



State of Wisconsin  
2015 - 2016 LEGISLATURE

Today  
House  
SECRET  
LRB-3799/P2  
KRP&MPG:emw

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

11

4 Regen

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 (1m), 15.405 (10r) (c), 15.407 (18) (c), 66.1019 (3), 101.02 (7m), 101.02  
3 (12), 101.02 (20), 101.02 (21), 101.02 (24), 101.12 (6) (a), 101.125 (2), (3) (b) and  
4 (c) and (4m), 101.14 (4m) (a) 3., 101.16 (3g) (b), 101.19 (1r), 101.596 (1) (a),  
5 101.596 (2) (c), 101.596 (3), 101.957, subchapter VI (title) of chapter 101  
6 [precedes 101.971], 101.971 (intro.), (1), (3) and (4), 101.973, 101.974 (intro.),  
7 (1), (3) and (5), 101.974 (2), 101.975, 101.976, 101.977 and 101.978, 101.985 (4),  
8 chapter 145 (title), 145.035, 145.045 (2), 145.13, 440.03 (16), 440.04 (9), 440.11  
9 (3), 445.08 (4), 457.09 (3) (b) and 457.16 (3); *to renumber* 145.04, 145.045 (title)  
10 and (1), 145.05, 145.06, 145.14, 145.16, 145.17, 145.175, 145.18, 145.19,  
11 145.195 and 145.23; *to renumber and amend* 15.085 (3) (a), 15.09 (3), 101.02  
12 (1), 101.12 (6) (b), 101.16 (3g) (a), 101.971 (2), 101.974 (4), 145.01, 145.02,  
13 145.045 (3), 145.07, 145.08, 145.09, 145.10, 145.11, 145.12, 145.15, 145.165,  
14 145.20, 145.24, 145.245, 145.26, 440.20 (4), 440.20 (5) and 445.08 (1); *to*  
15 *consolidate, renumber and amend* 101.125 (3) (intro.) and (a); *to amend*

1 15.07 (3) (b), 15.08 (3) (a), 15.085 (5) (b) 1., 15.405 (2) (a), 15.405 (2m) (b), 15.405  
2 (10r) (b), 15.406 (6) (a) 2., 15.407 (10) (b), 15.407 (13) (b), 15.407 (14) (b), 20.165  
3 (2) (a), 20.165 (2) (j), 20.165 (2) (ke), 20.165 (2) (ma), 20.320 (3) (q), 25.46 (5c),  
4 43.09 (1), 45.44 (1) (a) 6., 45.44 (1) (a) 16., 49.857 (1) (b), 49.857 (1) (d) 7., 59.70  
5 (5) (a), 59.70 (5) (b), 60.70 (5), 60.77 (5) (bm), 60.77 (5) (j), 67.12 (12) (a), 73.0301  
6 (1) (d) 5., 100.21 (1) (a), 101.02 (7r) (a), 101.02 (7r) (b) 4., 101.02 (13) (a), 101.10  
7 (4) (a), 101.10 (4) (b), 101.10 (4) (c), 101.12 (1) (a), 101.121 (3) (a), 101.121 (3) (b),  
8 101.125 (4) (a), 101.125 (5), 101.14 (4) (g) 1., 101.14 (4m) (a) 1., 101.1472 (2),  
9 101.17, 101.596 (2) (a) and (b), 101.63 (1) (intro.), 101.63 (2), 101.642 (2),  
10 101.648 (1) (b), 101.653 (5) (b) 2., 101.654 (1) (c) 1., 101.66 (3), 101.73 (2), 101.77,  
11 101.84 (1), 101.862 (4) (p), 101.88 (3), 101.94 (8) (a), 101.951 (7) (a), 101.951 (7)  
12 (b), 101.952 (5), 101.965 (1p), 101.985 (5) (a), 101.988 (3), 108.227 (1) (e) 5.,  
13 115.33 (1) (a), 118.135 (2), 160.255 (1), 200.21 (11), 200.29 (1) (c) 3. a., 234.49 (1)  
14 (e), 254.176 (2) (d), 281.17 (3), 281.344 (8) (b) 3., 281.346 (8) (b) 3., 281.48 (2)  
15 (bm), 281.48 (5) (a) 4., 281.48 (5m) (c), 281.59 (1m) (c), 281.75 (18), 321.60 (1)  
16 (a) 7., 321.60 (1) (a) 18., 343.305 (6) (bm), 440.03 (3m), 440.03 (7), 440.03 (7m);  
17 440.03 (11m) (a) (intro.), 440.03 (13) (a), 440.03 (13) (am), 440.08 (2) (a) 59.,  
18 440.19, 440.205, 440.22 (1), 440.22 (2), 440.92 (9) (b) 3., 443.07 (4), 445.04 (3)  
19 (a), 445.04 (3) (b) (intro.), 445.045 (1) (g), 446.02 (7) (d) 1., 446.02 (7) (d) 2.,  
20 448.02 (8) (a), 448.07 (1) (a), 448.13 (1) (a) (intro.), 448.13 (2), 448.13 (3), 457.09  
21 (3) (a), 470.05 and 632.10 (1); **to repeal and recreate** 101.596 (title), 101.63  
22 (1) (intro.), 448.02 (8) (a) and 448.07 (1) (a); and **to create** 15.07 (3) (c), 15.09  
23 (3) (b), 101.02 (1) (a), 101.02 (1) (c), 101.02 (7r) (g), 101.022, 101.125 (2m),  
24 101.148 (3), 101.94 (5), subchapter VIII (title) of chapter 101 [precedes  
25 101.9911], 440.20 (4) (b), 440.20 (5) (b) and 445.04 (3) (c) of the statutes;

