

1 **SECTION 96.** 101.94 (8) (a) of the statutes is amended to read:

2 101.94 (8) (a) Except as provided in par. (c), a person who violates this
3 subchapter, a rule promulgated under this subchapter, or an order issued under this
4 subchapter shall forfeit not more than ~~\$1,000~~ \$1,100 for each violation. Each
5 violation of this subchapter constitutes a separate violation with respect to each
6 manufactured home or with respect to each failure or refusal to allow or perform an
7 act required by this subchapter, except the maximum forfeiture under this
8 subsection may not exceed ~~\$1,000,000~~ \$1,375,000 for a related series of violations
9 occurring within one year of the first violation.

10 **SECTION 97.** 101.951 (7) (a) of the statutes is amended to read:

11 101.951 (7) (a) The department of safety and professional services may, without
12 notice, deny the application for a license within 60 days after receipt ~~thereof~~ of the
13 application by written notice to the applicant, stating the grounds for the denial.
14 Within 30 days after such the notice, the applicant may petition the department of
15 administration to conduct a hearing to review the denial, and a hearing shall be
16 scheduled with reasonable promptness. The division of hearings and appeals shall
17 conduct the hearing. This paragraph does not apply to denials of applications for
18 licenses under s. ~~101.02 (21)~~ 440.13.

19 **SECTION 98.** 101.951 (7) (b) of the statutes is amended to read:

20 101.951 (7) (b) No license may be suspended or revoked except after a hearing
21 ~~thereon~~. The department of safety and professional services shall give the licensee
22 at least 5 days' notice of the time and place of the hearing. The order suspending or
23 revoking ~~such a~~ a license shall not be effective until after 10 days' written notice
24 ~~thereof~~ to the licensee, after such the hearing has been had; except that the
25 department of safety and professional services, when in its opinion the best interest

1 of the public or the trade demands it, may suspend a license upon not less than 24
2 hours' notice of hearing and with not less than 24 hours' notice of the suspension of
3 the license. Matters involving suspensions and revocations brought before the
4 department of safety and professional services shall be heard and decided upon by
5 the department of administration. The division of hearings and appeals shall
6 conduct the hearing. This paragraph does not apply to licenses that are suspended
7 or revoked under s. ~~101.02 (21)~~ 440.13.

8 **SECTION 99.** 101.952 (5) of the statutes is amended to read:

9 101.952 (5) The provision of s. 218.0116 relating to the denial, suspension, and
10 revocation of a motor vehicle salesperson's license shall apply to the denial,
11 suspension, and revocation of a manufactured home salesperson's license so far as
12 applicable, except that such provision does not apply to the denial, suspension, or
13 revocation of a license under s. ~~101.02 (21) (b)~~ 440.13.

14 **SECTION 100.** 101.957 of the statutes is repealed.

15 **SECTION 101.** 101.965 (1p) of the statutes is amended to read:

16 101.965 (1p) Any person who violates s. 101.96 or any rule promulgated under
17 that section may be required to forfeit not less than ~~\$25~~ \$100 nor more than \$500
18 \$5,000 for each violation. Each day of continued violation constitutes a separate
19 violation offense.

20 **SECTION 102.** Subchapter VI (title) of chapter 101 [precedes 101.971] of the
21 statutes is repealed.

22 **SECTION 103.** 101.971 (intro.), (1), (3) and (4) of the statutes are repealed.

23 **SECTION 104.** 101.971 (2) of the statutes is renumbered 101.01 (8m) and
24 amended to read:

SECTION 104

1 101.01 **(8m)** “Multifamily dwelling” means an apartment building, rowhouse,
2 town house, condominium, or modular home, as defined in s. 101.71 (6), that does not
3 exceed 60 feet in height or 6 stories and that consists of 3 or more attached dwelling
4 units, as defined in s. 101.61 (1), the initial construction of which is begun on or after
5 January 1, 1993. “Multifamily dwelling” does not include a facility licensed under
6 ch. 50.

7 **SECTION 105.** 101.973 of the statutes is repealed.

8 **SECTION 106.** 101.974 (intro.), (1), (3) and (5) of the statutes are repealed.

9 **SECTION 107.** 101.974 (2) of the statutes, as affected by 2015 Wisconsin Act 55,
10 is repealed.

11 **SECTION 108.** 101.974 (4) of the statutes is renumbered 101.02 (25) and
12 amended to read:

13 101.02 **(25)** ~~Promulgate~~ The department may promulgate rules prescribing
14 procedures for approving new building materials, methods, and equipment.

