

1 **SECTION 143.** 281.48 (2) (bm) of the statutes is amended to read:

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

4 **SECTION 144.** 281.48 (5) (a) 4. of the statutes is amended to read:

5 281.48 (5) (a) 4. Violated any provisions of this section or any rule prescribed
6 by the department or falsified information on inspection forms under s. ~~145.20~~
7 101.9934 (5).

8 **SECTION 145.** 281.48 (5m) (c) of the statutes is amended to read:

9 281.48 (5m) (c) The site criteria and disposal procedures in a county ordinance
10 shall be identical to the corresponding portions of rules promulgated by the
11 department under this section. The county shall require the person engaged in
12 septage disposal to submit the results of a soil test conducted by a soil tester certified
13 under s. ~~145.045~~ 101.9915 and to obtain a site approval for each location where the
14 person disposes of septage on land. The county shall maintain records of soil tests,
15 site approvals, county inspections and enforcement actions under this subsection.
16 A county may not require licensing or registration for any person or vehicle engaged
17 in septage disposal. The county may establish a schedule of fees for site approvals
18 under this paragraph if the department determines that the fees are no more than
19 is necessary to fund the county program under this paragraph. The county may
20 require a bond or other method of demonstrating the financial ability to comply with
21 the septage disposal ordinance. The county shall provide for the enforcement of the
22 septage disposal ordinance by penalties identical to those in s. 281.98.

23 **SECTION 146.** 281.59 (1m) (c) of the statutes is amended to read:

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

4 **SECTION 147.** 281.75 (18) of the statutes is amended to read:

5 281.75 (18) SUSPENSION OR REVOCATION OF LICENSES. The department may
6 suspend or revoke a license issued under ch. 280 if the department finds that the
7 licensee falsified information submitted under this section. The department of
8 safety and professional services may suspend or revoke the license of a plumber
9 licensed under ~~ch. 145~~ subch. VIII of ch. 101 if the department of safety and
10 professional services finds that the plumber falsified information submitted under
11 this section.

12 **SECTION 148.** 321.60 (1) (a) 18. of the statutes is amended to read:

13 321.60 (1) (a) 18. A license, permit, certificate, or registration that is granted
14 under ~~chs. 440 to 480~~ credential, as defined in s. 440.01 (2) (a).

15 **SECTION 149.** 440.03 (3m) of the statutes is amended to read:

16 440.03 (3m) The department may investigate complaints made against a
17 person who has been issued a credential ~~under chs. 440 to 480.~~

18 **SECTION 150.** 440.03 (7) of the statutes is amended to read:

19 440.03 (7) The department shall establish the style, content, and format of all
20 credentials and of all forms for applying for any initial credential ~~issued or renewed~~
21 ~~under chs. 440 to 480~~ or credential renewal. All forms shall include a place for the
22 information required under sub. (11m) (a). Upon request of any person who holds
23 a credential and payment of a \$10 fee, the department may issue a wall certificate
24 signed by the governor.

25 **SECTION 151.** 440.03 (7m) of the statutes is amended to read:

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

10 **SECTION 152.** 440.03 (11m) (a) (intro.) of the statutes is amended to read:

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

17 **SECTION 153.** 440.03 (13) (a) of the statutes is amended to read:

18 440.03 (13) (a) The department may conduct an investigation to determine
19 whether an applicant for a credential ~~issued under chs. 440 to 480~~ satisfies any of
20 the eligibility requirements specified for the credential, including whether the
21 applicant does not have an arrest or conviction record. In conducting an
22 investigation under this paragraph, the department may require an applicant to
23 provide any information that is necessary for the investigation, except that, for an
24 investigation of an arrest or conviction record, the department shall comply with the
25 requirements of pars. (b) and (c).

1 **SECTION 154.** 440.03 (13) (am) of the statutes is amended to read:

2 440.03 (13) (am) A person holding a credential ~~under chs. 440 to 480~~ who is
3 convicted of a felony or misdemeanor anywhere shall send a notice of the conviction
4 by 1st class mail to the department within 48 hours after the entry of the judgment
5 of conviction. The department shall by rule determine what information and
6 documentation the person holding the credential shall include with the written
7 notice.

8 **SECTION 155.** 440.03 (16) of the statutes is repealed.

9 **SECTION 156.** 440.04 (9) of the statutes is repealed.

10 **SECTION 157.** 440.08 (2) (a) 59. of the statutes is amended to read:

11 440.08 (2) (a) 59. Physician assistant: March 1 of each ~~odd-numbered~~
12 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?

13 **SECTION 158.** 440.11 (3) of the statutes is repealed.

14 **SECTION 159.** 440.19 of the statutes is amended to read:

15 **440.19 Voluntary surrender of license, permit, or certificate.** A person
16 who holds a ~~license, permit, or certificate of certification or registration issued under~~
17 ~~chs. 440 to 480~~ credential may voluntarily surrender that ~~license, permit, or~~
18 ~~certificate of certification or registration~~ credential. The department, examining
19 board, affiliated credentialing board, or board of the department that issued the
20 ~~license, permit, or certificate of certification or registration~~ credential may refuse to
21 accept that surrender if a complaint has been filed or disciplinary proceeding has
22 been commenced against the person under s. 440.20.

1 **SECTION 160.** 440.20 (4) of the statutes is renumbered 440.20 (4) (a) and
2 amended to read:

3 440.20 (4) (a) ~~In addition to any grounds for discipline specified in chs. 440 to~~
4 ~~480, the~~ The department or appropriate examining board, affiliated credentialing
5 board, or board in the department may reprimand the holder of a credential or deny,
6 limit, suspend, or revoke the credential of any person who intentionally violates s.
7 252.14 (2) or intentionally discloses the results of a blood test in violation of s. 252.15
8 (3m) (b) or (f) or (5m).

9 **SECTION 161.** 440.20 (4) (b) of the statutes is created to read:

10 440.20 (4) (b) The grounds for discipline specified under par. (a) are in addition
11 to any grounds for discipline specified in chs. 440 to 480.

