

1 (2) No school, including a school described in ~~sub. (1) (e) 1. to 8. s. 37.01 (5) (a)~~
2 ~~to (h)~~, may use the term "state" or "Wisconsin" in its name if the use of that term
3 operates to mislead the public into believing that the school is affiliated with the
4 University of Wisconsin System or the technical college system, unless the school
5 actually is so affiliated. ~~This paragraph subsection~~ does not apply to a school
6 described in ~~sub. (1) (e) 1. s. 37.01 (5) (a)~~ that has accreditation recognized by the U.S.
7 secretary of education, has the foreign equivalent of that accreditation, as
8 determined by the board, or has accreditation recognized by the Council for Higher
9 Education Accreditation.

10 (3) The attorney general or any district attorney may bring an action in circuit
11 court for the enforcement of this ~~subsection section~~, including bringing an action to
12 restrain by temporary or permanent injunction any violation of ~~par. (a) or (b) sub. (1)~~
13 ~~or (2)~~.

14 (4) Any person who violates ~~par. (a) or (b) sub. (1) or (2)~~ may be required to
15 forfeit not more than \$500. Each day of operation in violation of ~~par. (a) or (b) sub.~~
16 ~~(1) or (2)~~ constitutes a separate offense.

17 (5) In addition to any other remedies provided by law, a student who attends
18 a school that is in violation of ~~par. (a) or (b) sub. (1) or (2)~~ may bring a civil action to
19 recover fees paid to the school, together with costs and disbursements, including
20 reasonable attorney fees.

21 **SECTION 196.** 38.50 (13) of the statutes is renumbered 37.13, and 37.13 (1)
22 (intro.) and (b) 3. and (4), as renumbered, are amended to read:

23 37.13 (1) (intro.) In this subsection ~~section~~:

24 (b) 3. Operates in this state and is a school described in ~~sub. (1) (e) 1. to 8. s.~~
25 ~~37.01 (5) (a) to (h)~~.

1 ~~(4) The board may charge a fee for evaluating an educational institution under~~
2 ~~par. (a) 2. e. sub. (1) (b) 5. in an amount that is sufficient to cover all costs that the~~
3 ~~board incurs in evaluating the institution. All fees collected by the board under this~~
4 ~~paragraph subsection shall be credited to the appropriation account under s. 20.292~~
5 ~~(2) 20.142 (9) (g).~~

6 **SECTION 197.** 39.40 (1) (c) of the statutes is amended to read:

7 39.40 (1) (c) A Hispanic, as defined in s. ~~16.287~~ 203.07 (1) (d).

8 **SECTION 198.** 39.44 (1) (a) 3. of the statutes is amended to read:

9 39.44 (1) (a) 3. Is a Hispanic, as defined in s. ~~16.287~~ 203.07 (1) (d).

10 **SECTION 199.** 41.53 (1) (h) of the statutes is amended to read:

11 41.53 (1) (h) Annually, award an amount equal to at least 5% of all state and
12 federal funds received by the board in that year for grants to artists and arts
13 organizations to artists who are minority group members and arts groups composed
14 principally of minority group members. In this paragraph, "minority group member"
15 has the meaning specified in s. ~~16.287~~ 203.07 (1) (f).

16 **SECTION 200.** 42.09 (3) (b) of the statutes is amended to read:

17 42.09 (3) (b) The board shall develop policies encouraging each private person
18 entering into an agreement with the board under this subsection to agree that his
19 or her goal shall be to ensure that at least 25% of the employees hired to perform
20 construction work in connection with state fair park facilities or to perform
21 professional services in connection with the construction or development of those
22 facilities will be minority group members, as defined in s. ~~16.287~~ 203.07 (1) (f), and
23 that at least 5% of the employees hired to perform construction work in connection
24 with state fair park facilities or to perform professional services in connection with
25 the construction or development of those facilities will be women.

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1 **SECTION 201.** 45.20 (1) (d) of the statutes is amended to read:

2 45.20 (1) (d) "Tuition," when referring to the University of Wisconsin System,
3 means academic fees and segregated fees; when referring to the technical colleges,
4 means "program fees" and "additional fees" as described in s. 38.24 (1m) and (1s); and
5 when referring to a high school, a school that is approved under s. 45.03 (11), or a
6 proprietary school that is approved under ~~s. 38.50~~ ch. 37, means the charge for the
7 courses for which a person is enrolled.

8 **SECTION 202.** 45.20 (2) (a) 1. of the statutes is amended to read:

9 45.20 (2) (a) 1. The department shall administer a tuition reimbursement
10 program for eligible veterans enrolling as undergraduates in any institution of
11 higher education in this state, enrolling in a school that is approved under s. 45.03
12 (11), enrolling in a proprietary school that is approved under ~~s. 38.50~~ ch. 37, enrolling
13 in a public or private high school, enrolling in a tribal school, as defined in s. 115.001
14 (15m), in any grade from 9 to 12, or receiving a waiver of nonresident tuition under
15 s. 39.47.

16 **SECTION 203.** 45.20 (2) (a) 2. (intro.) of the statutes is amended to read:

17 45.20 (2) (a) 2. (intro.) A veteran who is a resident of this state and otherwise
18 qualified to receive benefits under this subsection may receive the benefits under
19 this subsection upon the completion of any correspondence courses or part-time
20 classroom study from an institution of higher education located outside this state,
21 from a school that is approved under s. 45.03 (11), or from a proprietary school that
22 is approved under ~~s. 38.50~~ ch. 37, if any of the following applies:

23 **SECTION 204.** 45.20 (2) (c) 1. of the statutes is amended to read:

24 45.20 (2) (c) 1. A veteran who meets the eligibility requirements under par. (b)
25 1. may be reimbursed upon satisfactory completion of an undergraduate semester in

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1 any institution of higher education in this state, or upon satisfactory completion of
2 a course at any school that is approved under s. 45.03 (11), any proprietary school
3 that is approved under ~~s. 38.50~~ ch. 37, any public or private high school, any tribal
4 school, as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or any
5 institution from which the veteran receives a waiver of nonresident tuition under s.
6 39.47. Except as provided in par. (e), the amount of reimbursement may not exceed
7 the total cost of the veteran's tuition minus any grants or scholarships that the
8 veteran receives specifically for the payment of the tuition, or, if the tuition is for an
9 undergraduate semester in any institution of higher education, the standard cost of
10 tuition for a state resident for an equivalent undergraduate semester at the
11 University of Wisconsin–Madison, whichever is less.

12 **SECTION 205.** 45.20 (2) (d) 1. (intro.) of the statutes is amended to read:

13 45.20 (2) (d) 1. (intro.) Subject to subd. 1m., a veteran's eligibility for
14 reimbursement under this subsection at any institution of higher education in this
15 state, at a school that is approved under s. 45.03 (11), at a proprietary school that is
16 approved under ~~s. 38.50~~ ch. 37, at a public or private high school, at a tribal school,
17 as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or at an
18 institution where he or she is receiving a waiver of nonresident tuition under s. 39.47
19 is limited to the following:

20 **SECTION 206.** 45.21 (2) (a) of the statutes is amended to read:

21 45.21 (2) (a) The veteran is enrolled in a training course in a technical college
22 under ch. 38 or in a proprietary school in the state approved by the educational
23 approval board under ~~s. 38.50~~ ch. 37, other than a proprietary school offering a
24 4-year degree or 4-year program, or is engaged in a structured on-the-job training
25 program that meets program requirements promulgated by the department by rule.

1 ~~SECTION 207.~~ 45.44 (1) (a) 5. of the statutes is amended to read:

2 45.44 (1) (a) 5. A license, certification, registration, or permit issued under s.
3 ~~89.06, 89.072, 94.10 (2), (3), or (3g), 94.50 (2), 94.704, 95.60, 97.17 (2), 97.175 (2),~~
4 ~~97.22 (2), 98.145, 98.146, 98.18 (1) (a), or 168.23 (3).~~

5 SECTION 208. 45.44 (1) (a) 14. of the statutes is amended to read:

6 45.44 (1) (a) 14. A license, certification, certification card, or permit issued
7 under s. ~~252.23, 252.24,~~ 254.176, 254.178, 254.20, 254.71, and 256.15.

8 SECTION 209. 45.44 (1) (b) of the statutes is amended to read:

9 45.44 (1) (b) "Licensing agency" means the department of agriculture, trade
10 and consumer protection; the department of children and families; ~~the department~~
11 ~~of financial institutions;~~ the department of health services; the department of
12 natural resources; the department of public instruction; the department of revenue;
13 the department of ~~safety and professional services~~ financial institutions and
14 professional standards and its examining boards and affiliated credentialing boards;
15 the department of transportation; the department of workforce development; the
16 board of commissioners of public lands; the government accountability board; or the
17 office of the commissioner of insurance.

18 SECTION 210. 46.29 (3) (e) of the statutes is amended to read:

19 46.29 (3) (e) The secretary of ~~safety and professional services~~ financial
20 institutions and professional standards.

21 SECTION 211. 46.90 (5m) (br) 5. of the statutes is amended to read:

22 46.90 (5m) (br) 5. Refer the case to the department of ~~safety and professional~~
23 ~~services~~ financial institutions and professional standards if the financial
24 exploitation, neglect, self-neglect, or abuse involves an individual who is required

1 to be registered under s. 202.13 or 202.14 or to hold a credential, as defined in s.
2 440.01 (2) (a), under chs. 440 to 460.

3 **SECTION 212.** 46.90 (5m) (br) 5g. of the statutes is repealed.

4 **SECTION 213.** 49.857 (1) (d) 4. of the statutes is amended to read:

5 49.857 (1) (d) 4. A certification, license, training permit, registration, approval
6 or certificate issued under s. 49.45 (2) (a) 11., ~~252.23 (2), 252.24 (2)~~, 254.176 (1) or (3)
7 (a), 254.178 (2) (a), 254.20 (2), (3) or (4), 254.47 (1), 254.64 (1) (a) or (b), 254.71 (2),
8 ~~255.08 (2)~~, or 256.15 (5) (a) or (b), (6g) (a), or (8) (a).