15 **SECTION 109.** 101.975, 101.976, 101.977 and 101.978 of the statutes are
16 repealed.

17 **SECTION 110.** 101.985 (4) of the statutes is repealed.

18 **SECTION 111.** 101.985 (5) (a) of the statutes is amended to read:

19 101.985 **(5)** (a) *Issuance and term.* Except as provided under ~~s. 101.02 (20) (b)~~
20 ~~and (21) (b)~~ ss. 440.12 and 440.13, the department shall issue a license to any
21 applicant who satisfies the applicable requirements of subs. (1) to (3) and any rules
22 promulgated under subs. (1) to (3) and who pays any applicable fee required by rule
23 of the department under s. 101.19 (1g) (k). Except as provided under sub. (2) (c) and
24 (d), the term of each license is 2 years.

25 **SECTION 112.** 101.988 (3) of the statutes is amended to read:

1 ~~with the form distributed by the department of safety and professional services~~
2 ~~under s. 440.03 (16) for that purpose.~~

3 **SECTION 117.** Chapter 145 (title) of the statutes is repealed.

4 **SECTION 118.** 145.01 of the statutes is renumbered 101.9911, and 101.9911
5 (4m), (9), (14) and (15), as renumbered, are amended to read:

6 101.9911 **(4m)** FAILING PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM. “Failing
7 private on-site wastewater treatment system” has the meaning specified under s.
8 ~~145.245~~ 101.9937 (4).

9 **(9)** PIPELAYER. “Pipelayer” means a person registered under s. ~~145.07~~ 101.9918
10 (11).

11 **(14)** RESTRICTED PLUMBER LICENSEE. “Restricted plumber licensee” means any
12 person licensed as a master plumber (restricted) or a journeyman plumber
13 (restricted) under s. ~~145.14~~ 101.9925.

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

16 **SECTION 119.** 145.02 of the statutes, as affected by 2015 Wisconsin Act 49, is
17 renumbered 101.9912, and 101.9912 (2) (a) and (3) (f), as renumbered, are amended
18 to read:

19 101.9912 **(2)** (a) The department shall have general supervision of all such
20 plumbing and under sub. (1). The department shall after public hearing prescribe
21 and publish and enforce reasonable standards therefor which promulgate rules that
22 shall be uniform and of statewide concern so far as practicable uniformly apply to all
23 types of buildings, private or public, rural or urban, including buildings owned by the
24 state or any political subdivision. Any employee designated by the department may
25 act for the department in holding the public hearing required under this subsection.

1 The rules promulgated by the department shall constitute the state plumbing code.

2 To the extent that the historic building code applies to the subject matter of these
3 standards, the standards do not apply to a qualified historic building if the owner
4 elects to be subject to s. 101.121.

5 (3) (f) Issue special orders directing and requiring compliance with the rules
6 and standards of the department promulgated under this chapter whenever, in the
7 judgment of the department, the rules or standards are threatened with violation,
8 are being violated or have been violated, except that orders related to occupational
9 licenses, as defined in s. 101.02 (1) (a) 2., shall be issued as provided in s. 101.022.

10 The circuit court for any county where violation of such an order occurs has
11 jurisdiction to enforce and shall enforce any order brought before it by injunctive and
12 other appropriate relief. The attorney general or the district attorney of the county
13 where the violation of the order occurs shall bring action for its enforcement. The
14 department may issue an order under this paragraph to abate a violation of s. 254.59.

15 **SECTION 120.** 145.035 of the statutes is repealed.

16 **SECTION 121.** 145.04 of the statutes is renumbered 101.9914.

17 **SECTION 122.** 145.045 (title) and (1) of the statutes are renumbered 101.9915
18 (title) and (1).

19 **SECTION 123.** 145.045 (2) of the statutes is repealed.

20 **SECTION 124.** 145.045 (3) of the statutes is renumbered 101.9915 (3) and
21 amended to read:

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

1 **SECTION 125.** 145.05 of the statutes is renumbered 101.9916.

2 **SECTION 126.** 145.06 of the statutes is renumbered 101.9917.

3 **SECTION 127.** 145.07 of the statutes is renumbered 101.9918, and 101.9918 (9),
4 (10), (11) and (12), as renumbered, are amended to read:

5 101.9918 (9) Master plumbers, journeyman plumbers and apprentices are not
6 subject to the restrictions under s. ~~145.14~~ 101.9925.

