

**SECTION 99**

1           **SECTION 99.** 108.227 (1) (e) 5. of the statutes is amended to read:

2           108.227 (1) (e) 5. ~~A~~ An occupational license, as defined in s. 101.02 (20) (1) (a)

3           2.

4 History: 2013 a. 36, 276, 357; 2015 a. 55.

4           **SECTION 100.** 115.33 (1) (a) of the statutes is amended to read:

5           115.33 (1) (a) “In compliance” means in compliance with subchs. I ~~and~~, IV, ~~and~~  
6 VIII of ch. 101, ~~ch. 145~~ and ss. 254.11 to 254.178 and the rules promulgated under  
7 subchs. I ~~and~~, IV, ~~and~~ VIII of ch. 101, ~~ch. 145~~ and ss. 254.11 to 254.178.

8           **SECTION 101.** 118.135 (2) of the statutes is amended to read:

9           118.135 (2) A pupil who complies with a request under sub. (1) shall provide  
10 evidence of an eye examination or evaluation by December 31 following the pupil’s  
11 enrollment in kindergarten. ~~The school board or charter school shall provide pupils~~  
12 ~~with the form distributed by the department of safety and professional services~~  
13 ~~under s. 440.03 (16) for that purpose.~~

14 History: 2001 a. 16; 2011 a. 32.

14           **SECTION 102.** Chapter 145 (title) of the statutes is repealed.

15           **SECTION 103.** 145.01 of the statutes is renumbered 101.9911, and 101.9911  
16 (4m), (9), (14) and (15), as renumbered, are amended to read:

17           101.9911 (4m) FAILING PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM. “Failing  
18 private on-site wastewater treatment system” has the meaning specified under s.  
19 ~~145.245~~ 101.9937 (4).

20           (9) PIPELAYER. “Pipelayer” means a person registered under s. ~~145.07~~ 101.9918  
21 (11).

22           (14) RESTRICTED PLUMBER LICENSEE. “Restricted plumber licensee” means any  
23 person licensed as a master plumber (restricted) or a journeyman plumber  
24 (restricted) under s. ~~145.14~~ 101.9925.

1           **(15) UTILITY CONTRACTOR.** “Utility contractor” means a person licensed under  
2 s. ~~145.07~~ 101.9918 (10).

3           **SECTION 104.** 145.02 of the statutes, as affected by 2015 Wisconsin Act 49, is  
4 renumbered 101.9912, and 101.9912 (2) (a), as renumbered, is amended to read:

5           101.9912 (2) (a) The department shall have general supervision of all such  
6 plumbing and under sub. (1). ~~The department shall after public hearing prescribe~~  
7 ~~and publish and enforce reasonable standards therefor which promulgate rules that~~  
8 ~~shall be uniform and of statewide concern so far as practicable~~ uniformly apply to all  
9 types of buildings, private or public, rural or urban, including buildings owned by the  
10 state or any political subdivision. ~~Any employee designated by the department may~~  
11 ~~act for the department in holding the public hearing required under this subsection.~~  
12 The rules promulgated by the department shall constitute the state plumbing code.  
13 To the extent that the historic building code applies to the subject matter of these  
14 standards, the standards do not apply to a qualified historic building if the owner  
15 elects to be subject to s. 101.121.

16           **SECTION 105.** 145.035 of the statutes is repealed.

17           **SECTION 106.** 145.04 of the statutes is renumbered 101.9914.

18           **SECTION 107.** 145.045 of the statutes is renumbered 101.9915, and 101.9915  
19 (3), as renumbered, is amended to read:

20           101.9915 (3) ~~PLUMBERS AND SEPTIC TANK INSTALLERS.~~ A plumber or septic tank  
21 installer may also be a soil tester and install any system after approval of the site or  
22 project by the department or the governmental unit responsible for the regulation  
23 of private on-site wastewater treatment systems.

24           **SECTION 108.** 145.05 of the statutes is renumbered 101.9916.

25           **SECTION 109.** 145.06 of the statutes is renumbered 101.9917.

1           **SECTION 110.** 145.07 of the statutes is renumbered 101.9918, and 101.9918 (9),  
2 (10), (11) and (12), as renumbered, are amended to read:

3           101.9918 (9) Master plumbers, journeyman plumbers and apprentices are not  
4 subject to the restrictions under s. ~~145.14~~ 101.9925.

5           (10) An application for a utility contractor's license shall be made to the  
6 department with fees required by the department under s. ~~145.08~~ 101.9919 (1) (o).  
7 The department shall issue a utility contractor's license to any person who is skilled  
8 in the planning, superintending and practical installation, within public or private  
9 premises, of piping which conveys sewage, rain water or other liquid wastes to a legal  
10 point of disposal and who is skilled in the design, planning, superintending and  
11 practical installation of water service piping from the street main to the immediate  
12 inside building perimeter.

13           (11) An application for registration as a pipelayer shall be made to the  
14 department with the fees required by the department under s. ~~145.08~~ 101.9919 (1)  
15 (q). The department shall approve the registration of any person as a pipelayer if the  
16 person is employed by a utility contractor and if the person is engaged in the practical  
17 installation, within public or private premises, of piping which conveys sewage, rain  
18 water or other liquid wastes to a legal point of disposal or engages in the practical  
19 installation of water service piping from the street main to the immediate inside  
20 building perimeter.

21           (12) An applicant for registration as a cross-connection control tester shall  
22 submit an application and registration fee to the department as prescribed by the  
23 rules promulgated under s. ~~145.02~~ 101.9912 (4) (b).

24           **SECTION 111.** 145.08 of the statutes is renumbered 101.9919, and 101.9919  
25 (1g), as renumbered, is amended to read:

1           101.9919 (1g) The department may not charge a plumbing supervisor  
2 employed by the department in accord with s. ~~145.02~~ 101.9912 (3) (a) a fee for the  
3 appropriate 4-year license for which the plumbing supervisor has previously  
4 qualified.

5           **SECTION 112.** 145.09 of the statutes is renumbered 101.992, and 101.992  
6 (intro.), as renumbered, is amended to read:

7           **101.992 State comity.** (intro.) Any person may be accepted for examination  
8 for the appropriate classification of license without submitting evidence required  
9 under s. ~~145.07~~ 101.9918, if:

10           **SECTION 113.** 145.10 (1) of the statutes is renumbered 101.9921, and 101.9921  
11 (1) (c), as renumbered, is amended to read:

12           101.9921 (1) (c) Falsified information on an inspection form under s. ~~145.20~~  
13 101.9934 (5).

14           **SECTION 114.** 145.11 of the statutes is renumbered 101.9922, and 101.9922 (4),  
15 as renumbered, is amended to read:

16           101.9922 (4) Subsection (1) does not apply to any person who advertises as  
17 providing services for which no license is required under s. ~~145.06~~ 101.9917, unless  
18 the person holds himself or herself out as providing services for which a license is  
19 required.

20           **SECTION 115.** 145.12 of the statutes is renumbered 101.9923, and 101.9923 (4)  
21 and (5) (a), as renumbered, are amended to read:

22           101.9923 (4) Any person who violates any order under s. ~~145.02~~ 101.9912 (3)  
23 (f) or ~~145.20~~ 101.9934 (2) (f) or any rule or standard adopted under s. ~~145.13~~ 101.9912  
24 shall forfeit not less than \$10 nor more than \$1,000 for each violation. Each violation  
25 of an order under s. ~~145.02~~ 101.9912 (3) (f) or ~~145.20~~ 101.9934 (2) (f) or a rule or

1 standard under s. ~~145.13~~ 101.9912 constitutes a separate offense and each day of  
2 continued violation is a separate offense.

3 (5) (a) In lieu of any other penalty under this section, the department may  
4 directly assess a forfeiture by issuing an order against any person who violates s.  
5 ~~145.06~~ 101.9917 or ~~145.20~~ 101.9934 (6). The department may not assess a forfeiture  
6 exceeding \$2,000 for each violation.

7 **SECTION 116.** 145.13 of the statutes is repealed.

8 **SECTION 117.** 145.14 of the statutes is renumbered 101.9925.

