

1 tanning facility and any other information reasonably required by the department
2 for the administration of this section.

3 **SECTION 411.** 281.57 (7) (c) 1. of the statutes is amended to read:

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

11 **SECTION 412.** 281.59 (1m) (c) of the statutes is repealed.

12 **SECTION 413.** 321.60 (1) (a) 4. of the statutes is amended to read:

13 321.60 (1) (a) 4. A license, certificate of approval, provisional license,
14 conditional license, certification, certification card, registration, permit, training
15 permit, or approval specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a),
16 ~~252.23 (2), 252.24 (2),~~ 254.176, 254.178 (2) (a), 254.20 (2), (3), or (4), 254.64 (1) (a) or
17 (b), 254.71 (2), ~~255.08 (2) (a),~~ 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f), or 343.305
18 (6) (a) or a permit for the operation of a campground specified in s. 254.47 (1).

19 **SECTION 414.** 321.60 (1) (a) 12. of the statutes is amended to read:

20 321.60 (1) (a) 12. A license or certificate of registration issued by the
21 department of financial institutions, ~~or a division of it,~~ and professional standards
22 under ss. 138.09, 138.12, 138.14, 202.13, 202.14, 217.06, 218.0101 to 218.0163,
23 218.02, 218.04, 218.05, 224.72, 224.725, or 224.93 or subch. IV of ch. 551.

24 **SECTION 415.** 409.501 (1) (b) of the statutes is amended to read:

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

5 **SECTION 416.** 426.103 of the statutes is amended to read:

6 **426.103 Administrator.** “Administrator” means the secretary of financial
7 institutions and professional standards or an employee of the department of
8 financial institutions and professional standards designated by the secretary.

9 **SECTION 417.** 426.104 (2) (intro.) of the statutes is amended to read:

10 426.104 (2) (intro.) The administrator shall report annually on practices in
11 consumer transactions, on the use of consumer credit in the state, on problems
12 attending the collection of debts, on the problems of persons of limited means in
13 consumer transactions, and on the operation of chs. 421 to 427 and 429. For the
14 purpose of making the report, the administrator may conduct research and make
15 appropriate studies. The report shall be ~~given to the division of banking for inclusion~~
16 included in the department’s report of the ~~division of banking~~ under s. 220.14 and
17 shall include:

18 **SECTION 418.** 426.203 of the statutes is amended to read:

19 **426.203 Penalties.** Whoever fails to comply with the registration
20 requirements under s. 426.201 or fails to pay a fee required under s. 426.202 may be
21 required to forfeit not more than \$50. Each day that this failure continues
22 constitutes a separate offense. Forfeitures received by the administrator under this
23 section shall be credited to the appropriation account under s. ~~20.144 (1)~~ 20.142 (2)
24 (h) and may be expended from the account only for consumer or merchant education
25 programs.

SECTION 423

1 additional moneys available for the department's general program operations as a
2 result of appropriation transfers that have been or are estimated to be made under
3 s. ~~20.165 (1)~~ 20.142 (3) (i) during the fiscal biennium in progress at the time of the
4 deadline for an adjustment under this subdivision or during the fiscal biennium
5 beginning on the July 1 immediately following the deadline for an adjustment under
6 this subdivision.

7 **SECTION 424.** 440.03 (11m) (c) of the statutes is amended to read:

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

16 **SECTION 425.** 440.03 (12m) of the statutes is amended to read:

17 440.03 (12m) The department of ~~safety and professional services~~ shall
18 cooperate with the departments of justice, children and families, and health services
19 in developing and maintaining a computer linkup to provide access to information
20 regarding the current status of a credential issued to any person by the department
21 of ~~safety and professional services~~, including whether that credential has been
22 restricted in any way.

23 **SECTION 426.** 440.13 (1) (b) of the statutes is amended to read:

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

4 **SECTION 427.** 440.22 (2) of the statutes is amended to read:

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

17 **SECTION 428.** 440.25 of the statutes is amended to read:

18 **440.25 Judicial review.** The department may seek judicial review under ch.
19 227 of any final disciplinary decision of the medical examining board or affiliated
20 credentialing board attached to the medical examining board. The department shall
21 be represented in such review proceedings by an attorney within the department.
22 Upon request of the medical examining board or the interested affiliated
23 credentialing board, the attorney general may represent the board. If the attorney
24 general declines to represent the board, the board may retain special counsel which
25 shall be paid for out of the appropriation under s. ~~20.165(1)~~ 20.142(3) (hg).

1 4. Criteria or standards, and a procedure, for a school to regain authorization
2 after its authorization has been revoked.

3 5. The fees to be paid to the department for authorization under this subsection.
4 Fees collected under this subdivision shall be sufficient to cover all costs that the
5 department incurs in authorizing proprietary schools under this subsection.