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

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

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

1 **SECTION 128.** 145.08 of the statutes is renumbered 101.9919, and 101.9919
2 (1g), as renumbered, is amended to read:

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

7 **SECTION 129.** 145.09 of the statutes is renumbered 101.992, and 101.992
8 (intro.), as renumbered, is amended to read:

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

12 **SECTION 130.** 145.10 of the statutes is renumbered 101.9921, and 101.9921 (1)
13 (c), as renumbered, is amended to read:

14 101.9921 (1) (c) Falsified information on an inspection form under s. ~~145.20~~
15 101.9934 (5).

16 **SECTION 131.** 145.11 of the statutes is renumbered 101.9922, and 101.9922 (4),
17 as renumbered, is amended to read:

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

22 **SECTION 132.** 145.12 of the statutes is renumbered 101.9923, and 101.9923 (4)
23 and (5) (a), as renumbered, are amended to read:

24 101.9923 (4) Any person who violates any order under s. ~~145.02~~ 101.9912 (3)
25 (f) or ~~145.20~~ 101.9934 (2) (f) or any rule or standard adopted under s. ~~145.13~~ 101.9912

1 shall forfeit not less than \$10 nor more than \$1,000 for each violation. Each violation
2 of an order under s. ~~145.02~~ 101.9912 (3) (f) or ~~145.20~~ 101.9934 (2) (f) or a rule or
3 standard under s. ~~145.13~~ 101.9912 constitutes a separate offense and each day of
4 continued violation is a separate offense.

5 (5) (a) In lieu of any other penalty under this section, the department may
6 directly assess a forfeiture by issuing an order against any person who violates s.
7 ~~145.06~~ 101.9917 or ~~145.20~~ 101.9934 (6). The department may not assess a forfeiture
8 exceeding \$2,000 for each violation.

9 **SECTION 133.** 145.13 of the statutes is repealed.

10 **SECTION 134.** 145.14 of the statutes is renumbered 101.9925.

11 **SECTION 135.** 145.15 of the statutes is renumbered 101.9926, and 101.9926 (1),
12 (2) and (3), as renumbered, are amended to read:

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

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

21 (3) Any person not licensed under this chapter prior to April 26, 1972, who was
22 regularly engaged in the occupation of installing automatic fire sprinkler systems on
23 or before March 1, 1967, shall be licensed under ss. ~~145.15 to 145.18~~ 101.9926 to
24 101.9931 without being required to pass any written, oral or practical examination
25 qualifying the person for a license under ss. ~~145.15 to 145.18~~ 101.9926 to 101.9931.

1 Any such person shall apply for the appropriate license and pay the appropriate
2 license fee.

3 **SECTION 136.** 145.16 of the statutes is renumbered 101.9927.

4 **SECTION 137.** 145.165 of the statutes is renumbered 101.9928, and 101.9928
5 (1) and (2), as renumbered, are amended to read:

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

12 (2) This section does not apply to any person registered under s. ~~145.16~~
13 101.9927 or licensed under s. ~~145.17~~ 101.9929 (2).

14 **SECTION 138.** 145.17 of the statutes is renumbered 101.9929.

15 **SECTION 139.** 145.175 of the statutes is renumbered 101.993.

16 **SECTION 140.** 145.18 of the statutes is renumbered 101.9931.

17 **SECTION 141.** 145.19 of the statutes is renumbered 101.9932.

18 **SECTION 142.** 145.195 of the statutes is renumbered 101.9933.

19 **SECTION 143.** 145.20 of the statutes is renumbered 101.9934, and 101.9934 (2)
20 (h), (3) (c), (5) (a) and (am) and (6) (a) 1., as renumbered, are amended to read:

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

1 inspection if a building or structure is being constructed which does not require
2 connection to an existing private on-site wastewater treatment system.

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

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

1 on-site wastewater treatment systems to which the maintenance program applies
2 in governmental units that do not meet the conditions for eligibility under s. ~~145.245~~
3 101.9937 (9).

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

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

15 **SECTION 144.** 145.23 of the statutes is renumbered 101.9935.