9 **SECTION 118.** 145.15 of the statutes is renumbered 101.9926, and 101.9926 (1),  
10 (2) and (3), as renumbered, are amended to read:

11 101.9926 (1) No city, village, town or county may require the licensing of any  
12 person licensed or registered under ss. ~~145.15 to 145.18~~ 101.9926 to 101.9931 for any  
13 activity regulated under ss. ~~145.15 to 145.18~~ 101.9926 to 101.9931 or rules adopted  
14 thereunder.

15 (2) All licenses issued under ss. ~~145.15 to 145.18~~ 101.9926 to 101.9931 shall be  
16 issued by the department. The department shall not restrict the work done by any  
17 licensed journeyman sprinkler system fitter of any automatic fire sprinkler  
18 contractor or apprentice to any geographical territory.

19 (3) Any person not licensed under this chapter prior to April 26, 1972, who was  
20 regularly engaged in the occupation of installing automatic fire sprinkler systems on  
21 or before March 1, 1967, shall be licensed under ss. ~~145.15 to 145.18~~ 101.9926 to  
22 101.9931 without being required to pass any written, oral or practical examination  
23 qualifying the person for a license under ss. ~~145.15 to 145.18~~ 101.9926 to 101.9931

24 Any such person shall apply for the appropriate license and pay the appropriate  
25 license fee.

1           **SECTION 119.** 145.16 of the statutes is renumbered 101.9927.

2           **SECTION 120.** 145.165 of the statutes is renumbered 101.9928, and 101.9928

3 (1) and (2), as renumbered, are amended to read:

4           101.9928 (1) An automatic fire sprinkler fitter–maintenance only registration  
5 certificate is required for any person who is employed to maintain automatic fire  
6 sprinkler systems by a business establishment registered under s. ~~145.175~~ 101.993.  
7 The department shall, by rule, specify the requirements for issuing an automatic fire  
8 sprinkler fitter–maintenance only registration certificate and specify the activities  
9 in which a person holding a certificate under this section may engage.

10           (2) This section does not apply to any person registered under s. ~~145.16~~  
11 101.9927 or licensed under s. ~~145.17~~ 101.9929 (2).

12           **SECTION 121.** 145.17 of the statutes is renumbered 101.9929.

13           **SECTION 122.** 145.175 of the statutes is renumbered 101.993.

14           **SECTION 123.** 145.18 of the statutes is renumbered 101.9931.

15           **SECTION 124.** 145.19 of the statutes is renumbered 101.9932.

16           **SECTION 125.** 145.195 of the statutes is renumbered 101.9933.

17           **SECTION 126.** 145.20 of the statutes is renumbered 101.9934, and 101.9934 (2)

18 (h), (3) (c), (5) (a) and (am) and (6) (a) 1., as renumbered, are amended to read:

19           101.9934 (2) (h) Inspect existing private on–site wastewater treatment  
20 systems to determine compliance with s. ~~145.195~~ 101.9933 if a building or structure  
21 is being constructed which requires connection to an existing private on–site  
22 wastewater treatment system. The county is not required to conduct an on–site  
23 inspection if a building or structure is being constructed which does not require  
24 connection to an existing private on–site wastewater treatment system.

1           **(3)** (c) If the governing body for a governmental unit responsible for the  
2 regulation of private on-site wastewater treatment systems does not adopt a private  
3 on-site wastewater treatment system ordinance meeting the requirements of s.  
4 59.70 (5) or if the governmental unit does not appoint personnel meeting the  
5 requirements of sub. (1) or if the governmental unit does not comply with the  
6 requirements of sub. (2) or s. ~~145.19~~ <sup>✓</sup> 101.9932 (3), the department may conduct  
7 hearings in the county seat upon 30 days' notice to the county clerk. As soon as  
8 practicable after the public hearing, the department shall issue a written decision  
9 regarding compliance with s. 59.70 (5) or ~~145.19~~ <sup>✓</sup> 101.9932 (3) or sub. (1) or (2). If the  
10 department determines that there is a violation of these provisions, the  
11 governmental unit may not issue a sanitary permit for the installation of a private  
12 on-site wastewater treatment system until the violation is corrected.

13           **(5)** (a) The department shall establish a maintenance program to be  
14 administered by governmental units responsible for the regulation of private on-site  
15 wastewater treatment systems. The department shall determine the private on-site  
16 wastewater treatment systems to which the maintenance program applies. At a  
17 minimum the maintenance program is applicable to all new or replacement private  
18 on-site wastewater treatment systems constructed in a governmental unit after the  
19 date on which the governmental unit adopts this program. The department may  
20 apply the maintenance program by rule to private on-site wastewater treatment  
21 systems constructed in a governmental unit responsible for the regulation of private  
22 on-site wastewater treatment systems on or before the date on which the  
23 governmental unit adopts the program. The department shall determine the private  
24 on-site wastewater treatment systems to which the maintenance program applies

1 in governmental units that do not meet the conditions for eligibility under s. ~~145.245~~  
2 101.9937 (9).

3 (am) Each governmental unit responsible for the regulation of private on-site  
4 wastewater treatment systems shall adopt and begin the administration of the  
5 program established under par. (a) before October 1, 2019. As part of adopting and  
6 administering the program, the governmental unit shall conduct and maintain an  
7 inventory of all the private on-site wastewater treatment systems located in the  
8 governmental unit and shall complete the initial inventory before October 1, 2017.  
9 In order to be eligible for grant funding under s. ~~145.245~~ 101.9937, a governmental  
10 unit must comply with these deadlines.

11 (6) (a) 1. Conduct any activities for which certification is required under s.  
12 ~~145.045~~ 101.9915 (1), except that the employee may review and verify soil tester  
13 reports as provided in sub. (2) (a).

14 SECTION 127. 145.23 of the statutes is renumbered 101.9935.

15 SECTION 128. 145.24 of the statutes is renumbered 101.9936, and 101.9936 (1),  
16 as renumbered, is amended to read:

17 101.9936 (1) If an existing private on-site wastewater treatment system either  
18 is not located in soil meeting the siting standards or is not constructed in accordance  
19 with design standards promulgated under s. ~~145.02 or 145.13~~ 101.9912, the owner  
20 of the private on-site wastewater treatment system may petition the department for  
21 a variance to the siting or design standards.

22 SECTION 129. 145.245 of the statutes is renumbered 101.9937, and 101.9937  
23 (1) (a) 2., (7) (a), (c) and (e) and (9) (a), as renumbered, are amended to read:

24 101.9937 (1) (a) 2. A written enforcement order issued under s. ~~145.02~~ 101.9912  
25 (3) (f), ~~145.20~~ 101.9934 (2) (f) or 281.19 (2).  
*plain space?*



1           (7) (a) Except as provided in par. (e), costs allowable in determining grant  
2 funding under this section may not exceed the costs of rehabilitating or replacing a  
3 private on-site wastewater treatment system which would be necessary to allow the  
4 rehabilitated system or new system to meet the minimum requirements of the state  
5 plumbing code promulgated under s. ~~145.13~~ 101.9912.

6           (c) Except as provided in pars. (d) and (e), the state grant share under this  
7 section is limited to \$7,000 for each principal residence or small commercial  
8 establishment to be served by the private on-site wastewater treatment system or  
9 to the amount determined by the department based upon private on-site wastewater  
10 treatment system grant funding tables, whichever is less. The department shall  
11 prepare and publish private on-site wastewater treatment system grant funding  
12 tables which specify the maximum state share limitation for various components and  
13 costs involved in the rehabilitation or replacement of a private on-site wastewater  
14 treatment system based upon minimum size and other requirements specified in the  
15 state plumbing code promulgated under s. ~~145.02~~ 101.9912. The maximum state  
16 share limitations shall be designed to pay approximately 60% of the average  
17 allowable cost of private on-site wastewater treatment system rehabilitation or  
18 replacement based upon estimated or actual costs of that rehabilitation or  
19 replacement. The department shall revise the grant funding tables when it  
20 determines that 60% of current costs of private on-site wastewater treatment  
21 system rehabilitation or replacement exceed the amounts in the grant funding tables  
22 by more than 10%, except that the department may not revise the grant funding  
23 tables more often than once every 2 years.