1           **relating to:** duties and powers of the Department of Safety and Professional  
2           Services concerning certain credentialing and occupational licensing functions;  
3           mandatory meeting requirements for various boards and councils; membership  
4           and rules procedures of certain boards; discipline and examination and other  
5           licensure requirements for certain professionals; plumbing and fire protection  
6           systems and swimming pool plan review; requiring the exercise of rule-making  
7           authority; making appropriations; and providing penalties.

---

***Analysis by the Legislative Reference Bureau***

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 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.

### **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.

Because this bill directly or substantially affects the development, construction, cost or availability of housing in this state, the Department of Administration, as required by law, will prepare a report to be printed as an appendix to this bill.

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

---

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

**SECTION 1**

1           **SECTION 1.** 15.07 (3) (b) of the statutes is amended to read:

2           15.07 (3) (b) Except as provided in ~~par.~~ pars. (bm) and (c), each board not  
3 covered under par. (a) shall meet annually, and may meet at other times on the call  
4 of the chairperson or a majority of its members. ~~The auctioneer board, the cemetery~~  
5 ~~board, and the real estate appraisers board shall also meet on the call of the secretary~~  
6 ~~of safety and professional services or his or her designee within the department.~~

7           **SECTION 2.** 15.07 (3) (bm) 3. of the statutes is repealed.

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

9           **SECTION 4.** 15.07 (3) (c) of the statutes is created to read:

10          15.07 (3) (c) Paragraph (b) does not apply to a board in the department of safety  
11 and professional services. A board in the department of safety and professional  
12 services shall meet on the call of the chairperson or a majority of its members. The  
13 auctioneer board, the cemetery board, and the real estate appraisers board shall also  
14 meet on the call of the secretary of safety and professional services or his or her  
15 designee within the department.

16          **SECTION 5.** 15.08 (3) (a) of the statutes is amended to read:

17          15.08 (3) (a) Every examining board shall meet ~~annually and may meet at other~~  
18 ~~times~~ on the call of the chairperson or of a majority of its members.

19          **SECTION 6.** 15.08 (3) (c) of the statutes is repealed.

20          **SECTION 7.** 15.085 (3) (a) of the statutes is renumbered 15.085 (3) and amended  
21 to read:

22          15.085 (3) **FREQUENCY OF MEETINGS.** Every affiliated credentialing board shall  
23 meet ~~annually and may meet at other times~~ on the call of the chairperson or of a  
24 majority of its members.

25          **SECTION 8.** 15.085 (3) (b) of the statutes is repealed.



1           **SECTION 9.** 15.085 (5) (b) 1. of the statutes is amended to read:

2           15.085 (5) (b) 1. Submit the proposed rule to the examining board to which the  
3 affiliated credentialing board is attached. The proposed rule shall be submitted  
4 under this subdivision at least 60 days before the proposed rule is submitted to the  
5 legislative council staff under s. 227.15 (1), except that the medical examining board  
6 may waive that 60-day waiting period.

7           **SECTION 10.** 15.09 (3) of the statutes is renumbered 15.09 (3) (a) and amended  
8 to read:

9           15.09 (3) (a) Unless otherwise provided by law, and except as provided in par.  
10 (b), every council shall meet at least annually and shall also meet on the call of the  
11 head of the department or independent agency in which it is created, and may meet  
12 at other times on the call of the chairperson or a majority of its members. ~~A~~

13           (c) Unless otherwise provided by law, a council shall meet at such locations as  
14 may be determined by it unless the constitutional officer or secretary heading the  
15 department or the chief executive officer of the independent agency in which it is  
16 created determines a specific meeting place.

17           **SECTION 11.** 15.09 (3) (b) of the statutes is created to read:

18           15.09 (3) (b) Paragraph (a) does not apply to a council in the department of  
19 safety and professional services. Unless otherwise provided by law, a council in the  
20 department of safety and professional services shall meet on the call of the secretary  
21 of safety and professional services or on the call of the chairperson or a majority of  
22 its members.

23           **SECTION 12.** 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)

**SECTION 13**

1           **SECTION 13.** 15.405 (2) (a) of the statutes is amended to read:

2           15.405 (2) (a) In operation, the examining board shall be divided into an  
3 architect section, a landscape architect section, a professional engineer section, a  
4 designer section, and a professional land surveyor section. Each section shall consist  
5 of the 3 members of the named profession appointed to the examining board and 2  
6 public members appointed to the section. ~~The examining board shall elect its own~~  
7 ~~officers and shall meet at least twice annually.~~

8           **SECTION 14.** 15.405 (2m) (b) of the statutes is amended to read:

