

1           145.01 (12) PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM. “Private on-site  
2 wastewater treatment system” means a sewage treatment and disposal system  
3 serving a single structure with a septic tank and soil absorption field located on the  
4 same parcel as the structure. This term also means an alternative sewage system  
5 approved by the department of natural resources including a substitute for the septic  
6 tank or soil absorption field, a holding tank, a system serving more than one  
7 structure or a system located on a different parcel than the structure. A private  
8 on-site wastewater treatment system may be owned by the property owner or by a  
9 special purpose district.

10           **SECTION 498.** 145.02 (title) of the statutes is amended to read:

11           **145.02 (title) Powers of the department of financial institutions,**  
12 **insurance, and professional standards and the department of natural**  
13 **resources.**

14           **SECTION 499.** 145.02 (2) of the statutes is amended to read:

15           145.02 (2) The Except as provided in sub. (2m), the department shall have  
16 general supervision of all such plumbing and shall after public hearing prescribe and  
17 publish and enforce reasonable standards therefor which shall be uniform and of  
18 statewide concern so far as practicable. Any employee designated by the department  
19 may act for the department in holding such public hearing. To the extent that the  
20 historic building code applies to the subject matter of these standards, the standards  
21 do not apply to a qualified historic building if the owner elects to be subject to s.  
22 101.121.

23           **SECTION 500.** 145.02 (2m) of the statutes is created to read:

1           145.02 (2m) The department of natural resources shall have general  
2 supervision of private on-site wastewater treatment systems and shall promulgate  
3 rules establishing standards for those systems.

      \*\*\*NOTE: Do you want to give DNR any other powers with regard to these systems?  
See DSPPS powers in current law under s. 145.02, stats. RNK

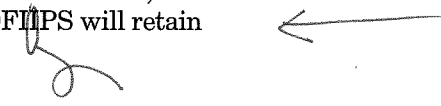
4           **SECTION 501.** 145.02 (4) (a) of the statutes is amended to read:

5           145.02 (4) (a) The department shall prescribe rules as to the qualifications,  
6 examination and licensing of master and journeyman plumbers and restricted  
7 plumber licensees, for the licensing of utility contractors, for the registration of  
8 plumbing apprentices and pipe layers and for the registration and training of  
9 registered learners. The plumbers council, created under s. ~~15.407~~ 15.177 (16), shall  
10 advise the department in formulating the rules.

11           **SECTION 502.** 145.045 (1) of the statutes is amended to read:

12           145.045 (1) POWERS AND DUTIES. The department shall by rule establish an  
13 examining program for the certification of soil testers, setting such standards as the  
14 department finds necessary to accomplish the purposes of this chapter. Such  
15 standards shall include formal written examinations for all applicants. The  
16 department shall charge applicants for the cost of examination and certification.  
17 After July 1, 1974, no person may construct soil bore holes or conduct soil percolation  
18 tests or other similar tests specified by the department of natural resources that  
19 relate to private on-site wastewater treatment systems unless the person holds a  
20 valid certificate issued under this section.

      \*\*\*NOTE: Are these changes consistent with the intent of the request? That is, will  
the mentioned tests be "specified" by DNR? Also, I have assumed that DFIIPS will retain  
authority to certify all soil testers. Is this correct? RNK



21           **SECTION 503.** 145.045 (2) of the statutes is amended to read:

1           145.045 (2) REVOCATION OF CERTIFICATE. The department may revoke or  
2 suspend the certification of any soil tester but only after a formal hearing for the  
3 practice of any fraud or deceit in obtaining the certificate or any gross negligence,  
4 incompetence or misconduct in the practice of soil testing.

      \*\*\*\*NOTE: If you give DNR the authority to certify soil testers, this provision must  
be amended. See the previous note. RNK

5           **SECTION 504.** 145.045 (3) of the statutes is amended to read:

6           145.045 (3) PLUMBERS AND SEPTIC TANK INSTALLERS. A plumber or septic tank  
7 installer may also be a soil tester and install any system after approval of the site or  
8 project by the department of financial institutions, insurance, and professional  
9 standards, the department of natural resources, or the governmental unit  
10 responsible for the regulation of private on-site wastewater treatment systems.

      \*\*\*\*NOTE: Are these changes consistent with the intent of the request? RNK

11          **SECTION 505.** 145.14 (2) (a) of the statutes is amended to read:

12          145.14 (2) (a) *Systems or services.* Persons classified under this paragraph may  
13 install septic tanks for private on-site wastewater treatment systems, may install  
14 drain fields designed to serve such septic tanks, and may install sewer service from  
15 the septic tank or sewer extensions from mains to the immediate inside or proposed  
16 inside foundation wall of the building. Such persons may also install water services,  
17 stormwater use systems, and reclaimed water systems if the services or systems are  
18 to be located outside the foundation wall of the building.

      \*\*\*\*NOTE: Do you want to give DNR any authority to classify plumbers for the  
purpose of this paragraph? If so, this paragraph will need amending. RNK

19          **SECTION 506.** 145.17 (2) of the statutes is amended to read:

20          145.17 (2) The department shall prescribe rules as to the qualifications,  
21 examination and licensing of journeymen automatic fire sprinkler system fitters and  
22 automatic fire sprinkler contractors and for the registration and training of

1 automatic fire sprinkler system apprentices. The automatic fire sprinkler system  
2 contractors and journeymen council, created under s. ~~15.407~~ 15.177 (17), shall advise  
3 the department in formulating the rules.

4 **SECTION 507.** 145.19 (1b) of the statutes is amended to read:

5 145.19 (1b) DEFINITION. In this section, “sanitary permit” means a permit  
6 authorizing the installation of a private on–site wastewater treatment system that  
7 is issued by the department of natural resources or any governmental unit  
8 responsible for the regulation of private on–site wastewater treatment systems.

9 **SECTION 508.** 145.19 (1m) of the statutes is amended to read:

10 145.19 (1m) APPLICATION PROCESS. The department of natural resources shall  
11 prescribe the information to be included in an application for a sanitary permit. The  
12 applicant shall submit the completed application for a sanitary permit to the  
13 governmental unit. The governmental unit shall approve or disapprove the sanitary  
14 permit according to the rules promulgated by the department of natural resources  
15 under this chapter.

16 **SECTION 509.** 145.19 (2) of the statutes is amended to read:

17 145.19 (2) FEE. No fee for a sanitary permit may be less than the amount  
18 determined ~~under by the~~ department of natural resources by rule. The governing  
19 body for the governmental unit responsible for the regulation of private on–site  
20 wastewater treatment systems may establish a fee for a sanitary permit which is  
21 more than the amount determined ~~under by the~~ department of natural resources by  
22 rule. A governmental unit may not charge more than one fee for a sanitary permit  
23 or the renewal of a sanitary permit in any 12–month period.

24 **SECTION 510.** 145.19 (3) of the statutes is amended to read:

1           145.19 (3) FEES AND RECORDS OF PERMITS FORWARDED TO THE DEPARTMENT OF  
2           NATURAL RESOURCES. The governmental unit responsible for the regulation of private  
3           on-site wastewater treatment systems shall forward to the department of natural  
4           resources within 90 days after each valid permit is issued a portion of the fee, as  
5           determined under by the department of natural resources by rule. The  
6           governmental unit shall also compile a periodic summary of the permits that it has  
7           issued. The summary shall contain the information required by the department of of  
8           natural resources by rule, and shall be submitted by the governmental unit to the  
9           department of of natural resources at intervals to be determined by the department of of  
10          natural resources by rule.

11           **SECTION 511.** 145.19 (6) of the statutes is amended to read:

12           145.19 (6) GROUNDWATER FEE. In addition to the fee under sub. (2), the  
13           governmental unit responsible for the regulation of private on-site wastewater  
14           treatment systems shall collect a groundwater fee of \$25 for each sanitary permit.  
15           The governmental unit shall forward this fee to the department of of natural resources  
16           together with the fee under sub. (3). The moneys collected under this subsection  
17           shall be credited to the environmental fund for environmental management.

18           **SECTION 512.** 145.19 (7) of the statutes is amended to read:

19           145.19 (7) PERIOD OF VALIDITY. A sanitary permit is valid for 2 years from the  
20           date of issue and renewable for similar periods thereafter. A sanitary permit shall  
21           remain valid to the end of the established period, notwithstanding any change in the  
22           state plumbing code or in any private on-site wastewater treatment system  
23           ordinance during that period.

\*\*\*\*NOTE: Given that DNR will be issuing sanitary permits, I'm not sure whether  
the reference to the plumbing code in this provision should be deleted. Please advise.  
RNK

1           **SECTION 513.** 145.20 (2) (e) of the statutes is amended to read:

2           145.20 (2) (e) File reports and conduct surveys and inspections as required by  
3 the governmental unit responsible for the regulation of private on–site wastewater  
4 treatment systems or the department of natural resources.

5           **SECTION 514.** 145.20 (2) (g) of the statutes is amended to read:

6           145.20 (2) (g) Perform other duties regarding private on–site wastewater  
7 treatment systems as considered appropriate by the governmental unit responsible  
8 for the regulation of private on–site wastewater treatment systems or as required by  
9 the rules of the department of natural resources.

10          **SECTION 515.** 145.20 (3) (title) of the statutes is amended to read:

11          145.20 (3) (title) DEPARTMENT OF NATURAL RESOURCES RESPONSIBILITIES.

12          **SECTION 516.** 145.20 (3) (a) 1. of the statutes is amended to read:

13          145.20 (3) (a) 1. The department of natural resources may specify categories  
14 of private on–site wastewater treatment systems for which approval by the  
15 department of natural resources is required prior to issuance of sanitary permits by  
16 the governmental unit responsible for the regulation of private on–site wastewater  
17 treatment systems.

18          **SECTION 517.** 145.20 (3) (a) 2. of the statutes is amended to read:

19          145.20 (3) (a) 2. The department of natural resources may exempt a  
20 governmental unit from any category of private on–site wastewater treatment  
21 systems for which departmental approval by the department of natural resources is  
22 required prior to sanitary permit issuance under subd. 1., upon a determination, in  
23 accordance with rules promulgated by the department of natural resources, that past  
24 performance of the governmental unit on reviews and audits under par. (b) has been  
25 satisfactory and that the governmental unit has the capacity to give the same level

1 of application and plan review as that provided by the department of natural  
2 resources. The department of natural resources may revoke an exemption upon a  
3 finding that performance of the governmental unit on a review or audit conducted  
4 subsequent to the granting of the exemption is unsatisfactory or that the  
5 governmental unit is not giving the same level of application and plan review as that  
6 provided by the department of natural resources. Findings in a revocation action  
7 may be made only after a public hearing upon 30 days' advance notice to the clerk  
8 of the governmental unit. The department of natural resources shall submit a report  
9 under s.13.172 (2) to the chief clerk of each house of the legislature, at the beginning  
10 of each legislative session, describing the exemptions under this subdivision.