9 **SECTION 214.** 50.92 (3m) of the statutes is created to read:

10 50.92 (3m) The department may conduct plan reviews of all capital
11 construction and remodeling of structures that ~~are~~ are owned or leased for operation
12 of a hospice. The department shall promulgate rules that establish a fee schedule
13 for its services in conducting the plan reviews under this subsection.

****NOTE: Please carefully review this provision to ensure it complies with your
intent. The wording is complex because hospice services may be provided in an
individual's home.

14 **SECTION 215.** 54.15 (8) (a) 3. of the statutes is amended to read:

15 54.15 (8) (a) 3. Any license, certificate, permit, or registration of the proposed
16 guardian that is required under chs. 89, 202, or 440 to 480 or by the laws of another
17 state for the practice of a profession or occupation has been suspended or revoked.

****NOTE: I did not include a cross-reference to the new ch. 89 in ss. 46.90 (5m) (br) 5. and 55.043 (4) (b) 5., stats., both of which cross-reference chs. 440 to 460, stats. Section 46.90 (5m) (br) 5., stats., deals with reports to DSPS concerning elder abuse that "involves an individual who is required to hold a credential . . . under chs. 440 to 460." Similarly, s. 55.043 (4) (b) 5., stats., deals with reports to DSPS concerning exploitation or other abuse of an adult-at-risk that "involves an individual who is required to hold a credential . . . under chs. 440 to 460." I did not include cross-references in those statutory units with respect to the new ch. 89 because, unlike the other professions under chs. 440 to 460, stats., veterinarians and veterinary technicians, by profession, deal primarily with animals. Nevertheless, cross-references to the new ch. 89 could be relevant to the extent that veterinarians and veterinary technicians deal with the individual human owners of animals. Please let me know if you instead want me to include cross-references to the new ch. 89 for purposes of ss. 46.90 and 55.043, stats. MPG

1 SECTION 216. 55.043 (4) (b) 5. of the statutes is amended to read:

2 55.043 (4) (b) 5. Refer the case to the department of ~~safety and professional~~
3 ~~services~~ financial institutions and professional standards if the financial
4 exploitation, neglect, self-neglect, or abuse involves an individual who is required
5 to be registered under s. 202.13 or 202.14 or to hold a credential, as defined in s.
6 440.01 (2) (a), under chs. 440 to 460.

7 SECTION 217. 55.043 (4) (b) 5g. of the statutes is repealed.

8 SECTION 218. 59.57 (1) (b) of the statutes is amended to read:

9 59.57 (1) (b) If a county with a population of ~~500,000~~ ^{750,000} or more appropriates
10 money under par. (a) to fund nonprofit agencies, the county shall have a goal of
11 expending 20% of the money appropriated for this purpose to fund a nonprofit agency
12 that is actively managed by minority group members, as defined in s. ~~16.287~~ 203.07
13 (1) (f), and that principally serves minority group members.

14 SECTION 219. 66.1309 (1) (b) 1. of the statutes is amended to read:

15 66.1309 (1) (b) 1. The ~~division of banking~~ department of financial institutions
16 and professional standards as conservator, liquidator, or rehabilitator of any person,
17 partnership, or corporation, and persons, partnerships, and corporations organized
18 under or subject to the provisions of the banking law.

***NOTE: The last clause of this provision ("and persons, partnerships, and corporations organized under or subject to the provisions of the banking law") seems to be redundant and have no legal effect, but we did not strike this language out of concern that there could be unintended consequences in doing so.

19 SECTION 220. 66.1317 (2) (a) 4. of the statutes is amended to read:

20 66.1317 (2) (a) 4. The ~~division of banking~~ department of financial institutions
21 and professional standards as conservator, liquidator, or rehabilitator of any person,
22 partnership, or corporation, and persons, partnerships, or corporations organized
23 under or subject to chs. 600 to 646.

1 SECTION 221. 67.12 (12) (a) of the statutes is amended to read:

2 67.12 (12) (a) Any municipality may issue promissory notes as evidence of
3 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not
4 limited to paying any general and current municipal expense, and refunding any
5 municipal obligations, including interest on them. Each note, plus interest if any,
6 shall be repaid within 10 years after the original date of the note, except that notes
7 issued under this section for purposes of ss. 119.498, 145.245 (12m), 2013 stats.,
8 281.58, 281.59, 281.60, 281.61, and 292.72, issued to raise funds to pay a portion of
9 the capital costs of a metropolitan sewerage district, or issued by a 1st class city or
10 a county having a population of ~~500,000~~ ^{750,000} or more, to pay unfunded prior service
11 liability with respect to an employee retirement system, shall be repaid within 20
12 years after the original date of the note.

13 SECTION 222. 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

14 ~~71.05 (6) (b) 28. (intro.) An amount paid by a claimant for tuition expenses and
15 mandatory student fees for a student who is the claimant or who is the claimant's
16 child and the claimant's dependent who is claimed under section 151 (c) of the
17 Internal Revenue Code, to attend any university, college, technical college or a school
18 approved under s. 38.50 ch. 37, that is located in Wisconsin or to attend a public
19 vocational school or public institution of higher education in Minnesota under the
20 Minnesota-Wisconsin reciprocity agreement under s. 39.47, calculated as follows:~~

21 SECTION 223. 71.07 (5j) (a) 2d. of the statutes is amended to read:

22 71.07 (5j) (a) 2d. "Diesel replacement renewable fuel" includes biodiesel and
23 any other fuel derived from a renewable resource that meets all of the applicable
24 requirements of the American Society for Testing and Materials for that fuel and that
25 the department of commerce or the department of safety and professional services

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1 financial institutions and professional standards designates by rule as a diesel
2 replacement renewable fuel.

3 SECTION 224. 71.07 (5j) (a) 2m. of the statutes is amended to read:

4 71.07 (5j) (a) 2m. “Gasoline replacement renewable fuel” includes ethanol and
5 any other fuel derived from a renewable resource that meets all of the applicable
6 requirements of the American Society for Testing and Materials for that fuel and that
7 the department of ~~commerce or the department of safety and professional services~~
8 financial institutions and professional standards designates by rule as a gasoline
9 replacement renewable fuel.

10 SECTION 225. 71.07 (5j) (c) 3. of the statutes is amended to read:

11 71.07 (5j) (c) 3. The department of ~~commerce or the department of safety and~~
12 ~~professional services~~ financial institutions and professional standards shall
13 establish standards to adequately prevent, in the distribution of conventional fuel
14 to an end user, the inadvertent distribution of fuel containing a higher percentage
15 of renewable fuel than the maximum percentage established by the federal
16 environmental protection agency for use in conventionally-fueled engines.

17 SECTION 226. 71.07 (5r) (a) 2. of the statutes is amended to read:

18 71.07 (5r) (a) 2. “Course of instruction” has the meaning given in s. 38.50 (1)
19 (e) 37.01 (3).

20 SECTION 227. 71.07 (5r) (a) 6. b. of the statutes is amended to read:

21 71.07 (5r) (a) 6. b. A school approved under s. ~~38.50~~ ch. 37, if the delivery of
22 education occurs in this state.

23 SECTION 228. 71.26 (1) (d) of the statutes is amended to read:

24 71.26 (1) (d) *Bank in liquidation.* Income of any bank placed in the hands of
25 the ~~division of banking~~ department of financial institutions and professional

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1 standards for liquidation under s. 220.08, if the tax levied, assessed or collected
2 under this chapter on account of such bank diminishes the assets thereof so that full
3 payment of all depositors cannot be made. Whenever the ~~division of banking~~
4 department of financial institutions and professional standards certifies to the
5 department of revenue that the tax or any part thereof levied and assessed under this
6 chapter against any such bank will so diminish the assets thereof that full payment
7 of all depositors cannot be made, the department of revenue shall cancel and abate
8 such tax or part thereof, together with any penalty thereon. This paragraph shall
9 apply to unpaid taxes which were levied and assessed subsequent to the time the
10 bank was taken over by the ~~division of banking~~ department of financial institutions
11 and professional standards.

12 **SECTION 229.** 71.28 (5j) (a) 2d. of the statutes is amended to read:

13 71.28 (5j) (a) 2d. “Diesel replacement renewable fuel” includes biodiesel and
14 any other fuel derived from a renewable resource that meets all of the applicable
15 requirements of the American Society for Testing and Materials for that fuel and that
16 the department of ~~commerce or the department of safety and professional services~~
17 financial institutions and professional standards designates by rule as a diesel
18 replacement renewable fuel.

19 **SECTION 230.** 71.28 (5j) (a) 2m. of the statutes is amended to read:

20 71.28 (5j) (a) 2m. “Gasoline replacement renewable fuel” includes ethanol and
21 any other fuel derived from a renewable resource that meets all of the applicable
22 requirements of the American Society for Testing and Materials for that fuel and that
23 the department of ~~commerce or the department of safety and professional services~~
24 financial institutions and professional standards designates by rule as a gasoline
25 replacement renewable fuel.

1 SECTION 231. 71.28 (5j) (c) 3. of the statutes is amended to read:

2 71.28 (5j) (c) 3. The department of ~~eommerce or the department of safety and~~
3 ~~professional services~~ financial institutions and professional standards shall
4 establish standards to adequately prevent, in the distribution of conventional fuel
5 to an end user, the inadvertent distribution of fuel containing a higher percentage
6 of renewable fuel than the maximum percentage established by the federal
7 environmental protection agency for use in conventionally-fueled engines.

8 SECTION 232. 71.28 (5r) (a) 2. of the statutes is amended to read:

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9 71.28 (5r) (a) 2. "Course of instruction" has the meaning given in s. 38.50 (1)
10 (e) 37.01 (3).

11 SECTION 233. 71.28 (5r) (a) 6. b. of the statutes is amended to read:

12 71.28 (5r) (a) 6. b. A school approved under s. ~~38.50~~ ch. 37, if the delivery of
13 education occurs in this state.

14 SECTION 234. 71.47 (5r) (a) 2. of the statutes is amended to read:

15 71.47 (5r) (a) 2. "Course of instruction" has the meaning given in s. 38.50 (1)
16 (e) 37.01 (3).

