

BILL**SECTION 57**

1 77.895 (3) (c) A requirement that, in awarding grants to towns under this
2 section, the ~~board~~ department give higher priority to towns that have higher
3 numbers of acres that are designated as closed under s. 77.83.

4 **SECTION 58.** 101.972 of the statutes is repealed.

5 **SECTION 59.** 101.974 (2) of the statutes is amended to read:

6 101.974 (2) Promulgate the rules under this subchapter ~~after consultation with~~
7 ~~the multifamily dwelling code council.~~

8 **SECTION 60.** 145.17 (2) of the statutes is amended to read:

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

15 **SECTION 61.** 196.209 (5) of the statutes is repealed.

16 **SECTION 62.** 441.05 of the statutes is amended to read:

17 **441.05 Examination for nurses.** ~~The examining council on registered nurses~~
18 department shall prepare or select written questions in areas it determines and
19 ~~prescribe promulgate~~ rules, ~~subject to the approval of the board,~~ for conducting
20 examinations and the preservation of the examination papers for one year.
21 Examinations shall be held at least twice a year at times and places designated by
22 ~~the examining council~~ department, and at least 30 days' public notice shall be given.
23 Examinations may also be held at other times and places with or without public
24 notice as directed by the ~~examining council~~ department. ~~The examining council~~
25 department may also proctor an examination of another state for the convenience of

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1 a candidate and charge such fee therefor as the department fixes to cover the actual
2 cost of the service rendered.

3 **SECTION 63.** 441.10 (2) of the statutes is amended to read:

4 441.10 (2) EXAMINATION. The ~~examining council on licensed practical nurses~~
5 department shall prepare or select written questions in areas it determines and
6 ~~prescribe promulgate~~ rules, subject to the approval of the board, for the examination
7 of those desirous of becoming licensed practical nurses, and the examination papers
8 of all applicants shall be preserved for one year. Examinations shall be held at least
9 twice annually at times and places designated by the ~~board~~ department, and at least
10 30 days' public notice shall be given of each examination. Examinations may also
11 be held at other times and places with or without public notice as directed by the
12 ~~examining council~~ department. The ~~examining council~~ department may also proctor
13 an examination of another state for the convenience of a candidate and shall charge
14 such fee therefor as the department fixes to cover the actual cost of the services
15 rendered.

16 **SECTION 64.** 450.02 (2g) (b) of the statutes is amended to read:

17 450.02 (2g) (b) The board shall promulgate rules that establish requirements
18 and procedures for the administration of a drug product or device, as defined in s.
19 450.035 (1g), by a pharmacist under s. 450.035 (1r). ~~Notwithstanding s. 15.08 (5) (b),~~
20 ~~the board may promulgate rules under this paragraph only if the rules are identical~~
21 ~~to rules recommended by the pharmacist advisory council. The board may amend~~
22 ~~or repeal rules promulgated under this paragraph only upon the recommendation of~~
23 ~~the pharmacist advisory council.~~

24 **SECTION 65.** 450.025 of the statutes is repealed.

25 **SECTION 66.** 454.287 of the statutes is repealed.

BILL**SECTION 67****SECTION 67. Nonstatutory provisions.**

(1) ELIMINATION OF VOLUNTEER FIRE FIGHTER AND EMERGENCY MEDICAL TECHNICIAN SERVICE AWARD BOARD.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the volunteer fire fighter and emergency medical technician service award board become the assets and liabilities of the department of administration.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the volunteer fire fighter and emergency medical technician service award board is transferred to the department of administration.

(c) *Contracts.* All contracts entered into by the volunteer fire fighter and emergency medical technician service award board in effect on the effective date of this paragraph remain in effect and are transferred to the department of administration. The department of administration shall carry out any such contractual obligations unless modified or rescinded by the department of administration to the extent allowed under the contract.

(d) *Pending matters.* Any matter pending with the volunteer fire fighter and emergency medical technician service award board on the effective date of this paragraph is transferred to the department of administration, and all materials submitted to or actions taken by the volunteer fire fighter and emergency medical technician service award board with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(e) *Rules and orders.* All rules promulgated by the volunteer fire fighter and emergency medical technician service award board that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until

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1 amended or repealed by the department of administration. All orders issued by the
2 volunteer fire fighter and emergency medical technician service award board that
3 are in effect on the effective date of this paragraph remain in effect until their
4 specified expiration dates or until modified or rescinded by the department of
5 administration.

6 (2) ELIMINATION OF CERTAIN ADVISORY BODIES. The following advisory bodies,
7 created by the commissioner of insurance under section 15.04 (1) (c) of the statutes,
8 are eliminated:

9 (a) Annuity sales supervision advisory committee.

10 (b) Autism treatment working group.

11 (c) Health advisory council.

12 (d) Independent review organization working group.

13 (e) Individual uniform application working group.

14 (f) Life advisory council.

15 (g) Life and disability advisory council.

16 (h) Life settlement subgroup.

17 (i) Long-Term care subgroup.

18 (j) Medicare supplement guarantee issue amendments subgroup.

19 (k) Mental health parity subgroup.

20 (L) Model audit rule work group.

21 (m) Readability working group.

22 (n) Senior designations working group.

23 (o) Small group health insurer subgroup.

24 (p) Title advisory council.

BILL**SECTION 67**

1 (3) ELIMINATION OF EXAMINING COUNCIL ON REGISTERED NURSES AND EXAMINING
2 COUNCIL ON LICENSED PRACTICAL NURSES.

3 (a) *Assets and liabilities.* On the effective date of this paragraph, any assets
4 and liabilities of the examining council on registered nurses and the examining
5 council on licensed practical nurses become the assets and liabilities of the
6 department of safety and professional services.

7 (b) *Tangible personal property.* On the effective date of this paragraph, all
8 records and other tangible personal property of the examining council on registered
9 nurses and the examining council on licensed practical nurses are transferred to the
10 department of safety and professional services.

11 (c) *Contracts.* Any contract entered into by the examining council on registered
12 nurses or the examining council on licensed practical nurses remains in effect and
13 is transferred to the department of safety and professional services. The department
14 of safety and professional services shall carry out any obligations under such a
15 contract until the contract is modified or rescinded by the department of safety and
16 professional services to the extent allowed under the contract.

17 (d) *Rules and orders.* Any rule or order of the examining council on registered
18 nurses under section 441.05, 2013 stats., or of the examining council on licensed
19 practical nurses under section 441.10 (2), 2013 stats., that is in effect on the effective
20 date of this paragraph remains in effect until its specified expiration date or until
21 modified or rescinded by the department of safety and professional services.

22 (e) *Pending matters.* Any matter pending with the examining council on
23 registered nurses or the examining council on licensed practical nurses on the
24 effective date of this paragraph is transferred to the department of safety and
25 professional services and all materials submitted to or actions taken by the

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1 examining council on registered nurses or the examining council on licensed
2 practical nurses with respect to the pending matter are considered as having been
3 submitted to or taken by the department of safety and professional services.

4 (END)

**2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0336/6ins
RAC/MPG/RNK:cjs:rs

Insert Analysis:

W 9

The bill, however, does not affect the general authority of the head of a state agency to appoint advisory councils or committees.

✓ ✓

Gallagher, Michael

From: Champagne, Rick
Sent: Tuesday, March 03, 2015 9:38 AM
To: Gallagher, Michael
Subject: FW: Language modification suggestion - LRB 0336/5
Attachments: LRB 0336.docx

Actually it is 0336/6, not 0336/5. The companion is 1845.

Thanks Mike.

From: Ignatowski, Katie E - GOV [mailto:Katie.Ignatowski@wisconsin.gov]
Sent: Monday, March 02, 2015 4:51 PM
To: Champagne, Rick
Cc: Hughes, Patrick - GOV
Subject: FW: Language modification suggestion - LRB 0336/5

Hi Rick,

DSPS sent us the following modification request for this bill. Sorry for the last minute change, but is this still something we can do?

Thanks,

Katie Ignatowski | Deputy Legal Counsel | Office of Governor Scott Walker | 608.266.1212

From: Gasper, Greg - DSPS
Sent: Friday, February 27, 2015 4:23 PM
To: Hughes, Patrick - GOV; Ignatowski, Katie E - GOV
Cc: Esser, Eric - DSPS
Subject: Language modification suggestion - LRB 0336/5

Attached.

Greg Gasper | Administrator | Division of Policy Development | Wisconsin Dept. of Safety and Professional Services | 608.266.8419

Subject Code Key:

NTN – No Thanks Necessary **NRN** – No Response Necessary **RO** – Received Only **SLO** – Subject Line Only **IRN** – Immediate Response Needed **AN** – Action Needed

LRB 0336/5 Modification

This modification is needed in order to align the statutes to reflect current practice for the examination of registered and practical nurses in Wisconsin. Neither the examining councils, the Board of Nursing nor the department prepare the exam itself. Rather, the board has approved the National Council of State Boards of Nursing's NCLEX (National Council Licensure Examination) toward RN and LPN licensure. The modernized language below reflects this practice.

Repeal s. 441.05:

~~**441.05 Examination for nurses.** The examining council on registered nurses shall prepare or select written questions in areas it determines and prescribe rules, subject to the approval of the board, for conducting examinations and the preservation of the examination papers for one year. Examinations shall be held at least twice a year at times and places designated by the examining council, and at least 30 days' public notice shall be given. Examinations may also be held at other times and places with or without public notice as directed by the examining council. The examining council may also proctor an examination of another state for the convenience of a candidate and charge such fee therefor as the department fixes to cover the actual cost of the service rendered.~~

Amend s. 441.06(1)(e) as follows:

(e) The applicant passes the examination ~~under s. 441.05~~ approved by the board to receive a license as a registered nurse in this state. The applicant may not take the examination before receiving a diploma under par. (c) unless the applicant obtains a certificate of approval to take the examination from the school of nursing the applicant attends and submits that certificate to the board prior to examination.