12 **SECTION 162.** 440.20 (5) of the statutes is renumbered 440.20 (5) (a) and
13 amended to read:

14 440.20 (5) (a) ~~In addition to any grounds for discipline specified in chs. 440 to~~
15 ~~480, the~~ The department, or the appropriate credentialing board or other board in
16 the department, may reprimand a credential holder, or may deny, limit, suspend, or
17 revoke a credential, if the credential holder fails to respond, to the satisfaction of the
18 department, credentialing board, or other board in the department, within 30 days
19 to a request for information from the department, credentialing board, or other board
20 in the department in connection with an investigation of alleged misconduct of the
21 credential holder.

22 **SECTION 163.** 440.20 (5) (b) of the statutes is created to read:

23 440.20 (5) (b) The grounds for discipline specified under par. (a) are in addition
24 to any grounds for discipline specified in chs. 440 to 480.

25 **SECTION 164.** 440.205 of the statutes is amended to read:

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1 **440.205 Administrative warnings.** If the department or a board, examining
2 board, or affiliated credentialing board in the department determines during an
3 investigation that there is evidence of misconduct by a credential holder, the
4 department, board, examining board, or affiliated credentialing board may close the
5 investigation by issuing an administrative warning to the credential holder. The
6 department or a board, examining board, or affiliated credentialing board may issue
7 an administrative warning under this section only if the department or board,
8 examining board, or affiliated credentialing board determines that no further action
9 is warranted because the complaint involves ~~a first occurrence of~~ a minor violation
10 and the issuance of an administrative warning adequately protects the public by
11 putting the credential holder on notice that any subsequent violation may result in
12 disciplinary action. If an administrative warning is issued, the credential holder
13 may obtain a review of the administrative warning through a personal appearance
14 before the department, board, examining board, or affiliated credentialing board
15 that issued the administrative warning. Administrative warnings do not constitute
16 an adjudication of guilt or the imposition of discipline and may not be used as
17 evidence that the credential holder is guilty of the alleged misconduct. However, if
18 a subsequent allegation of misconduct by the credential holder is received by the
19 department or a board, examining board, or affiliated credentialing board in the
20 department, the matter relating to the issuance of the administrative warning may
21 be reopened and disciplinary proceedings may be commenced on the matter, or the
22 administrative warning may be used in any subsequent disciplinary proceeding as
23 evidence that the credential holder had actual knowledge that the misconduct that
24 was the basis for the administrative warning was contrary to law. The record that
25 an administrative warning was issued shall be a public record. The contents of the

1 administrative warning shall be private and confidential. The department shall
2 promulgate rules establishing uniform procedures for the issuance and use of
3 administrative warnings.

4 **SECTION 165.** 440.22 (1) of the statutes is amended to read:

5 440.22 (1) In this section, "costs of the proceeding" means the compensation
6 and reasonable expenses of hearing examiners and of prosecuting attorneys for the
7 department, examining board ~~or~~, affiliated credentialing board, or other board, a
8 reasonable disbursement for the service of process or other papers, amounts actually
9 paid out for certified copies of records in any public office, postage, telephoning,
10 adverse examinations and depositions and copies, expert witness fees, witness fees
11 and expenses, compensation and reasonable expenses of experts, paralegals, and
12 investigators, and compensation and expenses of a reporter for recording and
13 transcribing testimony.

14 **SECTION 166.** 440.22 (2) of the statutes is amended to read:

15 440.22 (2) In any disciplinary proceeding against a holder of a credential in
16 which the department or an examining board, affiliated credentialing board, or other
17 board in the department orders suspension, limitation, or revocation of the
18 credential, assesses a forfeiture, or reprimands the holder, the department,
19 examining board, affiliated credentialing board, or other board may, in addition to
20 imposing discipline, assess all or part of the costs of the proceeding against the
21 holder. Costs assessed under this subsection are payable to the department. Interest
22 shall accrue on costs assessed under this subsection at a rate of ~~12%~~ 12 percent per
23 year beginning on the date that payment of the costs are due as ordered by the
24 department, examining board, affiliated credentialing board, or other board. Upon
25 the request of the department of safety and professional services, the department of

compounded annually

real estate
specialists

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1 justice may commence an action to recover costs assessed under this subsection and
2 any accrued interest.

3 **SECTION 167.** 440.92 (9) (b) 3. of the statutes is amended to read:

4 440.92 (9) (b) 3. A ~~notarized~~ statement of a person who is legally authorized to
5 act on behalf of the religious society under this subsection that, during the 12-month
6 period immediately preceding the date on which the certification is filed with the
7 department, each employee specified under subd. 2. and the cemetery authority have
8 either fully complied or have substantially complied with subs. (2), (3) (a) and (b), and
9 (5).

10 **SECTION 168.** 443.07 (4) of the statutes is amended to read:

11 443.07 (4) A master plumber's license under ~~ch. 145 subch. VIII of ch. 101~~ shall
12 be considered equivalent to the work experience and satisfactory completion of a
13 written examination in the field of plumbing systems, and the holder of a master
14 plumber's license shall be issued a permit as a designer of plumbing systems upon
15 the making of an application and the payment of the permit fee.

16 **SECTION 169.** 445.04 (3) (a) of the statutes is amended to read:

17 445.04 (3) (a) Written examinations for a funeral director's license under pars.
18 (b) and (c) shall be held at least once a year and shall be conducted by the examining
19 board at a time and place to be designated by the examining board.

20 **SECTION 170.** 445.04 (3) (b) (intro.) of the statutes is amended to read:

21 445.04 (3) (b) (intro.) The comprehensive examination shall include the
22 subjects of:

23 **SECTION 171.** 445.04 (3) (c) of the statutes is created to read:

24 445.04 (3) (c) The jurisprudence examination shall test the applicant's
25 knowledge of state law relating to funeral directing.

1 **SECTION 172.** 445.045 (1) (g) of the statutes is amended to read:

2 445.045 (1) (g) The person must have successfully passed a comprehensive
3 examination ~~conducted by the examining board as required by~~ under s. 445.04 (3) (b)
4 and a jurisprudence examination under s. 445.04 (3) (c).