24           (e) Costs allowable for experimental private on-site wastewater treatment  
25 systems shall include the costs of installing and monitoring experimental private

1 on-site wastewater treatment systems installed under s. ~~145.02~~ 101.9912 (3) (b) and  
2 this section. The department shall promulgate rules that specify how the  
3 department will select, monitor and allocate the state share for experimental private  
4 on-site wastewater treatment systems that the department funds under this  
5 section.

6 (9) (a) Adopt and administer the maintenance program established under s.  
7 ~~145.20~~ 101.9934 (5);

8 **SECTION 130.** 145.26 of the statutes is renumbered 101.9938, and 101.9938 (1),  
9 as renumbered, is amended to read:

10 101.9938 (1) In this section, "public swimming pool" means a fixed or mobile  
11 structure, basin, chamber, or tank and appurtenant buildings and equipment that  
12 serve or are installed for use by the state, a political subdivision of the state, a motel,  
13 a hotel, a resort, a camp, a club, an association, a housing development, a school, a  
14 religious, charitable, or youth organization, an educative or rehabilitative facility, or  
15 another entity. "Public swimming pool" does not mean an inflated mobile structure,  
16 basin, chamber, or tank; a swim pond; an individual therapeutic pod, tub, or bath;  
17 or a fixed or mobile structure, basin, chamber, or tank that only serves fewer than  
18 3 individual residences.

19 **SECTION 131.** 108.227 (1) (e) 5. of the statutes is amended to read:

20 108.227 (1) (e) 5. ~~A~~ An occupational license, as defined in s. 101.02 (20) (1) (a)

21 2.

History: 2013 a. 36, 276, 357; 2015 a. 55.

22 **SECTION 132.** 160.255 (1) of the statutes is amended to read:

23 160.255 (1) In this section, "private on-site wastewater treatment system" has  
24 the meaning given in s. ~~145.01~~ 101.9911 (12).

1           **SECTION 133.** 200.21 (11) of the statutes is amended to read:

2           200.21 (11) “Sewerage system” means all facilities of the district for collection,  
3           transportation, storage, pumping, treatment and final disposition of sewage.  
4           “Sewerage system” does not include any private on-site wastewater treatment  
5           system, as defined in s. ~~145.01~~ 101.9911 (12), or any local sewer.

6           **SECTION 134.** 200.29 (1) (c) 3. a. of the statutes is amended to read:

7           200.29 (1) (c) 3. a. The weight to be given to the need for private on-site  
8           wastewater treatment systems, as defined in s. ~~145.01~~ 101.9911 (12), to maintain the  
9           public health and welfare in any area located within the district prior to a  
10          redefinition of the boundary but located outside the district after any redefinition of  
11          the boundary.

12          **SECTION 135.** 234.49 (1) (e) of the statutes is amended to read:

13          234.49 (1) (e) “Housing” means a residential structure having not more than  
14          4 dwelling units in which at least one unit is occupied by the owner as a principal  
15          residence and, if a housing rehabilitation loan is granted for the property to  
16          implement energy conservation improvements, the structure is not subject to rules  
17          adopted under s. 101.02, 101.63, or 101.73, ~~or 101.973~~.

18          **SECTION 136.** 254.176 (2) (d) of the statutes is amended to read:

19          254.176 (2) (d) A person licensed, certified or registered under ~~ch. 145~~ subch.  
20          VIII of ch. 101 who engages in activities that constitute lead hazard reduction, only  
21          to the extent that these activities are within the scope of his or her license,  
22          certification or registration.

23          **SECTION 137.** 281.17 (3) of the statutes is amended to read:

24          281.17 (3) The department shall promulgate rules establishing an examining  
25          program for the certification of operators of water systems, wastewater treatment

1 plants and septage servicing vehicles operated under a license issued under s. 281.48  
2 (3), setting such standards as the department finds necessary to accomplish the  
3 purposes of this chapter and chs. 285 and 289 to 299, including requirements for  
4 continuing education. The department may charge applicants a fee for certification,  
5 except that the department may not require an individual who is eligible for the  
6 veterans fee waiver program under s. 45.44 to pay a fee. All moneys collected under  
7 this subsection for the certification of operators of water systems, wastewater  
8 treatment plants and septage servicing vehicles shall be credited to the  
9 appropriation under s. 20.370 (4) (bL). No person may operate a water systems,  
10 wastewater treatment plant or septage servicing vehicle without a valid certificate  
11 issued under this subsection. The department may suspend or revoke a certificate  
12 issued under this subsection for a violation of any statute or rule relating to the  
13 operation of a water system or wastewater treatment plant or to septage servicing,  
14 for failure to fulfill the continuing education requirements or as provided under s.  
15 ~~145.20~~ 101.9934 (5). The owner of any wastewater treatment plant shall be, or shall  
16 employ, an operator certified under this subsection who shall be responsible for plant  
17 operations, unless the department by rule provides otherwise. In this subsection,  
18 “wastewater treatment plant” means a system or plant used to treat industrial  
19 wastewater, domestic wastewater or any combination of industrial wastewater and  
20 domestic wastewater.

21 **SECTION 138.** 281.344 (8) (b) 3. of the statutes is amended to read:

22 281.344 (8) (b) 3. Water conservation and efficiency measures that the  
23 department of safety and professional services requires or authorizes to be  
24 implemented under ~~chs.~~ ch. 101 and 145.

25 **SECTION 139.** 281.346 (8) (b) 3. of the statutes is amended to read:

1           281.346 **(8)** (b) 3. Water conservation and efficiency measures that the  
2 department of safety and professional services requires or authorizes to be  
3 implemented under ~~chs. ch.~~ 101 and ~~145~~.

4           **SECTION 140.** 281.48 (2) (bm) of the statutes is amended to read:

5           281.48 **(2)** (bm) “Private on-site wastewater treatment system” has the  
6 meaning given in s. ~~145.01~~ 101.9911 (12).

7           **SECTION 141.** 281.48 (5) (a) 4. of the statutes is amended to read:

8           281.48 **(5)** (a) 4. Violated any provisions of this section or any rule prescribed  
9 by the department or falsified information on inspection forms under s. ~~145.20~~  
10 101.9934 (5).

11           **SECTION 142.** 281.48 (5m) (c) of the statutes is amended to read:

12           281.48 **(5m)** (c) The site criteria and disposal procedures in a county ordinance  
13 shall be identical to the corresponding portions of rules promulgated by the  
14 department under this section. The county shall require the person engaged in  
15 septage disposal to submit the results of a soil test conducted by a soil tester certified  
16 under s. ~~145.045~~ 101.9915 and to obtain a site approval for each location where the  
17 person disposes of septage on land. The county shall maintain records of soil tests,  
18 site approvals, county inspections and enforcement actions under this subsection.  
19 A county may not require licensing or registration for any person or vehicle engaged  
20 in septage disposal. The county may establish a schedule of fees for site approvals  
21 under this paragraph if the department determines that the fees are no more than  
22 is necessary to fund the county program under this paragraph. The county may  
23 require a bond or other method of demonstrating the financial ability to comply with  
24 the septage disposal ordinance. The county shall provide for the enforcement of the  
25 septage disposal ordinance by penalties identical to those in s. 281.98.

1           **SECTION 143.** 281.59 (1m) (c) of the statutes is amended to read:

2           281.59 (1m) (c) There is established a private on-site wastewater treatment  
3 system replacement and rehabilitation loan program, administered under s. ~~145.245~~  
4 101.9937 (12m).

5           **SECTION 144.** 281.75 (18) of the statutes is amended to read:

6           281.75 (18) SUSPENSION OR REVOCATION OF LICENSES. The department may  
7 suspend or revoke a license issued under ch. 280 if the department finds that the  
8 licensee falsified information submitted under this section. The department of  
9 safety and professional services may suspend or revoke the license of a plumber  
10 licensed under ~~ch. 145~~ subch. VIII of ch. 101 if the department of safety and  
11 professional services finds that the plumber falsified information submitted under  
12 this section.

13           **SECTION 145.** 321.60 (1) (a) 18. of the statutes is amended to read:

14           321.60 (1) (a) 18. A ~~license, permit, certificate, or registration that is granted~~  
15 ~~under chs. 440 to 480~~ credential, as defined in s. 440.01 (2) (a).