9           15.405 (2m) (b) In operation, the examining board shall be divided into a  
10 professional geologist section, a professional hydrologist section, and a professional  
11 soil scientist section. Each section shall consist of the 3 members of the named  
12 profession appointed to the examining board and one public member appointed to the  
13 section. ~~The examining board shall elect its own officers, and shall meet at least~~  
14 ~~twice annually.~~

15           **SECTION 15.** 15.405 (10r) (b) of the statutes is amended to read:

16           15.405 (10r) (b) ~~Of the All appraiser members of the board, one shall be~~  
17 ~~certified under s. 458.06 as a general appraiser, one shall be certified under s. 458.06~~  
18 ~~as a residential appraiser and one shall be or licensed under s. 458.08 as an~~  
19 ~~appraiser.~~ No public member of the board may be connected with or have any  
20 financial interest in an appraisal business or in any other real estate-related  
21 business. Section 15.08 (1m) (am) applies to the public members of the board. No  
22 member of the board may serve more than 2 consecutive terms.

23           **SECTION 16.** 15.405 (10r) (c) of the statutes is repealed.

24           **SECTION 17.** 15.406 (6) (a) 2. of the statutes is amended to read:

1           15.406 (6) (a) 2. One public member ~~who satisfies the requirements under s.~~  
2           460.03 (2m) (b).

3           **SECTION 18.** 15.407 (10) (b) of the statutes is amended to read:

4           15.407 (10) (b) An employee of the department of safety and professional  
5           services designated by the secretary of safety and professional services shall serve  
6           as secretary, but shall not be a member, of the uniform dwelling code council. The  
7           council ~~shall meet at least twice a year.~~ Seven members of the uniform dwelling code  
8           council shall constitute a quorum. For the purpose of conducting business a majority  
9           vote of the uniform dwelling code council is required.

10          **SECTION 19.** 15.407 (13) (b) of the statutes is amended to read:

11          15.407 (13) (b) ~~The council shall meet at least twice a year.~~ An employee of the  
12          department of safety and professional services designated by the secretary of the  
13          ~~department~~ safety and professional services shall serve as nonvoting secretary of the  
14          manufactured housing code council.

15          **SECTION 20.** 15.407 (14) (b) of the statutes is amended to read:

16          15.407 (14) (b) ~~The council shall meet at least twice a year.~~ The employee of  
17          the department of safety and professional services designated by the secretary of  
18          safety and professional services under par. (a) 10. shall serve as nonvoting secretary  
19          of the conveyance safety code council.

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

21          **SECTION 22.** 20.165 (2) (a) of the statutes is amended to read:

22          20.165 (2) (a) *General program operations.* The amounts in the schedule for  
23          general program operations relating to the regulation of industry, buildings, and  
24          safety under chs. 101, and 107, ~~and~~ 145 and ss. 167.10 and 167.27.

**SECTION 23**

1           **SECTION 23.** 20.165 (2) (j) of the statutes, as affected by 2015 Wisconsin Act 55,  
2 is amended to read:

3           20.165 (2) (j) *Safety and building operations.* The amounts in the schedule for  
4 the purposes of ~~chs. 101 and 145~~ and ss. 167.35, 236.12 (2) (ap), 236.13 (1) (d) and  
5 (2m), and 236.335 and for the purpose of transferring the amounts in the schedule  
6 under par. (ke) to the appropriation account under par. (ke). All moneys received  
7 under ~~ch. 145 subch. VIII of ch. 101~~, ss. 101.178, 101.19, 101.63 (9), 101.654 (3),  
8 101.73 (12), 101.82 (4), 101.955 (2), ~~101.973 (7)~~, 167.35 (2) (f), and 236.12 (7) and all  
9 moneys transferred under 2005 Wisconsin Act 45, section 76 (6), shall be credited to  
10 this appropriation account.

11           **SECTION 24.** 20.165 (2) (ke) of the statutes, as affected by 2015 Wisconsin Act  
12 55, is amended to read:

13           20.165 (2) (ke) *Private on-site wastewater treatment system replacement and*  
14 *rehabilitation.* As a continuing appropriation, the amounts in the schedule for  
15 financial assistance under the private on-site wastewater treatment system  
16 replacement and rehabilitation program under s. ~~145.245~~ 101.9937. All moneys  
17 transferred from par. (j) shall be credited to this appropriation account.

18           **SECTION 25.** 20.165 (2) (ma) of the statutes is amended to read:

19           20.165 (2) (ma) *Federal aid-program administration.* All moneys received  
20 from the federal government, as authorized by the governor under s. 16.54, to fund  
21 the state's administrative costs for general program operations relating to the  
22 regulation of industry, buildings and safety under chs. 101, and 107, ~~and 145~~ and ss.  
23 32.19 to 32.27, 167.10, and 167.27.

24           **SECTION 26.** 20.320 (3) (q) of the statutes is amended to read:

1           20.320 (3) (q) *Private on-site wastewater treatment system loans.* From the  
2 environmental improvement fund, as a continuing appropriation, the amounts in the  
3 schedule for private on-site wastewater treatment system replacement or  
4 rehabilitation loans under s. ~~145.245~~ 101.9937 (12m).

5           **SECTION 27.** 25.46 (5c) of the statutes is amended to read:

6           25.46 (5c) The moneys collected under s. ~~145.19~~ 101.9932 (6) for environmental  
7 management.