11 **SECTION 518.** 145.20 (3) (b) of the statutes is amended to read:

12 145.20 (3) (b) The department of natural resources shall review the private  
13 on-site wastewater treatment system program in each governmental unit  
14 responsible for the regulation of private on-site wastewater treatment systems to  
15 ascertain compliance with sub. (2) and with regulations issued by the department of  
16 natural resources. This review shall include a random audit of sanitary permits,  
17 including verification by on-site inspection.

18 **SECTION 519.** 145.20 (3) (c) of the statutes is amended to read:

19 145.20 (3) (c) If the governing body for a governmental unit responsible for the  
20 regulation of private on-site wastewater treatment systems does not adopt a private  
21 on-site wastewater treatment system ordinance meeting the requirements of s.  
22 59.70 (5) or if the governmental unit does not appoint personnel meeting the  
23 requirements of sub. (1) or if the governmental unit does not comply with the  
24 requirements of sub. (2) or s. 145.19 (3), the department of natural resources may  
25 conduct hearings in the county seat upon 30 days' notice to the county clerk. As soon

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1 as practicable after the public hearing, the department of natural resources shall  
2 issue a written decision regarding compliance with s. 59.70 (5) or 145.19 (3) or sub.  
3 (1) or (2). If the department of natural resources determines that there is a violation  
4 of these provisions, the governmental unit may not issue a sanitary permit for the  
5 installation of a private on-site wastewater treatment system until the violation is  
6 corrected.

7 **SECTION 520.** 145.20 (3) (d) of the statutes is amended to read:

8 145.20 (3) (d) The department of natural resources shall conduct training and  
9 informational programs for officials of the governmental unit responsible for the  
10 regulation of private on-site wastewater treatment systems and employees and  
11 persons licensed under this chapter and s. 281.48 and certified as operators of  
12 septage servicing vehicles under s. 281.17 (3) to improve the delivery of service under  
13 the private on-site wastewater treatment system program. The department of  
14 natural resources shall obtain the assistance of the Wisconsin counties association  
15 in planning and conducting the training and informational programs.

\*\*\*\*NOTE: Is this provision consistent with the intent of the request? That is, do  
you want DNR to do all of the training described in this paragraph? RNK

16 **SECTION 521.** 145.20 (5) (a) of the statutes is amended to read:

17 145.20 (5) (a) The department of natural resources shall establish a  
18 maintenance program to be administered by governmental units responsible for the  
19 regulation of private on-site wastewater treatment systems. The department of  
20 natural resources shall determine the private on-site wastewater treatment  
21 systems to which the maintenance program applies. At a minimum the maintenance  
22 program is applicable to all new or replacement private on-site wastewater  
23 treatment systems constructed in a governmental unit after the date on which the



1 governmental unit adopts this program. The department of natural resources may  
2 apply the maintenance program by rule to private on-site wastewater treatment  
3 systems constructed in a governmental unit responsible for the regulation of private  
4 on-site wastewater treatment systems on or before the date on which the  
5 governmental unit adopts the program. ~~The department shall determine the private~~  
6 ~~on-site wastewater treatment systems to which the maintenance program applies~~  
7 ~~in governmental units that do not meet the conditions for eligibility under s. 145.245~~  
8 (9).

9 **SECTION 522.** 145.20 (5) (am) of the statutes is amended to read:

10 145.20 (5) (am) Each governmental unit responsible for the regulation of  
11 private on-site wastewater treatment systems shall adopt and begin the  
12 administration of the program established under par. (a) before October 1, 2019. As  
13 part of adopting and administering the program, the governmental unit shall  
14 conduct and maintain an inventory of all the private on-site wastewater treatment  
15 systems located in the governmental unit and shall complete the initial inventory  
16 before October 1, 2017. ~~In order to be eligible for grant funding under s. 145.245, a~~  
17 ~~governmental unit must comply with these deadlines.~~

18 **SECTION 523.** 145.20 (5) (b) of the statutes is amended to read:

19 145.20 (5) (b) The maintenance program shall include a requirement of  
20 inspection or pumping of the private on-site wastewater treatment system at least  
21 once every 3 years if the private on-site wastewater treatment system does not have  
22 a maintenance plan as prescribed by rule by the department of natural resources.  
23 Inspections may be conducted by a master plumber, journeyman plumber or  
24 restricted plumber licensed under this chapter, a person licensed under s. 281.48 or  
25 by an employee of the state or governmental unit designated by the department of


1 natural resources, and the department of natural resources may determine by rule  
2 other persons who are qualified to undertake required inspection, maintenance, or  
3 repairs. The department of natural resources shall specify the methods to establish  
4 the required frequency of inspection, maintenance, and pumping for each type of  
5 private on-site wastewater treatment system that does not have a maintenance plan  
6 and shall periodically update the methods.

7 **SECTION 524.** 145.20 (5) (c) of the statutes is amended to read:

8 145.20 (5) (c) The department of natural resources may suspend or revoke a  
9 license issued under s. 281.48 or a certificate issued under s. 281.17 (3) to the  
10 operator of a septage servicing vehicle if the department of natural resources finds  
11 that the licensee or operator falsified information on inspection forms. The  
12 department ~~of safety and professional services~~ may suspend or revoke the license of  
13 a plumber licensed under this chapter if the department finds that the plumber  
14 falsified information on inspection forms.

15 **SECTION 525.** 145.23 of the statutes is amended to read:

16 **145.23 Rules.** The department of natural resources may make and enforce  
17 rules relating to lot size and lot elevation necessary for proper sanitary conditions  
18 in the development and maintenance of subdivisions not served by a public sewer,  
19 where provision for such service has not been made.

\*\*\*\*NOTE: Is this change consistent with the intent of this draft? Should DFIPS  
retain any rule-making authority on this issue? RNK 

20 **SECTION 526.** 145.24 (1) of the statutes is amended to read:

21 145.24 (1) If an existing private on-site wastewater treatment system either  
22 is not located in soil meeting the siting standards or is not constructed in accordance  
23 with design standards promulgated under s. 145.02 or 145.13, the owner of the

1 private on-site wastewater treatment system may petition the department of  
2 natural resources for a variance to the siting or design standards.

3 SECTION 527. 145.24 (2) of the statutes is amended to read:

4 145.24 (2) The department of natural resources shall establish procedures for  
5 the review and evaluation of existing private on-site wastewater treatment systems  
6 which do not comply with siting or design standards.

7 SECTION 528. 145.24 (3) of the statutes is amended to read:

8 145.24 (3) Upon receipt of a petition for a variance, the department of natural  
9 resources shall require the owner of the private on-site wastewater treatment  
10 system to submit information necessary to evaluate the request for a variance. If the  
11 department of natural resources determines that the existing private on-site  
12 wastewater treatment system is not a failing private on-site wastewater treatment  
13 system, and continued use of the existing private on-site wastewater treatment  
14 system will not pose a threat of contamination of waters of the state, then the  
15 department of natural resources may issue a variance to allow continued use of the  
16 existing private on-site wastewater treatment system. The department of natural  
17 resources shall rescind the variance if the existing private on-site wastewater  
18 treatment system becomes a failing private on-site wastewater treatment system or  
19 contaminates waters of the state.

20 SECTION 529. 145.245 of the statutes is repealed.

21 SECTION 530. 146.91 (2) (intro.) of the statutes is amended to read:

22 146.91 (2) (intro.) The department of health services, with the advice of the  
23 council on long-term care insurance, the ~~office of the commissioner of insurance~~  
24 department of financial institutions, insurance, and professional standards, the

1 board on aging and long-term care, and the department of employee trust funds,  
2 shall design a program that includes the following:

3 SECTION 531. 146.96 of the statutes is amended to read:

4 146.96 Uniform claim processing form. Beginning no later than July 1,  
5 2004, every health care provider, as defined in s. 146.81 (1) (a) to (p), shall use the  
6 uniform claim processing form developed by the commissioner of insurance under s.  
7 601.41 (9) (b) when submitting a claim to an insurer.

8 SECTION 532. 157.061 (2g) of the statutes is amended to read:

9 157.061 (2g) "Cemetery board" means the board created in s. ~~15.405~~ 15.175  
10 (3m).

11 SECTION 533. 157.062 (1) of the statutes is amended to read:

12 157.062 (1) ORGANIZATION. Seven or more residents of the same county may  
13 form a cemetery association. They shall meet, select a chairperson and secretary,  
14 choose a name, fix the annual meeting date, and elect by ballot not less than 3 nor  
15 more than 9 trustees whom the chairperson and secretary shall immediately divide  
16 by lot into 3 classes, who shall hold their offices for 1, 2, and 3 years, respectively.  
17 Within 3 days, the chairperson and secretary shall certify the corporate name, the  
18 names, home addresses and business addresses of the organizers and of the trustees,  
19 and their classification, and the annual meeting date acknowledged by them, and,  
20 except as provided in sub. (9), deliver the certification to the department of financial  
21 institutions. The association then has the powers of a corporation.

22 SECTION 534. 157.062 (2) of the statutes is amended to read:

23 157.062 (2) AMENDMENTS. The association may change its name, the number  
24 of trustees or the annual meeting date by resolution at an annual meeting, or special  
25 meeting called for such purpose, by a majority vote of the members present, and,

1 except as provided in sub. (9), by delivering to the department of ~~financial~~  
2 ~~institutions~~ a copy of the resolution, with the date of adoption, certified by the  
3 president and secretary or corresponding officers.

4 **SECTION 535.** 157.062 (6) (b) of the statutes is amended to read:

5 157.062 (6) (b) If an association that has been dissolved under par. (a), or any  
6 group that was never properly organized as a cemetery association, has cemetery  
7 grounds and human remains are buried in the cemetery grounds, 5 or more  
8 members, or persons interested as determined by order of the circuit judge under par.  
9 (c), may publish a class 3 notice, under ch. 985, in the municipality in which the  
10 cemetery is located, of the time, place, and object of the meeting, assemble and  
11 reorganize by the election of trustees and divide them into classes as provided in sub.  
12 (1), the commencement of the terms to be computed from the next annual meeting  
13 date. The secretary shall enter the proceedings of the meeting on the records. The  
14 association is reorganized upon delivery of a copy of the proceedings to the  
15 department of ~~financial institutions~~, except as provided in sub. (9). Upon  
16 reorganization, the title to the cemetery grounds, trust funds, and all other property  
17 of the association or group vests in the reorganized association, under the control of  
18 the trustees. The reorganized association may continue the name of the dissolved  
19 association or may adopt a new name.