Repeal s. 441.10(2):

~~**(2) EXAMINATION.** The examining council on licensed practical nurses shall prepare or select written questions in areas it determines and prescribe rules, subject to the approval of the board, for the examination of those desirous of becoming licensed practical nurses, and the examination papers of all applicants shall be preserved for one year. Examinations shall be held at least twice annually at times and places designated by the board, and at least 30 days' public notice shall be given of each examination. Examinations may also be held at other times and places with or without public notice as directed by the examining council. The examining council may also proctor an examination of another state for the convenience of a candidate and shall charge such fee therefor as the department fixes to cover the actual cost of the services rendered.~~

Amend s. 441.10(3)6. as follows:

6. The applicant passes the examination ~~under sub. (2)~~ approved by the board for licensure as a licensed practical nurse in this state. The applicant may not take the examination before receiving a diploma under subd. 4. unless the applicant obtains a certificate of approval to take the examination from the school of nursing the applicant attends and submits that certificate to the board prior to examination.



Travis

LRB-0336(6)
RAC/MPG/RNK:cjs:cs

Stays

2015 BILL

d-note

17

Insert

Car Cut

STW

1 AN ACT *to repeal* 14.017 (3), 14.23, 15.07 (2) (L), 15.07 (2) (n), 15.07 (3) (bm) 4.,
 2 15.105 (26), 15.105 (28), 15.107 (5), 15.107 (17), 15.227 (17), 15.345 (6), 15.347
 3 (15), 15.407 (3), 15.407 (6), 15.407 (8), 15.407 (12), 15.407 (17), 15.707, 16.02,
 4 16.25 (1) (a), 16.71 (5), 16.957 (1) (cm), 16.97 (2m), 16.978, 23.18, 77.895 (1) (a),
 5 101.972, 196.209 (5), 450.025 and 454.287; and *to amend* 15.01 (4), 16.25 (2),
 6 16.25 (3) (intro.), 16.25 (3) (c), 16.25 (3) (d), 16.25 (3) (g), 16.25 (3) (i) 2., 16.25
 7 (3) (k), 16.25 (4) (a), 16.25 (4) (b), 16.25 (5), 16.25 (6), 16.42 (3), 16.705 (1b) (a),
 8 16.957 (2) (intro.), 16.957 (2) (d) 4. d., 16.957 (4) (b) (intro.), 16.973 (7), 16.976
 9 (3), 16.976 (4), 16.977 (intro.), 20.370 (5) (bz), 20.505 (4) (ec), 30.92 (1) (b), 36.59
 10 (1) (b) 3., 36.59 (1) (b) 4., 77.895 (2), 77.895 (3) (intro.), 77.895 (3) (a), 77.895 (3)
 11 (b), 77.895 (3) (c), 101.974 (2), 145.17 (2), 441.05, 441.10 (2) and 450.02 (2g) (b)

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1 of the statutes; **relating to:** eliminating inactive boards, councils, and
2 commissions.

Analysis by the Legislative Reference Bureau

Current law requires the Department of Administration (DOA) to include in its agency budget request a proposal to eliminate any council, board, or commission that has not held a meeting since the preceding September 15, unless the council, board, or commission is required to exist under federal law. This bill eliminates most of the state entities that were included in DOA's budget request for the 2015–17 fiscal biennium. The bill, however, does not affect the general authority of the head of a state agency to appoint advisory councils or committees.

The entities that are eliminated are the Telecommunications Privacy Council, Automatic Fire Sprinkler System Contractors and Journeymen Council, Barbering Advisory Committee, Crematory Authority Council, Multifamily Dwelling Code Council, Pharmacist Advisory Council, Historical Society Endowment Fund Council, Milwaukee River Revitalization Council, Managed Forest Land Board, Labor and Management Council, Acid Deposition Research Council, Council on Utility Public Benefits, Information Technology Management Board, Standards Development Council, Examining Council on Licensed Practical Nurses, and Examining Council on Registered Nurses.

Under the bill, the Volunteer Fire Fighter and Emergency Medical Technician Service Award Board is eliminated and its powers and duties are transferred to the secretary of administration.

Finally, the bill transfers from DOA to the Department of Safety and Professional Services the requirement to include in its agency budget request a proposal to eliminate any council, board, or commission that has not held a meeting since the preceding September 15.

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

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

3 **SECTION 1.** 14.017 (3) of the statutes is repealed.

4 **SECTION 2.** 14.23 of the statutes is repealed.

5 **SECTION 3.** 15.01 (4) of the statutes is amended to read:

6 15.01 (4) "Council" means a part-time body appointed to function on a
7 continuing basis for the study, and recommendation of solutions and policy

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1 alternatives, of the problems arising in a specified functional area of state
2 government, except ~~the Milwaukee River revitalization council has the powers and~~
3 ~~duties specified in s. 23.18~~, the council on physical disabilities has the powers and
4 duties specified in s. 46.29 (1) and (2), the state council on alcohol and other drug
5 abuse has the powers and duties specified in s. 14.24, and the electronic recording
6 council has the powers and duties specified in s. 706.25 (4).

7 **SECTION 4.** 15.07 (2) (L) of the statutes is repealed.

8 **SECTION 5.** 15.07 (2) (n) of the statutes is repealed.

9 **SECTION 6.** 15.07 (3) (bm) 4. of the statutes is repealed.

10 **SECTION 7.** 15.105 (26) of the statutes is repealed.

11 **SECTION 8.** 15.105 (28) of the statutes is repealed.

12 **SECTION 9.** 15.107 (5) of the statutes is repealed.

13 **SECTION 10.** 15.107 (17) of the statutes is repealed.

14 **SECTION 11.** 15.227 (17) of the statutes is repealed.

15 **SECTION 12.** 15.345 (6) of the statutes is repealed.

16 **SECTION 13.** 15.347 (15) of the statutes is repealed.

17 **SECTION 14.** 15.407 (3) of the statutes is repealed.

18 **SECTION 15.** 15.407 (6) of the statutes is repealed.

19 **SECTION 16.** 15.407 (8) of the statutes is repealed.

20 **SECTION 17.** 15.407 (12) of the statutes is repealed.

21 **SECTION 18.** 15.407 (17) of the statutes is repealed.

22 **SECTION 19.** 15.707 of the statutes is repealed.

23 **SECTION 20.** 16.02 of the statutes is repealed.

24 **SECTION 21.** 16.25 (1) (a) of the statutes is repealed.

25 **SECTION 22.** 16.25 (2) of the statutes is amended to read:

BILL**SECTION 22**

1 16.25 (2) ~~The board shall establish by rule~~ department shall administer a
2 program to provide length-of-service awards, described in 26 USC 457 (e) (11), to
3 volunteer fire fighters in municipalities that operate volunteer fire departments or
4 that contract with volunteer fire companies organized under ch. 181 or 213, to first
5 responders in any municipality that authorizes first responders to provide first
6 responder services, and to volunteer emergency medical technicians in any
7 municipality that authorizes volunteer emergency medical technicians to provide
8 emergency medical technical services in the municipality. To the extent permitted
9 by federal law, ~~the board shall design~~ department shall administer the program so
10 as to treat the length-of-service awards as a tax-deferred benefit under the Internal
11 Revenue Code.

12 **SECTION 23.** 16.25 (3) (intro.) of the statutes is amended to read:

13 16.25 (3) (intro.) ~~The board~~ department shall promulgate rules to include the
14 ~~following design features for~~ administer the program so as to include all of the
15 following features:

16 **SECTION 24.** 16.25 (3) (c) of the statutes is amended to read:

17 16.25 (3) (c) The municipality may select from among the plans offered by
18 individuals or organizations under contract with the ~~board~~ department under sub.
19 (4) for the volunteer fire fighters, first responders, and emergency medical
20 technicians who perform services for the municipality. The municipality shall pay
21 the annual contributions directly to the individual or organization offering the plan
22 selected by the municipality.

23 **SECTION 25.** 16.25 (3) (d) of the statutes is amended to read:

24 16.25 (3) (d) 1. Subject to subd. 2., ~~the board~~ department shall match all annual
25 municipal contributions paid for volunteer fire fighters, first responders, and

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1 emergency medical technicians up to \$250 per fiscal year, other than contributions
2 paid for the purchase of additional years of service under par. (e), to be paid from the
3 appropriation account under s. 20.505 (4) (er). This amount shall be adjusted
4 annually on July 1 to reflect any changes in the U.S. consumer price index for all
5 urban consumers, U.S. city average, as determined by the U.S. department of labor,
6 for the 12-month period ending on the preceding December 31. The ~~board~~
7 department shall pay all amounts that are matched under this paragraph to the
8 individuals and organizations offering the plans selected by the municipalities.

9 2. If the moneys appropriated under s. 20.505 (4) (er) are not sufficient to fully
10 fund the contributions required to be paid by the ~~board~~ department under subd. 1.,
11 the ~~board~~ department shall prorate the contributions paid for the volunteer fire
12 fighters, first responders, and emergency medical technicians.