5 **SECTION 173.** 445.08 (1) of the statutes is renumbered 445.08 and amended to
6 read:

7 **445.08 Reciprocity in issuance of licenses.** Any person holding a valid
8 license as a funeral director or embalmer in another state having requirements
9 substantially equal to those in this state for a funeral director's license may apply
10 for a license to practice in this state by filing with the examining board a certified
11 statement from an authorized official of the that state ~~in which the applicant holds~~
12 ~~a license, showing the qualifications upon which said license was granted. that~~
13 verifies the person's licensure in that state. An applicant for licensure under this
14 section shall pass the jurisprudence examination under s. 445.04 (3) (c) and shall
15 satisfy the requirement under s. 445.045 (1) (b). Thereupon the examining board
16 may, upon the payment of the required fee, issue a funeral director's license.

17 **SECTION 174.** 445.08 (4) of the statutes is repealed.

18 **SECTION 175.** 446.02 (7) (d) 1. of the statutes is amended to read:

19 446.02 (7) (d) 1. Beginning on July 1, 2010, a chiropractor may delegate X-ray
20 services only to a chiropractic radiological ~~technologist~~ technician.

21 **SECTION 176.** 446.02 (7) (d) 2. of the statutes is amended to read:

22 446.02 (7) (d) 2. Beginning on July 1, 2010, a chiropractor may delegate
23 adjunctive services only to a chiropractic ~~technologist~~ technician.

24 **SECTION 177.** 448.02 (8) (a) of the statutes is amended to read:

1 448.02 (8) (a) After an investigation by the board under sub. (3) (a) or by the
2 department under s. 440.03 (3m) or (5), the board may issue a private and
3 confidential administrative warning to a holder of a license, certificate, or limited
4 permit if the board determines that there is evidence of misconduct by him or her.
5 The board may issue an administrative warning under this paragraph only if the
6 board determines that no further action is warranted because the matter involves
7 ~~a first occurrence of~~ minor misconduct and the issuance of an administrative
8 warning adequately protects the public by putting the holder of the license,
9 certificate, or limited permit on notice that any subsequent misconduct may result
10 in disciplinary action. The board shall review the determination if the holder of the
11 license, certificate, or limited permit makes a personal appearance before the board.
12 Following the review, the board may affirm, rescind, or modify the administrative
13 warning. A holder of a license, certificate, or limited permit may seek judicial review
14 under ch. 227 of an affirmation or modification of an administrative warning by the
15 board.

16 **SECTION 178.** 448.02 (8) (a) of the statutes, as affected by 2013 Wisconsin Act
17 240 and 2015 Wisconsin Act (this act), is repealed and recreated to read:

18 448.02 (8) (a) After an investigation by the board under sub. (3) (a) or by the
19 department under s. 440.03 (3m) or (5), the board may issue a private and
20 confidential administrative warning to a holder of a license or certificate if the board
21 determines that there is evidence of misconduct by him or her. The board may issue
22 an administrative warning under this paragraph only if the board determines that
23 no further action is warranted because the matter involves minor misconduct and
24 the issuance of an administrative warning adequately protects the public by putting
25 the holder of the license or certificate on notice that any subsequent misconduct may

1 result in disciplinary action. The board shall review the determination if the holder
2 of the license or certificate makes a personal appearance before the board. Following
3 the review, the board may affirm, rescind, or modify the administrative warning. A
4 holder of a license or certificate may seek judicial review under ch. 227 of an
5 affirmation or modification of an administrative warning by the board.

6 **SECTION 179.** 448.07 (1) (a) of the statutes is amended to read: *most affected by 2015 Wisconsin Act 10*

7 448.07 (1) (a) Every person licensed or certified under this subchapter shall
8 register ~~on or before November 1 of each odd-numbered year~~ following issuance of
9 the license or certificate with the board at such time and in such manner as the board
10 shall designate and upon forms the board shall provide. ~~The secretary of the board,~~
11 ~~on or before October 1 of each odd-numbered year, shall mail or cause to be mailed~~
12 ~~to every person required to register a registration form.~~ The board shall furnish to
13 each person registered under this section a certificate of registration, and the person
14 shall display the registration certificate conspicuously in the office at all times. No
15 person may exercise the rights or privileges conferred by any license or certificate
16 granted by the board unless currently registered as required under this subsection.

17 **SECTION 180.** 448.13 (1) (a) (intro.) of the statutes is amended to read:

18 448.13 (1) (a) (intro.) Except as provided in par. (b), each physician shall, in no
19 later than November 1 of each 2nd odd-numbered year at the time of application for
20 ~~a certificate of registration under s. 448.07,~~ submit proof of attendance at and
21 completion of all of the following:

22 **SECTION 181.** 448.13 (2) of the statutes is amended to read:

23 448.13 (2) Each person licensed as a perfusionist shall, in no later than
24 November 1 of each 2nd odd-numbered year at the time of application for a

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1 ~~certificate of registration under s. 448.07, submit proof of completion of continuing~~
2 ~~education requirements promulgated by rule by the board.~~

3 **SECTION 182.** 448.13 (3) of the statutes is amended to read:

4 448.13 (3) Each person licensed as an anesthesiologist assistant shall, ~~in no~~
5 ~~later than November 1 of each 2nd odd-numbered year at the time of application for~~
6 ~~a certificate of registration under s. 448.07, submit proof of meeting the criteria for~~
7 ~~recertification by the National Commission on Certification of Anesthesiologist~~
8 ~~Assistants or by a successor entity, including any continuing education~~
9 ~~requirements.~~

10 **SECTION 183.** 457.09 (3) (a) of the statutes is amended to read:

11 457.09 (3) (a) ~~Except as provided in par. (b), a~~ A social worker training
12 certificate is valid for 24 months.

13 **SECTION 184.** 457.09 (3) (b) of the statutes is repealed.

14 **SECTION 185.** 457.16 (3) of the statutes is repealed.