20 **SECTION 536.** 157.062 (6m) of the statutes is amended to read:

21 157.062 (6m) FORMS. The department of ~~financial institutions~~ may prescribe  
22 and furnish forms for providing the information required under subs. (1) to (6).

23 **SECTION 537.** 157.062 (9) of the statutes is amended to read:

24 157.062 (9) EXEMPTIONS FOR CERTAIN CEMETERIES. In lieu of delivering a  
25 certification, resolution, or copy of proceedings to the department of ~~financial~~

1 ~~institutions~~ under sub. (1), (2), or (6) (b), a cemetery association that is not required  
2 to be licensed under s. 440.91 (1) or registered under s. 440.91 (1m) shall deliver the  
3 certification, resolution, or copy of proceedings to the office of the register of deeds  
4 of the county in which the cemetery is located.

5 **SECTION 538.** 157.064 (7) of the statutes is amended to read:

6 157.064 (7) Not more than 30 days after a transfer under sub. (6), the  
7 transferring association shall notify the department ~~of financial institutions~~ in  
8 writing of the transfer, including the name and address of the accepting association  
9 or its treasurer. The department ~~of financial institutions~~ may prescribe and furnish  
10 forms for providing the information required under this subsection.

11 **SECTION 539.** 157.11 (9m) of the statutes is amended to read:

12 157.11 (9m) ACTION BY DISTRICT ATTORNEY. If any money or property is not  
13 turned over when required by this section, or default occurs under a bond, the district  
14 attorney, upon the request of the department ~~of safety and professional services~~,  
15 shall bring action to recover.

16 **SECTION 540.** 157.12 (3) (b) of the statutes is amended to read:

17 157.12 (3) (b) The cemetery's treasurer is the custodian of the fund. The  
18 treasurer shall file with the cemetery, at the cemetery's expense, a bond with sureties  
19 approved by the department ~~of safety and professional services~~ to indemnify the  
20 cemetery against loss if the treasurer fails to maintain the fund. No indemnity is  
21 required if the terms of sale of a mausoleum space require the purchaser to pay  
22 directly to a trust company in the state, designated by the cemetery as custodian of  
23 the fund. The fund shall be invested as provided in s. 157.19. Income from  
24 investment may be used only to maintain the mausoleum, except that if the amount

1 of income exceeds the amount necessary to properly maintain the mausoleum the  
2 excess amount may be used to maintain any portion of the cemetery.

3 **SECTION 541.** 157.62 (1) (a) (intro.) of the statutes is amended to read:

4 157.62 (1) (a) (intro.) Except as provided in par. (b) and s. 157.625, every  
5 cemetery association shall file an annual report with the department of ~~financial~~  
6 ~~institutions~~. The report shall be made on a calendar-year basis unless the  
7 department of ~~financial institutions~~, by rule, provides for other reporting periods.  
8 The report is due on the 60th day after the last day of the reporting period. The  
9 annual report shall include all of the following:

10 **SECTION 542.** 157.62 (1) (c) of the statutes is amended to read:

11 157.62 (1) (c) The department of ~~financial institutions~~ may prescribe and  
12 furnish forms for reports required under this subsection. If the department of  
13 ~~financial institutions~~ prescribes forms under this paragraph, the department of  
14 ~~financial institutions~~ shall mail the forms to cemetery associations required to file  
15 under par. (a) no later than 60 days before the reports are due.

16 **SECTION 543.** 157.65 (1) (a) of the statutes is amended to read:

17 157.65 (1) (a) If the department of ~~safety and professional services~~ has reason  
18 to believe that any person is violating or has violated this subchapter or any rule  
19 promulgated under this subchapter and that the continuation of that activity might  
20 cause injury to the public interest, the department of ~~safety and professional services~~  
21 may investigate.

22 **SECTION 544.** 157.65 (1) (b) of the statutes is amended to read:

23 157.65 (1) (b) If the department of ~~safety and professional services~~ has reason  
24 to believe that any person is violating s. 157.12 or any rule promulgated under s.

1 157.12 and that the continuation of that activity might cause injury to the public  
2 interest, the department of ~~safety and professional services~~ may investigate.

3 **SECTION 545.** 157.65 (2) of the statutes is amended to read:

4 157.65 (2) The department of justice or any district attorney, upon informing  
5 the department of justice, may commence an action in circuit court in the name of  
6 the state to restrain by temporary or permanent injunction any violation of this  
7 subchapter. The court may, prior to entry of final judgment, make such orders or  
8 judgments as may be necessary to restore to any person any pecuniary loss suffered  
9 because of the acts or practices involved in the action, if proof of such loss is submitted  
10 to the satisfaction of the court. The department of justice may subpoena persons and  
11 require the production of books and other documents, and may request the board  
12 described in s. ~~15.405~~ 15.175 (3m) or the department of ~~safety and professional~~  
13 ~~services~~ to exercise its authority under sub. (1) to aid in the investigation of alleged  
14 violations of this subchapter.

15 **SECTION 546.** 165.40 (1) (am) of the statutes is repealed.

16 **SECTION 547.** 165.40 (1) (dm) of the statutes is repealed.

17 **SECTION 548.** 165.40 (2) (a) (intro.) of the statutes is amended to read:

18 165.40 (2) (a) (intro.) Except as provided in sub. (5), no person may engage in  
19 the acquisition of a hospital or a system of hospitals owned by any of the following  
20 unless the person has first received review and approval of an application concerning  
21 the acquisition under this section from the attorney general, the ~~office~~ department  
22 of financial institutions, insurance, and professional standards, and the department  
23 of health services:

24 **SECTION 549.** 165.40 (2) (b) of the statutes is amended to read:



1 165.40 (2) (b) If the proposed acquisition under this subsection is for a system  
2 of hospitals, the person who proposes to engage in the acquisition shall provide notice  
3 of the impending acquisition to the attorney general, to the office department of  
4 financial institutions, insurance, and professional standards, and to the department  
5 of health services at least 30 days before the offer to purchase or lease is made. The  
6 attorney general shall, within 5 days after receipt of the notice, determine and notify  
7 the person as to whether a single application for the system or an application for each  
8 hospital within the system shall be submitted for review. If the attorney general  
9 determines that an application for each hospital within the system shall be  
10 submitted, no submitted application is complete until all complete applications for  
11 the hospitals within the system are submitted to the attorney general, to the office  
12 department of financial institutions, insurance, and professional standards, and to  
13 the department of health services.

14 **SECTION 550.** 165.40 (3) (title) of the statutes is amended to read:

15 165.40 (3) (title) ~~APPLICATION REVIEW BY THE ATTORNEY GENERAL, THE OFFICE AND~~  
16 ~~THE DEPARTMENT, PROCEDURES.~~

17 **SECTION 551.** 165.40 (3) (a) (intro.) of the statutes is amended to read:

18 165.40 (3) (a) (intro.) An application for review by the attorney general, the  
19 office department of financial institutions, insurance, and professional standards,  
20 and the department of health services that is required under sub. (2) shall, at the  
21 time the offer to purchase or lease is made, be submitted to the attorney general, to  
22 the office department of financial institutions, insurance, and professional  
23 standards, and to the department of health services on a form that is provided by the  
24 attorney general. The application shall include all of the following:

25 **SECTION 552.** 165.40 (3) (e) of the statutes is amended to read:

1           165.40 (3) (e) The attorney general shall establish and maintain a summary  
2 of written and oral comments made for or at the public meeting, including all  
3 questions posed, and shall require answers of the appropriate parties. The attorney  
4 general shall in an expeditious manner provide the ~~office~~ department of financial  
5 institutions, insurance, and professional standards and the department of health  
6 services with a copy of the summary and answers. The summary and answers shall  
7 be filed in the office of the attorney general and in the public library of the public  
8 library system for the community served by the hospital and a copy shall be available  
9 upon request to the attorney general.

10           **SECTION 553.** 165.40 (3) (f) of the statutes is amended to read:

11           165.40 (3) (f) The attorney general may subpoena additional information or  
12 witnesses, require and administer oaths, require sworn statements, take depositions  
13 and use related discovery procedures for purposes of the meeting under par. (d) and  
14 otherwise during performance of a review under this subsection. The attorney  
15 general shall in an expeditious manner provide the ~~office~~ department of financial  
16 institutions, insurance, and professional standards and the department of health  
17 services with copies of any information obtained by the attorney general under this  
18 paragraph.

19           **SECTION 554.** 165.40 (3) (g) of the statutes is amended to read:

20           165.40 (3) (g) The attorney general shall provide the ~~office~~ department of  
21 financial institutions, insurance, and professional standards and the department of  
22 health services with any information about the application that is in addition to that  
23 which the attorney general has previously provided the ~~office~~ department of  
24 financial institutions, insurance, and professional standards and the department of  
25 health services. Within 60 days after receipt of a completed application under sub.

1 (2) (a) or as soon as practicable but not more than 150 days after receipt of a  
2 completed application under sub. (2) (b), the attorney general, the office department  
3 of financial institutions, insurance, and professional standards, and the department  
4 of health services shall each independently review the application in accordance with  
5 the standards specified in sub. (4) and shall approve or disapprove the application.  
6 The attorney general, the office department of financial institutions, insurance, and  
7 professional standards, and the department of health services may not make a  
8 decision under this paragraph based on any condition that is not directly related to  
9 the standards under sub. (4). The attorney general, the office department of financial  
10 institutions, insurance, and professional standards, and the department of health  
11 services shall jointly agree on a single release date for the decisions each has made  
12 under this paragraph and shall release their decisions on that date.

13 **SECTION 555.** 165.40 (3) (h) (intro.) of the statutes is amended to read:

14 165.40 (3) (h) (intro.) If the attorney general, the office department of financial  
15 institutions, insurance, and professional standards, or the department of health  
16 services disapproves an application under par. (g), any of the following may bring an  
17 action in circuit court for a declaratory judgment under s. 806.04 as to whether the  
18 proposed acquisition meets the standards under sub. (4):

19 **SECTION 556.** 165.40 (4) (intro.) of the statutes is amended to read:

20 165.40 (4) ~~APPLICATION REVIEW BY THE ATTORNEY GENERAL, THE OFFICE AND THE~~  
21 ~~DEPARTMENT, STANDARDS.~~ (intro.) The attorney general shall approve an application  
22 if he or she finds and the office department of financial institutions, insurance, and  
23 professional standards and the department of health services shall approve an  
24 application if the office department of financial institutions, insurance, and

1 professional standards or the department of health services finds that the following  
2 standards are met:

3 **SECTION 557.** 165.40 (6) (a) 1. of the statutes is amended to read:

4 165.40 (6) (a) 1. Acquisition of a hospital that is subject to sub. (2) is made  
5 without approval by the attorney general, the ~~office~~ department of financial  
6 institutions, insurance, and professional standards, or the department of health  
7 services.