17 SECTION 235. 71.47 (5r) (a) 6. b. of the statutes is amended to read:

18 71.47 (5r) (a) 6. b. A school approved under s. ~~38.50~~ ch. 37, if the delivery of
19 education occurs in this state.

20 SECTION 236. 73.0301 (1) (d) 3. of the statutes is amended to read:

21 73.0301 (1) (d) 3. A license, certificate of approval, provisional license,
22 conditional license, certification, certification card, registration, permit, training
23 permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7)
24 (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3), (3g), or (3m), ~~252.23 (2), 252.24 (2),~~

1 254.176, 254.20 (3), ~~255.08 (2) (a)~~, 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f) or
2 343.305 (6) (a) or a permit for operation of a campground specified in s. 254.47 (1).

3 **SECTION 237.** 73.0301 (1) (d) 6. of the statutes is amended to read:

4 73.0301 (1) (d) 6. A license or certificate of registration issued by the
5 department of financial institutions, ~~or a division of it~~, and professional standards
6 under ss. 138.09, 138.12, 138.14, 202.12 to 202.14, 202.22, 217.06, 218.0101 to
7 218.0163, 218.02, 218.04, 218.05, 224.72, 224.725, 224.93, or under subch. IV of ch.
8 551.

9 **SECTION 238.** 73.0301 (1) (e) of the statutes is amended to read:

10 73.0301 (1) (e) “Licensing department” means the department of
11 administration; the department of agriculture, trade and consumer protection; the
12 board of commissioners of public lands; the department of children and families; the
13 government accountability board; the department of financial institutions and
14 professional standards; the department of health services; the department of natural
15 resources; the department of public instruction; ~~the department of safety and~~
16 ~~professional services~~; the department of workforce development; the office of the
17 commissioner of insurance; or the department of transportation.

18 **SECTION 239.** 84.075 (1c) (a) of the statutes is amended to read:

19 84.075 (1c) (a) “Disabled veteran-owned business” means a business certified
20 ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

21 **SECTION 240.** 84.075 (1c) (b) of the statutes is amended to read:

22 84.075 (1c) (b) “Minority business” means a business certified ~~by the~~
23 ~~department of administration~~ under s. ~~16.287~~ 203.07 (2).

24 **SECTION 241.** 84.076 (1) (c) of the statutes is amended to read:

1 84.076 (1) (c) "Minority business" has the meaning given under s. ~~16.287~~ 203.07
2 (1) (e) 1.

3 **SECTION 242.** 84.076 (1) (d) of the statutes is amended to read:

4 84.076 (1) (d) "Minority group member" has the meaning given under s. ~~16.287~~
5 203.07 (1) (f).

6 **SECTION 243.** 85.25 (2) (c) 1m. b. of the statutes is amended to read:

7 85.25 (2) (c) 1m. b. It is currently performing a useful business function as
8 defined in s. ~~16.287~~ 203.07 (1) (h).

9 **SECTION 244.** 89.02 (3d) of the statutes is created to read:

10 89.02 (3d) "Department" means the department of agriculture, trade and
11 consumer protection.

12 **SECTION 245.** 89.063 of the statutes is created to read:

13 **89.063 Fees.** (1) The department shall determine the fees for each initial
14 license, certification, and permit issued under ss. 89.06 and 89.072, and, if
15 applicable, for renewal of the license, certification, or permit, including late fees,
16 based on the department's administrative and enforcement costs under this chapter.
17 The department shall notify the holder of each such license, certification, or permit
18 of any fee adjustment under this subsection that affects that license, certification,
19 or permit holder.

20 (2) Before the department makes any fee adjustment under sub. (1), the
21 department shall send a notification of the proposed fee adjustment to the
22 cochairpersons of the joint committee on finance. If the cochairpersons of the
23 committee do not notify the secretary within 14 working days after the date of the
24 department's notification that the committee has scheduled a meeting for the
25 purpose of reviewing the proposed fee adjustment, the fee adjustment may be made

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1 as proposed. If, within 14 working days after the date of the department's
2 notification, the cochairpersons of the committee notify the secretary that the
3 committee has scheduled a meeting for the purpose of reviewing the proposed fee
4 adjustment, the fee adjustment may be made only upon approval of the committee.

5 **SECTION 246.** 89.085 of the statutes is created to read:

6 **89.085 Unauthorized practice.** (1) The department may conduct
7 investigations, hold hearings, and make findings as to whether a person has engaged
8 in a practice or used a title without a credential required under this chapter.

9 (2) If, after holding a public hearing, the department determines that a person
10 has engaged in a practice or used a title without a required credential, the
11 department may issue a special order enjoining the person from continuing the
12 practice or use of the title.

13 (3) In lieu of holding a public hearing, if the department has reason to believe
14 that a person has engaged in a practice or used a title without a required credential,
15 the department may petition the circuit court for a temporary restraining order or
16 an injunction as provided in ch. 813.

17 (4) (a) Any person who violates a special order issued under sub. (2) may be
18 required to forfeit not more than \$10,000 for each offense. Each day of continued
19 violation constitutes a separate offense. The attorney general or any district
20 attorney may commence an action in the name of the state to recover a forfeiture
21 under this paragraph.

22 (b) Any person who violates a temporary restraining order or an injunction
23 issued by a court upon a petition under sub. (3) may be fined not less than \$25 nor
24 more than \$5,000 or imprisoned for not more than one year in the county jail or both.

25 **SECTION 247.** 93.135 (1) (a) of the statutes is renumbered 93.135 (1) (ag).

1 **SECTION 248.** 93.135 (1) (ab) of the statutes is created to read:

2 93.135 (1) (ab) A license, certification, or permit under ch. 89.

 ****NOTE: Please let me know if this treatment is inconsistent with your intent. Among other things, adding the new ch. 89 to the list under s. 93.135 (1), stats., continues for veterinarians and veterinary technicians vis-a-vis DATCP the authority of DSPS under ss. 440.12 and 440.13, stats. See DATCP's similar authority under s. 93.135 (3) and (4). MPG

 ****NOTE: Also, do you want to carry over to DATCP the responsibilities of DSPS under s. 440.121, stats., concerning declarations of incompetence, or, for that matter, any other specific duty or power of DSPS under ch. 440 that is not otherwise included in the draft? See also s. 54.25 (2) (c) 1. d., stats., concerning declarations of incompetence to exercise certain rights, including obtaining a credential under chs. 440 to 480. MPG

3 **SECTION 249.** 93.20 (1) of the statutes is amended to read:

4 93.20 (1) DEFINITION. In this section, "action" means an action that is
5 commenced in court by, or on behalf of, the department of agriculture, trade and
6 consumer protection to enforce chs. 88, ~~89~~, 91 to 100, or 126.

7 **SECTION 250.** 93.22 (1) of the statutes is amended to read:

8 93.22 (1) In cases arising under chs. 88, ~~89~~, and 93 to 100, the department may
9 be represented by its attorney.

10 **SECTION 251.** 93.22 (2) of the statutes is amended to read:

11 93.22 (2) The department may, with the approval of the governor, appoint
12 special counsel to prosecute or assist in the prosecution of any case arising under chs.
13 88, ~~89~~, and 93 to 100. The cost of such special counsel shall be charged to the
14 appropriation for the department.

15 **SECTION 252.** 93.22 (3) of the statutes is amended to read:

16 93.22 (3) In any criminal or civil action under chs. 88, ~~89~~, and 93 to 100, any
17 exception, exemption, proviso, excuse, or qualification contained in any of said
18 chapters, or in any order, standard, or regulation thereunder, may be proved by the
19 defendant, but need not be specified or negatived in the information or complaint,

1 and, if so specified or negated, no proof in relation to the matters so specified or
2 negated, shall be required of the plaintiff.

3 **SECTION 253.** 94.67 (33m) of the statutes is amended to read:

4 **94.67 (33m)** "Veterinarian" means an individual who is licensed as a
5 veterinarian under ch. ~~453~~ 89.

6 **SECTION 254.** 94.67 (33t) of the statutes is amended to read:

7 **94.67 (33t)** "Veterinary technician" means an individual who is certified as a
8 veterinary technician under ch. ~~453~~ 89.

9 **SECTION 255.** 95.21 (1) (e) of the statutes is amended to read:

10 **95.21 (1) (e)** "Veterinarian" has the meaning designated under s. ~~453.02~~ 89.02
11 (7).

12 **SECTION 256.** 95.21 (1) (em) of the statutes is amended to read:

13 **95.21 (1) (em)** "Veterinary technician" has the meaning designated under s.
14 ~~453.02~~ 89.02 (12).

15 **SECTION 257.** 95.21 (2) (a) of the statutes is amended to read:

16 **95.21 (2) (a)** *Requirement for vaccination.* Except as provided in s. 174.054 or
17 sub. (9) (d), the owner of a dog shall have the dog vaccinated against rabies by a
18 veterinarian or, if a veterinarian is physically present at the location the vaccine is
19 administered, by a veterinary technician, pursuant to s. ~~453.05~~ 89.05 (2) (d), at no
20 later than 5 months of age and revaccinated within one year after the initial
21 vaccination. If the owner obtains the dog or brings the dog into this state after the
22 dog has reached 5 months of age, the owner shall have the dog vaccinated against
23 rabies within 30 days after the dog is obtained or brought into the state unless the
24 dog has been vaccinated as evidenced by a current certificate of rabies vaccination
25 from this state or another state. The owner of a dog shall have the dog revaccinated

1 against rabies by a veterinarian or, if a veterinarian is physically present at the
 2 location the vaccine is administered, by a veterinary technician, pursuant to s.
 3 ~~453.05~~ 89.05 (2) (d), before the date that the immunization expires as stated on the
 4 certificate of vaccination or, if no date is specified, within 3 years after the previous
 5 vaccination.

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6 **SECTION 258.** 101.02 (20) (b) of the statutes is amended to read:

7 101.02 (20) (b) Except as provided in par. (e), the department of safety and
 8 professional services may not issue or renew a license unless each applicant who is
 9 an individual provides the department of safety and professional services with his
 10 or her social security number and each applicant that is not an individual provides
 11 the department of safety and professional services with its federal employer
 12 identification number. The department of safety and professional services may not
 13 disclose the social security number or the federal employer identification number of
 14 an applicant for a license or license renewal except to the department of revenue for
 15 the sole purpose of requesting certifications under s. 73.0301 and to the department
 16 of workforce development for the sole purpose of requesting certifications under s.
 17 108.227.