15 **SECTION 186.** 470.05 of the statutes is amended to read:

16 **470.05 Examination.** ~~Beginning no later than January 1, 2000, the~~
17 ~~appropriate section of the examining board shall conduct or arrange for~~
18 ~~examinations for licensure as a professional geologist, hydrologist or soil scientist at~~
19 ~~least semiannually and at times and places determined by the section.~~
20 Examinations for licensure under this section chapter shall require an applicant to
21 demonstrate minimum competency in the principles and practice of subjects
22 substantially related to the practice of professional geology, hydrology, or soil science
23 and may consist of one or more written or oral tests, or both.

24 **SECTION 187.** 632.10 (1) of the statutes is amended to read:

1 632.10 (1) "Building and safety standards" means the requirements of ~~chs. ch.~~
2 101 ~~and 145~~ and of any rule promulgated by the department of safety and
3 professional services under ch. 101 ~~or 145~~, and standards of a 1st class city relating
4 to the health and safety of occupants of buildings.

5 **SECTION 188. Initial applicability.**

6 (1) PENALTIES FOR CERTAIN VIOLATIONS. The treatment of sections 101.02 (13) (a),
7 101.10 (4) (a) and (c), 101.125 (5), 101.148 (3), 101.66 (3), 101.77, 101.88 (3), 101.94
8 (8) (a), 101.965 (1p), and 101.988 (3) of the statutes first applies to violations
9 occurring on the effective date of this subsection.

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

14 **SECTION 189. Effective dates.** This act takes effect on the day after
15 publication, except as follows:

16 (1) The repeal and recreation of section 101.63 (1) (intro.) of the statutes takes
17 effect on July 1, 2016, or the day after publication, whichever is later.

18 (2) The repeal and recreation of section 448.02 (8) (a) of the statutes takes effect
19 on April 1, 2017.

20

(END)

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* As discussed below, this bill makes numerous changes to the laws governing professional regulation and buildings and safety in this state.

**UNIFORM PROFESSIONAL CREDENTIALING AND OCCUPATIONAL LICENSING
PROCEDURES**

The bill makes uniform many of the standards and procedures that apply to the following approvals that are under the authority of the Department of Safety and Professional Services:

1. Licenses, permits, and certificates of certification or registration issued by DSPS, an examining board, or an affiliated credentialing board with respect to various professions, including cosmetology, accounting, architecture, boxing, mixed martial arts, and health professions (professional credentials).

2. Licenses, permits, certificates, registrations, or other approvals issued by DSPS with respect to trades (occupational licenses).

Specifically, this bill requires that any rules promulgated by DSPS that define uniform procedures for the following must conform with rules related to professional credentials: receiving, filing, and investigating complaints against holders of occupational licenses; commencing disciplinary proceedings against holders of occupational licenses; and conducting hearings on matters relating to occupational licenses.

This bill also provides that many laws that apply to professional credentials also apply to occupational licenses, including laws that do all of the following:

1. Govern how and when an application for an initial professional credential or a renewal is granted or denied.

2. Prescribe standards and procedures for how a person may file a complaint against a professional credential holder.

3. Set forth standards and procedures for conducting investigations, commencing disciplinary proceedings, holding hearings, and making findings regarding violations of laws and rules governing professional credential holders.

4. Prescribe the process and procedure for issuing administrative warnings to professional credential holders, reprimanding professional credential holders, and denying, limiting, suspending, and revoking professional credentials.

5. Set forth certain rights and obligations of professional credential holders.

MULTIFAMILY DWELLING CODE

The bill repeals the statutes, and the authority of DSPS to promulgate rules, that establish standards for the construction of multifamily dwellings and their components. Those statutes and rules are commonly known as the multifamily dwelling code.

Under current law, a county, city, village, or town (municipality) is prohibited from enforcing any ordinance that does not comply with the multifamily dwelling code, except with respect to a preexisting stricter sprinkler ordinance that meets certain requirements. The bill repeals the multifamily dwelling code, including the exception for preexisting stricter sprinkler ordinances, but retains certain powers of

DSPS which are incorporated into the provisions that regulate public buildings and buildings that are places of employment (commercial building code).

Under the bill, a multifamily dwelling is subject to the commercial building code if the multifamily dwelling is a "public building," which current law defines to include a building used by the public or by ^{three}3 or more tenants for lodging or occupancy.

COMMERCIAL BUILDING CODE

The bill requires DSPS to promulgate rules establishing uniform procedures for municipalities to administer the commercial building code and prohibits municipalities from enacting or enforcing an ordinance that does not strictly conform to the rules. Under the bill, administration includes the process an owner must follow when applying for a permit for constructing, altering, or adding to a public building or a building that is a place of employment.

BUILDING INSPECTOR REVIEW BOARD

The bill eliminates the Building Inspector Review Board and transfers most of the board's authority over building inspectors to DSPS. Under the bill, DSPS, rather than the board, receives and reviews complaints regarding building inspectors and has the authority to revoke a building inspector's certification. The bill also provides that DSPS's authority is not limited to revocation. Under the bill, DSPS also may reprimand a building inspector or deny, limit, suspend, or revoke a building inspector's certification.

The bill eliminates, rather than transfers to DSPS, the authority of the board to modify or reverse erroneous decisions of a building inspector. The bill also eliminates procedures related to how complaints are received, processed, and kept confidential that are specific to complaints against building inspectors.

PENALTIES FOR VIOLATIONS OF LAW

The bill increases the monetary penalties for certain violations of laws and rules that regulate various aspects of industry, buildings, and safety, including the following: safe storage and handling of anhydrous ammonia; safety glazing material used in hazardous locations; construction standards and inspection procedures for one-family and two-family dwellings; manufacture and installation of modular homes; installation, repair, and maintenance of electrical wiring; manufacture, distribution, and sale of manufactured homes and mobile homes; and installation and operation of elevators, escalators, and other conveyances. The bill also clarifies that certain violations constitute a separate offense for each day of continued violation and creates a penalty for violations by a contractor of notice requirements related to construction or remodeling of a dwelling.