8 **SECTION 558.** 165.40 (6) (a) 2. of the statutes is amended to read:

9 165.40 (6) (a) 2. Acquisition of a hospital that is subject to sub. (2) is made after  
10 the attorney general, the ~~office~~ department of financial institutions, insurance, and  
11 professional standards, or the department of health services has disapproved an  
12 application for the acquisition under sub. (4) and, if an action under s. 806.04 is  
13 brought, after a judicial determination is made under s. 806.04 that the proposed  
14 acquisition does not meet the standards specified in sub. (4) (a) to (h).

15 **SECTION 559.** 165.40 (6) (b) of the statutes is amended to read:

16 165.40 (6) (b) If the attorney general or the ~~office~~ department of financial  
17 institutions, insurance, and professional standards is aware that a violation of par.  
18 (a) 1. or 2. has occurred, the attorney general or the ~~office~~ department of financial  
19 institutions, insurance, and professional standards shall notify the department of  
20 health services for appropriate action under s. 50.35.

21 **SECTION 560.** 165.825 of the statutes is amended to read:

22 **165.825 Information link.** The department of justice shall cooperate with the  
23 departments of ~~safety and professional services~~, health services, and financial  
24 institutions, ~~insurance~~, and professional standards in developing and maintaining

1 a computer linkup to provide access to the information obtained from a criminal  
2 history search.

3 **SECTION 561.** 167.35 (7) (b) of the statutes is amended to read:

4 167.35 (7) (b) The department of revenue, in the course of conducting any  
5 inspection or examination authorized under s. 139.39, may inspect cigarettes to  
6 determine if the cigarettes are marked as provided under sub. (4), and the  
7 department of revenue shall notify the department of ~~safety and professional~~  
8 ~~services~~ of any unmarked cigarettes.

9 **SECTION 562.** 167.35 (7) (c) of the statutes is amended to read:

10 167.35 (7) (c) Authorized personnel from the department of justice, from the  
11 department of ~~safety and professional services~~, and from the department of revenue,  
12 and any sheriff, police officer, or other law enforcement personnel, within their  
13 respective jurisdictions, may enter and inspect any premises where cigarettes are  
14 made, sold, offered for sale, or stored to determine if the cigarettes comply with this  
15 section. An inspection under this paragraph includes examining the books, papers,  
16 invoices, and other records of any person who is subject to this section and who is in  
17 control, possession, or occupancy of the premises.

18 **SECTION 563.** 177.30 (2) of the statutes is amended to read:

19 177.30 (2) The administrator, at reasonable times and upon reasonable notice,  
20 may examine the records of any person to determine whether the person has  
21 complied with this chapter. The administrator may designate the ~~division of banking~~  
22 department of financial institutions, insurance, and professional standards or other  
23 appropriate regulatory authority to examine the records of regulated institutions to  
24 determine if the institutions have complied with this chapter. The administrator

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1 may conduct the examination even if the person believes it is not in possession of any  
2 property reportable or deliverable under this chapter.

3 **SECTION 564.** 185.983 (1) (a) of the statutes is amended to read:

4 185.983 (1) (a) File with the ~~commissioner of insurance~~ department of financial  
5 institutions, insurance, and professional standards a declaration defining the  
6 organization and operation of the plan, all printed literature, and specimen copies  
7 of all proposed contracts of insurance with persons covered and with participating  
8 physicians, hospitals, and other providers, including all amendments thereto. The  
9 form of all such contracts and amendments shall be subject to approval by the  
10 ~~commissioner of insurance~~ department of financial institutions, insurance, and  
11 professional standards but the ~~commissioner~~ department may not withhold  
12 approval if the form of the contracts or changes in the contracts comply with the  
13 provisions of ss. 185.981 to 185.985.

14 **SECTION 565.** 185.983 (1) (d) of the statutes is amended to read:

15 185.983 (1) (d) File with the ~~commissioner of insurance~~ department of financial  
16 institutions, insurance, and professional standards, on such forms as may be  
17 prescribed by the ~~commissioner~~ department, an annual report of its financial  
18 condition as of December 31 each year, on or before the last day of February following.

19 **SECTION 566.** 185.983 (1m) of the statutes is amended to read:

20 185.983 (1m) In addition to ss. 601.04, 601.31, 632.79, and 632.895 (5), the  
21 ~~commissioner of insurance~~ department of financial institutions, insurance, and  
22 professional standards may by rule subject a medicare supplement policy, as defined  
23 in s. 600.03 (28r), a medicare replacement policy, as defined in s. 600.03 (28p), or a  
24 long-term care insurance policy, as defined in s. 600.03 (28g), that is sold by a  
25 cooperative health care association organized under s. 185.981 to other provisions

1 of chs. 600 to 646, except that the ~~commissioner~~ department may not subject a  
2 medicare supplement policy, a medicare replacement policy, or a long-term care  
3 insurance policy to s. 632.895 (8).

4 **SECTION 567.** 185.99 (1) (a) of the statutes is repealed and recreated to read:

5 185.99 (1) (a) "Department" means the department of financial institutions,  
6 insurance, and professional standards.

7 **SECTION 568.** 185.99 (3) (d) of the statutes is amended to read:

8 185.99 (3) (d) ~~Each health benefit purchasing cooperative shall file its~~  
9 membership criteria, as well as any amendments to the criteria, with the  
10 ~~commissioner~~ department.

11 **SECTION 569.** 185.99 (5) (intro.) of the statutes is amended to read:

12 185.99 (5) REQUIRED REPORTS. (intro.) Each health benefit purchasing  
13 cooperative shall submit to the legislature under s. 13.172 (2) and to the  
14 ~~commissioner~~ department all of the following:

15 **SECTION 570.** 185.99 (6) of the statutes is amended to read:

16 185.99 (6) DESIGNATION OF GEOGRAPHIC AREAS. After consultation with the  
17 Wisconsin Federation of Cooperatives, the ~~commissioner~~ department shall  
18 designate, by order, the geographic areas of the state in which health benefit  
19 purchasing cooperatives may be organized. A geographic area may overlap with one  
20 or more other geographic areas.

21 **SECTION 571.** 186.098 (12) of the statutes is amended to read:

22 186.098 (12) LOANS TO MEMBERS. A credit union may make loans to members  
23 secured by assignment or transfer of stock certificates or other evidence of the  
24 borrower's ownership interest in a corporation formed for the cooperative ownership  
25 of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a

1 mortgage involving a one-family residence, apply to a proceeding to enforce the  
2 lender's rights in security given for a loan under this subsection. The office of credit  
3 unions shall promulgate joint rules with the ~~division of banking~~ department of  
4 financial institutions, insurance, and professional standards that establish  
5 procedures for enforcing a lender's rights in security given for a loan under this  
6 subsection.

7 **SECTION 572.** 186.235 (15) (b) of the statutes is amended to read:

8 186.235 (15) (b) Witness fees shall be the same as fees under s. 814.67 (1) (b)  
9 and (c). The fees of witnesses who are called by the office in the interests of the state  
10 shall be paid by the state upon presentation of proper vouchers approved by the office  
11 of credit unions and charged to the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (g).  
12 A witness subpoenaed by the office at the instance of a party other than the office  
13 shall not be entitled to payment of fees by the state unless the office certifies that the  
14 testimony was material to the purpose for which the subpoena was issued.

15 **SECTION 573.** 186.314 (2m) (e) of the statutes is amended to read:

16 186.314 (2m) (e) Upon approval by the credit union members of the proposition  
17 for conversion under par. (c), the credit union shall take all necessary action under  
18 ch. 214 or 221 to complete the conversion to a savings bank or state bank. Within  
19 90 days after receipt from the ~~division of banking~~ department of financial  
20 institutions, insurance, and professional standards of a certificate of incorporation  
21 as a savings bank or state bank, the credit union shall file a copy of the certificate  
22 with the office of credit unions and the office of credit unions shall issue to a  
23 converting credit union a certificate of conversion to a savings bank or state bank.

24 **SECTION 574.** 200.49 (1) (b) of the statutes is amended to read:



1           200.49 (1) (b) “Minority group member” has the meaning given under s. ~~16.287~~  
2     203.07 (1) (f).

3           **SECTION 575.** 200.57 (1) (a) of the statutes is amended to read:

4           200.57 (1) (a) “Disabled veteran–owned financial adviser” and “disabled  
5     veteran–owned investment firm” mean a financial adviser and investment firm,  
6     respectively, certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03  
7     (3).

8           **SECTION 576.** 200.57 (1) (b) of the statutes is amended to read:

9           200.57 (1) (b) “Minority financial adviser” and “minority investment firm”  
10    mean a financial adviser and investment firm, respectively, certified ~~by the~~  
11    ~~department of administration~~ under s. ~~16.287~~ 203.07 (2).

12          **SECTION 577.** Chapter 203 (title) of the statutes is created to read:

### 13    **CHAPTER 203**

### 14    **BUSINESS DEVELOPMENT**

15          **SECTION 578.** 203.01 of the statutes is created to read:

16          **203.01 Definitions.** In this chapter:

17          (1) “Department” means the department of financial institutions, insurance,  
18     and professional standards.

19          (2) “Secretary” means the secretary of financial institutions, insurance, and  
20     professional standards.

21          **SECTION 579.** 214.01 (1) (f) of the statutes is created to read:

22          214.01 (1) (f) “Department” means the department of financial institutions,  
23     insurance, and professional standards.

24          **SECTION 580.** 214.01 (1) (im) of the statutes is repealed.

25          **SECTION 581.** 214.04 (21) (b) of the statutes is amended to read:

**SECTION 581**

1           214.04 (21) (b) The rules of the ~~division~~ department shall provide that any  
2 remote service unit shall be available for use, on a nondiscriminatory basis, by any  
3 state or federal savings bank which has its principal place of business in this state,  
4 by any other state or federal savings bank obtaining the consent of a state or federal  
5 savings bank that has its principal place of business in this state and is using the  
6 terminal and by all customers designated by a savings bank using the unit. This  
7 paragraph does not authorize a savings bank which has its principal place of  
8 business outside this state to conduct business as a savings bank in this state. A  
9 remote service unit shall be available for use, on a nondiscriminatory basis, by any  
10 credit union, state or national bank or state or federal savings and loan association,  
11 whose home office is located in this state, if the credit union, bank or savings and loan  
12 association requests to share its use, subject to joint rules established by the ~~division~~  
13 ~~of banking~~, the office of credit unions and the ~~division~~ department. The ~~division~~  
14 department by order may authorize the installation and operation of a remote service  
15 unit in a mobile facility, after notice and hearing upon the proposed service stops of  
16 the mobile facility.