6 (d) A school issued authorization by the department under par. (b) shall
7 promptly notify the department if it loses the accreditation specified in par. (c) 1.
8 within the period of authorization.

9 (e) With respect to any school authorized by the department under par. (b) or
10 for which the department has a pending application for authorization, the
11 department shall do all of the following:

12 1. Fulfill any obligation of this state specified in 20 USC 1099a.

13 2. Cooperate with any accrediting agency or association recognized by the
14 federal secretary of education as meeting the criteria established under 20 USC
15 1099b, and with the federal secretary of education, with respect to certification or
16 recertification under 20 USC 1099c of any school for purposes of the school's
17 participation in programs of the federal department of education.

18 **SECTION 432.** 440.52 (11) (bm) of the statutes is created to read:

19 440.52 (11) (bm) If a school operating in this state proposes to discontinue its
20 operations or is in imminent danger of discontinuing its operations, the school shall
21 give notice to the department. Upon receiving this notice, if the department
22 determines that the student records of the school are in danger of being destroyed,
23 secreted, mislaid, or otherwise made unavailable to the persons who are the subjects
24 of those student records or the authorized representatives of those persons, the

1 department may take possession of those student records if those student records
2 have not already been taken into possession under par. (b) 2.

3 **SECTION 433.** 440.905 (1) of the statutes is amended to read:

4 440.905 (1) In addition to the other duties and powers of the board under this
5 subchapter, the board shall advise the secretary of ~~safety and professional services~~
6 on matters relating to cemeteries, to this chapter, or to the board.

7 **SECTION 434.** 440.92 (2) (d) of the statutes is amended to read:

8 440.92 (2) (d) A preneed seller may not sell any undeveloped space unless the
9 plans for the construction of the mausoleum have been submitted to the department
10 of ~~safety and professional services~~ for approval under s. 157.12 (2) (a) and the
11 preneed sales contract includes the following language in not less than 10-point
12 boldface type: “THE PLANS FOR CONSTRUCTING THE MAUSOLEUM SPACE
13 HAVE BEEN SUBMITTED TO THE DEPARTMENT OF ~~SAFETY AND~~
14 ~~PROFESSIONAL SERVICES~~ FINANCIAL INSTITUTIONS AND
15 PROFESSIONAL STANDARDS FOR APPROVAL. THE SELLER IS
16 RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN APPROVAL OF THE
17 PLANS BY THE DEPARTMENT OF ~~SAFETY AND PROFESSIONAL SERVICES~~
18 FINANCIAL INSTITUTIONS AND PROFESSIONAL STANDARDS, COMPLETE
19 THE CONSTRUCTION, AND OBTAIN CERTIFICATION OF THE
20 CONSTRUCTION BY THE DEPARTMENT OF ~~SAFETY AND PROFESSIONAL~~
21 SERVICES FINANCIAL INSTITUTIONS AND PROFESSIONAL STANDARDS.”

22 **SECTION 435.** 440.945 (5) (b) of the statutes is amended to read:

23 440.945 (5) (b) The department of justice or any district attorney, upon
24 informing the department of justice, may commence an action in circuit court in the
25 name of the state to restrain by temporary or permanent injunction any violation of

1 this section. The court may, prior to entry of final judgment, make such orders or
2 judgments as may be necessary to restore to any person any pecuniary loss suffered
3 because of the acts or practices involved in the action, if proof of such loss is submitted
4 to the satisfaction of the court. The department of justice may subpoena persons and
5 require the production of books and other documents, and may request the
6 department of safety and professional services to exercise its authority under par. (a)
7 to aid in the investigation of alleged violations of this section.

8 **SECTION 436.** 441.01 (7) (a) 2. of the statutes is amended to read:

9 441.01 (7) (a) 2. Pay a nursing workforce survey fee of \$4. All moneys received
10 under this subdivision shall be deposited into the general fund and credited to the
11 appropriation account under s. ~~20.165 (1)~~ 20.142 (3) (jm).

12 **SECTION 437.** 443.10 (6) of the statutes is amended to read:

13 443.10 (6) ROSTER. A roster showing the names and mailing addresses of all
14 registered surveyors shall be prepared annually by the secretary and made available
15 for purchase at cost, ~~and a copy shall be placed on file with the department of~~
16 ~~financial institutions.~~

17 **SECTION 438.** 444.04 of the statutes is amended to read:

18 **444.04 Promoter and club reports.** Within 2 business days after a promoter
19 or club holds a professional contest or amateur mixed martial arts fighting contest,
20 the club shall furnish to the department a written report, verified by the promoter
21 or by one of the club's officers under penalty of perjury, showing the number of tickets
22 sold for the contest, the amount of gross proceeds, and all other information the
23 department requires by rule to be included in the report. The department may limit,
24 suspend, revoke, or assess a forfeiture to the promoter or club for failure to comply
25 with this section or failure to provide accurate information to the department. Any

1 forfeiture collected under this section shall be deposited in the appropriation account
2 under s. ~~20.165 (1)~~ 20.142 (3) (jm).