13 **SECTION 26.** 16.25 (3) (g) of the statutes is amended to read:

14 16.25 (3) (g) A volunteer fire fighter, first responder, or emergency medical
15 technician shall be paid a length of service award either in a lump sum or in a manner
16 specified by rule, consisting of all municipal and state contributions made on behalf
17 of the volunteer fire fighter, first responder, or emergency medical technician and all
18 earnings on the contributions, less any expenses incurred in the investment of the
19 contributions and earnings, after the volunteer fire fighter, first responder, or
20 emergency medical technician attains 20 years of service for a municipality and
21 reaches the age of 60. If a volunteer fire fighter, first responder, or emergency
22 medical technician has satisfied all vesting requirements under the program but has
23 less than 20 years of service for a municipality or has not reached the age of 60, the
24 program shall provide for the payment of a length of service award either in a lump
25 sum or in a manner specified by rule in an amount to be determined by the ~~board~~

BILL**SECTION 26**

1 department, but less than the amount paid to a volunteer fire fighter, first responder,
2 or emergency medical technician who has attained 20 years of service for a
3 municipality and has reached the age of 60.

4 **SECTION 27.** 16.25 (3) (i) 2. of the statutes is amended to read:

5 16.25 (3) (i) 2. A volunteer fire fighter, first responder, or emergency medical
6 technician who becomes disabled during his or her service as a volunteer fire fighter,
7 first responder, or emergency medical technician for the municipality shall be paid
8 a length of service award either in a lump sum or in a manner specified by rule, in
9 an amount to be determined by the ~~board~~ department.

10 **SECTION 28.** 16.25 (3) (k) of the statutes is amended to read:

11 16.25 (3) (k) The ~~board~~ department shall equitably allocate all moneys in
12 accounts of volunteer fire fighters, first responders, and emergency medical
13 technicians that have been closed to the accounts of volunteer fire fighters, first
14 responders, and emergency medical technicians that have not been forfeited or
15 closed.

16 **SECTION 29.** 16.25 (4) (a) of the statutes is amended to read:

17 16.25 (4) (a) The ~~board~~ department shall establish by rule the requirements
18 for, and the qualifications of, the individuals and organizations in the private sector
19 that are eligible to provide administrative services and investment plans under the
20 program, other than services funded from the appropriation under s. 20.505 (4) (ec).
21 In establishing the requirements and qualifications, the ~~board~~ department shall
22 develop criteria of financial stability that each individual and organization must
23 meet in order to offer the services and plans under the program.

24 **SECTION 30.** 16.25 (4) (b) of the statutes is amended to read:

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1 16.25 (4) (b) The ~~board~~ department may contract with any individual or
2 organization in the private sector that seeks to provide administrative services and
3 investment plans required for the program, other than services funded from the
4 appropriation under s. 20.505 (4) (ec), if the individual or organization fulfills the
5 requirements and has the qualifications established by the ~~board~~ department under
6 par. (a). Section 16.72 (2) (b) does not apply to any such contract.

7 **SECTION 31.** 16.25 (5) of the statutes is amended to read:

8 16.25 (5) The ~~board~~ department shall establish by rule a process by which a
9 volunteer fire fighter, first responder, or emergency medical technician may appeal
10 to the ~~board~~ secretary any decision made by the department or by an individual or
11 organization under contract with the ~~board~~ department under sub. (4) that affects
12 a substantial interest of the volunteer fire fighter, first responder, or emergency
13 medical technician under the program.

14 **SECTION 32.** 16.25 (6) of the statutes is amended to read:

15 16.25 (6) Annually, on or before December 31, the ~~board~~ department shall
16 submit a report to the chief clerk of each house of the legislature under s. 13.172 (2)
17 describing the activities of the ~~board~~ department under this section.

18 **SECTION 33.** 16.42 (3) of the statutes is amended to read:

19 16.42 (3) The department of safety and professional services shall include in
20 its agency request under sub. (1) a proposal to eliminate any council, board, or
21 commission that has not held a meeting since the preceding September 15, unless
22 the council, board, or commission is required to exist under federal law.

23 **SECTION 34.** 16.705 (1b) (a) of the statutes is amended to read:

24 16.705 (1b) (a) The ~~service-award board~~ department under s. 16.25 (4) (b).

25 **SECTION 35.** 16.71 (5) of the statutes is repealed.

BILL**SECTION 36**

1 **SECTION 36.** 16.957 (1) (cm) of the statutes is repealed.

2 **SECTION 37.** 16.957 (2) (intro.) of the statutes is amended to read:

3 16.957 (2) DEPARTMENT DUTIES. (intro.) ~~In consultation with the council, the~~
4 The department shall do all of the following:

5 **SECTION 38.** 16.957 (2) (d) 4. d. of the statutes is amended to read:

6 16.957 (2) (d) 4. d. Any other issue identified by the department, ~~council,~~
7 governor, speaker of the assembly or majority leader of the senate.

8 **SECTION 39.** 16.957 (4) (b) (intro.) of the statutes is amended to read:

9 16.957 (4) (b) *Rules.* (intro.) ~~In consultation with the council, the~~ The
10 department shall promulgate rules that establish the amount of a low-income
11 assistance fee under par. (a). Fees established in rules under this paragraph may
12 vary by class of customer, but shall be uniform within each class, and shall satisfy
13 each of the following:

14 **SECTION 40.** 16.97 (2m) of the statutes is repealed.

15 **SECTION 41.** 16.973 (7) of the statutes is amended to read:

16 16.973 (7) Prescribe and revise as necessary performance measures to ensure
17 financial controls and accountability, optimal personnel utilization, and customer
18 satisfaction for all information technology functions in the executive branch outside
19 of the University of Wisconsin System and annually, no later than March 31, report
20 to the joint committee on information policy and technology ~~and the board~~
21 concerning the performance measures utilized by the department and the actual
22 performance of the department and the executive branch agencies measured against
23 the performance measures then in effect.

24 **SECTION 42.** 16.976 (3) of the statutes is amended to read:

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1 16.976 (3) Following receipt of a proposed strategic plan from an executive
2 branch agency, the department shall, before June 1, notify the agency of any concerns
3 that the department may have regarding the plan and provide the agency with its
4 recommendations regarding the proposed plan. ~~The department may also submit~~
5 ~~any concerns or recommendations regarding any proposed plan to the board for its~~
6 ~~consideration. The board shall then consider the proposed plan and provide the~~
7 ~~department with its recommendations regarding the plan.~~ The executive branch
8 agency may submit modifications to its proposed plan in response to any
9 recommendations.

10 **SECTION 43.** 16.976 (4) of the statutes is amended to read:

11 16.976 (4) Before June 15, the department shall ~~consider any~~
12 ~~recommendations provided by the board under sub. (3) and shall then approve or~~
13 ~~disapprove the proposed plan in whole or in part.~~

14 **SECTION 44.** 16.977 (intro.) of the statutes is amended to read:

15 **16.977 Information technology portfolio management.** (intro.) With the
16 assistance of executive branch agencies ~~and the advice of the board~~, the department
17 shall manage the information technology portfolio of state government in accordance
18 with a management structure that includes all of the following:

19 **SECTION 45.** 16.978 of the statutes is repealed.

20 **SECTION 46.** 20.370 (5) (bz) of the statutes is amended to read:

21 20.370 (5) (bz) *Resource aids — forestry outdoor activity grants.* As a
22 continuing appropriation, the amounts in the schedule for grants awarded by the
23 ~~managed forest land board~~ under s. 77.895.

24 **SECTION 47.** 20.505 (4) (ec) of the statutes is amended to read:

BILL**SECTION 47**

1 20.505 (4) (ec) *Service award program; general program operations.* The
2 amounts in the schedule for general program operations of the service award board
3 and to reimburse the department of administration for all services provided by the
4 department to the board program under s. 16.25.

5 **SECTION 48.** 23.18 of the statutes is repealed.

6 **SECTION 49.** 30.92 (1) (b) of the statutes is amended to read:

7 30.92 (1) (b) “Governmental unit” means the department, a municipality, a lake
8 sanitary district, a public inland lake protection and rehabilitation district organized
9 under ch. 33, the Milwaukee River revitalization council, the Lower Wisconsin State
10 Riverway board, or any other local governmental unit, as defined in s. 66.0131 (1) (a),
11 that is established for the purpose of lake management.

12 **SECTION 50.** 36.59 (1) (b) 3. of the statutes is amended to read:

13 36.59 (1) (b) 3. Following receipt of a proposed strategic plan from the system
14 or an institution or college campus, the Board of Regents shall, before June 1, notify
15 the system, institution, or college campus of any concerns that the Board of Regents
16 may have regarding the plan and provide the system, institution, or college campus
17 with its recommendations regarding the proposed plan. The Board of Regents may
18 also submit any concerns or recommendations regarding any proposed plan to the
19 ~~information technology management board~~ department of administration for its
20 consideration. The ~~information technology management board~~ department of
21 administration shall then consider the proposed plan and provide the Board of
22 Regents with its recommendations regarding the plan. The system, institution, or
23 college campus may submit modifications to its proposed plan in response to any
24 recommendations.

25 **SECTION 51.** 36.59 (1) (b) 4. of the statutes is amended to read:

BILL

Insert 11-4

1 36.59 (1) (b) 4. Before June 15, the Board of Regents shall consider any
2 recommendations provided by the ~~information technology management board~~
3 department of administration under subd. 3. and shall then approve or disapprove
4 the proposed plan in whole or in part.

5 **SECTION 52.** 77.895 (1) (a) of the statutes is repealed.