8           **SECTION 28.** 43.09 (1) of the statutes is amended to read:

9           43.09 (1) PUBLIC LIBRARIANS. The division shall issue certificates to public  
10 librarians and promulgate, under ch. 227, necessary standards for public librarians.  
11 The qualifications for public librarians shall be based on education, professional  
12 training and experience. Any relevant instruction, as defined in s. ~~101.02 (24) (a) 1.~~  
13 440.075 (1), that an applicant for a certificate has obtained in connection with any  
14 military service, as defined in s. 111.32 (12g), counts toward satisfying any  
15 requirement for instruction for a certificate under this subsection if the applicant  
16 demonstrates to the satisfaction of the division that the instruction obtained by the  
17 applicant is substantially equivalent to the instruction required for the certificate.  
18 Certificates already granted prior to December 17, 1971, shall remain in effect.

19           **SECTION 29.** 45.44 (1) (a) 6. of the statutes is amended to read:

20           45.44 (1) (a) 6. ~~A Occupational license, permit, certificate, or registration~~  
21 ~~specified as defined in s. ~~101.19 (1r)~~ 101.02 (1) (a) 2.~~

22           **SECTION 30.** 45.44 (1) (a) 16. of the statutes is amended to read:

23           45.44 (1) (a) 16. A license, permit, or certificate of certification or registration  
24 issued under chs. 440 to 480 credential, as defined in s. 440.01 (2) (a).

25           **SECTION 31.** 49.857 (1) (b) of the statutes is amended to read:

**SECTION 31**

1           49.857 (1) (b) “Credential” ~~means a license, permit, certificate or registration~~  
2 ~~that is granted under chs. 440 to 480~~ has the meaning given in s. 440.01 (2) (a).

3           **SECTION 32.** 49.857 (1) (d) 7. of the statutes is amended to read:

4           49.857 (1) (d) 7. ~~A An occupational license, permit or certificate of certification~~  
5 ~~or registration specified as defined in s. 101.02 (21) (1) (a) 2.~~

6           **SECTION 33.** 59.70 (5) (a) of the statutes is amended to read:

7           59.70 (5) (a) Every governmental unit responsible for the regulation of private  
8 on-site wastewater treatment systems, as defined under s. ~~145.01~~ 101.9911 (5), shall  
9 enact an ordinance governing private on-site wastewater treatment systems, as  
10 defined in s. ~~145.01~~ 101.9911 (12), which conforms with the state plumbing code. The  
11 ordinance shall apply to the entire area of the governmental unit responsible for the  
12 regulation of private on-site wastewater treatment systems, as defined under s.  
13 ~~145.01~~ 101.9911 (5). After July 1, 1980, no municipality may enact or enforce a  
14 private on-site wastewater treatment system ordinance unless it is a governmental  
15 unit responsible for the regulation of private on-site wastewater treatment systems,  
16 as defined under s. ~~145.01~~ 101.9911 (5).

17           **SECTION 34.** 59.70 (5) (b) of the statutes is amended to read:

18           59.70 (5) (b) The governmental unit responsible for the regulation of private  
19 on-site wastewater treatment systems, as defined under s. ~~145.01~~ 101.9911 (5), shall  
20 administer the private on-site wastewater treatment system ordinance under s.  
21 ~~145.20~~ 101.9934 and the rules promulgated under s. ~~145.20~~ 101.9934.

22           **SECTION 35.** 60.70 (5) of the statutes is amended to read:

23           60.70 (5) “Private on-site wastewater treatment system” has the meaning  
24 given under s. ~~145.01~~ 101.9911 (12).

25           **SECTION 36.** 60.77 (5) (bm) of the statutes is amended to read:

1           60.77 (5) (bm) Require the inspection of private on-site wastewater treatment  
2 systems that have been already installed to determine compliance with the state  
3 plumbing code and may report violations of the state plumbing code to the  
4 governmental unit responsible for the regulation of private on-site wastewater  
5 treatment systems for enforcement under s. ~~145.20~~ 101.9934.

6           **SECTION 37.** 60.77 (5) (j) of the statutes is amended to read:

7           60.77 (5) (j) Administer the private on-site wastewater treatment system  
8 program if authorized under s. ~~145.20~~ 101.9934 (1) (am).

9           **SECTION 38.** 66.1019 (3) of the statutes is repealed.

10          **SECTION 39.** 67.12 (12) (a) of the statutes is amended to read:

11          67.12 (12) (a) Any municipality may issue promissory notes as evidence of  
12 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not  
13 limited to paying any general and current municipal expense, and refunding any  
14 municipal obligations, including interest on them. Each note, plus interest if any,  
15 shall be repaid within 10 years after the original date of the note, except that notes  
16 issued under this section for purposes of ss. 101.9937 (12m), 119.498, ~~145.245 (12m)~~,  
17 281.58, 281.59, 281.60, 281.61, and 292.72, issued to raise funds to pay a portion of  
18 the capital costs of a metropolitan sewerage district, or issued by a 1st class city or  
19 a county having a population of 500,000 or more, to pay unfunded prior service  
20 liability with respect to an employee retirement system, shall be repaid within 20  
21 years after the original date of the note.