SAFETY GLAZING MATERIAL IN HAZARDOUS LOCATIONS

The bill repeals existing statutory requirements related to labeling, installing, and selling safety glazing material located or to be located in hazardous locations. Under the bill, DSPS must promulgate rules regulating safety glazing material manufactured, distributed, imported, sold, or installed for use in a hazardous location.

AGING SCHOOLS PROGRAM

The bill repeals an outdated requirement under the aging schools program that DSPS inspect all public schools constructed prior to January 1, 1950, for compliance with certain safety and building requirements.

LIST OF VARIANCES UNDER THE HISTORIC BUILDING CODE

The bill eliminates the requirement that DSPS maintain a list of all variances from the historic building code granted to owners of qualified historic buildings. Under current law, DSPS may create an historic building code to provide alternative standards for the preservation or restoration of buildings or structures designated as historic buildings, and DSPS may grant variances to any rules or alternative rules if the owner demonstrates that an alternative proposed by the owner accomplishes the same purpose. Under the bill, DSPS is not required to maintain a list of all variances DSPS grants.

LIST OF LICENSED RETAIL SUPPLIERS OF LIQUEFIED PETROLEUM GAS

The bill eliminates the requirement that DSPS publish an annual list of all retail suppliers licensed by DSPS to distribute liquefied petroleum gas.

FREQUENCY OF REVIEW OF MUNICIPAL CONSTRUCTION SITE EROSION CONTROL PROGRAMS

The bill reduces the frequency with which DSPS must issue a written determination regarding whether a municipality's construction site erosion control program is in compliance with state standards. Under current law, if a municipality elects to exercise jurisdiction over the construction and inspection of new dwellings, DSPS must periodically review the municipality's ordinances related to construction site erosion control for compliance with state standards. As part of the review, DSPS must perform an audit of the municipality's construction site erosion control program and make a written determination regarding whether the municipality is in compliance. The bill changes the frequency of the DSPS written determination from three years to five years.

ALTERNATIVE DISPUTE RESOLUTION FOR MANUFACTURED HOUSING INDUSTRY DISPUTES

The bill eliminates the requirement that DSPS establish by rule an alternative dispute resolution program for disputes concerning defects in or installation of manufactured homes. Under current law, the ADR program must provide for the timely, nonjudicial resolution of disputes among manufacturers, salespersons, dealers, and installers of manufactured homes if those disputes are reported to DSPS within one year of the date on which a manufactured home is installed.

MANUFACTURED HOME CONSTRUCTION AND SAFETY REPORTS

The bill requires DSPS to prepare and submit all reports required under federal law related to manufactured home construction and safety. Under current law, manufactured homes must be manufactured, assembled, distributed, and sold in compliance with federal statutes and regulations. Those federal laws require reporting by states related to manufactured home construction and safety, and the bill requires DSPS to prepare and submit all required reports.

TEMPORARY REVOCABLE PERMITS FOR MASTER AND JOURNEYMAN PLUMBERS

The bill eliminates the authority of DSPS to issue temporary revocable permits to master and journeyman plumbers pending an examination. The bill also eliminates the authority of DSPS to promulgate rules governing the issuance of those permits.

SEPTIC TANK INSTALLERS

The bill eliminates references under current law to "septic tank installers" in requirements related to installation of private on-site wastewater treatment systems.

DEFINITION OF PUBLIC SWIMMING POOLS

The bill changes the definition of public swimming pool to exclude an inflated mobile structure, a swim pond, or an individual therapeutic pod, tub, or bath. Under current law, DSPS must review and approve any plans for the construction, alteration, or reconstruction of a public swimming pool, and no one may maintain, manage, or operate a public swimming pool unless DSPS has approved the plans and the public swimming pool conforms to those plans.

REORGANIZATION OF PLUMBING, FIRE PROTECTION SYSTEMS, AND SWIMMING POOL PLAN REVIEW LAW

The bill reorganizes the statutes so that the laws related to plumbing, fire protection systems, and swimming pool plan review are located in a separate subchapter within the chapter that covers regulation of industry, buildings, and safety.

(END INSERT A-1)

INSERT 5-9

✓

1 **SECTION 1.** 15.405 (1m) of the statutes is repealed.

****NOTE: Do you want to add a delayed effective date for any of the provisions related to the building inspector review board to give DSPS and the board time to make these changes? (KRP)

(END INSERT 5-9)

INSERT 9-3

✗

2 **SECTION 2.** 45.44 (1) (a) 6. of the statutes is amended to read:

1 45.44 (1) (a) 6. ~~A~~ An occupational license, permit, certificate, or registration
2 specified as defined in s. 101.19 (1r) 101.02 (1) (a) 2.

History: 2011 a. 209; 2013 a. 20; 2015 a. 55; s. 35.17 correction in (1) (a) 11.

(END INSERT 9-3)

INSERT 12-3

****NOTE: Is it your intent to repeal the exception for preexisting stricter sprinkler ordinances? (KRP)

****NOTE: Is it your intent that the commercial building code apply to multifamily dwellings? The commercial building code applies to public buildings and places of employment. The definition of "public building" includes any building used by 3 or more tenants. Thus, a multifamily dwelling is a public building, and subject to the commercial building code, only if 3 or more tenants are occupying or using the building at any given time. The exceptions to the definition of "public building" in s. 101.01 (12) (a) to (c) may also affect whether a multifamily dwelling is a public building. For example, a home-based business is not a public building. Should any of these exceptions be changed? (KRP)

(END INSERT 12-3)

INSERT 13-1

****NOTE: The forfeitures under s. 101.122 (7) (a) to (e) apply per dwelling unit, so I assume the continued violation/separate offense language is not appropriate. Should that language be added to s. 101.123 (8) (a) or (d), or it is not appropriate given the per day limitation under s. 101.123 (8) (em)? Should that language be added to any of the following forfeitures or fines: s. 101.13 (7), 101.149 (8) (c) 1., 101.65 (5) (ac), (am), (b), (c), (cm), or (cn), 101.599 (3) (a) or (b), 101.9203 (2), 101.9209 (4), (5) (a) or (b), 101.921 (3), 101.9217 (2) (a) or (b), 101.94 (8) (b), 101.951 (8), 101.965 (1) or 145.12 (2)? Also note that s. 101.137 (5) applies only to violations of s. 101.137 (2). Is that okay?