6 **SECTION 53.** 77.895 (2) of the statutes is amended to read:

7 77.895 (2) PROGRAM. The department shall establish and administer a program
8 to award grants to nonprofit conservation organizations, to local governmental
9 units, and to itself to acquire land to be used for hunting, fishing, hiking, sightseeing,
10 and cross-country skiing. ~~The board shall administer the program and award the~~
11 ~~grants under the program.~~

12 **SECTION 54.** 77.895 (3) (intro.) of the statutes is amended to read:

13 77.895 (3) REQUIREMENTS. (intro.) The department, ~~in consultation with the~~
14 ~~board,~~ shall promulgate rules establishing requirements for awarding grants under
15 this section. The rules promulgated under this subsection shall include all of the
16 following:

17 **SECTION 55.** 77.895 (3) (a) of the statutes is amended to read:

18 77.895 (3) (a) A requirement that the ~~board~~ department give higher priority
19 to counties over other grant applicants in awarding grants under this section.

20 **SECTION 56.** 77.895 (3) (b) of the statutes is amended to read:

21 77.895 (3) (b) A requirement that, in awarding grants to counties under this
22 section, the ~~board~~ department give higher priority to counties that have higher
23 numbers of acres that are designated as closed under s. 77.83.

24 **SECTION 57.** 77.895 (3) (c) of the statutes is amended to read:

BILL

SECTION 57

1 77.895 (3) (c) A requirement that, in awarding grants to towns under this
2 section, the ~~board~~ department give higher priority to towns that have higher
3 numbers of acres that are designated as closed under s. 77.83.

4 **SECTION 58.** 101.972 of the statutes is repealed.

5 **SECTION 59.** 101.974 (2) of the statutes is amended to read:

6 101.974 (2) Promulgate the rules under this subchapter ~~after consultation with~~
7 ~~the multifamily dwelling code council.~~

8 **SECTION 60.** 145.17 (2) of the statutes is amended to read:

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

15 **SECTION 61.** 196.209 (5) of the statutes is repealed.

16 **SECTION 62.** 441.05 of the statutes is amended to read:

17 **441.05 Examination for nurses.** ~~The examining council on registered nurses~~
18 ~~department shall prepare or select written questions in areas it determines and~~
19 ~~prescribe promulgate rules, subject to the approval of the board, for conducting~~
20 ~~examinations and the preservation of the examination papers for one year.~~
21 ~~Examinations shall be held at least twice a year at times and places designated by~~
22 ~~the examining council department, and at least 30 days' public notice shall be given.~~
23 ~~Examinations may also be held at other times and places with or without public~~
24 ~~notice as directed by the examining council department. The examining council~~
25 ~~department may also proctor an examination of another state for the convenience of~~

Insert 10-17

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BILL

1 a candidate and charge such fee therefor as the department fixes to cover the actual
2 cost of the service rendered.

3 **SECTION 63.** 441.10 (2) of the statutes is amended to read:

4 441.10 (2) EXAMINATION. ~~The examining council on licensed practical nurses~~
5 ~~department~~ shall prepare or select written questions in areas it determines and
6 ~~prescribe promulgate rules, subject to the approval of the board,~~ for the examination
7 of those desirous of becoming licensed practical nurses, and the examination papers
8 of all applicants shall be preserved for one year. Examinations shall be held at least
9 twice annually at times and places designated by the ~~board~~ department, and at least
10 30 days' public notice shall be given of each examination. Examinations may also
11 be held at other times and places with or without public notice as directed by the
12 ~~examining council~~ department. ~~The examining council~~ department may also proctor
13 an examination of another state for the convenience of a candidate and shall charge
14 such fee therefor as the department fixes to cover the actual cost of the services
15 rendered.

16 **SECTION 64.** 450.02 (2g) (b) of the statutes is amended to read:

17 450.02 (2g) (b) The board shall promulgate rules that establish requirements
18 and procedures for the administration of a drug product or device, as defined in s.
19 450.035 (1g), by a pharmacist under s. 450.035 (1r). ~~Notwithstanding s. 15.08 (5) (b),~~
20 ~~the board may promulgate rules under this paragraph only if the rules are identical~~
21 ~~to rules recommended by the pharmacist advisory council. The board may amend~~
22 ~~or repeal rules promulgated under this paragraph only upon the recommendation of~~
23 ~~the pharmacist advisory council.~~

24 **SECTION 65.** 450.025 of the statutes is repealed.

25 **SECTION 66.** 454.287 of the statutes is repealed.

BILL**SECTION 67****SECTION 67. Nonstatutory provisions.**

(1) ELIMINATION OF VOLUNTEER FIRE FIGHTER AND EMERGENCY MEDICAL TECHNICIAN SERVICE AWARD BOARD.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the volunteer fire fighter and emergency medical technician service award board become the assets and liabilities of the department of administration.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the volunteer fire fighter and emergency medical technician service award board is transferred to the department of administration.

(c) *Contracts.* All contracts entered into by the volunteer fire fighter and emergency medical technician service award board in effect on the effective date of this paragraph remain in effect and are transferred to the department of administration. The department of administration shall carry out any such contractual obligations unless modified or rescinded by the department of administration to the extent allowed under the contract.

(d) *Pending matters.* Any matter pending with the volunteer fire fighter and emergency medical technician service award board on the effective date of this paragraph is transferred to the department of administration, and all materials submitted to or actions taken by the volunteer fire fighter and emergency medical technician service award board with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(e) *Rules and orders.* All rules promulgated by the volunteer fire fighter and emergency medical technician service award board that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until

BILL

1 amended or repealed by the department of administration. All orders issued by the
2 volunteer fire fighter and emergency medical technician service award board that
3 are in effect on the effective date of this paragraph remain in effect until their
4 specified expiration dates or until modified or rescinded by the department of
5 administration.

6 (2) ELIMINATION OF EXAMINING COUNCIL ON REGISTERED NURSES AND EXAMINING
7 COUNCIL ON LICENSED PRACTICAL NURSES.

8 (a) *Assets and liabilities.* On the effective date of this paragraph, any assets
9 and liabilities of the examining council on registered nurses and the examining
10 council on licensed practical nurses become the assets and liabilities of the
11 ~~department of safety and professional services.~~ *board of nursing*

12 (b) *Tangible personal property.* On the effective date of this paragraph, all
13 records and other tangible personal property of the examining council on registered
14 nurses and the examining council on licensed practical nurses are transferred to the
15 ~~department of safety and professional services.~~

16 (c) *Contracts.* Any contract entered into by the examining council on registered
17 nurses or the examining council on licensed practical nurses remains in effect and
18 is transferred to the ~~department of safety and professional services.~~ The ~~department~~
19 ~~of safety and professional services~~ shall carry out any obligations under such a
20 contract until the contract is modified or rescinded by the ~~department of safety and~~
21 ~~professional services~~ to the extent allowed under the contract.

22 (d) *Rules and orders.* Any rule or order of the examining council on registered
23 nurses under section 441.05, 2013 stats., or of the examining council on licensed
24 practical nurses under section 441.10 (2), 2013 stats., that is in effect on the effective

BILL

1 date of this paragraph remains in effect until its specified expiration date or until
2 modified or rescinded by the department of safety and professional services.

3 (e) *Pending matters.* Any matter pending with the examining council on
4 registered nurses or the examining council on licensed practical nurses on the
5 effective date of this paragraph is transferred to the department of safety and
6 professional services and all materials submitted to or actions taken by the
7 examining council on registered nurses or the examining council on licensed
8 practical nurses with respect to the pending matter are considered as having been
9 submitted to or taken by the department of safety and professional services.

10

(END)

board of nursing

d-note

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

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MPG:.....

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INSERT 11-4

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SECTION 1. 48.981 (2m) (b) 1. of the statutes is amended to read:

48.981 (2m) (b) 1. "Health care provider" means a physician, as defined under s. 448.01 (5), a physician assistant, as defined under s. 448.01 (6), or a nurse holding a certificate of registration under s. 441.06 (1) or a license under s. 441.10 (3).

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; 2001 a. 16, 38, 59, 69, 70, 103, 105; 2003 a. 33, 279, 321; 2005 a. 113, 232, 344, 406, 434; 2005 a. 443 s. 265; 2007 a. 20 ss. 1370 to 1373, 9121 (6) (a); 2007 a. 97; 2009 a. 28, 76, 78, 79, 94, 185; 2011 a. 32, 81, 87; 2013 a. 20, 170, 261.

END INSERT 11-4

INSERT 12-14

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SECTION 2. 146.40 (1) (g) of the statutes is amended to read:

146.40 (1) (g) "Student nurse" means an individual who is currently enrolled in a school for professional nurses or a school for licensed practical nurses that meets standards established under s. 441.01 (4), or who has successfully completed the course work of a basic nursing course of the school but has not successfully completed the examination under s. ~~441.05~~ 441.06 (1) (e) or ~~441.10 (2)~~ 441.10 (1) (f).

History: 1987 a. 128; 1989 a. 31, 84, 336; 1991 a. 39; 1993 a. 27, 399; 1995 a. 27; 1997 a. 27, 35, 156, 237, 252; 1999 a. 9, 22, 32; 2001 a. 74; 2007 a. 20 ss. 2862, 9121 (6) (a); 2007 a. 45, 153; 2011 a. 32, 120, 126; 2013 a. 36, 165, 357; s. 35.17 correction in sub. (2g) (b).

END INSERT 12-14

INSERT 12-15

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SECTION 3. 255.35 (1m) (a) 2. of the statutes is amended to read:

255.35 (1m) (a) 2. Licensure as a licensed practical nurse under s. 441.10 (3).