18 **SECTION 259.** 101.02 (20) (c) of the statutes is amended to read:

19 101.02 (20) (c) The department of safety and professional services may not
 20 issue or renew a license if the department of revenue certifies under s. 73.0301 that
 21 the applicant or licensee is liable for delinquent taxes or if the department of
 22 workforce development certifies under s. 108.227 that the applicant or licensee is
 23 liable for delinquent unemployment insurance contributions.

24 **SECTION 260.** 101.02 (20) (d) of the statutes is amended to read:

1 101.02 (20) (d) ~~The department of safety and professional services~~ shall revoke
2 a license if the department of revenue certifies under s. 73.0301 that the licensee is
3 liable for delinquent taxes or if the department of workforce development certifies
4 under s. 108.227 that the licensee is liable for delinquent unemployment insurance
5 contributions.

6 **SECTION 261.** 101.02 (20) (e) 1. of the statutes is amended to read:

7 101.02 (20) (e) 1. If an applicant who is an individual does not have a social
8 security number, the applicant, as a condition of applying for or applying to renew
9 a license shall submit a statement made or subscribed under oath or affirmation to
10 the ~~department of safety and professional services~~ that the applicant does not have
11 a social security number. The form of the statement shall be prescribed by the
12 department of children and families.

13 **SECTION 262.** 101.02 (21) (b) of the statutes is amended to read:

14 101.02 (21) (b) As provided in the memorandum of understanding under s.
15 49.857 and except as provided in par. (e), the ~~department of safety and professional~~
16 ~~services~~ may not issue or renew a license unless the applicant provides the
17 ~~department of safety and professional services~~ with his or her social security number.
18 The ~~department of safety and professional services~~ may not disclose the social
19 security number except that the ~~department of safety and professional services~~ may
20 disclose the social security number of an applicant for a license under par. (a) or a
21 renewal of a license under par. (a) to the department of children and families for the
22 sole purpose of administering s. 49.22.

23 **SECTION 263.** 101.02 (21) (e) 1. of the statutes is amended to read:

24 101.02 (21) (e) 1. If an applicant who is an individual does not have a social
25 security number, the applicant, as a condition of applying for or applying to renew

1 a license shall submit a statement made or subscribed under oath or affirmation to
2 the department of ~~safety and professional services~~ that the applicant does not have
3 a social security number. The form of the statement shall be prescribed by the
4 department of children and families.

5 **SECTION 264.** 101.12 (1) (intro.) of the statutes is amended to read:

6 101.12 (1) (intro.) Except for plans that are reviewed by the department of
7 health services under ss. 50.02 (2) (b) ~~and, 50.025, 50.36 (2), or 50.92 (3m)~~, the
8 department shall require the submission of essential drawings, calculations and
9 specifications for public buildings, public structures and places of employment
10 including the following components:

11 **SECTION 265.** 101.149 (6) (b) of the statutes is amended to read:

12 101.149 (6) (b) The department shall promulgate rules, in consultation with
13 the department of health services, under which the department of ~~safety and~~
14 ~~professional services~~ shall authorize certified heating, ventilating, and air
15 conditioning inspectors to conduct regular inspections of sealed combustion units, as
16 required under sub. (5) (c), for carbon monoxide emissions in residential buildings
17 other than hotels, tourist rooming houses, and bed and breakfast establishments.
18 The rules shall specify conditions under which it may issue orders as specified under
19 sub. (8) (a). The rules may not require the department of ~~safety and professional~~
20 ~~services~~ to authorize inspection of sealed combustion units during the period in
21 which the sealed combustion units are covered by a manufacturer's warranty against
22 defects.

23 **SECTION 266.** 101.149 (8) (a) of the statutes is amended to read:

24 101.149 (8) (a) If the department of ~~safety and professional services~~ or the
25 department of health services determines after an inspection of a building under this

1 section or s. 254.74 (1g) that the owner of the building has violated sub. (2) or (3), the
2 respective department shall issue an order requiring the person to correct the
3 violation within 5 days or within such shorter period as the respective department
4 determines is necessary to protect public health and safety. If the person does not
5 correct the violation within the time required, he or she shall forfeit \$50 for each day
6 of violation occurring after the date on which the respective department finds that
7 the violation was not corrected.

8 **SECTION 267.** 101.31 of the statutes is repealed.

9 **SECTION 268.** 101.573 (3) (a) of the statutes is amended to read:

10 101.573 (3) (a) On or before May 1 in each year, the department shall compile
11 the fire department dues paid by all insurers under s. 601.93 and the dues paid by
12 the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5%
13 and certify to the secretary of administration the proper amount to be paid from the
14 appropriation under s. ~~20.165 (2)~~ 20.142 (4) (L) to each city, village, or town entitled
15 to fire department dues under s. 101.575. Annually, on or before August 1, the
16 secretary of administration shall pay the amounts certified by the department to the
17 cities, villages and towns eligible under s. 101.575.

18 **SECTION 269.** 101.573 (5) of the statutes is amended to read:

19 101.573 (5) The department shall promulgate a rule defining “administrative
20 expenses” for purposes of s. ~~20.165 (2)~~ 20.142 (4) (La).

21 **SECTION 270.** 101.654 (1m) (e) of the statutes is amended to read:

22 101.654 (1m) (e) ~~The continuing education approved by the department under~~
23 ~~par. (b) 1. shall include courses offered by private organizations with whom the~~
24 ~~department contracts under s. 101.657.~~ The department may approve courses that
25 are offered by other states.

Continuing
education

***NOTE: Because the draft repeals s. 101.657, I have eliminated the cross-reference to s. 101.657 above. Do you also want to eliminate the requirement in s. 101.654 (1m) (e) that DFIPS must include courses offered by private organizations with whom DEIPS contracts? RNK

1 **SECTION 271.** 101.657 of the statutes is repealed.

2 **SECTION 272.** 101.935 (2) (e) of the statutes is amended to read:

3 101.935 (2) (e) Section 254.69 (2), as it applies to an agent for the department
4 of health services in the administration of s. 254.47, applies to an agent for the
5 department of ~~safety and professional services~~ in the administration of this section.

6 **SECTION 273.** 101.951 (7) (a) of the statutes is amended to read:

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

15 **SECTION 274.** 101.951 (7) (b) of the statutes is amended to read:

16 101.951 (7) (b) No license may be suspended or revoked except after a hearing
17 thereon. The department of ~~safety and professional services~~ shall give the licensee
18 at least 5 days' notice of the time and place of the hearing. The order suspending or
19 revoking such license shall not be effective until after 10 days' written notice thereof
20 to the licensee, after such hearing has been had; except that the department of ~~safety~~
21 ~~and professional services~~, when in its opinion the best interest of the public or the
22 trade demands it, may suspend a license upon not less than 24 hours' notice of
23 hearing and with not less than 24 hours' notice of the suspension of the license.

1 Matters involving suspensions and revocations brought before the department of
2 safety and professional services shall be heard and decided upon by the department
3 of administration. The division of hearings and appeals shall conduct the hearing.
4 This paragraph does not apply to licenses that are suspended or revoked under s.
5 101.02 (21).

6 **SECTION 275.** 101.951 (7) (c) of the statutes is amended to read:

7 101.951 (7) (c) The department of safety and professional services may inspect
8 the pertinent books, records, letters and contracts of a licensee. The actual cost of
9 each such examination shall be paid by such licensee so examined within 30 days
10 after demand therefor by the department, and the department may maintain an
11 action for the recovery of such costs in any court of competent jurisdiction.

12 **SECTION 276.** 101.953 (1) (a) of the statutes is amended to read:

13 101.953 (1) (a) A statement that the manufactured home meets those
14 standards prescribed by law or administrative rule of the department of
15 administration or of the department of safety and professional services that are in
16 effect at the time of the manufacture of the manufactured home.

17 **SECTION 277.** 101.973 (8) of the statutes is amended to read:

18 101.973 (8) Deposit the moneys received from the fees under sub. (7) in the
19 appropriation under s. ~~20.165 (2)~~ 20.142 (4) (j).

20 **SECTION 278.** 107.30 (10) of the statutes is amended to read:

21 107.30 (10) “Mining damage appropriation” means the appropriation under s.
22 ~~20.165 (2)~~ 20.142 (4) (a).

23 **SECTION 279.** 107.31 (5) (a) (intro.) of the statutes is amended to read:

24 107.31 (5) (a) *Calculation.* (intro.) The mining damage reserve accumulation
25 is calculated by subtracting the total amount of all mining damages awards paid

1 from the appropriation under s. 20.445 (4) (a), 2001 stats., beginning on May 22, 1980
2 or paid from the appropriation under s. ~~20.165 (2)~~ 20.142 (4) (a) from the sum of:

3 **SECTION 280.** 108.227 (1) (e) 3. of the statutes is amended to read:

4 108.227 (1) (e) 3. A license, certificate of approval, provisional license,
5 conditional license, certification, certification card, registration, permit, training
6 permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7)
7 (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3), (3g), or (3m), ~~252.23 (2), 252.24 (2),~~
8 254.176, 254.20 (3), ~~255.08 (2) (a),~~ 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f) or
9 343.305 (6) (a) or a permit for operation of a campground specified in s. 254.47 (1).

10 **SECTION 281.** 108.227 (1) (e) 6. of the statutes is amended to read:

11 108.227 (1) (e) 6. A license or certificate of registration issued by the
12 ~~department of financial institutions, or a division of it,~~ under ss. 138.09, 138.12,
13 138.14, 202.12 to 202.14, 202.22, 217.06, 218.0101 to 218.0163, 218.02, 218.04,
14 218.05, 224.72, 224.725, 224.93 or under subch. IV of ch. 551.