(END INSERT 13-1)

INSERT 13-12

3 SECTION 3. 101.02 (20) of the statutes is repealed.

4 SECTION 4. 101.02 (21) of the statutes is repealed.

5 SECTION 5. 101.02 (24) of the statutes is repealed.

(END INSERT 13-12)

INSERT 18-17

1 101.16 (3g) No retail supplier may distribute liquefied petroleum gas without
 2 holding a license issued by the department. The department, subject to s. ~~101.02 (20)~~
 3 ~~and (21)~~ [✓] ss. 440.12 and 440.13, shall issue a license to be a retail supplier upon
 4 receiving the fee established under s. 101.19 (1g) (L) or (1m) and upon obtaining proof
 5 of financial responsibility as required under sub. (3r) (c). The term of the license shall
 6 be set by the department, not to exceed 2 years.

History: 1971 c. 185 s. 1; Stats. 1971 s. 101.16; 2007 a. 203; 2009 a. 180; 2011 a. 209; 2011 a. 260 s. 81.
 (END INSERT 18-17)

INSERT 19-3

7 **SECTION 6.** 101.19 (1r) of the statutes is repealed.

****NOTE: You instructed us to repeal s. 101.19 (1r), which provides for a waiver, under the veterans fee waiver program, for any fees imposed with respect to occupational licenses. As currently drafted, it does not appear that any other provision makes the veterans fee waiver program applicable to occupational licenses. To ensure that DSPS has a duty to waive fees for veterans, should we add s. 440.05 (1) (a) and (2) (b) to the list under s. 101.022? Note that s. 45.44 imposes duties on the Department of Veterans Affairs, not on DSPS. (KRP)

****NOTE: Section 101.19 (1g) (f) contains a reference to the multifamily dwelling program. Will this program cease to exist after the repeal of the multifamily dwelling code? If yes, should this reference be deleted? (KRP)

8 **SECTION 7.** 101.596 (title) of the statutes is repealed and recreated to read:

9 **101.596 (title) Review of building inspectors.**

10 **SECTION 8.** 101.596 (1) (a) of the statutes is repealed.

(END INSERT 19-3)

INSERT 19-17

11 (b) After reviewing a complaint received under par. (a), the review board
 12 department may reprimand a building inspector or deny, limit, suspend, or revoke
 13 the certification of a building inspector if the board department determines that the
 14 building inspector has engaged in incompetent, negligent, or unethical conduct.

History: 2005 a. 457.

1 **SECTION 9.** 101.596 (2) (c) of the statutes is repealed.

2 **SECTION 10.** 101.596 (3) of the statutes is repealed.

(END INSERT 19-17)

INSERT 22-25

3 **SECTION 11.** 101.654 (1) (c) 1. of the statutes is amended to read:

4 101.654 (1) (c) 1. In this paragraph, "license" has the meaning given means an
5 occupational license, as defined in s. 101.02 (21) (a) (1) (a) 2.

History: 1993 a. 126; 1995 a. 392; 1997 a. 39; 2005 a. 200; 2007 a. 14; 2009 a. 276; 2015 a. 55.

(END INSERT 22-25)

INSERT 23-16

6 **SECTION 12.** 101.84 (1) of the statutes is amended to read:

7 101.84 (1) Hold hearings on any matter relating to this subchapter and issue
8 subpoenas to compel the attendance of witnesses and the production of evidence at
9 the hearings, except that hearings related to occupational licenses, as defined in s.
10 101.02 (1) (a) 2., shall be conducted as provided in s. 101.022.

History: 1979 c. 309; 2007 a. 63; 2013 a. 143.

(END INSERT 23-16)

INSERT 24-16

11 **SECTION 13.** 101.951 (7) (a) of the statutes is amended to read:

12 101.951 (7) (a) The department of safety and professional services may, without
13 notice, deny the application for a license within 60 days after receipt thereof of the
14 application by written notice to the applicant, stating the grounds for the denial.
15 Within 30 days after such the notice, the applicant may petition the department of
16 administration to conduct a hearing to review the denial, and a hearing shall be

1 scheduled with reasonable promptness. The division of hearings and appeals shall
2 conduct the hearing. This paragraph does not apply to denials of applications for
3 licenses under s. ~~101.02 (21)~~ 440.13.

4 **SECTION 14.** 101.951 (7) (b) of the statutes is amended to read:

5 101.951 (7) (b) No license may be suspended or revoked except after a hearing
6 thereon. The department of safety and professional services shall give the licensee
7 at least 5 days' notice of the time and place of the hearing. The order suspending or
8 revoking ~~such a~~ license shall not be effective until after 10 days' written notice
9 thereof to the licensee, after ~~such~~ the hearing has been had; except that the
10 department of safety and professional services, when in its opinion the best interest
11 of the public or the trade demands it, may suspend a license upon not less than 24
12 hours' notice of hearing and with not less than 24 hours' notice of the suspension of
13 the license. Matters involving suspensions and revocations brought before the
14 department of safety and professional services shall be heard and decided upon by
15 the department of administration. The division of hearings and appeals shall
16 conduct the hearing. This paragraph does not apply to licenses that are suspended
17 or revoked under s. ~~101.02 (21)~~ 440.13.

18 **SECTION 15.** 101.952 (5) of the statutes is amended to read:

19 101.952 (5) The provision of s. 218.0116 relating to the denial, suspension, and
20 revocation of a motor vehicle salesperson's license shall apply to the denial,
21 suspension, and revocation of a manufactured home salesperson's license so far as

1 applicable, except that such provision does not apply to the denial, suspension, or
2 revocation of a license under s. ~~101.02(21)(b)~~ 440.13.

History: 1999 a. 9, 53, 186; 2005 a. 45; 2011 a. 146.