History: 1993 a. 16; 1995 a. 27; 1997 a. 27; 1999 a. 9; 2007 a. 20; 2007 a. 130 ss. 151 to 155; Stats. 2007 s. 255.35; 2009 a. 28; 2011 a. 120; 2013 a. 124.

SECTION 4. 441.05 of the statutes is repealed.

SECTION 5. 441.06 (1) (e) of the statutes is amended to read:

441.06 (1) (e) The applicant passes the examination under s. ~~441.05~~ approved by the board to receive a license as a registered nurse in this state. The applicant

1 may not take the examination before receiving a diploma under par. (c) unless the
2 applicant obtains a certificate of approval to take the examination from the school
3 of nursing the applicant attends and submits that certificate to the board prior to
4 examination.

History: 1971 c. 125, 215; 1973 c. 159; 1975 c. 39, 199; 1977 c. 29, 164; 1979 c. 34, 162; 1987 a. 27, 264; 1991 a. 39; 1999 a. 22; 2001 a. 107; 2005 a. 96, 187; 2007 a. 20; 2009 a. 42; 2013 a. 114 ss. 4, 5; 2013 a. 124 s. 28; s. 13.92 (2) (i).

5 **SECTION 6.** 441.10 (2) of the statutes is repealed.

6 **SECTION 7.** 441.10 (3) (title) of the statutes is repealed.

7 **SECTION 8.** 441.10 (3) (a) of the statutes is renumbered 441.10 (1), and 441.10
8 (1) (f), as renumbered, is amended to read:

9 441.10 (1) (f) The applicant passes the examination ~~under sub. (2)~~ approved by
10 the board for licensure as a licensed practical nurse in this state. The applicant may
11 not take the examination before receiving a diploma under ~~subd. 4.~~ par. (d) unless
12 the applicant obtains a certificate of approval to take the examination from the
13 school of nursing the applicant attends and submits that certificate to the board prior
14 to examination.

History: 1971 c. 125, 215; 1975 c. 39, 199; 1977 c. 29, 418; 1979 c. 34, 162, 337; 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 273 ss. 3, 8; 1987 a. 27, 264; 1991 a. 39; 1999 a. 22; 2001 a. 107; 2005 a. 96; 2007 a. 20; 2009 a. 28, 42; 2013 a. 114, 124; s. 13.92 (2) (i).

15 **SECTION 9.** 441.10 (3) (ag) of the statutes is renumbered 441.10 (4).

16 **SECTION 10.** 441.10 (3) (ar) of the statutes is renumbered 441.10 (5). INS A

17 **SECTION 11.** 441.10 (3) (b) of the statutes is renumbered 441.10 (6).

18 **SECTION 12.** 441.10 (3) (c) of the statutes is renumbered 441.10 (7). INS B

19 **SECTION 13.** 441.10 (3) (d) of the statutes is renumbered 441.10 (8).

20 **SECTION 14.** 441.10 (3) (e) of the statutes is renumbered 441.10 (9).

END INSERT 12-15

**2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

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.....

INS A

1 **SECTION 1.** 441.10 (3) (ar) of the statutes is renumbered 441.10 (5) and
2 amended to read:

3 **441.10 (5)** The holder of a license under this subsection section is a “licensed
4 practical nurse” and may append the letters “L.P.N.” to his or her name. The board
5 may reprimand or may limit, suspend, or revoke the license of a licensed practical
6 nurse under s. 441.07.

History: 1971 c. 125, 215; 1975 c. 39, 199; 1977 c. 29, 418; 1979 c. 34, 162, 337; 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 273 ss. 3, 8; 1987 a. 27, 264; 1991 a. 39; 1999 a. 22; 2001 a. 107; 2005 a. 96; 2007 a. 20; 2009 a. 28, 42; 2013 a. 114, 124; s. 13.92 (2) (i).

END INS A

INS B

7 **SECTION 2.** 441.10 (3) (c) of the statutes is renumbered 441.10 (7) and amended
8 to read:

9 **441.10 (7)** No license is required for practical nursing, but, except as provided
10 in s. 257.03, no person without a license may hold himself or herself out as a licensed
11 practical nurse or licensed attendant, use the title or letters “Trained Practical
12 Nurse” or “T.P.N.”, “Licensed Practical Nurse” or “L.P.N.”, “Licensed Attendant” or
13 “L.A.”, “Trained Attendant” or “T.A.”, or otherwise seek to indicate that he or she is
14 a licensed practical nurse or licensed attendant. No licensed practical nurse or
15 licensed attendant may use the title, or otherwise seek to act as a registered, licensed,
16 graduate or professional nurse. Anyone violating this subsection shall be subject to
17 the penalties prescribed by s. 441.13. The board shall grant without examination a
18 license as a licensed practical nurse to any person who was on July 1, 1949, a licensed
19 attendant. This paragraph subsection does not apply to any person who is licensed

- 1 to practice practical nursing by a jurisdiction, other than this state, that has adopted
- 2 the nurse licensure compact under s. 441.50.

History: 1971 c. 125, 215; 1975 c. 39, 199; 1977 c. 29, 418; 1979 c. 34, 162, 337; 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 273 ss. 3, 8; 1987 a. 27, 264; 1991 a. 39; 1999 a. 22; 2001 a. 107; 2005 a. 96; 2007 a. 20; 2009 a. 28, 42; 2013 a. 114, 124; s. 13.92 (2) (i).

END INS B

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

LRB-0336/7dn

MPG/.....

ys

-date -

Katie:

Because this redraft eliminates the transfer of the functions of the Examining Council on Registered Nurses and the Examining Council on Licensed Practical Nurses to DSPS, and instead specifies that the Board of Nursing approves examinations for registered nurses and licensed practical nurses, the transfers of assets and liabilities, etc., if any, in the back of the bill go to the Board of Nursing under the redraft, rather than DSPS. Okay?

Please do not hesitate to contact me with any questions.

Thank you.

Michael Gallagher
Legislative Attorney
(608) 267-7511
michael.gallagher@legis.wisconsin.gov

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

LRB-0336/7dn
MPG:cjs:jm

March 3, 2015

Katie:

Because this redraft eliminates the transfer of the functions of the Examining Council on Registered Nurses and the Examining Council on Licensed Practical Nurses to DSPS, and instead specifies that the Board of Nursing approves examinations for registered nurses and licensed practical nurses, the transfers of assets and liabilities, etc., if any, in the back of the bill go to the Board of Nursing under the redraft, rather than DSPS. Okay?

Please do not hesitate to contact me with any questions.

Thank you.

Michael Gallagher
Legislative Attorney
(608) 267-7511
michael.gallagher@legis.wisconsin.gov

Champagne, Rick

From: Ignatowski, Katie E - GOV <Katie.Ignatowski@wisconsin.gov>
Sent: Wednesday, March 11, 2015 5:12 PM
To: Champagne, Rick; Gallagher, Michael
Cc: Hughes, Patrick - GOV
Subject: RE: Language modification suggestion - LRB 0336/5

Great, thanks!

Katie Ignatowski | Deputy Legal Counsel | Office of Governor Scott Walker | 608.266.1212

From: Champagne, Rick [mailto:Rick.Champagne@legis.wisconsin.gov]
Sent: Wednesday, March 11, 2015 5:00 PM
To: Ignatowski, Katie E - GOV; Gallagher, Michael - LEGIS
Cc: Hughes, Patrick - GOV
Subject: RE: Language modification suggestion - LRB 0336/5

You will have it tomorrow!

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Ignatowski, Katie E - GOV" <Katie.Ignatowski@wisconsin.gov>
Date: 03/11/2015 4:56 PM (GMT-06:00)
To: "Gallagher, Michael" <Michael.Gallagher@legis.wisconsin.gov>, "Champagne, Rick" <Rick.Champagne@legis.wisconsin.gov>
Cc: "Hughes, Patrick - GOV" <Patrick.Hughes@wisconsin.gov>
Subject: FW: Language modification suggestion - LRB 0336/5

Hi Rick and Mike,

Can we please have the Respiratory Care Practitioners Examining Council and Barbering Advisory Committee removed from the bill? We no longer want to eliminate these two. As soon as that is done we are ready to have the bill jacketed. If we could have the changes made by the end of the week that would be great.

Thanks!

Katie Ignatowski | Deputy Legal Counsel | Office of Governor Scott Walker | 608.266.1212

From: Champagne, Rick [mailto:Rick.Champagne@legis.wisconsin.gov]
Sent: Monday, March 02, 2015 4:53 PM
To: Ignatowski, Katie E - GOV
Subject: RE: Language modification suggestion - LRB 0336/5

Is it OK if I get Mike Gallagher to work on this tomorrow? He left for the day?

From: Ignatowski, Katie E - GOV [mailto:Katie.Ignatowski@wisconsin.gov]
Sent: Monday, March 02, 2015 4:51 PM
To: Champagne, Rick

Cc: Hughes, Patrick - GOV

Subject: FW: Language modification suggestion - LRB 0336/5

Hi Rick,

DSPS sent us the following modification request for this bill. Sorry for the last minute change, but is this still something we can do?

Thanks,

Katie Ignatowski | Deputy Legal Counsel | Office of Governor Scott Walker | 608.266.1212

From: Gasper, Greg - DSPS

Sent: Friday, February 27, 2015 4:23 PM

To: Hughes, Patrick - GOV; Ignatowski, Katie E - GOV

Cc: Esser, Eric - DSPS

Subject: Language modification suggestion - LRB 0336/5

Attached.