22          **SECTION 40.** 73.0301 (1) (d) 5. of the statutes is amended to read:

23          73.0301 (1) (d) 5. ~~A~~ An occupational license, as defined in s. 101.02 ~~(20)~~ (1) (a)  
24          2.

25          **SECTION 41.** 100.21 (1) (a) of the statutes is amended to read:

1           100.21 (1) (a) “Dwelling unit” means a dwelling, as defined under s. 101.61 (1),  
2           a modular home, as defined under s. 101.71 (6), a manufactured home, as defined  
3           under s. 101.91 (2), or a multifamily dwelling, as defined under s. ~~101.971 (2)~~ 101.01  
4           (8m).

5           **SECTION 42.** 101.02 (1) of the statutes is renumbered 101.02 (1) (b) and  
6           amended to read:

7           101.02 (1) (b) The department shall adopt reasonable and proper rules and  
8           regulations relative to the exercise of its powers and authorities and proper rules to  
9           govern its proceedings and to regulate the mode and manner of all investigations and  
10          hearings, subject to par. (c).

11          **SECTION 43.** 101.02 (1) (a) of the statutes is created to read:

12          101.02 (1) (a) In this subsection:

13          1. “Credential” has the meaning given in s. 440.01 (2) (a).

14          2. “Occupational license” means a license, permit, certificate, registration, or  
15          other approval for an occupation, trade, or profession issued by the department  
16          under this chapter, under rules promulgated under this chapter, or under s. 167.10  
17          (6m).

18          **SECTION 44.** 101.02 (1) (c) of the statutes is created to read:

19          101.02 (1) (c) If the department promulgates rules under s. 440.03 (1) defining  
20          uniform procedures to be used by the department for receiving, filing, and  
21          investigating complaints against holders of credentials, for commencing disciplinary  
22          proceedings against holders of credentials, and for conducting hearings on matters  
23          relating to credentials, the department’s rules under par. (b) with respect to  
24          occupational licenses shall conform with the rules promulgated under s. 440.03 (1).

25          **SECTION 45.** 101.02 (7m) of the statutes is repealed.



~~\*\*\*\*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)~~

1           **SECTION 46.** 101.02 (7r) (a) of the statutes, as affected by 2015 Wisconsin Act  
2 55, is amended to read:

3           101.02 (7r) (a) Notwithstanding sub. (7) (a), no city, village, or town may enact  
4 or enforce an ordinance that establishes minimum standards for constructing,  
5 altering, or adding to public buildings or buildings that are places of employment  
6 unless that ordinance strictly conforms to the applicable rules under sub. (15) (j),  
7 except as provided in pars. (b) to (d) and sub. (7m).

8           **SECTION 47.** 101.02 (7r) (b) 4. of the statutes is amended to read:

9           101.02 (7r) (b) 4. The building is not a multifamily dwelling, as defined in s.  
10 101.971 (2).

11           **SECTION 48.** 101.02 (7r) (g) of the statutes is created to read:

12           101.02 (7r) (g) 1. The department shall promulgate rules that establish  
13 procedures for the administration of the rules promulgated by the department under  
14 this subchapter. For purposes of this paragraph, “administration” includes the  
15 process an owner must follow when applying for a permit for constructing, altering,  
16 or adding to a public building or a building that is a place of employment.

17           2. Notwithstanding sub. (7) (a), no city, village, or town may enact or enforce  
18 an ordinance that establishes minimum standards for the administration of the

1 rules promulgated by the department under this subchapter unless that ordinance  
2 strictly conforms to the rules promulgated by the department under subd. 1.

3 **SECTION 49.** 101.02 (12) of the statutes is repealed.

~~\*\*\*\*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., 101.16 (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?~~

4 **SECTION 50.** 101.02 (13) (a) of the statutes is amended to read:

5 101.02 (13) (a) If any employer, employee, owner, or other person violates this  
6 subchapter, or fails or refuses to perform any duty specified under this subchapter,  
7 within the time prescribed by the department, for which no penalty has been  
8 specifically provided, or fails, neglects, or refuses to obey any lawful order given or  
9 made by the department, or any judgment or decree made by any court in connection  
10 with this subchapter, for each such violation, failure, or refusal, ~~such~~ the employer,  
11 employee, owner, or other person shall forfeit and pay into the state treasury a sum  
12 not less than \$10 nor more than \$100 \$5,000 for each such offense. Each day of  
13 continued violation constitutes a separate offense.

14 **SECTION 51.** 101.02 (20) of the statutes is repealed.

15 **SECTION 52.** 101.02 (21) of the statutes is repealed.

16 **SECTION 53.** 101.02 (24) of the statutes is repealed.

17 **SECTION 54.** 101.022 of the statutes is created to read:

18 **101.022 Certain laws applicable to occupational licenses.** Sections  
19 440.03 (1), (3m), (4), (11m), and (13) (a), (am), and (b) 75., 440.075, 440.09 (2), 440.11,  
20 440.12, 440.121, 440.13, 440.14, 440.15, 440.19, 440.20 (1), (3), (4) (a), and (5) (a),  
21 440.205, 440.21, and 440.22, and the requirements imposed on the department

1 under those statutes, apply to occupational licenses, as defined in s. 101.02 (1) (a) 2.,  
2 in the same manner as those statutes apply to credentials, as defined in s. 440.01 (2)  
3 (a).