17           **SECTION 582.** 214.48 (4) (a) of the statutes is amended to read:

18           214.48 (4) (a) An independent qualified appraiser, designated by the board of  
19 directors, who is properly licensed and certified by the department ~~of safety and~~  
20 ~~professional services~~ or by another entity authorized to govern appraisal licensure  
21 and certification and who meets the requirements of title XI of the financial  
22 institutions reform, recovery and enforcement act of 1989, 12 USC 3331 to 3351 and  
23 regulations adopted pursuant to those sections.

24           **SECTION 583.** 214.715 (2) of the statutes is amended to read:

1           214.715 (2) Employees of the ~~division~~ department may not be subject to any  
2 civil liability or penalty, or to any criminal prosecution, for any error in judgment or  
3 discretion made in good faith and upon reasonable grounds in any action taken or  
4 omitted under this chapter by the employee in an official capacity.

5           **SECTION 584.** 214.72 (1) (am) of the statutes is repealed.

          \*\*\*\*NOTE: Do you want to amend s. 214.72 (1) (b) so that the term “administrator”  
is limited to an administrator with duties relating to regulation of savings banks (or, more  
generally, financial institutions)?

6           **SECTION 585.** 214.725 (5) of the statutes is amended to read:

7           214.725 (5) Employees of the ~~division~~ department or other designated agents  
8 may administer oaths and examine and take and preserve testimony under oath as  
9 to anything in the affairs or ownership of the savings bank or the entity examined.

10          **SECTION 586.** 214.78 (3) of the statutes is amended to read:

11          214.78 (3) A person who subpoenas a witness shall advance the fees and  
12 mileage of the witness. Witness fees shall be the same as fees under s. 814.67 (1) (b)  
13 and (c). The fees of witnesses who are called by the review board in the interests of  
14 the state shall be paid by the state upon presentation of proper vouchers approved  
15 by the chairperson of the review board and charged to the appropriation under s.  
16 ~~20.144 (1)~~ 20.142 (2) (g).

17          **SECTION 587.** 215.01 (6) of the statutes is repealed.

18          **SECTION 588.** 215.01 (6f) of the statutes is created to read:

19          215.01 (6f) “Department” means the department of financial institutions  
20 ~~insurance~~, and professional standards.

21          **SECTION 589.** 215.02 (4) of the statutes is amended to read:

22          215.02 (4) IMMUNITY. Employees of the ~~division~~ department shall not be subject  
23 to any civil liability or penalty, nor to any criminal prosecution, for any error in

1 judgment or discretion made in good faith and upon reasonable grounds in any action  
2 taken or omitted under this chapter by the employee in the employee's official  
3 capacity.

4 **SECTION 590.** 215.04 (1) (b) of the statutes is amended to read:

5 215.04 (1) (b) Review the acts, orders, and determinations of the ~~division~~  
6 department under this chapter.

7 **SECTION 591.** 215.04 (3) of the statutes is amended to read:

8 215.04 (3) WITNESS FEES. A person who causes a witness to be subpoenaed shall  
9 advance the fees and mileage expense of the witness. Witness fees shall be the same  
10 as fees under s. 814.67 (1) (b) and (c). The fees of witnesses who are called by the  
11 review board in the interests of the state shall be paid by the state upon presentation  
12 of proper vouchers approved by the chairperson of the review board and charged to  
13 the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (g).

14 **SECTION 592.** 217.02 (2k) of the statutes is created to read:

15 217.02 (2k) "Department" means the department of financial institutions,  
16 ~~insurance~~, and professional standards.

17 **SECTION 593.** 217.02 (2m) of the statutes is repealed.

18 **SECTION 594.** 218.0142 (6) (b) of the statutes is amended to read:

19 218.0142 (6) (b) Every finance company, if insurance is provided by the finance  
20 company, shall also within 30 days after acquisition of the retail installment contract  
21 send or cause to be sent to the retail buyer a policy of insurance clearly setting forth  
22 the exact nature of the insurance coverage and the amount of the premiums, each  
23 stated separately, which shall be filed with the ~~commissioner of insurance~~  
24 department of financial institutions, insurance, and professional standards in

1 accordance with ch. 625. The cancellation and rewriting of any policy provided by  
2 the finance company shall comply with the requirements of s. 631.69.

3 SECTION 595. 218.02 (1) (d) of the statutes is repealed.

4 SECTION 596. 218.02 (1) (dm) of the statutes is created to read:

5 218.02 (1) (dm) "Department" means the department of financial institutions,

6 ~~insurance~~, and professional standards.

7 SECTION 597. 218.04 (1) (bm) of the statutes is created to read:

8 218.04 (1) (bm) "Department" means the department of financial institutions,

9 ~~insurance~~, and professional standards.

10 SECTION 598. 218.04 (1) (c) of the statutes is repealed.

11 SECTION 599. 218.05 (1) (cm) of the statutes is created to read:

12 218.05 (1) (cm) "Department" means the department of financial institutions,

13 ~~insurance~~, and professional standards.

14 SECTION 600. 218.05 (1) (d) of the statutes is repealed.

15 SECTION 601. 220.01 (1m) of the statutes is repealed.

16 SECTION 602. 221.0303 (2) of the statutes is amended to read:

17 221.0303 (2) OPERATION AND ACQUISITION OF CUSTOMER BANK COMMUNICATIONS

18 TERMINALS. A bank may, directly or indirectly, acquire, place, and operate, or

19 participate in the acquisition, placement, and operation of, at locations other than

20 its main or branch offices, customer bank communications terminals, in accordance

21 with rules established by the ~~division~~ department. The rules of the ~~division~~

22 department shall provide that any such customer bank communications terminal

23 shall be available for use, on a nondiscriminatory basis, by any state or national bank

24 and by all customers designated by a bank using the terminal. This subsection does

25 not authorize a bank which has its principal place of business outside this state to

1 conduct banking business in this state. The customer bank communications  
2 terminals also shall be available for use, on a nondiscriminatory basis, by any credit  
3 union, savings and loan association, or savings bank, if the credit union, savings and  
4 loan association, or savings bank requests to share its use, subject to rules jointly  
5 established by the ~~division of banking~~ department and the office of credit unions.  
6 The ~~division~~ department by order may authorize the installation and operation of a  
7 customer bank communications terminal in a mobile facility, after notice and  
8 hearing upon the proposed service stops of the mobile facility.

9 **SECTION 603.** 221.0802 of the statutes is amended to read:

10 **221.0802 Banks may be placed in hands of ~~division~~ department.** A bank  
11 doing business under this chapter may place its affairs and assets under the control  
12 of the ~~division~~ department by posting a notice on its front door, as follows: "This bank  
13 is in the hands of the ~~Division of Banking of the Department of Financial~~  
14 Institutions, Insurance, and Professional Standards". Immediately upon posting  
15 such notice, the bank shall notify the ~~division~~ department of this action. The posting  
16 of the notice, or the taking possession of a bank by the ~~division~~ department, places  
17 the bank's assets and property in the possession of the ~~division~~ department, and bars  
18 any attachment proceedings. For each day the ~~division~~ department is placed in  
19 possession of the bank, and until such time as a special deputy is appointed under  
20 s. 220.08 (4), the bank shall pay to the ~~division~~ department the actual cost of such  
21 liquidation proceedings. The ~~division~~ department shall pay the amounts to the state  
22 treasurer and the percentage specified in s. ~~20.144 (1)~~ 20.142 (2) (g) shall be credited  
23 to the appropriation account under s. ~~20.144 (1)~~ 20.142 (2) (g).

24 **SECTION 604.** 222.0102 (3) of the statutes is repealed.

25 **SECTION 605.** 224.71 (1e) of the statutes is repealed.

1           **SECTION 606.** 224.90 (1) of the statutes is repealed.

2           **SECTION 607.** 227.01 (13) (zy) of the statutes is amended to read:

3           227.01 (13) (zy) Relates to any form prescribed by the division of banking in  
4 the department of financial institutions, insurance, and professional standards in  
5 connection with the licensing of mortgage bankers or mortgage brokers under s.  
6 224.72 or the licensing of mortgage loan originators under s. 224.725.

7           **SECTION 608.** 227.43 (1) (bm) of the statutes is created to read:

8           227.43 (1) (bm) Assign a hearing examiner to preside over any hearing or  
9 review of a worker's compensation claim or other dispute under ch. 102 or of an  
10 ~~insurance-related claim or other dispute under chs. 600 to 655.~~

11           **SECTION 609.** 227.43 (2) (am) of the statutes is created to read:

12           227.43 (2) (am) The department of financial institutions, insurance, and  
13 professional standards shall notify the division of hearings and appeals of every  
14 pending hearing to which the administrator of the division is required to assign a  
15 hearing examiner under sub. (1) (bm) after that department is notified that a hearing  
16 on the matter is required.

17           **SECTION 610.** 227.43 (3) (bm) of the statutes is created to read:

18           227.43 (3) (bm) The administrator of the division of hearings and appeals may  
19 set the fees to be charged for any services rendered to the department of financial  
20 institutions, insurance, and professional standards by a hearing examiner under  
21 this section. The fee shall cover the total cost of the services less any costs covered  
22 by the appropriation under s. 20.505 (4) (f).

23           **SECTION 611.** 227.43 (4) (bm) of the statutes is created to read:

1 227.43 (4) (bm) The department of financial institutions, insurance, and  
 2 professional standards shall pay all costs of the services of a hearing examiner  
 3 assigned under sub. (1) (bm), according to the fees set under sub. (3) (bm).

4 SECTION 612. 227.52 (3) of the statutes is amended to read:

5 227.52 (3) Those decisions of the ~~division of banking~~ department of financial  
 6 institutions, insurance, and professional standards that are subject to review, prior  
 7 to any judicial review, by the banking review board, and decisions of the ~~division of~~  
 8 ~~banking~~ department of financial institutions, insurance, and professional standards  
 9 relating to savings banks or savings and loan associations, but no other financial  
 10 institutions subject to the jurisdiction of the ~~division of banking~~ department of  
 11 financial institutions, insurance, and professional standards, except as provided in  
 12 sub. (4).

\*\*\*\*NOTE: We believe that the last clause of this provision (beginning “, but no other ...”) could be stricken in lieu of the treatment included above, as we are not aware of any state-chartered financial institutions other than state banks (including those with trust powers), savings banks, savings and loan associations, and credit unions.