Greg Gasper | Administrator | Division of Policy Development | Wisconsin Dept. of Safety and Professional Services | 608.266.8419

Subject Code Key:

NTN – No Thanks Necessary **NRN** – No Response Necessary **RO** – Received Only **SLO** – Subject Line Only **IRN** – Immediate Response Needed **AN** – Action Needed



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-03367/8
RAC/MPG/RNK:cjs:jm

Today

stays

2015 BILL

Corn Cat

changes on pages 2 and 15 only

1 AN ACT *to repeal* 14.017 (3), 14.23, 15.07 (2) (L), 15.07 (2) (n), 15.07 (3) (bm) 4.,
2 15.105 (26), 15.105 (28), 15.107 (5), 15.107 (17), 15.227 (17), 15.345 (6), 15.347
3 (15), 15.407 (3), 15.407 (6), 15.407 (8), 15.407 (12), 15.407 (17), 15.707, 16.02,
4 16.25 (1) (a), 16.71 (5), 16.957 (1) (cm), 16.97 (2m), 16.978, 23.18, 77.895 (1) (a),
5 101.972, 196.209 (5), 441.05, 441.10 (2), 441.10 (3) (title), 450.025 and 454.287;
6 *to renumber* 441.10 (3) (ag), 441.10 (3) (b), 441.10 (3) (d) and 441.10 (3) (e); *to*
7 *renumber and amend* 441.10 (3) (a), 441.10 (3) (ar) and 441.10 (3) (c); and *to*
8 *amend* 15.01 (4), 16.25 (2), 16.25 (3) (intro.), 16.25 (3) (c), 16.25 (3) (d), 16.25
9 (3) (g), 16.25 (3) (i) 2., 16.25 (3) (k), 16.25 (4) (a), 16.25 (4) (b), 16.25 (5), 16.25
10 (6), 16.42 (3), 16.705 (1b) (a), 16.957 (2) (intro.), 16.957 (2) (d) 4. d., 16.957 (4)
11 (b) (intro.), 16.973 (7), 16.976 (3), 16.976 (4), 16.977 (intro.), 20.370 (5) (bz),
12 20.505 (4) (ec), 30.92 (1) (b), 36.59 (1) (b) 3., 36.59 (1) (b) 4., 48.981 (2m) (b) 1.,
13 77.895 (2), 77.895 (3) (intro.), 77.895 (3) (a), 77.895 (3) (b), 77.895 (3) (c), 101.974
14 (2), 145.17 (2), 146.40 (1) (g), 255.35 (1m) (a) 2., 441.06 (1) (e) and 450.02 (2g)

BILL

1 (b) of the statutes; **relating to:** eliminating inactive boards, councils, and
2 commissions.

Analysis by the Legislative Reference Bureau

Current law requires the Department of Administration (DOA) to include in its agency budget request a proposal to eliminate any council, board, or commission that has not held a meeting since the preceding September 15, unless the council, board, or commission is required to exist under federal law. This bill eliminates most of the state entities that were included in DOA's budget request for the 2015–17 fiscal biennium. The bill, however, does not affect the general authority of the head of a state agency to appoint advisory councils or committees.

The entities that are eliminated are the Telecommunications Privacy Council, Automatic Fire Sprinkler System Contractors and Journeymen Council, ~~Barbering~~ ~~Advisory Committee~~, Crematory Authority Council, Multifamily Dwelling Code Council, Pharmacist Advisory Council, Historical Society Endowment Fund Council, Milwaukee River Revitalization Council, Managed Forest Land Board, Labor and Management Council, Acid Deposition Research Council, Council on Utility Public Benefits, Information Technology Management Board, Standards Development Council, Examining Council on Licensed Practical Nurses, and Examining Council on Registered Nurses.

Under the bill, the Volunteer Fire Fighter and Emergency Medical Technician Service Award Board is eliminated and its powers and duties are transferred to the secretary of administration.

Finally, the bill transfers from DOA to the Department of Safety and Professional Services the requirement to include in its agency budget request a proposal to eliminate any council, board, or commission that has not held a meeting since the preceding September 15.

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

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

3 **SECTION 1.** 14.017 (3) of the statutes is repealed.

4 **SECTION 2.** 14.23 of the statutes is repealed.

5 **SECTION 3.** 15.01 (4) of the statutes is amended to read:

6 15.01 (4) "Council" means a part-time body appointed to function on a
7 continuing basis for the study, and recommendation of solutions and policy

BILL

1 alternatives, of the problems arising in a specified functional area of state
2 government, except the Milwaukee River revitalization council has the powers and
3 duties specified in s. 23.18, the council on physical disabilities has the powers and
4 duties specified in s. 46.29 (1) and (2), the state council on alcohol and other drug
5 abuse has the powers and duties specified in s. 14.24, and the electronic recording
6 council has the powers and duties specified in s. 706.25 (4).

7 **SECTION 4.** 15.07 (2) (L) of the statutes is repealed.

8 **SECTION 5.** 15.07 (2) (n) of the statutes is repealed.

9 **SECTION 6.** 15.07 (3) (bm) 4. of the statutes is repealed.

10 **SECTION 7.** 15.105 (26) of the statutes is repealed.

11 **SECTION 8.** 15.105 (28) of the statutes is repealed.

12 **SECTION 9.** 15.107 (5) of the statutes is repealed.

13 **SECTION 10.** 15.107 (17) of the statutes is repealed.

14 **SECTION 11.** 15.227 (17) of the statutes is repealed.

15 **SECTION 12.** 15.345 (6) of the statutes is repealed.

16 **SECTION 13.** 15.347 (15) of the statutes is repealed.

17 **SECTION 14.** 15.407 (3) of the statutes is repealed.

18 **SECTION 15.** 15.407 (6) of the statutes is repealed.

19 **SECTION 16.** 15.407 (8) of the statutes is repealed.

20 **SECTION 17.** 15.407 (12) of the statutes is repealed.

21 **SECTION 18.** 15.407 (17) of the statutes is repealed.

22 **SECTION 19.** 15.707 of the statutes is repealed.

23 **SECTION 20.** 16.02 of the statutes is repealed.

24 **SECTION 21.** 16.25 (1) (a) of the statutes is repealed.

25 **SECTION 22.** 16.25 (2) of the statutes is amended to read:

BILL**SECTION 22**

1 16.25 (2) ~~The board shall establish by rule~~ department shall administer a
2 program to provide length-of-service awards, described in 26 USC 457 (e) (11), to
3 volunteer fire fighters in municipalities that operate volunteer fire departments or
4 that contract with volunteer fire companies organized under ch. 181 or 213, to first
5 responders in any municipality that authorizes first responders to provide first
6 responder services, and to volunteer emergency medical technicians in any
7 municipality that authorizes volunteer emergency medical technicians to provide
8 emergency medical technical services in the municipality. To the extent permitted
9 by federal law, ~~the board shall design~~ department shall administer the program so
10 as to treat the length-of-service awards as a tax-deferred benefit under the Internal
11 Revenue Code.

12 **SECTION 23.** 16.25 (3) (intro.) of the statutes is amended to read:

13 16.25 (3) (intro.) ~~The board~~ department shall ~~promulgate rules to include the~~
14 ~~following design features for~~ administer the program so as to include all of the
15 following features:

16 **SECTION 24.** 16.25 (3) (c) of the statutes is amended to read:

17 16.25 (3) (c) The municipality may select from among the plans offered by
18 individuals or organizations under contract with the board department under sub.
19 (4) for the volunteer fire fighters, first responders, and emergency medical
20 technicians who perform services for the municipality. The municipality shall pay
21 the annual contributions directly to the individual or organization offering the plan
22 selected by the municipality.

23 **SECTION 25.** 16.25 (3) (d) of the statutes is amended to read:

24 16.25 (3) (d) 1. Subject to subd. 2., ~~the board~~ department shall match all annual
25 municipal contributions paid for volunteer fire fighters, first responders, and

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1 emergency medical technicians up to \$250 per fiscal year, other than contributions
2 paid for the purchase of additional years of service under par. (e), to be paid from the
3 appropriation account under s. 20.505 (4) (er). This amount shall be adjusted
4 annually on July 1 to reflect any changes in the U.S. consumer price index for all
5 urban consumers, U.S. city average, as determined by the U.S. department of labor,
6 for the 12-month period ending on the preceding December 31. The ~~board~~
7 department shall pay all amounts that are matched under this paragraph to the
8 individuals and organizations offering the plans selected by the municipalities.

9 2. If the moneys appropriated under s. 20.505 (4) (er) are not sufficient to fully
10 fund the contributions required to be paid by the ~~board~~ department under subd. 1.,
11 the ~~board~~ department shall prorate the contributions paid for the volunteer fire
12 fighters, first responders, and emergency medical technicians.

13 **SECTION 26.** 16.25 (3) (g) of the statutes is amended to read:

14 16.25 (3) (g) A volunteer fire fighter, first responder, or emergency medical
15 technician shall be paid a length of service award either in a lump sum or in a manner
16 specified by rule, consisting of all municipal and state contributions made on behalf
17 of the volunteer fire fighter, first responder, or emergency medical technician and all
18 earnings on the contributions, less any expenses incurred in the investment of the
19 contributions and earnings, after the volunteer fire fighter, first responder, or
20 emergency medical technician attains 20 years of service for a municipality and
21 reaches the age of 60. If a volunteer fire fighter, first responder, or emergency
22 medical technician has satisfied all vesting requirements under the program but has
23 less than 20 years of service for a municipality or has not reached the age of 60, the
24 program shall provide for the payment of a length of service award either in a lump
25 sum or in a manner specified by rule in an amount to be determined by the ~~board~~

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1 department, but less than the amount paid to a volunteer fire fighter, first responder,
2 or emergency medical technician who has attained 20 years of service for a
3 municipality and has reached the age of 60.