16 **SECTION 145.** 145.24 of the statutes is renumbered 101.9936, and 101.9936 (1),
17 as renumbered, is amended to read:

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

23 **SECTION 146.** 145.245 of the statutes is renumbered 101.9937, and 101.9937
24 (1) (a) 2., (7) (a), (c) and (e) and (9) (a), as renumbered, are amended to read:

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

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

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

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

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

10 **SECTION 147.** 145.26 of the statutes is renumbered 101.9938, and 101.9938 (1),
11 as renumbered, is amended to read:

12 101.9938 (1) In this section, “public swimming pool” means a fixed or mobile
13 structure, basin, chamber, or tank and appurtenant buildings and equipment that
14 serve or are installed for use by the state, a political subdivision of the state, a motel,
15 a hotel, a resort, a camp, a club, an association, a housing development, a school, a
16 religious, charitable, or youth organization, an educative or rehabilitative facility, or
17 another entity. “Public swimming pool” does not mean an inflated mobile structure,
18 basin, chamber, or tank; a swim pond; an individual therapeutic pod, tub, or bath;
19 or a fixed or mobile structure, basin, chamber, or tank that only serves fewer than
20 3 individual residences.

21 **SECTION 148.** 160.255 (1) of the statutes is amended to read:

22 160.255 (1) In this section, “private on-site wastewater treatment system” has
23 the meaning given in s. ~~145.01~~ 101.9911 (12).

24 **SECTION 149.** 200.21 (11) of the statutes is amended to read:

1 200.21 (11) “Sewerage system” means all facilities of the district for collection,
2 transportation, storage, pumping, treatment and final disposition of sewage.
3 “Sewerage system” does not include any private on-site wastewater treatment
4 system, as defined in s. ~~145.01~~ 101.9911 (12), or any local sewer.

5 **SECTION 150.** 200.29 (1) (c) 3. a. of the statutes is amended to read:

6 200.29 (1) (c) 3. a. The weight to be given to the need for private on-site
7 wastewater treatment systems, as defined in s. ~~145.01~~ 101.9911 (12), to maintain the
8 public health and welfare in any area located within the district prior to a
9 redefinition of the boundary but located outside the district after any redefinition of
10 the boundary.

11 **SECTION 151.** 234.49 (1) (e) of the statutes is amended to read:

12 234.49 (1) (e) “Housing” means a residential structure having not more than
13 4 dwelling units in which at least one unit is occupied by the owner as a principal
14 residence and, if a housing rehabilitation loan is granted for the property to
15 implement energy conservation improvements, the structure is not subject to rules
16 adopted under s. 101.02, 101.63, or 101.73, ~~or 101.973~~.

17 **SECTION 152.** 254.176 (2) (d) of the statutes is amended to read:

18 254.176 (2) (d) A person licensed, certified or registered under ~~ch. 145~~ subch.
19 VIII of ch. 101 who engages in activities that constitute lead hazard reduction, only
20 to the extent that these activities are within the scope of his or her license,
21 certification or registration.

22 **SECTION 153.** 281.17 (3) of the statutes is amended to read:

23 281.17 (3) The department shall promulgate rules establishing an examining
24 program for the certification of operators of water systems, wastewater treatment
25 plants and septage servicing vehicles operated under a license issued under s. 281.48

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

20 **SECTION 154.** 281.344 (8) (b) 3. of the statutes is amended to read:

21 281.344 (8) (b) 3. Water conservation and efficiency measures that the
22 department of safety and professional services requires or authorizes to be
23 implemented under ~~chs. ch.~~ ch. 101 and 145.

24 **SECTION 155.** 281.346 (8) (b) 3. of the statutes is amended to read:

SECTION 155

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

4 **SECTION 156.** 281.48 (2) (bm) of the statutes is amended to read:

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

7 **SECTION 157.** 281.48 (5) (a) 4. of the statutes is amended to read:

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

11 **SECTION 158.** 281.48 (5m) (c) of the statutes is amended to read:

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

1 **SECTION 159.** 281.59 (1m) (c) of the statutes is amended to read:

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

5 **SECTION 160.** 281.75 (18) of the statutes is amended to read:

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

13 **SECTION 161.** 321.60 (1) (a) 7. of the statutes is amended to read:

14 321.60 (1) (a) 7. ~~A~~ An occupational license, as defined in s. 101.02 (20) (a) (1)
15 (a) 2.

16 **SECTION 162.** 321.60 (1) (a) 18. of the statutes is amended to read:

17 321.60 (1) (a) 18. A ~~license, permit, certificate, or registration that is granted~~
18 ~~under chs. 440 to 480~~ credential, as defined in s. 440.01 (2) (a).