15 **SECTION 282.** 108.227 (1) (f) of the statutes is amended to read:

16 108.227 (1) (f) “Licensing department” means the department of
17 administration; the department of agriculture, trade and consumer protection; the
18 board of commissioners of public lands; the department of children and families; the
19 government accountability board; the department of financial institutions and
20 professional standards; the department of health services; the department of natural
21 resources; the department of public instruction; the department of revenue; ~~the~~
22 ~~department of safety and professional services~~; the office of the commissioner of
23 insurance; or the department of transportation.

24 **SECTION 283.** 111.335 (1) (cx) of the statutes is amended to read:

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1 111.335 (1) (cx) Notwithstanding s. 111.322, it is not employment
2 discrimination because of conviction record to refuse to employ or license, or to bar
3 or terminate from employment or licensure, any individual who has been convicted
4 of any offense under s. ~~38.50 (13) (e)~~ 37.13 (3).

5 SECTION 284. 112.07 (1) of the statutes is amended to read:

6 112.07 (1) Notwithstanding any other provision of the statutes, any fiduciary,
7 as defined in s. 112.01 (1) (b), who is holding securities in a fiduciary capacity, any
8 bank or trust company holding securities as a custodian or managing agent, and any
9 bank or trust company holding securities as custodian for a fiduciary may deposit or
10 arrange for the deposit of such securities in a clearing corporation as defined in s.
11 408.102 (1) (e). When the securities are so deposited, certificates representing
12 securities of the same class of the same issuer may be merged and held in bulk in the
13 name of the nominee of the clearing corporation with any other such securities
14 deposited in that clearing corporation by any person regardless of the ownership of
15 the securities, and certificates of small denomination may be merged into one or more
16 certificates of larger denomination. The records of the fiduciary and the records of
17 the bank or trust company acting as custodian, as managing agent or as custodian
18 for a fiduciary shall at all times show the name of the party for whose account the
19 securities are so deposited. Ownership of, and other interests in, the securities may
20 be transferred by bookkeeping entry on the books of the clearing corporation without
21 physical delivery of certificates representing the securities. A bank or trust company
22 which deposits securities pursuant to this section shall be subject to such rules and
23 regulations as, in the case of state chartered institutions, the ~~division of banking~~
24 department of financial institutions and professional standards and, in the case of
25 national banking associations, the comptroller of the currency may from time to time

1 issue. A bank or trust company acting as custodian for a fiduciary shall, on demand
2 by the fiduciary, certify in writing to the fiduciary the securities deposited by the
3 bank or trust company in a clearing corporation pursuant to this section for the
4 account of the fiduciary. A fiduciary shall, on demand by any party to a judicial
5 proceeding for the settlement of the fiduciary's account or on demand by the attorney
6 for such a party, certify in writing to the party the securities deposited by the
7 fiduciary in the clearing corporation for its account as such fiduciary.

8 **SECTION 285.** 119.495 (2) of the statutes is amended to read:

9 119.495 (2) The board shall include in its budget transmitted to the common
10 council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing
11 to be authorized in the budget for the ensuing year. The common council shall issue
12 the notes and levy a direct annual irrevocable tax sufficient to pay the principal and
13 interest on the notes as they become due. The common council may issue the notes
14 by private sale. The common council shall make every effort to involve a minority
15 investment firm certified under s. ~~16.287~~ 203.07 as managing underwriter of the
16 notes or to engage a minority financial adviser certified under s. ~~16.287~~ 203.07 to
17 advise the city regarding any public sale of the notes.

18 **SECTION 286.** 119.496 (2) of the statutes is amended to read:

19 119.496 (2) The board shall include in its budget transmitted to the common
20 council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing
21 to be authorized in the budget for the ensuing year. The common council shall issue
22 the notes and levy a direct annual irrevocable tax sufficient to pay the principal and
23 interest on the notes as they become due. The common council may issue the notes
24 by private sale. The common council shall establish goals of involving minority
25 investment firms certified under s. ~~16.287~~ 203.07 as managing underwriters for at

1 least 50% of the total amount financed by the notes and of engaging a minority
2 financial adviser certified under s. ~~16.287~~ 203.07 to advise the city regarding any
3 public sale of the notes.

4 **SECTION 287.** 138.055 (4) (d) of the statutes is amended to read:

5 138.055 (4) (d) ~~The division of banking~~ department of financial institutions and
6 professional standards for all other lenders.

7 **SECTION 288.** 138.056 (1) (a) 4. d. of the statutes is amended to read:

8 138.056 (1) (a) 4. d. ~~The division of banking~~ department of financial
9 institutions and professional standards for all other lenders.

10 **SECTION 289.** 138.09 (1d) of the statutes is amended to read:

11 138.09 (1d) In this section, “~~division~~” “department” means the ~~division of~~
12 ~~banking~~ department of financial institutions and professional standards.

13 **SECTION 290.** 138.12 (1) (a) of the statutes is repealed.

14 **SECTION 291.** 138.12 (1) (am) of the statutes is created to read:

15 138.12 (1) (am) “Department” means the department of financial institutions
16 and professional standards.

17 **SECTION 292.** 138.14 (1) (f) of the statutes is repealed.

18 **SECTION 293.** 138.14 (9r) (f) of the statutes is amended to read:

19 138.14 (9r) (f) ~~The division~~ department shall make copies of the informational
20 materials under par. (a) available, upon request, to licensees and to the public,
21 including making these informational materials available on the department’s
22 Internet site of the ~~department of financial institutions~~. The ~~division~~ department
23 may charge licensees a reasonable fee for printed copies of informational materials
24 supplied under this paragraph.

25 **SECTION 294.** 138.16 (1) (a) of the statutes is amended to read:

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1 138.16 (1) (a) ~~“Division”~~ Department means the division of banking attached
2 to the department of financial institutions and professional standards.

3 **SECTION 295.** 145.01 (4m) of the statutes is renumbered 145.01 (4m) (intro.)
4 and amended to read:

5 145.01 (4m) FAILING PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM. (intro.)
6 “Failing private on-site wastewater treatment system” ~~has the meaning specified~~
7 under s. 145.245 (4). means a private on-site wastewater treatment system that
8 causes or results in any of the following conditions:

9 **SECTION 296.** 145.01 (4m) (a) of the statutes is created to read:

10 145.01 (4m) (a) The discharge of sewage into surface water or groundwater.

11 **SECTION 297.** 145.01 (4m) (b) of the statutes is created to read:

12 145.01 (4m) (b) The introduction of sewage into zones of saturation which
13 adversely affects the operation of a private on-site wastewater treatment system.

14 **SECTION 298.** 145.01 (4m) (c) of the statutes is created to read:

15 145.01 (4m) (c) The discharge of sewage to a drain tile or into zones of bedrock.

16 **SECTION 299.** 145.01 (4m) (d) of the statutes is created to read:

17 145.01 (4m) (d) The discharge of sewage to the surface of the ground.

18 **SECTION 300.** 145.01 (4m) (e) of the statutes is created to read:

19 145.01 (4m) (e) The failure to accept sewage discharges and backup of sewage
20 into the structure served by the private on-site wastewater treatment system.

21 **SECTION 301.** 145.01 (12) of the statutes is amended to read:

22 145.01 (12) PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM. “Private on-site
23 wastewater treatment system” means a sewage treatment and disposal system
24 serving a single structure with a septic tank and soil absorption field located on the
25 same parcel as the structure. This term also means an alternative sewage system

1 approved by the department of natural resources including a substitute for the septic
2 tank or soil absorption field, a holding tank, a system serving more than one
3 structure or a system located on a different parcel than the structure. A private
4 on-site wastewater treatment system may be owned by the property owner or by a
5 special purpose district.

6 SECTION 302. 145.02 (title) of the statutes is amended to read:

7 145.02 (title) **Powers of the department of financial institutions and**
8 **professional standards and the department of natural resources.**

9 SECTION 303. 145.02 (2) of the statutes is amended to read:

10 145.02 (2) The Except as provided in sub. (2m), the department shall have
11 general supervision of all such plumbing and shall after public hearing prescribe and
12 publish and enforce reasonable standards therefor which shall be uniform and of
13 statewide concern so far as practicable. Any employee designated by the department
14 may act for the department in holding such public hearing. To the extent that the
15 historic building code applies to the subject matter of these standards, the standards
16 do not apply to a qualified historic building if the owner elects to be subject to s.
17 101.121.

18 SECTION 304. 145.02 (2m) of the statutes is created to read:

19 145.02 (2m) The department of natural resources shall have general
20 supervision of private on-site wastewater treatment systems and shall promulgate
21 rules establishing standards for ~~those~~ ^{private on-site wastewater treatment} systems.

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

22 SECTION 305. 145.02 (4) (a) of the statutes is amended to read:

have the powers described under s. 281.48 with respect to those systems. The department shall

1 145.02 (4) (a) The department shall prescribe rules as to the qualifications,
2 examination and licensing of master and journeyman plumbers and restricted
3 plumber licensees, for the licensing of utility contractors, for the registration of
4 plumbing apprentices and pipe layers and for the registration and training of
5 registered learners. The plumbers council, created under s. 15.407 15.177 (16), shall
6 advise the department in formulating the rules.

7 **SECTION 306.** 145.045 (1) of the statutes is amended to read:

8 145.045 (1) **POWERS AND DUTIES.** The department shall by rule establish an
9 examining program for the certification of soil testers, setting such standards as the
10 department finds necessary to accomplish the purposes of this chapter. Such
11 standards shall include formal written examinations for all applicants. The
12 department shall charge applicants for the cost of examination and certification.
13 After July 1, 1974, no person may construct soil bore holes or conduct soil percolation
14 tests or other similar tests specified by the department of natural resources that
15 relate to private on-site wastewater treatment systems unless the person holds a
16 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 DFIPS will retain authority to certify all soil testers. Is this correct? RNK

17 **SECTION 307.** 145.045 (2) of the statutes is amended to read:

18 145.045 (2) **REVOCATION OF CERTIFICATE.** The department may revoke or
19 suspend the certification of any soil tester but only after a formal hearing for the
20 practice of any fraud or deceit in obtaining the certificate or any gross negligence,
21 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

22 **SECTION 308.** 145.045 (3) of the statutes is amended to read:

1 145.045 (3) PLUMBERS AND SEPTIC TANK INSTALLERS. A plumber or septic tank
2 installer may also be a soil tester and install any system after approval of the site or
3 project by the department of financial institutions and professional standards, the
4 department of natural resources, or the governmental unit responsible for the
5 regulation of private on-site wastewater treatment systems.