3 **SECTION 439.** 444.14 of the statutes is amended to read:

4 **444.14 Sham contests; contestants penalized; forfeitures; hearing.** The
5 department shall ban a contestant who participates in any sham or fake professional
6 contest or amateur mixed martial arts fighting contest or violates any rule
7 promulgated by the department, and may require the contestant, the contestant's
8 manager, or the promoter of the contest to forfeit an amount determined by the
9 department, but not more than \$500. Fifty percent of all forfeitures collected under
10 this section shall be deposited in the appropriation account under s. ~~20.165 (1)~~ 20.142
11 (3) (im).

12 **SECTION 440.** 452.13 (2) (b) 1. of the statutes is amended to read:

13 452.13 (2) (b) 1. Register with the department of safety and professional
14 services the name and address of the depository institution and the number of the
15 interest-bearing common trust account.

16 **SECTION 441.** 452.13 (2) (b) 2. of the statutes is amended to read:

17 452.13 (2) (b) 2. Notify the department of safety and professional services when
18 any of the information required under subd. 1. is changed.

19 **SECTION 442.** 452.13 (2) (b) 3. of the statutes is amended to read:

20 452.13 (2) (b) 3. Furnish the department of safety and professional services
21 with a letter authorizing the department of safety and professional services and the
22 department of administration to examine and audit the interest-bearing common
23 trust account whenever the department of safety and professional services or the
24 department of administration considers it necessary.

25 **SECTION 443.** 452.13 (2) (bm) of the statutes is amended to read:

1 **463.18 Violation of law relating to body art.** Any person who willfully
2 violates or obstructs the execution of any state statute or rule, county, city, or village
3 ordinance or departmental order under this chapter and relating to the public
4 health, for which no other penalty is prescribed, shall be fined not more than \$500
5 or imprisoned for not more than 30 days or both.

6 **SECTION 450.** 551.102 (1m) of the statutes is amended to read:

7 **551.102 (1m)** “Administrator” means the ~~administrator of the division of~~
8 ~~securities in the department~~ secretary of financial institutions and professional
9 standards or an employee of the department of financial institutions and
10 professional standards designated by the secretary.

11 **SECTION 451.** 551.102 (4t) of the statutes is created to read:

12 **551.102 (4t)** “Department” means the department of financial institutions and
13 professional standards.

14 **SECTION 452.** 551.102 (5m) of the statutes is repealed.

15 **SECTION 453.** 551.202 (26) (f) (intro.) of the statutes is amended to read:

16 **551.202 (26) (f) (intro.)** Not less than 10 days prior to the commencement of an
17 offering of securities in reliance on the exemption under this subsection, the issuer
18 files a notice with the administrator, in writing or in electronic form as prescribed by
19 the administrator, which the administrator shall make available as an electronic
20 document on the ~~department of financial institutions~~ department’s Internet site,
21 containing all of the following:

22 **SECTION 454.** 551.202 (27) (h) (intro.) of the statutes is amended to read:

23 **551.202 (27) (h) (intro.)** Before the 101st offer of the security, the issuer
24 provides a notice to the administrator in writing or in electronic form, accompanied
25 by the filing fee specified in s. 551.614 (1m). The administrator shall prescribe the

1 form required for the notice and make the form available as an electronic document
2 on the ~~department of financial institutions~~ department's Internet site.
3 Notwithstanding s. 551.204 (1) and (3), the notice shall be limited to all of the
4 following:

5 **SECTION 455.** 551.205 (1) (b) 1. (intro.) of the statutes is amended to read:

6 551.205 (1) (b) 1. (intro.) The Internet site operator shall register with the
7 ~~division~~ department by filing a statement, which the administrator shall make
8 available as an electronic document on the ~~department of financial institutions~~
9 department's Internet site, accompanied by the filing fee specified in s. 551.614 (1m),
10 that includes all of the following:

11 **SECTION 456.** 551.205 (3) of the statutes is amended to read:

12 551.205 (3) If the Securities and Exchange Commission adopts rules under
13 authority of section 3 (h) of the Securities Exchange Act of 1934 (15 USC 78c (h)) and
14 P.L. 112–106, section 304, that authorize funding portals to receive commissions
15 without registering as broker–dealers under the Securities Exchange Act of 1934,
16 the ~~division~~ department shall promulgate rules authorizing Internet site operators
17 registered with the ~~division~~ department under sub. (1) (b) that are not registered as
18 broker–dealers under s. 551.401 to receive commissions. The ~~division~~ department
19 shall ensure that its rules authorizing commissions for Internet site operators are
20 consistent with rules adopted by the Securities and Exchange Commission. The
21 ~~division's~~ department's rules shall also ensure that Internet site operators that do
22 not satisfy rules adopted by the Securities and Exchange Commission have the
23 opportunity to operate in compliance with the requirements of this section.