(END INSERT 24-16)

INSERT 26-8

3 **SECTION 16.** ~~101.985 (4)~~ of the statutes is repealed.

4 **SECTION 17.** ~~101.985 (5)~~ (a) of the statutes is amended to read:

5 101.985 **(5)** (a) *Issuance and term.* Except as provided under s. ~~101.02(20)(b)~~
6 ~~and (21)(b)~~ ss. 440.12 and 440.13, the department shall issue a license to any
7 applicant who satisfies the applicable requirements of subs. (1) to (3) and any rules
8 promulgated under subs. (1) to (3) and who pays any applicable fee required by rule
9 of the department under s. 101.19 (1g) (k). Except as provided under sub. (2) (c) and
10 (d), the term of each license is 2 years.

History: 2005 a. 456; 2007 a. 20, 96; 2009 a. 42; 2011 a. 146, 209; 2013 a. 124.

(END INSERT 26-8)

INSERT 28-16

11 **(3)** (f) Issue special orders directing and requiring compliance with the rules
12 and standards of the department promulgated under this chapter whenever, in the
13 judgment of the department, the rules or standards are threatened with violation,
14 are being violated or have been violated, except that orders related to occupational
15 licenses, as defined in s. 101.02 (1) (a) 2., shall be issued as provided in s. 101.022.
16 The circuit court for any county where violation of such an order occurs has
17 jurisdiction to enforce and shall enforce any order brought before it by injunctive and
18 other appropriate relief. The attorney general or the district attorney of the county

1 where the violation of the order occurs shall bring action for its enforcement. The
2 department may issue an order under this paragraph to abate a violation of s. 254.59.

History: 1971 c. 194; 1973 c. 90; 1975 c. 39; 1977 c. 275, 314; 1979 c. 34, 221; 1981 c. 341; 1983 a. 410; 1993 a. 27, 213, 322; 1995 a. 27; 2011 a. 32; 2015 a. 49.
(END INSERT 28-16)

INSERT 28-18

3 SECTION 18. 145.045 (title) and (1) of the statutes are renumbered 101.9915
4 (title) and (1).

5 SECTION 19. 145.045 (2) of the statutes is repealed.

(END INSERT 28-18)

INSERT 40-12

6 SECTION 20. 321.60 (1) (a) 7. of the statutes is amended to read:
7 321.60 (1) (a) 7. ~~A~~ An occupational license, as defined in s. 101.02 ~~(20)~~ (a) (1)
8 (a) 2.

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.
(END INSERT 40-12)

INSERT 40-15

9 SECTION 21. 343.305 (6) (bm) of the statutes is amended to read:
10 343.305 (6) (bm) Any relevant instruction, as defined in s. ~~101.02 (24) (a) 1.~~
11 440.075 (1), that an applicant for an approval, certification, or permit under par. (b)
12 has obtained in connection with any military service, as defined in s. 111.32 (12g),
13 counts toward satisfying any requirement for instruction for an approval,
14 certification, or permit under par. (b) if the applicant demonstrates to the satisfaction
15 of the department of transportation that the instruction obtained by the applicant

- 1 is substantially equivalent to the instruction required for the approval, certificate,
- 2 or permit under par. (b).

History: 1987 a. 3, 27, 399; 1989 a. 7, 31, 56, 105, 359; 1991 a. 39, 251, 277; 1993 a. 16, 105, 315, 317, 491; 1995 a. 27 ss. 6412enL, 9126 (19); 1995 a. 113, 269, 425, 426, 436, 448; 1997 a. 35, 84, 107, 191, 237, 290; 1999 a. 9, 32, 109; 2001 a. 16 ss. 3421m to 3423j, 4060gk, 4060hw, 4060hy; 2001 a. 104; 2003 a. 97, 199; 2005 a. 332, 413; 2007 a. 20 ss. 3303 to 3315, 9121 (6) (a); 2007 a. 136; 2009 a. 100, 103, 163; 2011 a. 120, 242; 2013 a. 36, 224.

(END INSERT 40-15)

INSERT A - 2

MANDATORY MEETING REQUIREMENTS

The bill eliminates mandatory annual and semiannual meeting requirements of the examining boards, affiliated credentialing boards, and other boards and councils under DSPS, except for the Medical Examining Board, which is required to meet 12 times each year. Instead, under the bill, those boards and councils are generally required to meet on the call of the chairperson or a majority of the members of the board or council.

ADMINISTRATIVE WARNINGS

The bill provides that DSPS and the examining boards, affiliated credentialing boards, and other boards under DSPS that have disciplinary authority over professional credential holders may issue an administrative warning regardless of whether the minor violation for which the administrative warning is issued is a first occurrence for the credential holder. Under current law, an administrative warning may be issued only if DSPS or the relevant board finds that the professional credential holder's violation is a first occurrence of a minor violation.

COMPOUNDED INTEREST CHARGED FOR COSTS OF DISCIPLINARY PROCEEDINGS

The bill provides that the interest charged for costs of disciplinary proceedings is compounded annually. Under current law, DSPS and the examining boards, affiliated credentialing boards, and other boards under DSPS that have disciplinary authority over professional credential holders may charge the credential holder for all or a part of the costs of a disciplinary proceeding involving that credential holder. Interest upon those costs accrues at the rate of 12 percent annually.

REGISTRATION OF LICENSED MEDICAL PROFESSIONALS

The bill removes the specific time by which a licensed physician or other credentialed medical professional must register with the Medical Examining Board. Under current law, each licensed physician or other credentialed medical professional must register with the board by November 1 of each odd-numbered year following initial licensure. Under the bill, the board determines the time and manner of registration.

JURISPRUDENCE EXAMINATION FOR FUNERAL DIRECTORS

The bill requires a jurisprudence examination for applicants for licensure as a funeral director that tests an applicant's knowledge of state law relating to funeral directing. The bill does not otherwise affect current examination requirements.

ELIMINATION OF DEGREE REQUIREMENT FOR SITTING FOR CERTAIN EXAMS

The bill eliminates certain prerequisite degree requirements to sit for an examination for licensure by the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board. The bill does not alter the education requirements for licensure by that board, but, instead, allows applicants for licensure to take the examination before completion of those education requirements.