4 **SECTION 27.** 16.25 (3) (i) 2. of the statutes is amended to read:

5 16.25 (3) (i) 2. A volunteer fire fighter, first responder, or emergency medical
6 technician who becomes disabled during his or her service as a volunteer fire fighter,
7 first responder, or emergency medical technician for the municipality shall be paid
8 a length of service award either in a lump sum or in a manner specified by rule, in
9 an amount to be determined by the board department.

10 **SECTION 28.** 16.25 (3) (k) of the statutes is amended to read:

11 16.25 (3) (k) The board department shall equitably allocate all moneys in
12 accounts of volunteer fire fighters, first responders, and emergency medical
13 technicians that have been closed to the accounts of volunteer fire fighters, first
14 responders, and emergency medical technicians that have not been forfeited or
15 closed.

16 **SECTION 29.** 16.25 (4) (a) of the statutes is amended to read:

17 16.25 (4) (a) The board department shall establish by rule the requirements
18 for, and the qualifications of, the individuals and organizations in the private sector
19 that are eligible to provide administrative services and investment plans under the
20 program, other than services funded from the appropriation under s. 20.505 (4) (ec).
21 In establishing the requirements and qualifications, the board department shall
22 develop criteria of financial stability that each individual and organization must
23 meet in order to offer the services and plans under the program.

24 **SECTION 30.** 16.25 (4) (b) of the statutes is amended to read:

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1 16.25 (4) (b) The ~~board~~ department may contract with any individual or
2 organization in the private sector that seeks to provide administrative services and
3 investment plans required for the program, other than services funded from the
4 appropriation under s. 20.505 (4) (ec), if the individual or organization fulfills the
5 requirements and has the qualifications established by the ~~board~~ department under
6 par. (a). Section 16.72 (2) (b) does not apply to any such contract.

7 **SECTION 31.** 16.25 (5) of the statutes is amended to read:

8 16.25 (5) The ~~board~~ department shall establish by rule a process by which a
9 volunteer fire fighter, first responder, or emergency medical technician may appeal
10 to the ~~board~~ secretary any decision made by the department or by an individual or
11 organization under contract with the ~~board~~ department under sub. (4) that affects
12 a substantial interest of the volunteer fire fighter, first responder, or emergency
13 medical technician under the program.

14 **SECTION 32.** 16.25 (6) of the statutes is amended to read:

15 16.25 (6) Annually, on or before December 31, the ~~board~~ department shall
16 submit a report to the chief clerk of each house of the legislature under s. 13.172 (2)
17 describing the activities of the ~~board~~ department under this section.

18 **SECTION 33.** 16.42 (3) of the statutes is amended to read:

19 16.42 (3) The department of safety and professional services shall include in
20 its agency request under sub. (1) a proposal to eliminate any council, board, or
21 commission that has not held a meeting since the preceding September 15, unless
22 the council, board, or commission is required to exist under federal law.

23 **SECTION 34.** 16.705 (1b) (a) of the statutes is amended to read:

24 16.705 (1b) (a) The ~~service award board~~ department under s. 16.25 (4) (b).

25 **SECTION 35.** 16.71 (5) of the statutes is repealed.

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1 **SECTION 36.** 16.957 (1) (cm) of the statutes is repealed.

2 **SECTION 37.** 16.957 (2) (intro.) of the statutes is amended to read:

3 16.957 (2) DEPARTMENT DUTIES. (intro.) ~~In consultation with the council, the~~
4 The department shall do all of the following:

5 **SECTION 38.** 16.957 (2) (d) 4. d. of the statutes is amended to read:

6 16.957 (2) (d) 4. d. Any other issue identified by the department, council,
7 governor, speaker of the assembly or majority leader of the senate.

8 **SECTION 39.** 16.957 (4) (b) (intro.) of the statutes is amended to read:

9 16.957 (4) (b) *Rules.* (intro.) ~~In consultation with the council, the~~ The
10 department shall promulgate rules that establish the amount of a low-income
11 assistance fee under par. (a). Fees established in rules under this paragraph may
12 vary by class of customer, but shall be uniform within each class, and shall satisfy
13 each of the following:

14 **SECTION 40.** 16.97 (2m) of the statutes is repealed.

15 **SECTION 41.** 16.973 (7) of the statutes is amended to read:

16 16.973 (7) Prescribe and revise as necessary performance measures to ensure
17 financial controls and accountability, optimal personnel utilization, and customer
18 satisfaction for all information technology functions in the executive branch outside
19 of the University of Wisconsin System and annually, no later than March 31, report
20 to the joint committee on information policy and technology and ~~the board~~
21 concerning the performance measures utilized by the department and the actual
22 performance of the department and the executive branch agencies measured against
23 the performance measures then in effect.

24 **SECTION 42.** 16.976 (3) of the statutes is amended to read:

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1 16.976 (3) Following receipt of a proposed strategic plan from an executive
2 branch agency, the department shall, before June 1, notify the agency of any concerns
3 that the department may have regarding the plan and provide the agency with its
4 recommendations regarding the proposed plan. ~~The department may also submit~~
5 ~~any concerns or recommendations regarding any proposed plan to the board for its~~
6 ~~consideration. The board shall then consider the proposed plan and provide the~~
7 ~~department with its recommendations regarding the plan.~~ The executive branch
8 agency may submit modifications to its proposed plan in response to any
9 recommendations.

10 **SECTION 43.** 16.976 (4) of the statutes is amended to read:

11 16.976 (4) Before June 15, the department shall ~~consider any~~
12 ~~recommendations provided by the board under sub. (3) and shall then approve or~~
13 ~~disapprove the proposed plan in whole or in part.~~

14 **SECTION 44.** 16.977 (intro.) of the statutes is amended to read:

15 **16.977 Information technology portfolio management.** (intro.) With the
16 assistance of executive branch agencies ~~and the advice of the board~~, the department
17 shall manage the information technology portfolio of state government in accordance
18 with a management structure that includes all of the following:

19 **SECTION 45.** 16.978 of the statutes is repealed.

20 **SECTION 46.** 20.370 (5) (bz) of the statutes is amended to read:

21 20.370 (5) (bz) *Resource aids — forestry outdoor activity grants.* As a
22 continuing appropriation, the amounts in the schedule for grants awarded ~~by the~~
23 ~~managed forest land board~~ under s. 77.895.

24 **SECTION 47.** 20.505 (4) (ec) of the statutes is amended to read:

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1 20.505 (4) (ec) *Service award program; general program operations.* The
2 amounts in the schedule for general program operations of the service award board
3 and to reimburse the department of administration for all services provided by the
4 department to the board program under s. 16.25.

5 **SECTION 48.** 23.18 of the statutes is repealed.

6 **SECTION 49.** 30.92 (1) (b) of the statutes is amended to read:

7 30.92 (1) (b) “Governmental unit” means the department, a municipality, a lake
8 sanitary district, a public inland lake protection and rehabilitation district organized
9 under ch. 33, the Milwaukee River revitalization council, the Lower Wisconsin State
10 Riverway board, or any other local governmental unit, as defined in s. 66.0131 (1) (a),
11 that is established for the purpose of lake management.

12 **SECTION 50.** 36.59 (1) (b) 3. of the statutes is amended to read:

13 36.59 (1) (b) 3. Following receipt of a proposed strategic plan from the system
14 or an institution or college campus, the Board of Regents shall, before June 1, notify
15 the system, institution, or college campus of any concerns that the Board of Regents
16 may have regarding the plan and provide the system, institution, or college campus
17 with its recommendations regarding the proposed plan. The Board of Regents may
18 also submit any concerns or recommendations regarding any proposed plan to the
19 ~~information technology management board~~ department of administration for its
20 consideration. The ~~information technology management board~~ department of
21 administration shall then consider the proposed plan and provide the Board of
22 Regents with its recommendations regarding the plan. The system, institution, or
23 college campus may submit modifications to its proposed plan in response to any
24 recommendations.

25 **SECTION 51.** 36.59 (1) (b) 4. of the statutes is amended to read:

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1 36.59 (1) (b) 4. Before June 15, the Board of Regents shall consider any
2 recommendations provided by the ~~information technology management board~~
3 department of administration under subd. 3. and shall then approve or disapprove
4 the proposed plan in whole or in part.

5 **SECTION 52.** 48.981 (2m) (b) 1. of the statutes is amended to read:

6 48.981 (2m) (b) 1. “Health care provider” means a physician, as defined under
7 s. 448.01 (5), a physician assistant, as defined under s. 448.01 (6), or a nurse holding
8 a certificate of registration under s. 441.06 (1) or a license under s. 441.10 (3).

9 **SECTION 53.** 77.895 (1) (a) of the statutes is repealed.