13 SECTION 613. 227.59 of the statutes is amended to read:

14 227.59 Certification of certain cases from the circuit court of Dane  
 15 County to other circuits. Any action or proceeding for the review of any order of  
 16 an administrative officer, commission, department, or other administrative tribunal  
 17 of the state required by law to be instituted in or taken to the circuit court of Dane  
 18 County, except an action or appeal for the review of any order of the department of  
 19 workforce development or the department of ~~safety and professional services~~  
 20 financial institutions, insurance, and professional standards or findings and orders  
 21 of the labor and industry review commission, which is instituted or taken and is not  
 22 called for trial or hearing within 6 months after the proceeding or action is instituted,  
 23 and the trial or hearing of which is not continued by stipulation of the parties or by

under chs. 101, 107, 145, 157, 167, or 440 to 480.



1 order of the court for cause shown, shall on the application of either party on 5 days'  
2 written notice to the other be certified and transmitted for trial to the circuit court  
3 of the county of the residence or principal place of business of the plaintiff or  
4 petitioner, where the action or proceeding shall be given preference. Unless written  
5 objection is filed within the 5-day period, the order certifying and transmitting the  
6 proceeding shall be entered without hearing. The plaintiff or petitioner shall pay to  
7 the clerk of the circuit court of Dane County a fee of \$2 for transmitting the record.

\*\*\*\*NOTE: Please note that the change to the department name in this section actually broadens the exception for DSPS under current law. Please let me know if you would like to include language limiting the exception to orders issued by DFIIPS that primarily concern professional licensing and buildings and safety. MPG

8 **SECTION 614.** 229.46 (1) (ag) of the statutes is amended to read:

9 229.46 (1) (ag) “Disabled veteran-owned business” means a business certified  
10 ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

11 **SECTION 615.** 229.46 (1) (b) of the statutes is amended to read:

12 229.46 (1) (b) “Minority group member” has the meaning given in s. ~~16.287~~  
13 203.07 (1) (f).

14 **SECTION 616.** 229.70 (1) (ag) of the statutes is amended to read:

15 229.70 (1) (ag) “Disabled veteran-owned business” means a business certified  
16 ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

17 **SECTION 617.** 229.70 (1) (am) of the statutes is amended to read:

18 229.70 (1) (am) “Minority business” has the meaning given in s. ~~16.287~~ 203.07  
19 (1) (e).

20 **SECTION 618.** 229.70 (1) (b) of the statutes is amended to read:

21 229.70 (1) (b) “Minority group member” has the meaning given in s. ~~16.287~~  
22 203.07 (1) (f).

23 **SECTION 619.** 229.8273 (1) (am) of the statutes is amended to read:

1 229.8273 (1) (am) “Disabled veteran–owned business” means a business  
2 certified by the department of administration under s. ~~16.283~~ 203.03 (3).

3 SECTION 620. 229.8273 (1) (b) of the statutes is amended to read:

4 229.8273 (1) (b) “Minority business” has the meaning given in s. ~~16.287~~ 203.07  
5 (1) (e).

6 SECTION 621. 229.8273 (1) (c) of the statutes is amended to read:

7 229.8273 (1) (c) “Minority group member” has the meaning given in s. ~~16.287~~  
8 203.07 (1) (f).

9 SECTION 622. 229.845 (1) (ag) of the statutes is amended to read:

10 229.845 (1) (ag) “Disabled veteran–owned business” means a business certified  
11 by the department of administration under s. ~~16.283~~ 203.03 (3).

12 SECTION 623. 229.845 (1) (am) of the statutes is amended to read:

13 229.845 (1) (am) “Minority business” has the meaning given in s. ~~16.287~~ 203.07  
14 (1) (e).

15 SECTION 624. 230.08 (2) (e) 4f. of the statutes is repealed.

16 SECTION 625. 230.08 (2) (e) 4g. of the statutes is created to read:

17 230.08 (2) (e) 4g. Financial institutions, insurance, and professional standards

18 ~~14~~ → 12

19 SECTION 626. 230.08 (2) (e) 6. of the statutes is amended to read:

20 230.08 (2) (e) 6. Workforce development — 9-8.

21 SECTION 627. 230.08 (2) (e) 8h. of the statutes is repealed.

22 SECTION 628. 230.08 (2) (e) 11m. of the statutes is repealed.

23 SECTION 629. 230.08 (2) (L) 5. of the statutes is repealed.

24 SECTION 630. 230.08 (2) (v) of the statutes is repealed.

25 SECTION 631. 230.08 (2) (yb) of the statutes is amended to read:

STAYS

1 230.08 (2) (yb) The director and the deputy director of the office of business-  
2 development in the department of administration financial institutions/insurance,  
3 and professional standards. *regulatory reform*

4 SECTION 632. 230.339 of the statutes is repealed.

5 SECTION 633. 231.27 (1) of the statutes is amended to read:

6 231.27 (1) In this section, “minority business”, “minority financial adviser” and  
7 “minority investment firm” mean a business, financial adviser and investment firm,  
8 respectively, certified by the department of administration under s. ~~16.287~~ 203.07  
9 (2).

10 SECTION 634. 231.29 (1) of the statutes is amended to read:

11 231.29 (1) In this section, “business,” “financial adviser,” and “investment firm”  
12 mean a business, financial adviser, and investment firm certified by the department  
13 of administration under s. ~~16.283~~ 203.03 (3).

14 SECTION 635. 234.35 (1) of the statutes is amended to read:

15 234.35 (1) In this section, “minority business”, “minority financial adviser” and  
16 “minority investment firm” mean a business, financial adviser and investment firm,  
17 respectively, certified by the department of administration under s. ~~16.287~~ 203.07  
18 (2).

19 SECTION 636. 234.36 (1) of the statutes is amended to read:

20 234.36 (1) In this section, “business,” “financial adviser,” and “investment firm”  
21 mean a business, financial adviser, and investment firm certified by the department  
22 of administration under s. ~~16.283~~ 203.03 (3).

23 SECTION 637. 236.13 (2m) of the statutes is amended to read:

24 236.13 (2m) As a further condition of approval when lands included in the plat  
25 lie within 500 feet of the ordinary high-water mark of any lake, any navigable

1 stream, or any other body of navigable water or if land in the proposed plat involves  
2 lake or navigable stream shorelands referred to in s. 236.16, the department of  
3 natural resources, to prevent pollution of navigable waters, ~~or the department of~~  
4 ~~safety and professional services,~~ and to protect the public health and safety, may  
5 require assurance of adequate drainage areas for private on-site wastewater  
6 treatment systems and building setback restrictions, or provisions by the owner for  
7 public sewage disposal facilities for waters of the state, as defined in s. 281.01 (18),  
8 industrial wastes, as defined in s. 281.01 (5), and other wastes, as defined in s. 281.01  
9 (7). The public sewage disposal facilities may consist of one or more systems as the  
10 department of natural resources ~~or the department of safety and professional~~  
11 ~~services~~ determines on the basis of need for prevention of pollution of the waters of  
12 the state or protection of public health and safety.

\*\*\*\*NOTE: Are these changes consistent with the intent of this drafting request?

RNK

13 **SECTION 638.** 238.397 (4) (d) of the statutes is amended to read:

14 238.397 (4) (d) The corporation shall notify the department of revenue of all  
15 persons entitled to claim tax benefits under this section, except that the corporation  
16 shall notify the ~~office of the commissioner of insurance~~ department of financial  
17 institutions, insurance, and professional standards of all persons entitled to claim  
18 the credit under s. 76.636.

19 **SECTION 639.** 250.041 (1) (b) of the statutes is repealed.

20 **SECTION 640.** 250.041 (1) (e) of the statutes is amended to read:

21 250.041 (1) (e) A permit under s. 254.47 (1), or 254.64 (1) (a) or (b) ~~or 255.08~~  
22 (2).

23 **SECTION 641.** 252.12 (2) (a) 9. of the statutes is amended to read:

1           252.12 (2) (a) 9. 'Grant for family resource center.' The department shall award  
2 a grant to develop and implement an African-American family resource center in the  
3 city of Milwaukee that targets activities toward the prevention and treatment of HIV  
4 infection and related infections, including hepatitis C virus infection, of minority  
5 group members, as defined in s. ~~16.287~~ 203.07 (1) (f).

6           **SECTION 642.** 252.12 (2) (c) 2. of the statutes is amended to read:

7           252.12 (2) (c) 2. From the appropriation account under s. 20.435 (1) (am), the  
8 department shall award \$75,000 in each fiscal year as grants for services to prevent  
9 HIV infection and related infections, including hepatitis C virus infection. Criteria  
10 for award of the grants shall include the criteria specified under subd. 1. The  
11 department shall award 60% of the funding to applying organizations that receive  
12 funding under par. (a) 8. and 40% of the funding to applying community-based  
13 organizations that are operated by minority group members, as defined in s. ~~16.287~~  
14 203.07 (1) (f).

15           **SECTION 643.** 252.23 of the statutes is renumbered 463.10, and 463.10 (title),  
16 (2), (3) and (4) (a), as renumbered, are amended to read:

17           **463.10 (title) Regulation of tattooists and tattooing establishments.**

18           (2) DEPARTMENT; DUTY. Except as provided in ss. ~~250.041 and 252.241~~ 463.14,  
19 the department shall provide uniform, statewide licensing and regulation of  
20 tattooists and uniform, statewide licensing and regulation of tattoo establishments  
21 under this section. The department shall inspect a tattoo establishment once before  
22 issuing a license for the tattoo establishment under this section and may make  
23 additional inspections that the department determines are necessary.

24           (3) LICENSE REQUIRED. Except as provided in sub. (5), no person may tattoo or  
25 attempt to tattoo another, designate or represent himself or herself as a tattooist or

**SECTION 643**

1 use or assume the title “tattooist” and no tattoo establishment may be operated  
2 unless the person and the establishment are licensed by the department under this  
3 section or by a local health department that is designated as the department’s agent  
4 under s. ~~252.245~~ 463.16.

5 (4) (a) Except as provided in ~~ss. 250.041 and 252.241~~ s. 463.14 and subject to  
6 sub. (4m), standards and procedures, including fee payment to offset the cost of  
7 licensing tattooists and tattoo establishments, for the annual issuance of licenses as  
8 tattooists or as tattoo establishments to applicants under this section. The  
9 department may not promulgate a rule that imposes a fee for a license under sub. (3)  
10 on an individual who is eligible for the veterans fee waiver program under s. 45.44.

11 **SECTION 644.** 252.24 of the statutes is renumbered 463.12, and 463.12 (2) and  
12 (4) (a), as renumbered, are amended to read:

13 **463.12 (2) DEPARTMENT; DUTY.** Except as provided in ~~ss. 250.041 and 252.241~~  
14 s. 463.14, the department shall provide uniform, statewide licensing and regulation  
15 of body piercers and uniform, statewide licensing and regulation of body-piercing  
16 establishments under this section. The department shall inspect a body-piercing  
17 establishment once before issuing a license for the body-piercing establishment  
18 under this section and may make additional inspections that the department  
19 determines are necessary.