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

6 **SECTION 309.** 145.14 (2) (a) of the statutes is amended to read:

7 145.14 (2) (a) *Systems or services.* Persons classified under this paragraph may
8 install septic tanks for private on-site wastewater treatment systems, may install
9 drain fields designed to serve such septic tanks, and may install sewer service from
10 the septic tank or sewer extensions from mains to the immediate inside or proposed
11 inside foundation wall of the building. Such persons may also install water services,
12 stormwater use systems, and reclaimed water systems if the services or systems are
13 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

14 **SECTION 310.** 145.17 (2) of the statutes is amended to read:

15 145.17 (2) The department shall prescribe rules as to the qualifications,
16 examination and licensing of journeymen automatic fire sprinkler system fitters and
17 automatic fire sprinkler contractors and for the registration and training of
18 automatic fire sprinkler system apprentices. The automatic fire sprinkler system
19 contractors and journeymen council, created under s. 15.407 15.177 (17), shall advise
20 the department in formulating the rules.

21 **SECTION 311.** 145.19 (1b) of the statutes is amended to read:

22 145.19 (1b) **DEFINITION.** In this section, “sanitary permit” means a permit
23 authorizing the installation of a private on-site wastewater treatment system that

1 is issued by the department of natural resources or any governmental unit
2 responsible for the regulation of private on-site wastewater treatment systems.

3 **SECTION 312.** 145.19 (1m) of the statutes is amended to read:

4 **145.19 (1m) APPLICATION PROCESS.** The department of natural resources shall
5 prescribe the information to be included in an application for a sanitary permit. The
6 applicant shall submit the completed application for a sanitary permit to the
7 governmental unit. The governmental unit shall approve or disapprove the sanitary
8 permit according to the rules promulgated by the department of natural resources
9 under this chapter.

10 **SECTION 313.** 145.19 (2) of the statutes is amended to read:

11 **145.19 (2) FEE.** No fee for a sanitary permit may be less than the amount
12 determined under by the department of natural resources by rule. The governing
13 body for the governmental unit responsible for the regulation of private on-site
14 wastewater treatment systems may establish a fee for a sanitary permit which is
15 more than the amount determined under by the department of natural resources by
16 rule. A governmental unit may not charge more than one fee for a sanitary permit
17 or the renewal of a sanitary permit in any 12-month period.

18 **SECTION 314.** 145.19 (3) of the statutes is amended to read:

19 **145.19 (3) FEES AND RECORDS OF PERMITS FORWARDED TO THE DEPARTMENT OF**
20 **NATURAL RESOURCES**. The governmental unit responsible for the regulation of private
21 on-site wastewater treatment systems shall forward to the department of natural
22 resources within 90 days after each valid permit is issued a portion of the fee, as
23 determined under by the department of natural resources by rule. The
24 governmental unit shall also compile a periodic summary of the permits that it has
25 issued. The summary shall contain the information required by the department of

1 natural resources by rule, and shall be submitted by the governmental unit to the
2 department of natural resources at intervals to be determined by the department of
3 natural resources by rule.

4 **SECTION 315.** 145.19 (6) of the statutes is amended to read:

5 145.19 (6) GROUNDWATER FEE. In addition to the fee under sub. (2), the
6 governmental unit responsible for the regulation of private on-site wastewater
7 treatment systems shall collect a groundwater fee of \$25 for each sanitary permit.
8 The governmental unit shall forward this fee to the department of natural resources
9 together with the fee under sub. (3). The moneys collected under this subsection
10 shall be credited to the environmental fund for environmental management.

11 **SECTION 316.** 145.19 (7) of the statutes is amended to read:

12 145.19 (7) PERIOD OF VALIDITY. A sanitary permit is valid for 2 years from the
13 date of issue and renewable for similar periods thereafter. A sanitary permit shall
14 remain valid to the end of the established period, notwithstanding any change in the
15 state plumbing code or in any private on-site wastewater treatment system
16 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

17 **SECTION 317.** 145.20 (2) (e) of the statutes is amended to read:

18 145.20 (2) (e) File reports and conduct surveys and inspections as required by
19 the governmental unit responsible for the regulation of private on-site wastewater
20 treatment systems or the department of natural resources.

21 **SECTION 318.** 145.20 (2) (g) of the statutes is amended to read:

22 145.20 (2) (g) Perform other duties regarding private on-site wastewater
23 treatment systems as considered appropriate by the governmental unit responsible

1 for the regulation of private on-site wastewater treatment systems or as required by
2 the rules of the department of natural resources.

3 **SECTION 319.** 145.20 (3) (title) of the statutes is amended to read:

4 145.20 (3) (title) DEPARTMENT OF NATURAL RESOURCES RESPONSIBILITIES.

5 **SECTION 320.** 145.20 (3) (a) 1. of the statutes is amended to read:

6 145.20 (3) (a) 1. The department of natural resources may specify categories
7 of private on-site wastewater treatment systems for which approval by the
8 department of natural resources is required prior to issuance of sanitary permits by
9 the governmental unit responsible for the regulation of private on-site wastewater
10 treatment systems.

11 **SECTION 321.** 145.20 (3) (a) 2. of the statutes is amended to read:

12 145.20 (3) (a) 2. The department of natural resources may exempt a
13 governmental unit from any category of private on-site wastewater treatment
14 systems for which departmental approval by the department of natural resources is
15 required prior to sanitary permit issuance under subd. 1., upon a determination, in
16 accordance with rules promulgated by the department of natural resources, that past
17 performance of the governmental unit on reviews and audits under par. (b) has been
18 satisfactory and that the governmental unit has the capacity to give the same level
19 of application and plan review as that provided by the department of natural
20 resources. The department of natural resources may revoke an exemption upon a
21 finding that performance of the governmental unit on a review or audit conducted
22 subsequent to the granting of the exemption is unsatisfactory or that the
23 governmental unit is not giving the same level of application and plan review as that
24 provided by the department of natural resources. Findings in a revocation action
25 may be made only after a public hearing upon 30 days' advance notice to the clerk

SECTION 321

1 of the governmental unit. The department of natural resources shall submit a report
2 under s.13.172 (2) to the chief clerk of each house of the legislature, at the beginning
3 of each legislative session, describing the exemptions under this subdivision.

4 **SECTION 322.** 145.20 (3) (b) of the statutes is amended to read:

5 145.20 (3) (b) The department of natural resources shall review the private
6 on-site wastewater treatment system program in each governmental unit
7 responsible for the regulation of private on-site wastewater treatment systems to
8 ascertain compliance with sub. (2) and with regulations issued by the department of
9 natural resources. This review shall include a random audit of sanitary permits,
10 including verification by on-site inspection.

11 **SECTION 323.** 145.20 (3) (c) of the statutes is amended to read:

12 145.20 (3) (c) If the governing body for a governmental unit responsible for the
13 regulation of private on-site wastewater treatment systems does not adopt a private
14 on-site wastewater treatment system ordinance meeting the requirements of s.
15 59.70 (5) or if the governmental unit does not appoint personnel meeting the
16 requirements of sub. (1) or if the governmental unit does not comply with the
17 requirements of sub. (2) or s. 145.19 (3), the department of natural resources may
18 conduct hearings in the county seat upon 30 days' notice to the county clerk. As soon
19 as practicable after the public hearing, the department of natural resources shall
20 issue a written decision regarding compliance with s. 59.70 (5) or 145.19 (3) or sub.
21 (1) or (2). If the department of natural resources determines that there is a violation
22 of these provisions, the governmental unit may not issue a sanitary permit for the
23 installation of a private on-site wastewater treatment system until the violation is
24 corrected.

25 **SECTION 324.** 145.20 (3) (d) of the statutes is amended to read:

and may consult with the department of financial institutions and professional standards

1 145.20 (3) (d) The department of natural resources shall conduct training and
2 informational programs for officials of the governmental unit responsible for the
3 regulation of private on-site wastewater treatment systems and employees and
4 persons licensed under this chapter and s. 281.48 and certified as operators of
5 septage servicing vehicles under s. 281.17 (3) to improve the delivery of service under
6 the private on-site wastewater treatment system program. The department of of
7 natural resources shall obtain the assistance of the Wisconsin counties association
8 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

9 SECTION 325. 145.20 (5) (a) of the statutes is amended to read:

10 145.20 (5) (a) The department of natural resources shall establish a
11 maintenance program to be administered by governmental units responsible for the
12 regulation of private on-site wastewater treatment systems. The department of of
13 natural resources shall determine the private on-site wastewater treatment
14 systems to which the maintenance program applies. At a minimum the maintenance
15 program is applicable to all new or replacement private on-site wastewater
16 treatment systems constructed in a governmental unit after the date on which the
17 governmental unit adopts this program. The department of natural resources may
18 apply the maintenance program by rule to private on-site wastewater treatment
19 systems constructed in a governmental unit responsible for the regulation of private
20 on-site wastewater treatment systems on or before the date on which the
21 governmental unit adopts the program. ~~The department shall determine the private~~
22 ~~on-site wastewater treatment systems to which the maintenance program applies~~

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

3 **SECTION 326.** 145.20 (5) (am) of the statutes is amended to read:

4 145.20 (5) (am) Each governmental unit responsible for the regulation of
5 private on-site wastewater treatment systems shall adopt and begin the
6 administration of the program established under par. (a) before October 1, 2019. As
7 part of adopting and administering the program, the governmental unit shall
8 conduct and maintain an inventory of all the private on-site wastewater treatment
9 systems located in the governmental unit and shall complete the initial inventory
10 before October 1, 2017. ~~In order to be eligible for grant funding under s. 145.245, a~~
11 ~~governmental unit must comply with these deadlines.~~

12 **SECTION 327.** 145.20 (5) (b) of the statutes is amended to read:

13 145.20 (5) (b) The maintenance program shall include a requirement of
14 inspection or pumping of the private on-site wastewater treatment system at least
15 once every 3 years if the private on-site wastewater treatment system does not have
16 a maintenance plan as prescribed by rule by the department of natural resources.
17 Inspections may be conducted by a master plumber, journeyman plumber or
18 restricted plumber licensed under this chapter, a person licensed under s. 281.48 or
19 by an employee of the state or governmental unit designated by the department of
20 natural resources, and the department of natural resources may determine by rule
21 other persons who are qualified to undertake required inspection, maintenance, or
22 repairs. The department of natural resources shall specify the methods to establish
23 the required frequency of inspection, maintenance, and pumping for each type of
24 private on-site wastewater treatment system that does not have a maintenance plan
25 and shall periodically update the methods.

