day for jacketing. If this is a "rush" please make a note in your response e-mail so we are aware that we need to give this request a high priority.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.