19 **SECTION 163.** 343.305 (6) (bm) of the statutes is amended to read:

20 343.305 (6) (bm) Any relevant instruction, as defined in s. ~~101.02 (24) (a) 1.~~
21 440.075 (1), that an applicant for an approval, certification, or permit under par. (b)
22 has obtained in connection with any military service, as defined in s. 111.32 (12g),
23 counts toward satisfying any requirement for instruction for an approval,
24 certification, or permit under par. (b) if the applicant demonstrates to the satisfaction
25 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).

3 **SECTION 164.** 440.03 (3m) of the statutes is amended to read:

4 440.03 (3m) The department may investigate complaints made against a
5 person who has been issued a credential ~~under chs. 440 to 480.~~

6 **SECTION 165.** 440.03 (7) of the statutes is amended to read:

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

13 **SECTION 166.** 440.03 (7m) of the statutes is amended to read:

14 440.03 (7m) The department may promulgate rules that establish procedures
15 for submitting an application for a credential or credential renewal by electronic
16 transmission. Any rules promulgated under this subsection shall specify procedures
17 for complying with any requirement that a fee be submitted with the application.
18 The rules may also waive any requirement in chs. 440 to 480 that an application
19 submitted to the department, an examining board, or an affiliated credentialing
20 board be executed, verified, signed, sworn, or made under oath, notwithstanding ss.
21 440.26 (2) (b), 440.91 (2) (intro.), 443.06 (1) (a), 443.10 (2) (a), 445.04 (2), ~~445.08 (4),~~
22 445.095 (1) (a), 448.05 (7), 450.09 (1) (a), 452.10 (1), and 480.08 (2m).

23 **SECTION 167.** 440.03 (11m) (a) (intro.) of the statutes is amended to read:

24 440.03 (11m) (a) (intro.) Each application form for ~~a~~ an initial credential
25 issued or renewed ~~under chs. 440 to 480~~ credential renewal shall provide a space for

1 the department to require each of the following, other than an individual who does
2 not have a social security number and who submits a statement made or subscribed
3 under oath or affirmation as required under par. (am), to provide his or her social
4 security number:

5 **SECTION 168.** 440.03 (13) (a) of the statutes is amended to read:

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

14 **SECTION 169.** 440.03 (13) (am) of the statutes is amended to read:

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

21 **SECTION 170.** 440.03 (16) of the statutes is repealed.

22 **SECTION 171.** 440.04 (9) of the statutes is repealed.

23 **SECTION 172.** 440.08 (2) (a) 59. of the statutes is amended to read:

24 440.08 (2) (a) 59. Physician assistant: March 1 of each ~~odd-numbered~~
25 even-numbered year.

1 **SECTION 173.** 440.11 (3) of the statutes is repealed.

2 **SECTION 174.** 440.19 of the statutes is amended to read:

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

11 **SECTION 175.** 440.20 (4) of the statutes is renumbered 440.20 (4) (a) and
12 amended to read:

13 440.20 (4) (a) ~~In addition to any grounds for discipline specified in chs. 440 to~~
14 ~~480, the~~ The department or appropriate examining board, affiliated credentialing
15 board, or board in the department may reprimand the holder of a credential or deny,
16 limit, suspend, or revoke the credential of any person who intentionally violates s.
17 252.14 (2) or intentionally discloses the results of a blood test in violation of s. 252.15
18 (3m) (b) or (f) or (5m).

19 **SECTION 176.** 440.20 (4) (b) of the statutes is created to read:

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

22 **SECTION 177.** 440.20 (5) of the statutes is renumbered 440.20 (5) (a) and
23 amended to read:

24 440.20 (5) (a) ~~In addition to any grounds for discipline specified in chs. 440 to~~
25 ~~480, the~~ The department, or the appropriate credentialing board or other board in

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

7 **SECTION 178.** 440.20 (5) (b) of the statutes is created to read:

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

10 **SECTION 179.** 440.205 of the statutes is amended to read:

11 **440.205 Administrative warnings.** If the department or a board, examining
12 board, or affiliated credentialing board in the department determines during an
13 investigation that there is evidence of misconduct by a credential holder, the
14 department, board, examining board, or affiliated credentialing board may close the
15 investigation by issuing an administrative warning to the credential holder. The
16 department or a board, examining board, or affiliated credentialing board may issue
17 an administrative warning under this section only if the department or board,
18 examining board, or affiliated credentialing board determines that no further action
19 is warranted because the complaint involves ~~a first occurrence of~~ a minor violation
20 and the issuance of an administrative warning adequately protects the public by
21 putting the credential holder on notice that any subsequent violation may result in
22 disciplinary action. If an administrative warning is issued, the credential holder
23 may obtain a review of the administrative warning through a personal appearance
24 before the department, board, examining board, or affiliated credentialing board
25 that issued the administrative warning. Administrative warnings do not constitute