1 SECTION 328. 145.20 (5) (c) of the statutes is amended to read:

2 145.20 (5) (c) The department of natural resources may suspend or revoke a
3 license issued under s. 281.48 or a certificate issued under s. 281.17 (3) to the
4 operator of a septage servicing vehicle if the department of natural resources finds
5 that the licensee or operator falsified information on inspection forms. The
6 department of ~~safety and professional services~~ may suspend or revoke the license of
7 a plumber licensed under this chapter if the department finds that the plumber
8 falsified information on inspection forms.

9 SECTION 329. 145.23 of the statutes is amended to read:

10 145.23 Rules. The department of natural resources may make and enforce
11 rules relating to lot size and lot elevation necessary for proper sanitary conditions
12 in the development and maintenance of subdivisions not served by a public sewer,
13 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

14 SECTION 330. 145.24 (1) of the statutes is amended to read:

15 145.24 (1) If an existing private on-site wastewater treatment system either
16 is not located in soil meeting the siting standards or is not constructed in accordance
17 with design standards promulgated under s. 145.02 or 145.13, the owner of the
18 private on-site wastewater treatment system may petition the department of natural resources for a variance to the siting or design standards.

20 SECTION 331. 145.24 (2) of the statutes is amended to read:

21 145.24 (2) The department of natural resources shall establish procedures for
22 the review and evaluation of existing private on-site wastewater treatment systems
23 which do not comply with siting or design standards.

The department of natural resources may consult with the department of financial institutions and insurance companies in accordance with this section.

1 **SECTION 332.** 145.24 (3) of the statutes is amended to read:

2 145.24 (3) Upon receipt of a petition for a variance, the department of natural
3 resources shall require the owner of the private on-site wastewater treatment
4 system to submit information necessary to evaluate the request for a variance. If the
5 department of natural resources determines that the existing private on-site
6 wastewater treatment system is not a failing private on-site wastewater treatment
7 system, and continued use of the existing private on-site wastewater treatment
8 system will not pose a threat of contamination of waters of the state, then the
9 department of natural resources may issue a variance to allow continued use of the
10 existing private on-site wastewater treatment system. The department of natural
11 resources shall rescind the variance if the existing private on-site wastewater
12 treatment system becomes a failing private on-site wastewater treatment system or
13 contaminates waters of the state.

14 **SECTION 333.** 145.245 of the statutes is repealed.

15 **SECTION 334.** 157.061 (2g) of the statutes is amended to read:

16 157.061 (2g) “Cemetery board” means the board created in s. ~~15.405~~ 15.175
17 (3m).

18 **SECTION 335.** 157.062 (1) of the statutes is amended to read:

19 157.062 (1) ORGANIZATION. Seven or more residents of the same county may
20 form a cemetery association. They shall meet, select a chairperson and secretary,
21 choose a name, fix the annual meeting date, and elect by ballot not less than 3 nor
22 more than 9 trustees whom the chairperson and secretary shall immediately divide
23 by lot into 3 classes, who shall hold their offices for 1, 2, and 3 years, respectively.
24 Within 3 days, the chairperson and secretary shall certify the corporate name, the
25 names, home addresses and business addresses of the organizers and of the trustees,

1 and their classification, and the annual meeting date acknowledged by them, and,
2 except as provided in sub. (9), deliver the certification to the department of ~~financial~~
3 ~~institutions~~. The association then has the powers of a corporation.

4 **SECTION 336.** 157.062 (2) of the statutes is amended to read:

5 157.062 (2) AMENDMENTS. The association may change its name, the number
6 of trustees or the annual meeting date by resolution at an annual meeting, or special
7 meeting called for such purpose, by a majority vote of the members present, and,
8 except as provided in sub. (9), by delivering to the department of ~~financial~~
9 ~~institutions~~ a copy of the resolution, with the date of adoption, certified by the
10 president and secretary or corresponding officers.

11 **SECTION 337.** 157.062 (6) (b) of the statutes is amended to read:

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

1 the trustees. The reorganized association may continue the name of the dissolved
2 association or may adopt a new name.

3 **SECTION 338.** 157.062 (6m) of the statutes is amended to read:

4 157.062 (6m) FORMS. The department of ~~financial institutions~~ may prescribe
5 and furnish forms for providing the information required under subs. (1) to (6).

6 **SECTION 339.** 157.062 (9) of the statutes is amended to read:

7 157.062 (9) EXEMPTIONS FOR CERTAIN CEMETERIES. In lieu of delivering a
8 certification, resolution, or copy of proceedings to the department of ~~financial~~
9 ~~institutions~~ under sub. (1), (2), or (6) (b), a cemetery association that is not required
10 to be licensed under s. 440.91 (1) or registered under s. 440.91 (1m) shall deliver the
11 certification, resolution, or copy of proceedings to the office of the register of deeds
12 of the county in which the cemetery is located.

13 **SECTION 340.** 157.064 (7) of the statutes is amended to read:

14 157.064 (7) Not more than 30 days after a transfer under sub. (6), the
15 transferring association shall notify the department of ~~financial institutions~~ in
16 writing of the transfer, including the name and address of the accepting association
17 or its treasurer. The department of ~~financial institutions~~ may prescribe and furnish
18 forms for providing the information required under this subsection.

19 **SECTION 341.** 157.11 (9m) of the statutes is amended to read:

20 157.11 (9m) ACTION BY DISTRICT ATTORNEY. If any money or property is not
21 turned over when required by this section, or default occurs under a bond, the district
22 attorney, upon the request of the department of ~~safety and professional services~~,
23 shall bring action to recover.

24 **SECTION 342.** 157.12 (3) (b) of the statutes is amended to read:

1 157.12 (3) (b) The cemetery's treasurer is the custodian of the fund. The
2 treasurer shall file with the cemetery, at the cemetery's expense, a bond with sureties
3 approved by the department of safety and professional services to indemnify the
4 cemetery against loss if the treasurer fails to maintain the fund. No indemnity is
5 required if the terms of sale of a mausoleum space require the purchaser to pay
6 directly to a trust company in the state, designated by the cemetery as custodian of
7 the fund. The fund shall be invested as provided in s. 157.19. Income from
8 investment may be used only to maintain the mausoleum, except that if the amount
9 of income exceeds the amount necessary to properly maintain the mausoleum the
10 excess amount may be used to maintain any portion of the cemetery.

11 **SECTION 343.** 157.62 (1) (a) (intro.) of the statutes is amended to read:

12 157.62 (1) (a) (intro.) Except as provided in par. (b) and s. 157.625, every
13 cemetery association shall file an annual report with the department of financial
14 institutions. The report shall be made on a calendar-year basis unless the
15 department of financial institutions, by rule, provides for other reporting periods.
16 The report is due on the 60th day after the last day of the reporting period. The
17 annual report shall include all of the following:

18 **SECTION 344.** 157.62 (1) (c) of the statutes is amended to read:

19 157.62 (1) (c) The department of financial institutions may prescribe and
20 furnish forms for reports required under this subsection. If the department of
21 financial institutions prescribes forms under this paragraph, the department of
22 financial institutions shall mail the forms to cemetery associations required to file
23 under par. (a) no later than 60 days before the reports are due.

24 **SECTION 345.** 157.65 (1) (a) of the statutes is amended to read:

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

6 **SECTION 346.** 157.65 (1) (b) of the statutes is amended to read:

7 157.65 (1) (b) If the department of safety and professional services has reason
8 to believe that any person is violating s. 157.12 or any rule promulgated under s.
9 157.12 and that the continuation of that activity might cause injury to the public
10 interest, the department of safety and professional services may investigate.

11 **SECTION 347.** 157.65 (2) of the statutes is amended to read:

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

23 **SECTION 348.** 165.825 of the statutes is amended to read:

24 **165.825 Information link.** The department of justice shall cooperate with the
25 departments of ~~safety and professional services~~, health services, and financial

1 institutions and professional standards in developing and maintaining a computer
2 linkup to provide access to the information obtained from a criminal history search.

3 **SECTION 349.** 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 350.** 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 351.** 169.01 (35) (a) of the statutes is amended to read:

19 169.01 ~~(35)~~ (a) A veterinarian who is licensed in this state to practice
20 veterinary medicine under ch. 453 ~~89~~ and who is certified under rules promulgated
21 by the department of agriculture, trade and consumer protection.

22 **SECTION 352.** 173.05 (1) (b) of the statutes is amended to read:

23 173.05 (1) (b) A person to whom par. (a) applies who is a veterinarian licensed
24 under ch. 453 ~~89~~ is not required to complete a course of training approved by the

1 department if he or she takes an examination given by the department and passes
2 the examination on the first attempt.

3 **SECTION 353.** 173.41 (2) (e) of the statutes is amended to read:

4 173.41 (2) (e) A veterinarian licensed under ch. 453 89 practicing in the normal
5 course of veterinary business within the scope of the license is not required to obtain
6 a license under this subsection.

7 **SECTION 354.** 173.41 (12) (a) 4. of the statutes is amended to read:

8 173.41 (12) (a) 4. If persons sell or offer to sell dogs at the temporary dog market
9 for 2 or more consecutive days, employ or contract with a veterinarian licensed under
10 ch. 453 89 to conduct an examination of the dogs offered for sale at the temporary dog
11 market on each day on which dogs are offered for sale and to review the information
12 provided under par. (b).