A handwritten signature, possibly "Horsley", with a large arrow pointing from the signature towards the top left of the page.

Housing
Tag →

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

INSERT 9-3MPG

1 SECTION 1. 45.44 (1) (a) 16. of the statutes is amended to read:

2 45.44 (1) (a) 16. A license, permit, or certificate of certification or registration

3 issued under chs. 440 to 480, ~~in s. 440.01 (2) (a).~~ as defined in

History: 2011 a. 209; 2013 a. 20; 2015 a. 55, 118; s. 35.17 correction in (1) (a) 11.

END INSERT 9-3MPG

Credentia

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LEGISLATIVE REFERENCE BUREAU

LRB-3799/P2insmg
MPG:emw

1

INSERT 49-5

2

SECTION 1. 448.07 (1) (a) of the statutes, as affected by 2015 Wisconsin Act 116,

3

is amended to read:

4

448.07 (1) (a) Every person licensed or certified under this subchapter shall

5

register ~~on or before November 1 of each odd-numbered year~~ following issuance of

6

the license or certificate with the board. Registration shall be completed at such time

7

and in such manner as the board shall designate and upon forms the board shall

8

provide, except that registration with respect to a compact license shall be governed

9

by the renewal provisions in s. 448.980 (7). ~~The secretary of the board, on or before~~

10

~~October 1 of each odd-numbered year, shall mail or cause to be mailed to every~~

11

~~person required to register a registration form.~~ The board shall furnish to each

12

person registered under this section a certificate of registration, and the person shall

13

display the registration certificate conspicuously in the office at all times. No person

14

may exercise the rights or privileges conferred by any license or certificate granted

15

by the board unless currently registered as required under this subsection.

NOTE: NOTE: Par. (a) is amended eff. 12-16-19 by 2015 Wis. Act 116 to read:NOTE:

16

(a) Every person licensed or certified under this subchapter shall register on or before November 1 of each odd-numbered year following issuance of the license or certificate with the board. Registration shall be completed in such manner as the board shall designate and upon forms the board shall provide. The secretary of the board, on or before October 1 of each odd-numbered year, shall mail or cause to be mailed to every person required to register a registration form. The board shall furnish to each person registered under this section a certificate of registration, and the person shall display the registration certificate conspicuously in the office at all times. No person may exercise the rights or privileges conferred by any license or certificate granted by the board unless currently registered as required under this subsection.

17

18

19

20

21

History: 1975 c. 383, 421; 1977 c. 29, 131, 418; 1979 c. 162; 1987 a. 27, 264, 399; 1991 a. 39; 1995 a. 245; 1997 a. 175; 1999 a. 180; 2001 a. 89; 2007 a. 20; 2013 a. 240; 2015 a. 116.

22

SECTION 2. 448.07 (1) (a) of the statutes, as affected by 2015 Wisconsin Act 116

23

and 2015 Wisconsin Act ... (this act), is repealed and recreated to read:

24

448.07 (1) (a) Every person licensed or certified under this subchapter shall

25

register following issuance of the license or certificate with the board. Registration

26

shall be completed at such time and in such manner as the board shall designate and

1 upon forms the board shall provide. The board shall furnish to each person
2 registered under this section a certificate of registration, and the person shall display
3 the registration certificate conspicuously in the office at all times. No person may
4 exercise the rights or privileges conferred by any license or certificate granted by the
5 board unless currently registered as required under this subsection.

END INSERT 49-5

INSERT 51-9

6 (0) The repeal and recreation of sections 448.07 (1) (a) of the statutes takes
7 effect on December 16, 2019.

END INSERT 51-9

Gallagher, Michael

From: Soper, John
Sent: Monday, February 01, 2016 2:18 PM
To: Pleviak, Krista
Cc: Schlaeger, Robert G - DSPS; Gallagher, Michael
Subject: RE: LRB 3799

Please do. I would also like the bill turned into a /1 and send us a jacket. Thank you.

John Soper
Chief of Staff
Office of Sen. Duey Stroebel - 20th District
(608)266-7513
John.soper@legis.wisconsin.gov

From: Pleviak, Krista
Sent: Monday, February 01, 2016 1:47 PM
To: Soper, John <John.Soper@legis.wisconsin.gov>
Cc: Schlaeger, Robert G - DSPS <Robert.Schlaeger@wisconsin.gov>; Gallagher, Michael <Michael.Gallagher@legis.wisconsin.gov>
Subject: RE: LRB 3799

John:

LRB-3799/P2 is attached. Please let us know if you want us to make Sen. Stroebel the requester of this proposal.

Krista

Krista R. Pleviak
Legislative Attorney
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 266 - 7290
krista.pleviak@legis.wisconsin.gov

From: Schlaeger, Robert G - DSPS [<mailto:Robert.Schlaeger@wisconsin.gov>]
Sent: Monday, February 01, 2016 1:33 PM
To: Pleviak, Krista <Krista.Pleviak@legis.wisconsin.gov>; Gallagher, Michael <Michael.Gallagher@legis.wisconsin.gov>
Subject: FW: LRB 3799

Good Afternoon Krista and Mike,

Could you please provide John with an e-copy of LRB 3799/P2 to John Soper. Senator Stroebel has agreed to be a Senate side sponsor.

Thank you very much and hope you guys have a great rest of your day.

Robert Schlaeger

Legislative Liaison
Department of Safety and Professional Services
608.267.9794

From: Soper, John [<mailto:John.Soper@legis.wisconsin.gov>]
Sent: Monday, February 01, 2016 10:48 AM
To: Schlaeger, Robert G - DSPS
Subject: LRB 3799

Robert,

I'm going to need access to the e-copy of this LRB to introduce. Please email the drafter and CC me giving me permission to use the draft. Thank you.

John Soper
Chief of Staff
Office of Sen. Duey Stroebel - 20th District
(608)266-7513
John.soper@legis.wisconsin.gov