16 History: 2001 a. 22; 2003 a. 69; 2005 a. 25; 2007 a. 130, 196; 2007 a. 200 s. 142; Stats. 2007 s. 321.60; 2009 a. 2, 3, 344, 405; 2011 a. 210; 2013 a. 20; 2015 a. 55.

16           **SECTION 146.** 440.03 (3m) of the statutes is amended to read:

17           440.03 (3m) The department may investigate complaints made against a  
18 person who has been issued a credential ~~under chs. 440 to 480.~~

History: 1977 c. 418 ss. 24, 792; 1979 c. 34, 221, 337; 1981 c. 94; 1985 a. 29, 340; 1989 a. 31, 340; 1991 a. 39; 1993 a. 16, 102, 107, 443, 445, 490, 491; 1995 a. 27 ss. 6472g, 6472j, 9126 (19); 1995 a. 233; 1997 a. 27, 75, 79; 1997 a. 191 ss. 312, 313, 318; 1997 a. 231, 237; 1997 a. 261 ss. 1 to 4, 7, 10, 13; 1997 a. 311; 1999 a. 9, 32; 2001 a. 16, 66, 80; 2003 a. 151; 2005 a. 25; 2007 a. 20 ss. 3449 to 3462, 9121 (6) (a); 2007 a. 153, 189; 2009 a. 28, 130, 276, 282, 355; 2011 a. 32, 146, 160, 190, 255; 2013 a. 20, 36, 124, 244, 288, 358; 2015 a. 55; s. 35.17 correction in sub. (14) (a) 1. b.

19           **SECTION 147.** 440.03 (7) of the statutes is amended to read:

20           440.03 (7) The department shall establish the style, content, and format of all  
21 credentials and of all forms for applying for any initial credential issued or renewed  
22 ~~under chs. 440 to 480~~ or credential renewal. All forms shall include a place for the  
23 information required under sub. (11m) (a). Upon request of any person who holds

1 a credential and payment of a \$10 fee, the department may issue a wall certificate  
2 signed by the governor.

**History:** 1977 c. 418 ss. 24, 792; 1979 c. 34, 221, 337; 1981 c. 94; 1985 a. 29, 340; 1989 a. 31, 340; 1991 a. 39; 1993 a. 16, 102, 107, 443, 445, 490, 491; 1995 a. 27 ss. 6472g, 6472j, 9126 (19); 1995 a. 233; 1997 a. 27, 75, 79; 1997 a. 191 ss. 312, 313, 318; 1997 a. 231, 237; 1997 a. 261 ss. 1 to 4, 7, 10, 13; 1997 a. 311; 1999 a. 9, 32; 2001 a. 16, 66, 80; 2003 a. 151; 2005 a. 25; 2007 a. 20 ss. 3449 to 3462, 9121 (6) (a); 2007 a. 153, 189; 2009 a. 28, 130, 276, 282, 355; 2011 a. 32, 146, 160, 190, 255; 2013 a. 20, 36, 124, 244, 288, 358; 2015 a. 55; s. 35.17 correction in sub. (14) (a) 1. b.

3 **SECTION 148.** 440.03 (7m) of the statutes is amended to read:

4 440.03 (7m) The department may promulgate rules that establish procedures  
5 for submitting an application for a credential or credential renewal by electronic  
6 transmission. Any rules promulgated under this subsection shall specify procedures  
7 for complying with any requirement that a fee be submitted with the application.  
8 The rules may also waive any requirement in chs. 440 to 480 that an application  
9 submitted to the department, an examining board, or an affiliated credentialing  
10 board be executed, verified, signed, sworn, or made under oath, notwithstanding ss.  
11 440.26 (2) (b), 440.91 (2) (intro.), 443.06 (1) (a), 443.10 (2) (a), 445.04 (2), 445.08 (4),  
12 445.095 (1) (a), 448.05 (7), 450.09 (1) (a), 452.10 (1), and 480.08 (2m).

**History:** 1977 c. 418 ss. 24, 792; 1979 c. 34, 221, 337; 1981 c. 94; 1985 a. 29, 340; 1989 a. 31, 340; 1991 a. 39; 1993 a. 16, 102, 107, 443, 445, 490, 491; 1995 a. 27 ss. 6472g, 6472j, 9126 (19); 1995 a. 233; 1997 a. 27, 75, 79; 1997 a. 191 ss. 312, 313, 318; 1997 a. 231, 237; 1997 a. 261 ss. 1 to 4, 7, 10, 13; 1997 a. 311; 1999 a. 9, 32; 2001 a. 16, 66, 80; 2003 a. 151; 2005 a. 25; 2007 a. 20 ss. 3449 to 3462, 9121 (6) (a); 2007 a. 153, 189; 2009 a. 28, 130, 276, 282, 355; 2011 a. 32, 146, 160, 190, 255; 2013 a. 20, 36, 124, 244, 288, 358; 2015 a. 55; s. 35.17 correction in sub. (14) (a) 1. b.

13 **SECTION 149.** 440.03 (11m) (a) (intro.) of the statutes is amended to read:

14 440.03 (11m) (a) (intro.) Each application form for ~~a~~ an initial credential issued  
15 or renewed under chs. 440 to 480 credential renewal shall provide a space for the  
16 department to require each of the following, other than an individual who does not  
17 have a social security number and who submits a statement made or subscribed  
18 under oath or affirmation as required under par. (am), to provide his or her social  
19 security number:

**History:** 1977 c. 418 ss. 24, 792; 1979 c. 34, 221, 337; 1981 c. 94; 1985 a. 29, 340; 1989 a. 31, 340; 1991 a. 39; 1993 a. 16, 102, 107, 443, 445, 490, 491; 1995 a. 27 ss. 6472g, 6472j, 9126 (19); 1995 a. 233; 1997 a. 27, 75, 79; 1997 a. 191 ss. 312, 313, 318; 1997 a. 231, 237; 1997 a. 261 ss. 1 to 4, 7, 10, 13; 1997 a. 311; 1999 a. 9, 32; 2001 a. 16, 66, 80; 2003 a. 151; 2005 a. 25; 2007 a. 20 ss. 3449 to 3462, 9121 (6) (a); 2007 a. 153, 189; 2009 a. 28, 130, 276, 282, 355; 2011 a. 32, 146, 160, 190, 255; 2013 a. 20, 36, 124, 244, 288, 358; 2015 a. 55; s. 35.17 correction in sub. (14) (a) 1. b.

20 **SECTION 150.** 440.03 (13) (a) of the statutes is amended to read:

1           440.03 (13) (a) The department may conduct an investigation to determine  
2 whether an applicant for a credential ~~issued under chs. 440 to 480~~ satisfies any of  
3 the eligibility requirements specified for the credential, including whether the  
4 applicant does not have an arrest or conviction record. In conducting an  
5 investigation under this paragraph, the department may require an applicant to  
6 provide any information that is necessary for the investigation, except that, for an  
7 investigation of an arrest or conviction record, the department shall comply with the  
8 requirements of pars. (b) and (c).

History: 1977 c. 418 ss. 24, 792; 1979 c. 34, 221, 337; 1981 c. 94; 1985 a. 29, 340; 1989 a. 31, 340; 1991 a. 39; 1993 a. 16, 102, 107, 443, 445, 490, 491; 1995 a. 27 ss. 6472g, 6472j, 9126 (19); 1995 a. 233; 1997 a. 27, 75, 79; 1997 a. 191 ss. 312, 313, 318; 1997 a. 231, 237; 1997 a. 261 ss. 1 to 4, 7, 10, 13; 1997 a. 311; 1999 a. 9, 32; 2001 a. 16, 66, 80; 2003 a. 151; 2005 a. 25; 2007 a. 20 ss. 3449 to 3462, 9121 (6) (a); 2007 a. 153, 189; 2009 a. 28, 130, 276, 282, 355; 2011 a. 32, 146, 160, 190, 255; 2013 a. 20, 36, 124, 244, 288, 358; 2015 a. 55; s. 35.17 correction in sub. (14) (a) 1. b.

9           **SECTION 151.** 440.03 (13) (am) of the statutes is amended to read:

10           440.03 (13) (am) A person holding a credential ~~under chs. 440 to 480~~ who is  
11 convicted of a felony or misdemeanor anywhere shall send a notice of the conviction  
12 by 1st class mail to the department within 48 hours after the entry of the judgment  
13 of conviction. The department shall by rule determine what information and  
14 documentation the person holding the credential shall include with the written  
15 notice.