4 **SECTION 55.** 101.10 (4) (a) of the statutes is amended to read:

5 101.10 (4) (a) Any person who violates a rule of the department promulgated  
6 under sub. (2) may be required to forfeit not less than \$10 nor more than \$100 \$1,000  
7 for each violation. Each day of continued violation constitutes a separate offense.

8 **SECTION 56.** 101.10 (4) (b) of the statutes is amended to read:

9 101.10 (4) (b) Except as provided in par. (c), any person who violates sub. (3)  
10 is guilty of a Class I felony. ~~Notwithstanding s. 101.02 (12), each~~ Each act in violation  
11 of sub. (3) constitutes a separate offense.

12 **SECTION 57.** 101.10 (4) (c) of the statutes is amended to read:

13 101.10 (4) (c) Any person who violates sub. (3) (a) or (b) while performing an  
14 agricultural activity or while performing an activity related to the construction,  
15 repair, alteration, location, installation, inspection, or operation of anhydrous  
16 ammonia equipment with the consent of the owner of the anhydrous ammonia  
17 equipment may be required to forfeit not less than \$10 nor more than \$100 \$1,000  
18 for each violation. Each day of continued violation constitutes a separate offense.

19 **SECTION 58.** 101.12 (1) (a) of the statutes is amended to read:

20 101.12 (1) (a) ~~Heating, Plumbing, heating,~~ ventilation, air conditioning, and  
21 fire detection, prevention, or suppression systems.

22 **SECTION 59.** 101.12 (6) (a) of the statutes is repealed.

23 **SECTION 60.** 101.12 (6) (b) of the statutes is renumbered 101.12 (6) and  
24 amended to read:

1           101.12 (6) The department shall promulgate rules relating to the enforcement  
2 of this subchapter and ~~subch.~~ subchs. IV and ~~ch. 145~~ VIII for public schools  
3 constructed before 1930 and establishing life-safety plans for all public schools.

4           **SECTION 61.** 101.121 (3) (a) of the statutes is amended to read:

5           101.121 (3) (a) For any rule under this chapter ~~or ch. 145~~ which applies to  
6 buildings, the department may provide an alternative rule which accomplishes the  
7 same general purpose and applies only to qualified historic buildings. These  
8 alternative rules shall permit, to the maximum extent possible, the use of original  
9 or duplicates of original materials, the maintenance of the original appearance of all  
10 components of a historic building and the use of original construction techniques.  
11 The department shall consult with the historic building code council regarding the  
12 development of alternative rules. All alternative rules taken together constitute the  
13 historic building code.

14           **SECTION 62.** 101.121 (3) (b) of the statutes is amended to read:

15           101.121 (3) (b) In order to permit the proper preservation or restoration of a  
16 qualified historic building, the department may grant a variance to any rule or  
17 alternative rule under this chapter ~~or ch. 145~~ if the owner demonstrates that an  
18 alternative proposed by the owner accomplishes the same purpose as the rule or  
19 alternative rule. With respect to any variances requested under this chapter ~~or ch.~~  
20 ~~145~~, the department shall give priority to processing variance requests by owners of  
21 qualified historic buildings. ~~The department shall maintain a list of variances~~  
22 ~~granted under this paragraph to owners of qualified historic buildings.~~

23           **SECTION 63.** 101.125 (2), (3) (b) and (c) and (4m) of the statutes are repealed.

24           **SECTION 64.** 101.125 (2m) of the statutes is created to read:

1           101.125 (2m) RULES. The department shall promulgate rules regulating safety  
2 glazing material manufactured, distributed, imported, sold, or installed for use in a  
3 hazardous location.

4           **SECTION 65.** 101.125 (3) (intro.) and (a) of the statutes are consolidated,  
5 renumbered 101.125 (3) and amended to read:

6           101.125 (3) SAFETY GLAZING MATERIALS REQUIRED. No material supplier, builder,  
7 contractor, or subcontractor may knowingly install, cause to be installed, consent to  
8 the installation, or sell for installation in any hazardous location, transparent or  
9 translucent materials other than safety glazing materials, except that: ~~(a)~~ In in  
10 buildings contracted for or existing on or before November 30, 1976, the department  
11 may by rule require the installation of a vertical or horizontal bar, rail, grill, or screen  
12 as a protective device in lieu of safety glazing material in hazardous locations where  
13 safety glazing would be impractical because of the size of the lite required.

14           **SECTION 66.** 101.125 (4) (a) of the statutes is amended to read:

15           101.125 (4) (a) No employee of a person responsible for compliance with this  
16 section or the rules promulgated under sub. (2m) is liable for the employer's failure  
17 to comply.

18           **SECTION 67.** 101.125 (5) of the statutes is amended to read:

19           101.125 (5) PENALTY. Whoever violates this section or the rules promulgated  
20 under sub. (2m) may be required to forfeit not less than \$100 nor more than \$500  
21 \$1,000. Each day of continued violation constitutes a separate offense.

22           **SECTION 68.** 101.14 (4) (g) 1. of the statutes is amended to read:

23           101.14 (4) (g) 1. "Automatic fire sprinkler system" has the meaning provided  
24 in s. ~~145.01~~ 101.9911 (2).