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

14 **SECTION 180.** 440.22 (1) of the statutes is amended to read:

15 440.22 (1) In this section, “costs of the proceeding” means the compensation
16 and reasonable expenses of hearing examiners and of prosecuting attorneys for the
17 department, examining board ~~or~~, affiliated credentialing board, or other board, a
18 reasonable disbursement for the service of process or other papers, amounts actually
19 paid out for certified copies of records in any public office, postage, telephoning,
20 adverse examinations and depositions and copies, expert witness fees, witness fees
21 and expenses, compensation and reasonable expenses of experts, paralegals, real
22 estate specialists, and investigators, and compensation and expenses of a reporter
23 for recording and transcribing testimony.

24 **SECTION 181.** 440.22 (2) of the statutes is amended to read:

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

14 **SECTION 182.** 440.92 (9) (b) 3. of the statutes is amended to read:

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

21 **SECTION 183.** 443.07 (4) of the statutes is amended to read:

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

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

3 **SECTION 184.** 445.04 (3) (a) of the statutes is amended to read:

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

7 **SECTION 185.** 445.04 (3) (b) (intro.) of the statutes is amended to read:

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

10 **SECTION 186.** 445.04 (3) (c) of the statutes is created to read:

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

13 **SECTION 187.** 445.045 (1) (g) of the statutes is amended to read:

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

17 **SECTION 188.** 445.08 (1) of the statutes is renumbered 445.08 and amended to
18 read:

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

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

4 **SECTION 189.** 445.08 (4) of the statutes is repealed.

5 **SECTION 190.** 446.02 (7) (d) 1. of the statutes is amended to read:

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

8 **SECTION 191.** 446.02 (7) (d) 2. of the statutes is amended to read:

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

11 **SECTION 192.** 448.02 (8) (a) of the statutes is amended to read:

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

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

3 **SECTION 193.** 448.02 (8) (a) of the statutes, as affected by 2013 Wisconsin Act
4 240 and 2015 Wisconsin Act ... (this act), is repealed and recreated to read:

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

18 **SECTION 194.** 448.07 (1) (a) of the statutes, as affected by 2015 Wisconsin Act
19 116, is amended to read:

20 448.07 (1) (a) Every person licensed or certified under this subchapter shall
21 register ~~on or before November 1 of each odd-numbered year~~ following issuance of
22 the license or certificate with the board. Registration shall be completed at such time
23 and in such manner as the board shall designate and upon forms the board shall
24 provide, except that registration with respect to a compact license shall be governed
25 by the renewal provisions in s. 448.980 (7). ~~The secretary of the board, on or before~~

1 ~~October 1 of each odd-numbered year, shall mail or cause to be mailed to every~~
2 ~~person required to register a registration form.~~ The board shall furnish to each
3 person registered under this section a certificate of registration, and the person shall
4 display the registration certificate conspicuously in the office at all times. No person
5 may exercise the rights or privileges conferred by any license or certificate granted
6 by the board unless currently registered as required under this subsection.

7 **SECTION 195.** 448.07 (1) (a) of the statutes, as affected by 2015 Wisconsin Acts
8 116 and (this act), is repealed and recreated to read:

9 448.07 (1) (a) Every person licensed or certified under this subchapter shall
10 register following issuance of the license or certificate with the board. Registration
11 shall be completed at such time and in such manner as the board shall designate and
12 upon forms the board shall provide. The board shall furnish to each person
13 registered under this section a certificate of registration, and the person shall display
14 the registration certificate conspicuously in the office at all times. No person may
15 exercise the rights or privileges conferred by any license or certificate granted by the
16 board unless currently registered as required under this subsection.

17 **SECTION 196.** 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 197.** 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 198.** 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 199.** 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 200.** 457.09 (3) (b) of the statutes is repealed.

14 **SECTION 201.** 457.16 (3) of the statutes is repealed.

15 **SECTION 202.** 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 203.** 632.10 (1) of the statutes is amended to read:

Barman, Mike

From: LRB.Legal
To: Sen.Stroebel
Subject: Draft review: LRB -3799/1
Attachments: 15-3799/1

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

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Krista Pleviak, Legislative Attorney, at (608) 266-7290, at krista.pleviak@legis.wisconsin.gov, or at One East Main Street, Suite 200.

We will jacket this draft for the Senate. (per MPG & KRP)

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

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