History: 1977 c. 418 ss. 24, 792; 1979 c. 34, 221, 337; 1981 c. 94; 1985 a. 29, 340; 1989 a. 31, 340; 1991 a. 39; 1993 a. 16, 102, 107, 443, 445, 490, 491; 1995 a. 27 ss. 6472g, 6472j, 9126 (19); 1995 a. 233; 1997 a. 27, 75, 79; 1997 a. 191 ss. 312, 313, 318; 1997 a. 231, 237; 1997 a. 261 ss. 1 to 4, 7, 10, 13; 1997 a. 311; 1999 a. 9, 32; 2001 a. 16, 66, 80; 2003 a. 151; 2005 a. 25; 2007 a. 20 ss. 3449 to 3462, 9121 (6) (a); 2007 a. 153, 189; 2009 a. 28, 130, 276, 282, 355; 2011 a. 32, 146, 160, 190, 255; 2013 a. 20, 36, 124, 244, 288, 358; 2015 a. 55; s. 35.17 correction in sub. (14) (a) 1. b.

16           **SECTION 152.** 440.03 (16) of the statutes is repealed.

17           **SECTION 153.** 440.04 (9) of the statutes is repealed.

18           **SECTION 154.** 440.08 (2) (a) 59. of the statutes is amended to read:

19           440.08 (2) (a) 59. Physician assistant: March 1 of each ~~odd-numbered~~  
20 even-numbered year.

\*\*\*\*NOTE: Do you want to include a delayed effective date for this provision to avoid  
the potential for an effective date just before March 1, 2016?

21           **SECTION 155.** 440.11 (3) of the statutes is repealed.



1           **SECTION 156.** 440.19 of the statutes is amended to read:

2           **440.19 Voluntary surrender of license, permit, or certificate.** A person  
3 who holds a <sup>phon spell?</sup> license, permit, or certificate of certification or registration issued under  
4 chs. 440 to 480 credential may voluntarily surrender that license, permit, or  
5 ~~certificate of certification or registration~~ credential. The department, examining  
6 board, affiliated credentialing board, or board of the department that issued the  
7 ~~license, permit, or certificate of certification or registration~~ credential may refuse to  
8 accept that surrender if a complaint has been filed or disciplinary proceeding has  
9 been commenced against the person under s. 440.20.

10 History: 2011 a. 146.

10           **SECTION 157.** 440.20 (4) of the statutes is renumbered 440.20 (4) (a) and  
11 amended to read:

12           440.20 (4) (a) ~~In addition to any grounds for discipline specified in chs. 440 to~~  
13 ~~480, the~~ The department or appropriate examining board, affiliated credentialing  
14 board, or board in the department may reprimand the holder of a credential or deny,  
15 limit, suspend, or revoke the credential of any person who intentionally violates s.  
16 252.14 (2) or intentionally discloses the results of a blood test in violation of s. 252.15  
17 (3m) (b) or (f) or (5m).

18 History: 1977 c. 418; 1979 c. 34; 1985 a. 29; 1989 a. 31, 201; 1991 a. 39; 1993 a. 16, 27, 102, 107, 490; 2009 a. 209; 2013 a. 124.

18           **SECTION 158.** 440.20 (4) (b) of the statutes is created to read:

19           440.20 (4) (b) The grounds for discipline specified under par. (a) are in addition  
20 to any grounds for discipline specified in chs. 440 to 480.

21           **SECTION 159.** 440.20 (5) of the statutes is renumbered 440.20 (5) (a) and  
22 amended to read:

23           440.20 (5) (a) ~~In addition to any grounds for discipline specified in chs. 440 to~~  
24 ~~480, the~~ The department, or the appropriate credentialing board or other board in

1 the department, may reprimand a credential holder, or may deny, limit, suspend, or  
2 revoke a credential, if the credential holder fails to respond, to the satisfaction of the  
3 department, credentialing board, or other board in the department, within 30 days  
4 to a request for information from the department, credentialing board, or other board  
5 in the department in connection with an investigation of alleged misconduct of the  
6 credential holder.

7 **History:** 1977 c. 418; 1979 c. 34; 1985 a. 29; 1989 a. 31, 201; 1993 a. 39; 1993 a. 16, 27, 102, 107, 490; 2009 a. 209; 2013 a. 124.

7 **SECTION 160.** 440.20 (5) (b) of the statutes is created to read:

8 440.20 (5) (b) The grounds for discipline specified under par. (a) are in addition  
9 to any grounds for discipline specified in chs. 440 to 480.

10 **SECTION 161.** 440.205 of the statutes is amended to read:

11 **440.205 Administrative warnings.** If the department or a board, examining  
12 board, or affiliated credentialing board in the department determines during an  
13 investigation that there is evidence of misconduct by a credential holder, the  
14 department, board, examining board, or affiliated credentialing board may close the  
15 investigation by issuing an administrative warning to the credential holder. The  
16 department or a board, examining board, or affiliated credentialing board may issue  
17 an administrative warning under this section only if the department or board,  
18 examining board, or affiliated credentialing board determines that no further action  
19 is warranted because the complaint involves ~~a first occurrence of~~ a minor violation  
20 and the issuance of an administrative warning adequately protects the public by  
21 putting the credential holder on notice that any subsequent violation may result in  
22 disciplinary action. If an administrative warning is issued, the credential holder  
23 may obtain a review of the administrative warning through a personal appearance  
24 before the department, board, examining board, or affiliated credentialing board

1 that issued the administrative warning. Administrative warnings do not constitute  
2 an adjudication of guilt or the imposition of discipline and may not be used as  
3 evidence that the credential holder is guilty of the alleged misconduct. However, if  
4 a subsequent allegation of misconduct by the credential holder is received by the  
5 department or a board, examining board, or affiliated credentialing board in the  
6 department, the matter relating to the issuance of the administrative warning may  
7 be reopened and disciplinary proceedings may be commenced on the matter, or the  
8 administrative warning may be used in any subsequent disciplinary proceeding as  
9 evidence that the credential holder had actual knowledge that the misconduct that  
10 was the basis for the administrative warning was contrary to law. The record that  
11 an administrative warning was issued shall be a public record. The contents of the  
12 administrative warning shall be private and confidential. The department shall  
13 promulgate rules establishing uniform procedures for the issuance and use of  
14 administrative warnings.

15 **SECTION 162.** 440.22 (1) of the statutes is amended to read:

16 440.22 (1) In this section, “costs of the proceeding” means the compensation  
17 and reasonable expenses of hearing examiners and of prosecuting attorneys for the  
18 department, examining board ~~or~~, affiliated credentialing board, or other board, a  
19 reasonable disbursement for the service of process or other papers, amounts actually  
20 paid out for certified copies of records in any public office, postage, telephoning,  
21 adverse examinations and depositions and copies, expert witness fees, witness fees  
22 and expenses, compensation and reasonable expenses of experts, paralegals, and  
23 investigators, and compensation and expenses of a reporter for recording and  
24 transcribing testimony.

25 **SECTION 163.** 440.22 (2) of the statutes is amended to read:

1           440.22 (2) In any disciplinary proceeding against a holder of a credential in  
2           which the department or an examining board, affiliated credentialing board, or other  
3           board in the department orders suspension, limitation, or revocation of the  
4           credential, assesses a forfeiture, or reprimands the holder, the department,  
5           examining board, affiliated credentialing board, or other board may, in addition to  
6           imposing discipline, assess all or part of the costs of the proceeding against the  
7           holder. Costs assessed under this subsection are payable to the department. Interest  
8           shall accrue on costs assessed under this subsection at a rate of ~~12%~~ <sup>12 percent</sup> per year  
9           beginning on the date that payment of the costs are due as ordered by the  
10          department, examining board, affiliated credentialing board, or other board. Upon  
11          the request of the department of safety and professional services, the department of  
12          justice may commence an action to recover costs assessed under this subsection and  
13          any accrued interest.