25           **SECTION 69.** 101.14 (4m) (a) 1. of the statutes is amended to read:

1           101.14 (4m) (a) 1. “Automatic fire sprinkler system” has the meaning given in  
2 s. ~~145.01~~ 101.9911 (2).

3           **SECTION 70.** 101.14 (4m) (a) 3. of the statutes is repealed.

4           **SECTION 71.** 101.1472 (2) of the statutes is amended to read:

5           101.1472 (2) The department may not promulgate or enforce any rule that  
6 requires that a person who is engaged, or who offers to be engaged, in a business to  
7 do construction work hold a license issued under this chapter ~~or ch. 145~~ unless the  
8 rule relates to a license specifically required by this chapter ~~or ch. 145~~.

9           **SECTION 72.** 101.148 (3) of the statutes is created to read:

10           101.148 (3) **PENALTY.** Any person who violates this section shall forfeit not more  
11 than \$1,000 for each offense. Each day of continued violation constitutes a separate  
12 offense.

13           **SECTION 73.** 101.16 (3g) (a) of the statutes is renumbered 101.16 (3g) and  
14 amended to read:

15           101.16 (3g) No retail supplier may distribute liquefied petroleum gas without  
16 holding a license issued by the department. The department, subject to s. ~~101.02 (20)~~  
17 ~~and (21)~~ ss. 440.12 and 440.13, shall issue a license to be a retail supplier upon  
18 receiving the fee established under s. 101.19 (1g) (L) or (1m) and upon obtaining proof  
19 of financial responsibility as required under sub. (3r) (c). The term of the license shall  
20 be set by the department, not to exceed 2 years.

21           **SECTION 74.** 101.16 (3g) (b) of the statutes is repealed.

22           **SECTION 75.** 101.17 of the statutes is amended to read:

23           **101.17 Machines and boilers, safety requirement.** No machine,  
24 mechanical device, or steam boiler shall be installed or used in this state which does  
25 not fully comply with the requirements of the laws of this state enacted for the safety

1 of employees and frequenters in places of employment and public buildings and with  
2 the orders of the department adopted and published in conformity with this  
3 subchapter. Any person violating this section shall be subject to the forfeitures  
4 provided in s. 101.02 (12) and (13).

5 **SECTION 76.** 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)~~

6 **SECTION 77.** 101.596 (title) of the statutes is repealed and recreated to read:

7 **101.596 (title) Review of building inspectors.**

8 **SECTION 78.** 101.596 (1) (a) of the statutes is repealed.

9 **SECTION 79.** 101.596 (2) (a) and (b) of the statutes are amended to read:

10 101.596 (2) (a) ~~The review board~~ department shall review complaints received  
11 from permittees concerning possible incompetent, negligent, or unethical conduct by  
12 building inspectors.

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

17 **SECTION 80.** 101.596 (2) (c) of the statutes is repealed.

18 **SECTION 81.** 101.596 (3) of the statutes is repealed.

19 **SECTION 82.** 101.63 (1) (intro.) of the statutes, as affected by 2015 Wisconsin  
20 Act 49, is amended to read:

1           101.63 (1) (intro.) Adopt rules which establish standards for the construction  
2 and inspection of one- and 2-family dwellings and components thereof. The rules  
3 shall include separate standards, established in consultation with the uniform  
4 dwelling code council, that apply only to the construction and inspection of camping  
5 units that are set in a fixed location in a campground for which a permit is issued  
6 under s. 254.47, that contain a sleeping place, and that are used for seasonal  
7 overnight camping. Where feasible, the standards used shall be those nationally  
8 recognized and shall apply to the dwelling and to its electrical, heating, ventilating,  
9 air conditioning and other systems, including plumbing, as defined in s. 145.01  
10 101.9911 (10). No set of rules may be adopted which has not taken into account the  
11 conservation of energy in construction and maintenance of dwellings and the costs  
12 of specific code provisions to home buyers in relationship to the benefits derived from  
13 the provisions. Rules promulgated under this subsection do not apply to a bed and  
14 breakfast establishment, as defined under s. 254.61 (1), except that the rules apply  
15 to all of the following:

16           **SECTION 83.** 101.63 (1) (intro.) of the statutes, as affected by 2015 Wisconsin  
17 Acts 55 and .... (this act), is repealed and recreated to read:

18           101.63 (1) (intro.) Adopt rules which establish standards for the construction  
19 and inspection of one- and 2-family dwellings and components thereof. The rules  
20 shall include separate standards, established in consultation with the uniform  
21 dwelling code council, that apply only to the construction and inspection of camping  
22 units that are set in a fixed location in a campground for which a permit is issued  
23 under s. 254.47, that contain a sleeping place, and that are used for seasonal  
24 overnight camping. Where feasible, the standards used shall be those nationally  
25 recognized and shall apply to the dwelling and to its electrical, heating, ventilating,



1 air conditioning and other systems, including plumbing, as defined in s. 101.9911  
2 (10). No set of rules may be adopted which has not taken into account the  
3 conservation of energy in construction and maintenance of dwellings and the costs  
4 of specific code provisions to home buyers in relationship to the benefits derived from  
5 the provisions. Rules promulgated under this subsection do not apply to a bed and  
6 breakfast establishment, as defined under s. 97.01 (1g), except that the rules apply  
7 to all of the following:

8 **SECTION 84.** 101.63 (2) of the statutes is amended to read:

9 101.63 (2) Adopt rules for the certification, including provisions for suspension  
10 and revocation thereof, of inspectors for the purpose of inspecting building  
11 construction, electrical wiring, heating, ventilating, air conditioning and other  
12 systems, including plumbing, as defined in s. ~~145.01~~ 101.9911 (10), of one- and  
13 2-family dwellings under sub. (1). The rules shall specify that the department may  
14 suspend or revoke the certification of an inspector under this subsection for  
15 knowingly authorizing the issuance of a building permit to a contractor who is not  
16 in compliance with s. 101.654. Persons certified as inspectors may be employees of  
17 the department, a city, village, town, county or an independent inspection agency.  
18 The department may not adopt any rule which prohibits any city, village, town or  
19 county from licensing persons for performing work on a dwelling in which the  
20 licensed person has no legal or equitable interest.

21 **SECTION 85.** 101.642 (2) of the statutes, as created by 2015 Wisconsin Act 55,  
22 is amended to read:

23 101.642 (2) The department may not promulgate or enforce a rule that requires  
24 that any one- or 2-family dwelling contain an automatic fire sprinkler system, as  
25 defined in s. ~~145.01~~ 101.9911 (2).

1           **SECTION 86.** 101.648 (1) (b) of the statutes, as created by 2015 Wisconsin Act  
2 55, is amended to read:

3           101.648 (1) (b) “Dwelling construction standard” means a requirement  
4 imposed under s. 101.645 (3) or 101.647 (3) or a requirement imposed under any  
5 provision of ~~ch. 101 or 145~~ this chapter or under any ordinance of a political  
6 subdivision relating to standards for electrical wiring or plumbing in one- and  
7 2-family dwellings.

8           **SECTION 87.** 101.653 (5) (b) 2. of the statutes is amended to read:

9           101.653 (5) (b) 2. A written determination by the department, issued every ~~3~~  
10 5 years, of whether or not the county, city, village, or town complies with par. (a).

11           **SECTION 88.** 101.654 (1) (c) 1. of the statutes is amended to read:

12           101.654 (1) (c) 1. In this paragraph, “license” ~~has the meaning given~~ means an  
13 occupational license, as defined in s. 101.02 (21)(a) (1) (a) 2.

14           **SECTION 89.** 101.66 (3) of the statutes is amended to read:

15           101.66 (3) Whoever violates this subchapter shall forfeit to the state not less  
16 than ~~\$25~~ \$100 nor more than ~~\$500~~ \$5,000 for each violation. Each day ~~that such~~ of  
17 continued violation ~~continues~~ constitutes a separate offense.

18           **SECTION 90.** 101.73 (2) of the statutes is amended to read:

19           101.73 (2) Adopt rules for the examination of plans and specifications and for  
20 periodic in-plant and on-site inspections of manufacturing facilities, processes,  
21 fabrication, assembly and installation of modular homes to ensure that  
22 examinations and inspections are made in compliance with the rules adopted for  
23 construction, electrical wiring, heating, ventilating, air conditioning and other  
24 systems under ss. 101.70 to 101.77 and with the rules for indoor plumbing adopted  
25 by the department under ~~ch. 145~~ subch. VIII.

1           **SECTION 91.** 101.77 of the statutes is amended to read:

2           **101.77 Penalties.** Whoever violates this subchapter shall forfeit to the state  
3 not less than ~~\$25~~ \$100 nor more than ~~\$500~~ \$5,000 for each violation ~~and each.~~ Each  
4 ~~day that such~~ of continued violation ~~continues~~ constitutes a separate offense.

5           **SECTION 92.** 101.84 (1) of the statutes is amended to read:

6           101.84 (1) Hold hearings on any matter relating to this subchapter and issue  
7 subpoenas to compel the attendance of witnesses and the production of evidence at  
8 the hearings, except that hearings related to occupational licenses, as defined in s.  
9 101.02 (1) (a) 2., shall be conducted as provided in s. 101.022.

10           **SECTION 93.** 101.862 (4) (p) of the statutes, as created by 2015 Wisconsin Act  
11 55, is amended to read:

12           101.862 (4) (p) A person engaged in installing, repairing, or maintaining a  
13 private on-site wastewater treatment system, as defined in s. ~~145.01~~ 101.9911 (12),  
14 if the activity only involves installing or modifying a conductor going from the  
15 system's junction, pull, or device box to the nearest disconnecting point and the  
16 conductor is buried with the system.

17           **SECTION 94.** 101.88 (3) of the statutes is amended to read:

18           101.88 (3) Any person who violates this subchapter or any rule promulgated  
19 under this subchapter shall forfeit to the state not less than ~~\$25~~ \$100 nor more than  
20 ~~\$500~~ \$5,000 for each violation. Each day of continued violation constitutes a  
21 separate offense.

22           **SECTION 95.** 101.94 (5) of the statutes is created to read:

23           101.94 (5) The department shall prepare and submit all reports required under  
24 federal law related to manufactured home construction and safety including reports  
25 to the federal department of housing and urban development.