20 (4) (a) Except as provided in ~~ss. 250.041 and 252.241~~ s. 463.14 and subject to  
21 sub. (4m), standards and procedures, including fee payment to offset the cost of  
22 licensing body piercers and body-piercing establishments, for the annual issuance  
23 of licenses as body piercers or as body-piercing establishments to applicants under  
24 this section. The department may not promulgate a rule under which the

1 department may charge an individual who is eligible for the veterans fee waiver  
2 program under s. 45.44 a fee to obtain a license under sub. (3).

3 **SECTION 645.** 252.241 of the statutes is renumbered 463.14, and 463.14 (title),  
4 (1), (1m), (3), (4) and (5), as renumbered, are amended to read:

5 **463.14 (title) Denial, nonrenewal and revocation of license or permit**  
6 **based on delinquent taxes or unemployment insurance contributions. (1)**  
7 Except as provided in sub. (1m), the department shall require each applicant to  
8 provide the department with the applicant's social security number, if the applicant  
9 is an individual, or the applicant's federal employer identification number, if the  
10 applicant is not an individual, as a condition of issuing or renewing a license under  
11 ~~s. 252.23 (2) or (4) (a) or 252.24 (2) or (4) (a)~~ 463.10 or 463.12, or a permit under s.  
12 463.25.

13 **(1m)** If an individual who applies for or to renew a license or permit under sub.  
14 (1) does not have a social security number, the individual, as a condition of obtaining  
15 the license or permit, shall submit a statement made or subscribed under oath or  
16 affirmation to the department that the applicant does not have a social security  
17 number. The form of the statement shall be prescribed by the department of children  
18 and families. A license or permit issued or renewed in reliance upon a false  
19 statement submitted under this subsection is invalid.

20 **(3)** Except as provided in sub. (1m), the department shall deny an application  
21 for the issuance or renewal of a license or permit specified in sub. (1) if the applicant  
22 does not provide the information specified in sub. (1).

23 **(4)** The department shall deny an application for the issuance or renewal of a  
24 license or permit specified in sub. (1), or shall revoke the license or permit specified

1 in sub. (1), if the department of revenue certifies under s. 73.0301 that the applicant  
2 for or holder of the license or permit is liable for delinquent taxes.

3 (5) The department shall deny an application for the issuance or renewal of a  
4 license or permit specified in sub. (1), or shall revoke the license or permit specified  
5 in sub. (1), if the department of workforce development certifies under s. 108.227 that  
6 the applicant for or holder of the license or permit is liable for delinquent  
7 unemployment insurance contributions.

8 **SECTION 646.** 252.245 of the statutes is renumbered 463.16, and 463.16 (1), (2),  
9 (3), (4m), (5), (6), (8) and (9), as renumbered, are amended to read:

10 463.16 (1) In the administration and enforcement of ss. ~~252.23 and 252.24~~  
11 463.10 and 463.12, the department may enter into a written agreement with a local  
12 health department with a jurisdictional area that has a population greater than  
13 5,000, which designates the local health department as the department's agent in  
14 issuing licenses to and making investigations or inspections of tattooists and tattoo  
15 establishments and body piercers and body-piercing establishments. In a  
16 jurisdictional area of a local health department without agent status, the  
17 department of ~~health services~~ financial institutions, insurance, and professional  
18 standards may issue licenses, collect license fees established by rule under ss. ~~252.23~~  
19 463.10 (4) (a) and ~~252.24~~ 463.12 (4) (a) and make investigations or inspections of  
20 tattooists and tattoo establishments and body piercers and body-piercing  
21 establishments. If the department of financial institutions, insurance, and  
22 professional standards designates a local health department as its agent, the  
23 department of financial institutions, insurance, and professional standards or local  
24 health department may require no license for the same operations other than the  
25 license issued by the local health department under this subsection. If the



1 designation is made and the services are furnished, the department of financial  
② institutions, insurance, and professional standards shall reimburse the local health  
3 department furnishing the service at the rate of 80% of the net license fee per license  
4 per year issued in the jurisdictional area.

5 (2) A local health department designated as the department's agent under this  
6 section shall meet standards promulgated under ss. ~~252.23~~ 463.10 (4) (a) and ~~252.24~~  
7 463.12 (4) (a). The department shall annually evaluate the licensing, investigation  
8 and inspection program of each local health department granted agent status. If, at  
9 any time, a local health department designated as the department's agent fails to  
10 meet the standards, the department of ~~health services~~ financial institutions,  
11 insurance, and professional standards may revoke its agent status.

12 (3) The department shall provide education and training to agents designated  
13 under this section to ensure uniformity in the enforcement of s. ~~252.23~~ 463.10 or  
14 ~~252.24~~ 463.12 and rules promulgated under s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12.

15 (4m) A local health department designated as the department's agent under  
16 this section may contract with the department of ~~health services~~ financial  
17 institutions, insurance, and professional standards for the department of ~~health~~  
18 ~~services~~ financial institutions, insurance, and professional standards to collect fees  
19 and issue licenses under s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12. The department of of  
20 financial institutions, insurance, and professional standards shall collect from the  
21 local health department the actual and reasonable cost of providing the services.

22 (5) If, under this section, a local health department becomes an agent or its  
23 agent status is discontinued during a licensee's license year, the department of  
24 ~~health services~~ financial institutions, insurance, and professional standards and the  
25 local health department shall divide any license fee paid by the licensee for that

1 license year according to the proportions of the license year occurring before and after  
2 the local health department is designated as an agent or the agent status is  
3 discontinued. No additional fee may be required during the license year due to the  
4 change in agent status.

5 (6) A village, city or county may enact ordinances and a local board of health  
6 may adopt regulations regarding the licensees and premises for which the local  
7 health department is the designated agent under this section, which are stricter than  
8 s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12 or rules promulgated by the department of health  
9 services under s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12. No such provision may conflict with  
10 s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12 or with department rules.

11 (8) The department shall hold a hearing under ch. 227 if, in lieu of proceeding  
12 under ch. 68, any interested person in the jurisdictional area of a local health  
13 department that is designated as the department's agent under this section appeals  
14 to the department of ~~health services~~ financial institutions, insurance, and  
15 professional standards alleging that a license fee for a tattooist or tattooist  
16 establishment or for a body piercer or body-piercing establishment exceeds the  
17 license issuer's reasonable costs of issuing licenses to, making investigations and  
18 inspections of, and providing education, training and technical assistance to the  
19 tattooist or tattooist establishment or to the body piercer or body-piercing  
20 establishment.

21 (9) The department shall promulgate rules establishing state fees for its costs  
22 related to setting standards under ss. ~~252.23~~ 463.10 and ~~252.24~~ 463.12 and  
23 monitoring and evaluating the activities of, and providing education and training to,  
24 agent local health departments. The department may not promulgate a rule under  
25 which a local health department may charge an individual who is eligible for the

1 veterans fee waiver program under s. 45.44 a state fee to obtain a license under s.  
2 ~~252.23~~ 463.10 (3) or ~~252.24~~ 463.12 (3). Agent local health departments shall include  
3 the state fees in the license fees established under sub. (4), collect the state fees and  
4 reimburse the department for the state fees collected. For tattooists or tattoo  
5 establishments and for body piercers or body-piercing establishments, the state fee  
6 may not exceed 20% of the license fees established under s. ~~252.23~~ 463.10 (4) (a) or  
7 ~~252.24~~ 463.12 (4) (a).

\*\*\*\*NOTE: Did you want to incorporate tatoois, body piercers, and tanning facility owners into s. 440.03 (13) (b) requiring criminal background checks? – Tamara J. Dodge

8 **SECTION 647.** 254.115 (1) (d) of the statutes is repealed.

9 **SECTION 648.** 255.08 of the statutes is renumbered 463.25, and 463.25 (2) (a)  
10 and (b), as renumbered, are amended to read:

11 463.25 (2) (a) No person may operate a tanning facility without a permit that  
12 the department may, except as provided in ~~ss. 250.041 and 254.115~~ s. 463.14, issue  
13 under this subsection. The holder of a permit issued under this subsection shall  
14 display the permit in a conspicuous place at the tanning facility for which the permit  
15 is issued.

16 (b) Permits issued under this subsection shall expire annually on June 30.  
17 Except as provided in ~~ss. 250.041 and 254.115~~ s. 463.14, a permit applicant shall  
18 submit an application for a permit to the department on a form provided by the  
19 department with a permit fee established by the department by rule. The application  
20 shall include the name and complete mailing address and street address of the  
21 tanning facility and any other information reasonably required by the department  
22 for the administration of this section.

23 **SECTION 649.** 281.57 (7) (c) 1. of the statutes is amended to read:

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1           281.57 (7) (c) 1. Metropolitan sewerage districts that serve 1st class cities are  
2 limited in each fiscal year to receiving total grant awards not to exceed 33% of the  
3 sum of the amounts in the schedule for that fiscal year for the appropriation under  
4 s. 20.165 (2) (de) \$771,738 and the amount authorized under sub. (10) for that fiscal  
5 year plus the unencumbered balance at the end of the preceding fiscal year for the  
6 amount authorized under sub. (10). This subdivision is not applicable to grant  
7 awards provided during fiscal years 1985–86, 1986–87, 1988–89 and 1989–90.

\*\*\*\*NOTE: The \$771,738 amount represents 33 percent of the amount in the schedule for the 2014–15 fiscal year for the appropriation under s. 20.165 (2) (de), stats., which is repealed in the draft because it is an appropriation for private on-site wastewater treatment system grants. Let me know if you want to take a different approach. MPG

8           **SECTION 650.** 281.59 (1m) (c) of the statutes is repealed.

9           **SECTION 651.** 292.63 (1m) of the statutes is amended to read:

10           **292.63 (1m) RULES CONCERNING 3RD-PARTY COMPENSATION.** ~~The commissioner of~~  
11 ~~insurance~~ department of financial institutions, insurance, and professional  
12 standards shall promulgate rules defining “liabilities which are excluded from  
13 coverage in liability insurance policies for bodily injury” and “liabilities which are  
14 excluded from coverage in liability insurance policies for property damage” for the  
15 purposes of sub. (1) (ad) and (gm). The definitions shall be consistent with standard  
16 insurance industry practices.