14           **SECTION 164.** 440.92 (9) (b) 3. of the statutes is amended to read:

15           440.92 (9) (b) 3. A ~~notarized~~ statement of a person who is legally authorized to  
16           act on behalf of the religious society under this subsection that, during the 12-month  
17           period immediately preceding the date on which the certification is filed with the  
18           department, each employee specified under subd. 2. and the cemetery authority have  
19           either fully complied or have substantially complied with subs. (2), (3) (a) and (b), and  
20           (5).

21           **SECTION 165.** 443.07 (4) of the statutes is amended to read:

22           443.07 (4) A master plumber's license under ~~ch. 145 subch. VIII~~ <sup>of ch. 101</sup> shall  
23           be considered equivalent to the work experience and satisfactory completion of a  
24           written examination in the field of plumbing systems, and the holder of a master

1 plumber's license shall be issued a permit as a designer of plumbing systems upon  
2 the making of an application and the payment of the permit fee.

3 **SECTION 166.** 445.04 (3) (a) of the statutes is amended to read:

4 445.04 (3) (a) Written examinations for a funeral director's license under pars.  
5 (b) and (c) shall be held at least once a year and shall be conducted by the examining  
6 board at a time and place to be designated by the examining board.

7 **SECTION 167.** 445.04 (3) (b) (intro.) of the statutes is amended to read:

8 445.04 (3) (b) (intro.) The comprehensive examination shall include the  
9 subjects of:

10 **SECTION 168.** 445.04 (3) (c) of the statutes is created to read:

11 445.04 (3) (c) The jurisprudence examination shall test the applicant's  
12 knowledge of state law relating to funeral directing.

13 **SECTION 169.** 445.045 (1) (g) of the statutes is amended to read:

14 445.045 (1) (g) The person must have successfully passed a comprehensive  
15 examination ~~conducted by the examining board as required by~~ under s. 445.04 (3) (b)  
16 and a jurisprudence examination under s. 445.04 (3) (c).

17 **SECTION 170.** 445.08 (1) of the statutes is renumbered 445.08 and amended to  
18 read:

19 **445.08 Reciprocity in issuance of licenses.** Any person holding a valid  
20 license as a funeral director or embalmer in another state having requirements  
21 substantially equal to those in this state for a funeral director's license may apply  
22 for a license to practice in this state by filing with the examining board a certified  
23 statement from an authorized official of the that state in which the applicant holds  
24 a license, ~~showing the qualifications upon which said license was granted. that~~  
25 verifies the person's licensure in that state. An applicant for licensure under this

1 section shall pass the jurisprudence examination under s. 445.04 (3) (c) and shall  
2 satisfy the requirement under s. 445.045 (1) (b). Thereupon the examining board  
3 may, upon the payment of the required fee, issue a funeral director's license.

4 **SECTION 171.** 445.08 (4) of the statutes is repealed.

5 **SECTION 172.** 446.02 (7) (d) 1. of the statutes is amended to read:

6 446.02 (7) (d) 1. Beginning on July 1, 2010, a chiropractor may delegate X-ray  
7 services only to a chiropractic radiological ~~technologist~~ technician.

8 **SECTION 173.** 446.02 (7) (d) 2. of the statutes is amended to read:

9 446.02 (7) (d) 2. Beginning on July 1, 2010, a chiropractor may delegate  
10 adjunctive services only to a chiropractic ~~technologist~~ technician.

11 **SECTION 174.** 448.02 (8) (a) of the statutes is amended to read:

12 448.02 (8) (a) After an investigation by the board under sub. (3) (a) or by the  
13 department under s. 440.03 (3m) or (5), the board may issue a private and  
14 confidential administrative warning to a holder of a license, certificate, or limited  
15 permit if the board determines that there is evidence of misconduct by him or her.  
16 The board may issue an administrative warning under this paragraph only if the  
17 board determines that no further action is warranted because the matter involves  
18 ~~a first occurrence of~~ minor misconduct and the issuance of an administrative  
19 warning adequately protects the public by putting the holder of the license,  
20 certificate, or limited permit on notice that any subsequent misconduct may result  
21 in disciplinary action. The board shall review the determination if the holder of the  
22 license, certificate, or limited permit makes a personal appearance before the board.

23 Following the review, the board may affirm, rescind or modify the administrative  
24 warning. A holder of a license, certificate, or limited permit may seek judicial review

1 under ch. 227 of an affirmation or modification of an administrative warning by the  
2 board.

3 **SECTION 175.** 448.02 (8) (a) of the statutes, as affected by 2013 Wisconsin Act  
4 <sup>and 2015 Wisconsin Act ... (this act),</sup> 240, is repealed and recreated to read:

5 448.02 (8) (a) After an investigation by the board under sub. (3) (a) or by the  
6 department under s. 440.03 (3m) or (5), the board may issue a private and  
7 confidential administrative warning to a holder of a license or certificate if the board  
8 determines that there is evidence of misconduct by him or her. The board may issue  
9 an administrative warning under this paragraph only if the board determines that  
10 no further action is warranted because the matter involves minor misconduct and  
11 the issuance of an administrative warning adequately protects the public by putting  
12 the holder of the license or certificate on notice that any subsequent misconduct may  
13 result in disciplinary action. The board shall review the determination if the holder  
14 of the license or certificate makes a personal appearance before the board. Following  
15 the review, the board may affirm, rescind, or modify the administrative warning. A  
16 holder of a license or certificate may seek judicial review under ch. 227 of an  
17 affirmation or modification of an administrative warning by the board.

18 **SECTION 176.** 448.07 (1) (a) of the statutes is amended to read:

19 448.07 (1) (a) Every person licensed or certified under this subchapter shall  
20 register ~~on or before November 1 of each odd-numbered year~~ following issuance of  
21 the license or certificate with the board at such time and in such manner as the board  
22 shall designate and upon forms the board shall provide. ~~The secretary of the board,~~  
23 ~~on or before October 1 of each odd-numbered year, shall mail or cause to be mailed~~  
24 ~~to every person required to register a registration form.~~ The board shall furnish to  
25 each person registered under this section a certificate of registration, and the person

1 shall display the registration certificate conspicuously in the office at all times. No  
2 person may exercise the rights or privileges conferred by any license or certificate  
3 granted by the board unless currently registered as required under this subsection.

4 **SECTION 177.** 448.13 (1) (a) (intro.) of the statutes is amended to read:

5 448.13 (1) (a) (intro.) Except as provided in par. (b), each physician shall, ~~in no~~  
6 later than November 1 of each 2nd odd-numbered year at the time of application for  
7 ~~a certificate of registration under s. 448.07,~~ submit proof of attendance at and  
8 completion of all of the following:

9 **SECTION 178.** 448.13 (2) of the statutes is amended to read:

10 448.13 (2) Each person licensed as a perfusionist shall, ~~in no later than~~  
11 November 1 of each 2nd odd-numbered year at the time of application for a  
12 ~~certificate of registration under s. 448.07,~~ submit proof of completion of continuing  
13 education requirements promulgated by rule by the board.

14 **SECTION 179.** 448.13 (3) of the statutes is amended to read:

15 448.13 (3) Each person licensed as an anesthesiologist assistant shall, ~~in no~~  
16 later than November 1 of each 2nd odd-numbered year at the time of application for  
17 ~~a certificate of registration under s. 448.07,~~ submit proof of meeting the criteria for  
18 recertification by the National Commission on Certification of Anesthesiologist  
19 Assistants or by a successor entity, including any continuing education  
20 requirements.

21 **SECTION 180.** 457.09 (3) (a) of the statutes is amended to read:

22 457.09 (3) (a) ~~Except as provided in par. (b), a~~ A social worker training  
23 certificate is valid for 24 months.

24 **SECTION 181.** 457.09 (3) (b) of the statutes is repealed.

25 **SECTION 182.** 457.16 (3) of the statutes is repealed.



For licensure

1           **SECTION 183.** 470.05 of the statutes is amended to read:

2           **470.05 Examination.** ~~Beginning no later than January 1, 2000, the~~  
 3 ~~appropriate section of the examining board shall conduct or arrange for~~  
 4 ~~examinations for licensure as a professional geologist, hydrologist or soil scientist at~~  
 5 ~~least semiannually and at times and places determined by the section.~~  
 6 Examinations under this ~~section~~ <sup>Chapter</sup> shall require an applicant to demonstrate  
 7 minimum competency in the principles and practice of subjects substantially related  
 8 to the practice of professional geology, hydrology, or soil science and may consist of  
 9 one or more written or oral tests, or both.