10 **SECTION 54.** 77.895 (2) of the statutes is amended to read:

11 77.895 (2) PROGRAM. The department shall establish and administer a program
12 to award grants to nonprofit conservation organizations, to local governmental
13 units, and to itself to acquire land to be used for hunting, fishing, hiking, sightseeing,
14 and cross-country skiing. ~~The board shall administer the program and award the~~
15 ~~grants under the program.~~

16 **SECTION 55.** 77.895 (3) (intro.) of the statutes is amended to read:

17 77.895 (3) REQUIREMENTS. (intro.) The department, ~~in consultation with the~~
18 ~~board,~~ shall promulgate rules establishing requirements for awarding grants under
19 this section. The rules promulgated under this subsection shall include all of the
20 following:

21 **SECTION 56.** 77.895 (3) (a) of the statutes is amended to read:

22 77.895 (3) (a) A requirement that the ~~board~~ department give higher priority
23 to counties over other grant applicants in awarding grants under this section.

24 **SECTION 57.** 77.895 (3) (b) of the statutes is amended to read:

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1 77.895 (3) (b) A requirement that, in awarding grants to counties under this
2 section, the ~~board~~ department give higher priority to counties that have higher
3 numbers of acres that are designated as closed under s. 77.83.

4 **SECTION 58.** 77.895 (3) (c) of the statutes is amended to read:

5 77.895 (3) (c) A requirement that, in awarding grants to towns under this
6 section, the ~~board~~ department give higher priority to towns that have higher
7 numbers of acres that are designated as closed under s. 77.83.

8 **SECTION 59.** 101.972 of the statutes is repealed.

9 **SECTION 60.** 101.974 (2) of the statutes is amended to read:

10 101.974 (2) Promulgate the rules under this subchapter ~~after consultation with~~
11 ~~the multifamily dwelling code council.~~

12 **SECTION 61.** 145.17 (2) of the statutes is amended to read:

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

19 **SECTION 62.** 146.40 (1) (g) of the statutes is amended to read:

20 146.40 (1) (g) “Student nurse” means an individual who is currently enrolled
21 in a school for professional nurses or a school for licensed practical nurses that meets
22 standards established under s. 441.01 (4), or who has successfully completed the
23 course work of a basic nursing course of the school but has not successfully completed
24 the examination under s. ~~441.05~~ 441.06 (1) (e) or ~~441.10 (2)~~ 441.10 (1) (f).

25 **SECTION 63.** 196.209 (5) of the statutes is repealed.

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1 **SECTION 64.** 255.35 (1m) (a) 2. of the statutes is amended to read:

2 255.35 (1m) (a) 2. Licensure as a licensed practical nurse under s. 441.10 (3).

3 **SECTION 65.** 441.05 of the statutes is repealed.

4 **SECTION 66.** 441.06 (1) (e) of the statutes is amended to read:

5 441.06 (1) (e) The applicant passes the examination ~~under s. 441.05~~ approved
6 by the board to receive a license as a registered nurse in this state. The applicant
7 may not take the examination before receiving a diploma under par. (c) unless the
8 applicant obtains a certificate of approval to take the examination from the school
9 of nursing the applicant attends and submits that certificate to the board prior to
10 examination.

11 **SECTION 67.** 441.10 (2) of the statutes is repealed.

12 **SECTION 68.** 441.10 (3) (title) of the statutes is repealed.

13 **SECTION 69.** 441.10 (3) (a) of the statutes is renumbered 441.10 (1), and 441.10
14 (1) (f), as renumbered, is amended to read:

15 441.10 (1) (f) The applicant passes the examination ~~under sub. (2)~~ approved by
16 the board for licensure as a licensed practical nurse in this state. The applicant may
17 not take the examination before receiving a diploma under ~~subd. 4.~~ par. (d) unless
18 the applicant obtains a certificate of approval to take the examination from the
19 school of nursing the applicant attends and submits that certificate to the board prior
20 to examination.

21 **SECTION 70.** 441.10 (3) (ag) of the statutes is renumbered 441.10 (4).

22 **SECTION 71.** 441.10 (3) (ar) of the statutes is renumbered 441.10 (5) and
23 amended to read:

24 441.10 (5) The holder of a license under this ~~subsection~~ section is a “licensed
25 practical nurse” and may append the letters “L.P.N.” to his or her name. The board

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1 may reprimand or may limit, suspend, or revoke the license of a licensed practical
2 nurse under s. 441.07.

3 **SECTION 72.** 441.10 (3) (b) of the statutes is renumbered 441.10 (6).

4 **SECTION 73.** 441.10 (3) (c) of the statutes is renumbered 441.10 (7) and
5 amended to read:

6 441.10 (7) No license is required for practical nursing, but, except as provided
7 in s. 257.03, no person without a license may hold himself or herself out as a licensed
8 practical nurse or licensed attendant, use the title or letters “Trained Practical
9 Nurse” or “T.P.N.”, “Licensed Practical Nurse” or “L.P.N.”, “Licensed Attendant” or
10 “L.A.”, “Trained Attendant” or “T.A.”, or otherwise seek to indicate that he or she is
11 a licensed practical nurse or licensed attendant. No licensed practical nurse or
12 licensed attendant may use the title, or otherwise seek to act as a registered, licensed,
13 graduate or professional nurse. Anyone violating this subsection shall be subject to
14 the penalties prescribed by s. 441.13. The board shall grant without examination a
15 license as a licensed practical nurse to any person who was on July 1, 1949, a licensed
16 attendant. ~~This paragraph~~ subsection does not apply to any person who is licensed
17 to practice practical nursing by a jurisdiction, other than this state, that has adopted
18 the nurse licensure compact under s. 441.50.

19 **SECTION 74.** 441.10 (3) (d) of the statutes is renumbered 441.10 (8).

20 **SECTION 75.** 441.10 (3) (e) of the statutes is renumbered 441.10 (9).

21 **SECTION 76.** 450.02 (2g) (b) of the statutes is amended to read:

22 450.02 (2g) (b) The board shall promulgate rules that establish requirements
23 and procedures for the administration of a drug product or device, as defined in s.
24 450.035 (1g), by a pharmacist under s. 450.035 (1r). ~~Notwithstanding s. 15.08 (5) (b),~~
25 ~~the board may promulgate rules under this paragraph only if the rules are identical~~

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1 to rules recommended by the pharmacist advisory council. The board may amend
2 or repeal rules promulgated under this paragraph only upon the recommendation of
3 the pharmacist advisory council.

4 **SECTION 77.** 450.025 of the statutes is repealed.

5 **SECTION 78.** 454.287 of the statutes is repealed.

6 **SECTION 79. Nonstatutory provisions.**

7 (1) **ELIMINATION OF VOLUNTEER FIRE FIGHTER AND EMERGENCY MEDICAL TECHNICIAN**
8 **SERVICE AWARD BOARD.**

9 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
10 liabilities of the volunteer fire fighter and emergency medical technician service
11 award board become the assets and liabilities of the department of administration.

12 (b) *Tangible personal property.* On the effective date of this paragraph, all
13 tangible personal property, including records, of the volunteer fire fighter and
14 emergency medical technician service award board is transferred to the department
15 of administration.

16 (c) *Contracts.* All contracts entered into by the volunteer fire fighter and
17 emergency medical technician service award board in effect on the effective date of
18 this paragraph remain in effect and are transferred to the department of
19 administration. The department of administration shall carry out any such
20 contractual obligations unless modified or rescinded by the department of
21 administration to the extent allowed under the contract.

22 (d) *Pending matters.* Any matter pending with the volunteer fire fighter and
23 emergency medical technician service award board on the effective date of this
24 paragraph is transferred to the department of administration, and all materials
25 submitted to or actions taken by the volunteer fire fighter and emergency medical

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1 technician service award board with respect to the pending matter are considered as
2 having been submitted to or taken by the department of administration.

3 (e) *Rules and orders.* All rules promulgated by the volunteer fire fighter and
4 emergency medical technician service award board that are in effect on the effective
5 date of this paragraph remain in effect until their specified expiration dates or until
6 amended or repealed by the department of administration. All orders issued by the
7 volunteer fire fighter and emergency medical technician service award board that
8 are in effect on the effective date of this paragraph remain in effect until their
9 specified expiration dates or until modified or rescinded by the department of
10 administration.

11 (2) ELIMINATION OF EXAMINING COUNCIL ON REGISTERED NURSES AND EXAMINING
12 COUNCIL ON LICENSED PRACTICAL NURSES.

13 (a) *Assets and liabilities.* On the effective date of this paragraph, any assets
14 and liabilities of the examining council on registered nurses and the examining
15 council on licensed practical nurses become the assets and liabilities of the board of
16 nursing.

17 (b) *Tangible personal property.* On the effective date of this paragraph, all
18 records and other tangible personal property of the examining council on registered
19 nurses and the examining council on licensed practical nurses are transferred to the
20 board of nursing.

21 (c) *Contracts.* Any contract entered into by the examining council on registered
22 nurses or the examining council on licensed practical nurses remains in effect and
23 is transferred to the board of nursing. The board of nursing shall carry out any
24 obligations under such a contract until the contract is modified or rescinded by the
25 board of nursing to the extent allowed under the contract.

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1 (d) *Rules and orders.* Any rule or order of the examining council on registered
2 nurses under section 441.05, 2013 stats., or of the examining council on licensed
3 practical nurses under section 441.10 (2), 2013 stats., that is in effect on the effective
4 date of this paragraph remains in effect until its specified expiration date or until
5 modified or rescinded by the board of nursing.

6 (e) *Pending matters.* Any matter pending with the examining council on
7 registered nurses or the examining council on licensed practical nurses on the
8 effective date of this paragraph is transferred to the board of nursing and all
9 materials submitted to or actions taken by the examining council on registered
10 nurses or the examining council on licensed practical nurses with respect to the
11 pending matter are considered as having been submitted to or taken by the board of
12 nursing.

13

(END)