17           ~~**SECTION 652.** 303.07 (7) of the statutes is amended to read:~~

18           ~~303.07 (7) If any inmate of a reforestation camp, in the performance of work~~  
19 ~~in connection with the maintenance of the camp, is injured so as to be permanently~~  
20 ~~incapacitated, or to have materially reduced earning power, the inmate may upon~~  
21 ~~discharge be allowed and paid such compensation as the department of workforce~~  
22 ~~development~~ financial institutions, insurance, and professional standards finds the

1 inmate entitled to. The inmate shall be compensated on the same basis as if the  
2 injury had been covered by ch. 102, except that the total paid to ~~any such~~ the inmate  
3 shall not exceed \$1,000 and may be paid in installments. If the inmate is from an  
4 adjoining county ~~such~~ that county shall pay ~~such~~ the compensation. In case of  
5 dispute the procedure for hearing, award, and appeal shall be as set forth in ss.  
6 102.16 to 102.26.

7 **SECTION 653.** 303.21 (1) (a) of the statutes is amended to read:

8 303.21 (1) (a) If an inmate of a state institution, in the performance of assigned  
9 work is injured so as to be permanently incapacitated or to have materially reduced  
10 earning power, the inmate may, upon being released from such institution, either  
11 upon release on parole or extended supervision or upon final discharge, be allowed  
12 and paid such compensation as the department of ~~workforce development~~ financial  
13 institutions, insurance, and professional standards finds the inmate entitled to. The  
14 inmate shall be compensated on the same basis as if the injury had been covered by  
15 ch. 102, except that the total paid to any inmate may not exceed \$10,000 and may be  
16 paid in installments. If the injury results from employment in a prison industry, the  
17 payment shall be made from the revolving appropriation for its operation. If there  
18 is no revolving appropriation, payment shall be made from the general fund. In case  
19 of dispute, the procedure for hearing, award, and appeal shall be as set forth in ss.  
20 ~~102.16 to 102.26.~~

21 **SECTION 654.** 321.60 (1) (a) 4. of the statutes is amended to read:

22 321.60 (1) (a) 4. A license, certificate of approval, provisional license,  
23 conditional license, certification, certification card, registration, permit, training  
24 permit, or approval specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a),  
25 ~~252.23 (2), 252.24 (2), 254.176, 254.178 (2) (a), 254.20 (2), (3), or (4), 254.64 (1) (a) or~~

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1  
2  
3

(b), 254.71 (2), ~~255.08 (2) (a)~~, 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f), or 343.305 (6) (a) or a permit for the operation of a campground specified in s. 254.47 (1).

**SECTION 655.** 321.60 (1) (a) 12. of the statutes is amended to read:

321.60 (1) (a) 12. A license or certificate of registration issued by the department of financial institutions, ~~or a division of it,~~ insurance, and professional standards under ss. 138.09, 138.12, 138.14, 202.13, 202.14, 217.06, 218.0101 to 218.0163, 218.02, 218.04, 218.05, 224.72, 224.725, or 224.93 or subch. IV of ch. 551.

**SECTION 656.** 345.61 (1) (a) of the statutes is amended to read:

345.61 (1) (a) Any domestic or foreign surety company which has qualified to transact surety business in this state may, in any year, become surety in an amount not to exceed \$200 with respect to any guaranteed arrest bond certificates issued in such year by an automobile club, association or by an insurance company authorized to write automobile liability insurance within this state, by filing with the ~~commissioner of insurance~~ department of financial institutions, insurance, and professional standards an undertaking thus to become surety.

**SECTION 657.** 345.61 (2) (intro.) of the statutes is amended to read:

345.61 (2) FORM OF BOND. (intro.) Such undertaking shall be in the form prescribed by the ~~commissioner of insurance~~ department of financial institutions, insurance, and professional standards and shall state the following:

**SECTION 658.** 345.61 (2) (d) of the statutes is amended to read:

345.61 (2) (d) A guaranteed arrest bond certificate under sub. (1) (b) need not be secured by a surety company. The ~~commissioner of insurance~~ department of financial institutions, insurance, and professional standards may promulgate rules to insure such bond if the ~~commissioner~~ department feels it necessary.

**SECTION 659.** 409.501 (1) (b) of the statutes is amended to read:

25

1 409.501 (1) (b) The office of the department of financial institutions, insurance,  
2 and professional standards or any office duly authorized by the department, in all  
3 other cases, including a case in which the collateral is goods that are or are to become  
4 fixtures and the financing statement is not filed as a fixture filing.

5 **SECTION 660.** 424.501 (2) of the statutes is amended to read:

6 424.501 (2) It is not a violation of sub. (1) to use printed materials or forms that  
7 have been approved for use by the ~~office of the commissioner of insurance~~ department  
8 of financial institutions, insurance, and professional standards.

9 **SECTION 661.** 424.602 of the statutes is amended to read:

10 **424.602 Administrative action of ~~commissioner of insurance~~**  
11 **department.** To the extent that the ~~commissioner of insurance's responsibility~~  
12 responsibilities of the department of financial institutions, insurance, and  
13 professional standards under this chapter ~~requires~~ require, the ~~commissioner~~  
14 department shall issue rules with respect to insurers and with respect to refunds (s.  
15 424.205), forms, schedules of premium rates and charges (s. 424.209), and the  
16 ~~commissioner's~~ department's approval or disapproval thereof and, in case of  
17 violation, may make an order for compliance.

18 **SECTION 662.** 426.103 of the statutes is amended to read:

19 **426.103 Administrator.** "Administrator" means the secretary of financial  
20 institutions, insurance, and professional standards or an employee of the  
21 department of financial institutions, insurance, and professional standards  
22 designated by the secretary.

23 **SECTION 663.** 426.104 (2) (intro.) of the statutes is amended to read:

24 426.104 (2) (intro.) The administrator shall report annually on practices in  
25 consumer transactions, on the use of consumer credit in the state, on problems

1 attending the collection of debts, on the problems of persons of limited means in  
2 consumer transactions, and on the operation of chs. 421 to 427 and 429. For the  
3 purpose of making the report, the administrator may conduct research and make  
4 appropriate studies. The report shall be ~~given to the division of banking for inclusion~~  
5 included in the department's report of the division of banking under s. 220.14 and  
6 shall include:

7 **SECTION 664.** 426.201 (4) (c) of the statutes is amended to read:

8 426.201 (4) (c) Duly licensed insurance companies subject to the supervision  
9 of the ~~office of the commissioner of insurance~~ department of financial institutions,  
10 insurance, and professional standards.

11 **SECTION 665.** 426.203 of the statutes is amended to read:

12 **426.203 Penalties.** Whoever fails to comply with the registration  
13 requirements under s. 426.201 or fails to pay a fee required under s. 426.202 may be  
14 required to forfeit not more than \$50. Each day that this failure continues  
15 constitutes a separate offense. Forfeitures received by the administrator under this  
16 section shall be credited to the appropriation account under s. ~~20.144(1)~~ 20.142 (2)  
17 (h) and may be expended from the account only for consumer or merchant education  
18 programs.

19 **SECTION 666.** Chapter 440 (title) of the statutes is amended to read:

20 **CHAPTER 440**

21 **~~DEPARTMENT OF SAFETY AND~~**

22 **PROFESSIONAL SERVICES LICENSING**

23 **SECTION 667.** 440.01 (2) (cs) of the statutes is amended to read:

24 440.01 (2) (cs) "Minority group member" has the meaning given in s. ~~16.287~~  
25 203.07 (1) (f).



1           **SECTION 668.** 440.03 (3) of the statutes is amended to read:

2           440.03 (3) If the secretary reorganizes the department, no modification may  
3           be made in the powers and responsibilities of the examining boards or affiliated  
4           credentialing boards attached to the department or an examining board under s.  
5           ~~15.405~~ 15.175 or ~~15.406~~ 15.176.

6           **SECTION 669.** 440.03 (3q) of the statutes is amended to read:

7           440.03 (3q) Notwithstanding sub. (3m), the department ~~of safety and~~  
8           ~~professional services~~ shall investigate any report that it receives under s. 146.40 (4r)  
9           (em).

10          **SECTION 670.** 440.03 (9) (a) 2. of the statutes is amended to read:

11          440.03 (9) (a) 2. Not later than January 31 of each odd-numbered year,  
12          adjusting for the succeeding fiscal biennium each fee for an initial credential for  
13          which an examination is not required, for a reciprocal credential, and, subject to s.  
14          440.08 (2) (a), for a credential renewal, if an adjustment is necessary to reflect the  
15          approximate administrative and enforcement costs of the department that are  
16          attributable to the regulation of the particular occupation or business during the  
17          period in which the initial or reciprocal credential or credential renewal is in effect  
18          and, for purposes of each fee for a credential renewal, to reflect an estimate of any  
19          additional moneys available for the department's general program operations as a  
20          result of appropriation transfers that have been or are estimated to be made under  
21          s. ~~20.165 (1)~~ 20.142 (3) (i) during the fiscal biennium in progress at the time of the  
22          deadline for an adjustment under this subdivision or during the fiscal biennium  
23          beginning on the July 1 immediately following the deadline for an adjustment under  
24          this subdivision.

25          **SECTION 671.** 440.03 (11m) (c) of the statutes is amended to read:

1           440.03 (11m) (c) The department of ~~safety and professional services~~ may not  
2 disclose a social security number obtained under par. (a) to any person except the  
3 coordinated licensure information system under s. 441.50 (7); the department of  
4 children and families for purposes of administering s. 49.22; and, for a social security  
5 number obtained under par. (a) 1., the department of revenue for the purpose of  
6 requesting certifications under s. 73.0301 and administering state taxes and the  
7 department of workforce development for the purpose of requesting certifications  
8 under s. 108.227.

9           **SECTION 672.** 440.03 (12m) of the statutes is amended to read:

10           440.03 (12m) The department of ~~safety and professional services~~ shall  
11 cooperate with the departments of justice, children and families, and health services  
12 in developing and maintaining a computer linkup to provide access to information  
13 regarding the current status of a credential issued to any person by the department  
14 of ~~safety and professional services~~, including whether that credential has been  
15 restricted in any way.

16           **SECTION 673.** 440.13 (1) (b) of the statutes is amended to read:

17           440.13 (1) (b) “Memorandum of understanding” means a memorandum of  
18 understanding entered into by the department of ~~safety and professional services~~  
19 and the department of children and families under s. 49.857.

20           **SECTION 674.** 440.22 (2) of the statutes is amended to read:

21           440.22 (2) In any disciplinary proceeding against a holder of a credential in  
22 which the department or an examining board, affiliated credentialing board or board  
23 in the department orders suspension, limitation or revocation of the credential or  
24 reprimands the holder, the department, examining board, affiliated credentialing  
25 board or board may, in addition to imposing discipline, assess all or part of the costs

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