10           **SECTION 184.** 632.10 (1) of the statutes is amended to read:

11           632.10 (1) "Building and safety standards" means the requirements of ~~chs. ch.~~  
 12 ~~101 and 145~~ and of any rule promulgated by the department of safety and  
 13 professional services under ~~ch. 101 or 145~~, and standards of a 1st class city relating  
 14 to the health and safety of occupants of buildings.

15           **SECTION 185. Initial applicability.**

16           (1) PENALTIES FOR CERTAIN VIOLATIONS. The treatment of sections 101.02 (13) (a),  
 17 101.10 (4) (a) and (c), 101.125 (5), 101.148 (3), 101.66 (3), 101.77, 101.88 (3), 101.94  
 18 (8) (a), 101.965 (1p), and 101.988 (3) of the statutes first applies to violations  
 19 occurring on the effective date of this subsection.

20           (2) EXAMINATIONS FOR FUNERAL DIRECTING. The treatment of sections 445.04 (3)  
 21 (a), (b) (intro.), and (c), 445.045 (1) (g), and 445.08 of the statutes first applies to an  
 22 application for a funeral director's license received by the funeral directors  
 23 examining board on the effective date of this subsection.

24           **SECTION 186. Effective dates.** This act takes effect on the day after  
 25 publication, except as follows:



2015-2016 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-3799/P1insRK  
RNK:...

INSERT 12-3

1           **SECTION 1.** 101.02 (20) (a) of the statutes is amended to read:

2           101.02 (20) (a) For purposes of this subsection, "license" means a license,  
3           permit, or certificate of certification or registration issued by the department for an  
4           occupation or profession under s. 101.122 (2) (c), 101.15 (2) (e), 101.16 (3g), 101.17,  
5           101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v),  
6           and (2), 101.935, 101.95, 101.951, 101.952, 101.96 (2), 101.985 (1) to (3), ~~145.02 (4),~~  
7           ~~145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18~~ 101.9912 (4),  
8           101.9913, 101.9915, 101.9926, 101.9927, 101.9928, 101.9929, 101.993, 101.9931, or  
9           167.10 (6m) or under rules promulgated under ch. 101 ~~or 145.~~

History: 1971 c. 185 ss. 1 to 5, 7; 1971 c. 228 ss. 16, 42; Stats. 1971 s. 101.02; 1975 c. 39, 94; 1977 c. 29; 1981 c. 360; 1983 a. 410; 1985 a. 182 s. 57; 1987 a. 343; 1989 a. 31, 56, 139; 1991 a. 39, 269; 1993 a. 27, 184, 252, 414, 492; 1995 a. 27 ss. 3631 to 3649r, 9126 (19); 1995 a. 215; 1997 a. 191, 237; 1999 a. 9; 2001 a. 61; 2005 a. 251, 456; 2007 a. 20 ss. 2609 to 2613, 9121 (6) (a); 2007 a. 63, 203; 2009 a. 16, 28, 209, 373; 2011 a. 32, 120, 146; 2013 a. 20, 36; 2013 a. 151 s. 28; 2013 a. 168, 270; 2015 a. 55.

10           **SECTION 2.** 101.02 (21) (a) of the statutes is amended to read:

11           101.02 (21) (a) In this subsection, "license" means a license, permit, or  
12           certificate of certification or registration issued by the department for an occupation  
13           or profession under s. 101.122 (2) (c), 101.15 (2) (e), 101.16 (3g), 101.17, 101.178 (2)  
14           or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2),  
15           101.935, 101.95, 101.951, 101.952, 101.96 (2), 101.985 (1) to (3), ~~145.02 (4), 145.035,~~  
16           ~~145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18~~ 101.9912 (4), 101.9913,  
17           101.9915, 101.9926, 101.9927, 101.9928, 101.9929, 101.993, 101.9931, or 167.10  
18           (6m) or under rules promulgated under ch. 101 ~~or 145.~~

History: 1971 c. 185 ss. 1 to 5, 7; 1971 c. 228 ss. 16, 42; Stats. 1971 s. 101.02; 1975 c. 39, 94; 1977 c. 29; 1981 c. 360; 1983 a. 410; 1985 a. 182 s. 57; 1987 a. 343; 1989 a. 31, 56, 139; 1991 a. 39, 269; 1993 a. 27, 184, 252, 414, 492; 1995 a. 27 ss. 3631 to 3649r, 9126 (19); 1995 a. 215; 1997 a. 191, 237; 1999 a. 9; 2001 a. 61; 2005 a. 251, 456; 2007 a. 20 ss. 2609 to 2613, 9121 (6) (a); 2007 a. 63, 203; 2009 a. 16, 28, 209, 373; 2011 a. 32, 120, 146; 2013 a. 20, 36; 2013 a. 151 s. 28; 2013 a. 168, 270; 2015 a. 55.

19           **SECTION 3.** 101.02 (24) (a) 2. of the statutes is amended to read:

20           101.02 (24) (a) 2. "License" means a license, permit, or certificate of  
21           certification or registration issued by the department for an occupation or profession  
22           under s. 101.122 (2) (c), 101.15 (2) (e), 101.16 (3g), 101.17, 101.178 (2) or (3) (a), 101.63

1 (2) or (2m), 101.653, 101.654, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935,  
 2 101.95, 101.951, 101.952, 101.985 (1) to (3), ~~145.02 (4), 145.035, 145.045, 145.15,~~  
 3 ~~145.16, 145.165, 145.17, 145.175, 145.18~~ 101.9912 (4), 101.9913, 101.9915, 101.9926,  
 4 101.9927, 101.9928, 101.9929, 101.993, 101.9931, or 167.10 (6m) or under rules  
 5 promulgated under ch. 101 ~~or 145.~~

**History:** 1971 c. 185 ss. 1 to 5, 7; 1971 c. 228 ss. 16, 42; Stats. 1971 s. 101.02; 1975 c. 39, 94; 1977 c. 29; 1981 c. 360; 1983 a. 410; 1985 a. 182 s. 57; 1987 a. 343; 1989 a. 31, 56, 139; 1991 a. 39, 269; 1993 a. 27, 184, 252, 414, 492; 1995 a. 27 ss. 3631 to 3649r, 9126 (19); 1995 a. 215; 1997 a. 191, 237; 1999 a. 9; 2001 a. 61; 2005 a. 251, 456; 2007 a. 20 ss. 2609 to 2613, 9121 (6) (a); 2007 a. 63, 203; 2009 a. 16, 28, 209, 373; 2011 a. 32, 120, 146; 2013 a. 20, 36; 2013 a. 151 s. 28; 2013 a. 168, 270; 2015 a. 55.

**INSERT 16-10**

6 **SECTION 4.** 101.19 (1r) of the statutes is amended to read:

7 101.19 (1r) Notwithstanding subs. (1g) and (1m), the department shall waive  
 8 any fee imposed on an individual who is eligible for the veterans fee waiver program  
 9 under s. 45.44 for a license, permit, or certificate of certification or registration issued  
 10 by the department under s. 101.122 (2) (c), 101.15 (2) (e), 101.16 (3g), 101.17, 101.178  
 11 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2),  
 12 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), ~~145.02 (4), 145.035, 145.045,~~  
 13 ~~145.07 (12), 145.15, 145.16, 145.165, 145.17, 145.175, 145.18~~ 101.9912 (4), 101.9913,  
 14 101.9915, 101.9918 (12), 101.9926, 101.9927, 101.9928, 101.9929, 101.993,  
 15 101.9931, or 167.10 (6m).

**History:** 1971 c. 185; 1971 c. 228 s. 42; Stats. 1971 s. 101.19; 1975 c. 39; 1977 c. 29; 1979 c. 221; 1983 a. 27, 94, 446; 1987 a. 343; 1991 a. 39, 269; 1993 a. 414; 1999 a. 53; 2001 a. 16; 2005 a. 45, 456; 2007 a. 203; 2009 a. 28; 2011 a. 32, 199, 209; 2013 a. 20, 168, 270.