13 **SECTION 355.** 177.30 (2) of the statutes is amended to read:

14 177.30 (2) The administrator, at reasonable times and upon reasonable notice,
15 may examine the records of any person to determine whether the person has
16 complied with this chapter. The administrator may designate the ~~division of banking~~
17 department of financial institutions and professional standards or other appropriate
18 regulatory authority to examine the records of regulated institutions to determine
19 if the institutions have complied with this chapter. The administrator may conduct
20 the examination even if the person believes it is not in possession of any property
21 reportable or deliverable under this chapter.

22 **SECTION 356.** 182.028 of the statutes is amended to read:

23 **182.028 School corporations.** Any corporation formed for the establishment
24 and maintenance of schools, academies, seminaries, colleges or universities or for the
25 cultivation and practice of music shall have power to enact bylaws for the protection

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1 of its property, and provide fines as liquidated damages upon its members and
2 patrons for violating the bylaws, and may collect the same in tort actions, and to
3 prescribe and regulate the courses of instruction therein, and to confer such degrees
4 and grant such diplomas as are usually conferred by similar institutions or as shall
5 be appropriate to the courses of instruction prescribed, except that no corporation
6 shall operate or advertise a school that is subject to s. ~~38.50 (10)~~ 37.10 without
7 complying with the requirements of s. ~~38.50 ch. 37~~. Any stockholder may transfer
8 his or her stock to the corporation for its use; and if the written transfer so provides
9 the stock shall be perpetually held by the board of directors with all the rights of a
10 stockholder, including the right to vote.

11 **SECTION 357.** 186.098 (12) of the statutes is amended to read:

12 186.098 (12) LOANS TO MEMBERS. A credit union may make loans to members
13 secured by assignment or transfer of stock certificates or other evidence of the
14 borrower's ownership interest in a corporation formed for the cooperative ownership
15 of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a
16 mortgage involving a one-family residence, apply to a proceeding to enforce the
17 lender's rights in security given for a loan under this subsection. The office of credit
18 unions shall promulgate joint rules with the ~~division of banking~~ department of
19 financial institutions and professional standards that establish procedures for
20 enforcing a lender's rights in security given for a loan under this subsection.

21 **SECTION 358.** 186.235 (15) (b) of the statutes is amended to read:

22 186.235 (15) (b) Witness fees shall be the same as fees under s. 814.67 (1) (b)
23 and (c). The fees of witnesses who are called by the office in the interests of the state
24 shall be paid by the state upon presentation of proper vouchers approved by the office
25 of credit unions and charged to the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (g).

1 A witness subpoenaed by the office at the instance of a party other than the office
2 shall not be entitled to payment of fees by the state unless the office certifies that the
3 testimony was material to the purpose for which the subpoena was issued.

4 **SECTION 359.** 186.314 (2m) (e) of the statutes is amended to read:

5 186.314 (2m) (e) Upon approval by the credit union members of the proposition
6 for conversion under par. (c), the credit union shall take all necessary action under
7 ch. 214 or 221 to complete the conversion to a savings bank or state bank. Within
8 90 days after receipt from the ~~division of banking~~ department of financial
9 institutions and professional standards of a certificate of incorporation as a savings
10 bank or state bank, the credit union shall file a copy of the certificate with the office
11 of credit unions and the office of credit unions shall issue to a converting credit union
12 a certificate of conversion to a savings bank or state bank.

13 **SECTION 360.** 200.49 (1) (b) of the statutes is amended to read:

14 200.49 (1) (b) “Minority group member” has the meaning given under s. ~~16.287~~
15 203.07 (1) (f).

16 **SECTION 361.** 200.57 (1) (a) of the statutes is amended to read:

17 200.57 (1) (a) “Disabled veteran-owned financial adviser” and “disabled
18 veteran-owned investment firm” mean a financial adviser and investment firm,
19 respectively, certified by ~~the department of administration~~ under s. ~~16.283~~ 203.03
20 (3).

21 **SECTION 362.** 200.57 (1) (b) of the statutes is amended to read:

22 200.57 (1) (b) “Minority financial adviser” and “minority investment firm”
23 mean a financial adviser and investment firm, respectively, certified by ~~the~~
24 ~~department of administration~~ under s. ~~16.287~~ 203.07 (2).

25 **SECTION 363.** Chapter 203 (title) of the statutes is created to read:

CHAPTER 203**BUSINESS DEVELOPMENT**

SECTION 364. 203.01 of the statutes is created to read:

203.01 Definitions. In this chapter:

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

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

SECTION 365. 214.01 (1) (f) of the statutes is created to read:

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

SECTION 366. 214.01 (1) (im) of the statutes is repealed.

SECTION 367. 214.04 (21) (b) of the statutes is amended to read:

214.04 (21) (b) The rules of the ~~division~~ department shall provide that any remote service unit shall be available for use, on a nondiscriminatory basis, by any state or federal savings bank which has its principal place of business in this state, by any other state or federal savings bank obtaining the consent of a state or federal savings bank that has its principal place of business in this state and is using the terminal and by all customers designated by a savings bank using the unit. This paragraph does not authorize a savings bank which has its principal place of business outside this state to conduct business as a savings bank in this state. A remote service unit shall be available for use, on a nondiscriminatory basis, by any credit union, state or national bank or state or federal savings and loan association, whose home office is located in this state, if the credit union, bank or savings and loan association requests to share its use, subject to joint rules established by ~~the division~~

1 of ~~banking~~, the office of credit unions and the ~~division~~ department. The ~~division~~
2 department by order may authorize the installation and operation of a remote service
3 unit in a mobile facility, after notice and hearing upon the proposed service stops of
4 the mobile facility.

5 SECTION 368. 214.48 (4) (a) of the statutes is amended to read:

6 214.48 (4) (a) An independent qualified appraiser, designated by the board of
7 directors, who is properly licensed and certified by the department of ~~safety and~~
8 ~~professional services~~ or by another entity authorized to govern appraisal licensure
9 and certification and who meets the requirements of title XI of the financial
10 institutions reform, recovery and enforcement act of 1989, 12 USC 3331 to 3351 and
11 regulations adopted pursuant to those sections.

12 SECTION 369. 214.715 (2) of the statutes is amended to read:

13 214.715 (2) Employees of the ~~division~~ department may not be subject to any
14 civil liability or penalty, or to any criminal prosecution, for any error in judgment or
15 discretion made in good faith and upon reasonable grounds in any action taken or
16 omitted under this chapter by the employee in an official capacity.

17 SECTION 370. 214.72 (1) (am) of the statutes is repealed.

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****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)?

18 SECTION 371. 214.725 (5) of the statutes is amended to read:

19 214.725 (5) Employees of the ~~division~~ department or other designated agents
20 may administer oaths and examine and take and preserve testimony under oath as
21 to anything in the affairs or ownership of the savings bank or the entity examined.

22 SECTION 372. 214.78 (3) of the statutes is amended to read:

1 214.78 (3) A person who subpoenaes a witness shall advance the fees and
2 mileage of the witness. Witness fees shall be the same as fees under s. 814.67 (1) (b)
3 and (c). The fees of witnesses who are called by the review board in the interests of
4 the state shall be paid by the state upon presentation of proper vouchers approved
5 by the chairperson of the review board and charged to the appropriation under s.
6 ~~20.144 (1)~~ 20.142 (2) (g).

7 **SECTION 373.** 215.01 (6) of the statutes is repealed.

8 **SECTION 374.** 215.01 (6f) of the statutes is created to read:

9 215.01 (6f) “Department” means the department of financial institutions and
10 professional standards.

11 **SECTION 375.** 215.02 (4) of the statutes is amended to read:

12 215.02 (4) IMMUNITY. Employees of the ~~division~~ department shall not be subject
13 to any civil liability or penalty, nor to any criminal prosecution, for any error in
14 judgment or discretion made in good faith and upon reasonable grounds in any action
15 taken or omitted under this chapter by the employee in the employee’s official
16 capacity.

17 **SECTION 376.** 215.04 (1) (b) of the statutes is amended to read:

18 215.04 (1) (b) Review the acts, orders, and determinations of the ~~division~~
19 department under this chapter.

20 **SECTION 377.** 215.04 (3) of the statutes is amended to read:

21 215.04 (3) WITNESS FEES. A person who causes a witness to be subpoenaed shall
22 advance the fees and mileage expense of the witness. Witness fees shall be the same
23 as fees under s. 814.67 (1) (b) and (c). The fees of witnesses who are called by the
24 review board in the interests of the state shall be paid by the state upon presentation

1 of proper vouchers approved by the chairperson of the review board and charged to
2 the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (g).

3 **SECTION 378.** 217.02 (2k) of the statutes is created to read:

4 217.02 (2k) “Department” means the department of financial institutions and
5 professional standards.

6 **SECTION 379.** 217.02 (2m) of the statutes is repealed.

7 **SECTION 380.** 218.02 (1) (d) of the statutes is repealed.

8 **SECTION 381.** 218.02 (1) (dm) of the statutes is created to read:

9 218.02 (1) (dm) “Department” means the department of financial institutions
10 and professional standards.

11 **SECTION 382.** 218.04 (1) (bm) of the statutes is created to read:

12 218.04 (1) (bm) “Department” means the department of financial institutions
13 and professional standards.

14 **SECTION 383.** 218.04 (1) (c) of the statutes is repealed.

15 **SECTION 384.** 218.05 (1) (cm) of the statutes is created to read:

16 218.05 (1) (cm) “Department” means the department of financial institutions
17 and professional standards.

18 **SECTION 385.** 218.05 (1) (d) of the statutes is repealed.

19 **SECTION 386.** 220.01 (1m) of the statutes is repealed.

20 **SECTION 387.** 221.0303 (2) of the statutes is amended to read:

21 221.0303 (2) OPERATION AND ACQUISITION OF CUSTOMER BANK COMMUNICATIONS
22 TERMINALS. A bank may, directly or indirectly, acquire, place, and operate, or
23 participate in the acquisition, placement, and operation of, at locations other than
24 its main or branch offices, customer bank communications terminals, in accordance
25 with rules established by the ~~division~~ department. The rules of the ~~division~~