**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

D-Note

1     **AN ACT** *to repeal* 15.07 (3) (bm) 3., 15.07 (3) (bm) 6., 15.08 (3) (c), 15.085 (3) (b),  
2           15.405 (10r) (c), 15.407 (18) (c), 66.1019 (3), 101.02 (7m), 101.02 (12), 101.12 (6)  
3           (a), 101.125 (1) (b), (c), (f) and (g), 101.125 (2), (3) (b) and (c) and (4m), 101.14  
4           (4m) (a) 3., 101.16 (3g) (b), 101.957, subchapter VI (title) of chapter 101  
5           [precedes 101.971], 101.971 (intro.), (1), (3) and (4), 101.973 (intro.), (1), (3), (4),  
6           (5), (6), (7), (8), (9) and (10), 101.974 (intro.), (1) and (3), 101.974 (2), 101.975,  
7           101.976, 101.977 and 101.978, chapter 145 (title), 145.035, 145.13, 440.03 (16),  
8           440.04 (9), 440.11 (3), 445.08 (4), 457.09 (3) (b) and 457.16 (3); **to renumber**  
9           101.16 (3g) (a), 145.04, 145.05, 145.06, 145.14, 145.16, 145.17, 145.175, 145.18,  
10          145.19, 145.195 and 145.23; **to renumber and amend** 15.085 (3) (a), 15.09 (3),  
11          101.02 (1), 101.12 (6) (b), 101.971 (2), 101.973 (2), 101.974 (4) and (5), 145.01,  
12          145.02, 145.045, 145.07, 145.08, 145.09, 145.10 (1), 145.11, 145.12, 145.15,  
13          145.165, 145.20, 145.24, 145.245, 145.26, 440.20 (4), 440.20 (5) and 445.08 (1);  
14          **to consolidate, renumber and amend** 101.125 (3) (intro.) and (a); **to amend**  
15          15.07 (3) (b), 15.08 (3) (a), 15.085 (5) (b) 1., 15.405 (2) (a), 15.405 (2m) (b), 15.405

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

LRB-3799/P1dn

RNK:...

emw

— Date —

\* This draft provides that ss. 440.03 (1), (3m), (4), (11m), <sup>and</sup> (13) (a), (am), and (b) 75., 440.09 (2), 440.11, 440.121, 440.19, 440.20 (1), (3), (4), and (5), 440.205, 440.21, and 440.22 (ch. 440 provisions) apply to a license or other approvals issued by the Department of Safety and Professional Services (DPS) for an occupation, trade, or profession (occupational license) under chs. 101 and 145 and s. 167.10 (6m) in the same manner as they apply to credentials issued under chs. 440 to 480. Please note that these ch. 440 provisions contain language that is different than, conflicts with, or duplicates the language in other provisions of the statutes administered by DPS under chs. 101 and 145.

\* It is difficult to identify all of the statutes in chs. 101 and 145 under current law that may conflict with or duplicate the ch. 440 provisions. The following statutes are ones that we have identified that may require amending or repealing in order to eliminate conflicting or duplicative language: ss. 101.02 (5) (a), (c), and (d), (6), and (9), 101.122 (2) (f) and (g), 101.137 (5), 101.16 (5) (b), (c), (cg), (cm), (cn), (cr), and (d), 101.178 (5), 101.596 (2) and (3), 101.64 (1), 101.654 (5), 101.74 (1), 101.77, 101.82 (3r), 101.84 (1), 101.874, 101.88 (3), 101.951 (7) (b), 101.96 (2) (b), 101.983 (1) (c), 101.985 (4), 101.988, 145.02 (3) (f), 145.045 (2), and 145.10. Please review each of these statutes to determine whether you believe that any of them duplicate or conflict with the ch. 440 provisions. You may also find, upon your review of this draft and the relevant statutes, that there are other statutes under chs. 101 and 145 that duplicate or conflict with ch. 440 provisions. We would be happy to meet with you to discuss how you would like all of these statutes to be harmonized in the next version of the draft. <sup>me</sup>

\* In addition to the existence of conflicting language in the statutes identified above, there may also be statutory language in chs. 101 and 145 that conflicts with DPS rules. As instructed, this draft provides that DPS's rules concerning receiving, filing, and investigating complaints, commencing disciplinary proceedings, and conducting hearings apply to occupational licenses in the same manner as those rules apply to credentials issued under chs. 440 to 480. To the extent that a current statute in ch. 101 or 145 relating to an occupational license is specific, DPS does not have the authority to enforce a rule that conflicts with that specific statute. For example, if there is a statute in ch. 101 or 145 that specifies the manner for commencing a disciplinary proceeding against an occupational licensee, and DPS has promulgated a uniform rule about commencing disciplinary proceedings that conflicts with that statute, the

rule may not be enforced to the extent of that conflict. Please let us know whether you would like this draft to address any conflicts between statutory provisions and provisions in current or contemplated DSPTS rules.

You asked that this draft repeal ss. 101.02 (20), (21), and (24) and 101.19 (1r) because of the existence of duplicative provisions in ch. 440. This version of the draft does not include those repeals because the parallel provisions in ch. 440, while very similar to the provisions in s. 101.02 (20), (21), and (24) and 101.19 (1r) are not identical. For example, ss. 101.02 (20) (a), (21) (a), and (24) (a) 2. and 101.19 (1r) identify, by list, all of the licenses that are covered by those provisions. I am not sure that those lists are inclusive of all occupational credentials issued by DSPTS under chs. 101 and 145. Please also note that the lists include licenses under s. 167.10 (6m) which are not licenses issued under ch. 101. By repealing the lists, the requirements in ch. 440 will cover all of the occupational licenses that will be issued under ch. 101 including some that may not be in the lists enumerated under ss. 101.02 (20) (a), (21) (a), and (24) (a) 2. and 101.19 (1r). There are other minor differences between the provisions in ch. 101 and in ch. 440, as well. Please review all of these provisions to ensure that the repeal of ss. 101.02 (20), (21), and (24) and 101.19 (1r) as you requested will not result in unintended consequences. If after you review these provisions, you have confirmed that you want to include the repeal of ss. 101.02 (20), (21), and (24) and 101.19 (1r) we will make that change in the next version of the draft.

Robin N. Kite  
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licenses

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

LRB-3799/P1dn  
RNK:emw

December 1, 2015

This draft provides that ss. 440.03 (1), (3m), (4), (11m), and (13) (a), (am), and (b) 75., 440.09 (2), 440.11, 440.121, 440.19, 440.20 (1), (3), (4), and (5), 440.205, 440.21, and 440.22 (ch. 440 provisions) apply to a license or other approvals issued by the Department of Safety and Professional Services (DSPS) for an occupation, trade, or profession (occupational license) under chs. 101 and 145 and s. 167.10 (6m) in the same manner as they apply to credentials issued under chs. 440 to 480. Please note that these ch. 440 provisions contain language that is different than, conflicts with, or duplicates the language in other provisions of the statutes administered by DSPS under chs. 101 and 145.

It is difficult to identify all of the statutes in chs. 101 and 145 under current law that may conflict with or duplicate the ch. 440 provisions. The following statutes are ones that we have identified that may require amending or repealing in order to eliminate conflicting or duplicative language: ss. 101.02 (5) (a), (c), and (d), (6), and (9), 101.122 (2) (f) and (g), 101.137 (5), 101.16 (5) (b), (c), (cg), (cm), (cn), (cr), and (d), 101.178 (5), 101.596 (2) and (3), 101.64 (1), 101.654 (5), 101.74 (1), 101.77, 101.82 (3r), 101.84 (1), 101.874, 101.88 (3), 101.951 (7) (b), 101.96 (2) (b), 101.983 (1) (c), 101.985 (4), 101.988, 145.02 (3) (f), 145.045 (2), and 145.10. Please review each of these statutes to determine whether you believe that any of them duplicate or conflict with the ch. 440 provisions. You may also find, upon your review of this draft and the relevant statutes, that there are other statutes under chs. 101 and 145 that duplicate or conflict with the ch. 440 provisions. We would be happy to meet with you to discuss how you would like all of these statutes to be harmonized in the next version of the draft.

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rule about commencing disciplinary proceedings that conflicts with that statute, the rule may not be enforced to the extent of that conflict. Please let us know whether you would like this draft to address any conflicts between statutory provisions and provisions in current or contemplated DSPS rules.

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