24 **SECTION 457.** 551.206 of the statutes is amended to read:

1 **551.206 Adjustments.** At 5-year intervals after January 1, 2014, the
2 department of ~~financial institutions~~ shall adjust the monetary amounts specified in
3 s. 551.202 (26) (c) 1. a. and b. and (27) (c) 1. a. and b. to reflect changes since January
4 1, 2014, in the consumer price index for all urban consumers, Milwaukee–Racine
5 area average, as determined by the U.S. department of labor. Each adjustment shall
6 be rounded to the nearest multiple of \$50,000. Each adjustment under this section
7 shall be published on the ~~department of financial institutions~~ department's Internet
8 site.

9 **SECTION 458.** 551.601 (5) of the statutes is amended to read:

10 **551.601 (5) SECURITIES INVESTOR EDUCATION AND TRAINING FUNDING.** All moneys
11 collected from the administrative assessment under s. 551.604 (4) shall be credited
12 to the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (i). Subject to s. ~~20.144 (1)~~ 20.142
13 (2) (i), the ~~division~~ department shall use moneys credited to that appropriation for
14 the purposes specified in sub. (4) and s. ~~20.144 (1)~~ 20.142 (2) (i).

15 **SECTION 459.** 551.605 (3) (bm) 1. of the statutes is amended to read:

16 **551.605 (3) (bm) 1.** Except as provided in subd. 2., a financial institution
17 holding company whose securities have been registered under this chapter shall not
18 be required to prepare or distribute to shareholders or provide to the department of
19 ~~financial institutions~~, at any time after such registration, any financial statements,
20 financial information, annual reports, or other periodic reports except to the extent
21 required under ss. 180.1620 and 180.1622.

22 **SECTION 460.** 551.614 (5) of the statutes is amended to read:

23 **551.614 (5) FEES PAID TO STATE.** All fees and expenses collected by the ~~division~~
24 department under this section shall be deposited into the general fund and credited
25 to the appropriation account under s. ~~20.144 (1)~~ 20.142 (2) (g).

1 **SECTION 461.** 552.01 (1) of the statutes is repealed.

2 **SECTION 462.** 552.01 (1m) of the statutes is created to read:

3 552.01 (1m) “Department” means the department of financial institutions and
4 professional standards.

5 **SECTION 463.** 552.23 (1) of the statutes is amended to read:

6 552.23 (1) If the target company is an insurance company subject to regulation
7 by the commissioner of insurance, ~~a banking corporation, savings bank, or savings~~
8 ~~and loan association subject to regulation by the division of banking,~~ or a company
9 subject to regulation by the public service commission, the department of
10 transportation, or the office of the commissioner of railroads, the ~~division of~~
11 ~~securities~~ department shall promptly furnish a copy of the registration statement
12 filed under this chapter to the regulatory agency having supervision of the target
13 company. Any hearing under this chapter involving any such target company shall
14 be held jointly with the regulatory agency having supervision, and any
15 determination following the hearing shall be made jointly with that regulatory
16 agency.

17 **SECTION 464.** 553.03 (2m) of the statutes is created to read:

18 553.03 (2m) “Department” means the department of financial institutions and
19 professional standards.

20 **SECTION 465.** 553.03 (3) of the statutes is repealed.

21 **SECTION 466.** 553.605 (2) of the statutes is amended to read:

22 553.605 (2) INVESTOR EDUCATION. All moneys collected from the administrative
23 assessment under sub. (1) shall be credited to the appropriation under s. ~~20.144 (1)~~
24 20.142 (2) (i). Subject to s. ~~20.144 (1)~~ 20.142 (2) (i), the ~~division~~ department shall use
25 moneys credited to that appropriation to provide information to residents of this

1 state about franchise investments to help investors and potential investors evaluate
2 their investment decisions, protect themselves from false, fraudulent or deceptive
3 practices in connection with the offer, sale or purchase of a franchise, be alert for false
4 or misleading advertising or other harmful practices, and know their rights as
5 investors.

6 SECTION 467. 553.73 of the statutes is amended to read:

7 **553.73 Service of process.** When any person, including any nonresident of
8 this state, engages in conduct prohibited or made actionable by this chapter or any
9 rule or order under this chapter, whether or not the person has filed a consent to
10 service of process under s. 553.27 (10), and personal jurisdiction over the person
11 cannot otherwise be obtained in this state, that conduct shall be considered
12 equivalent to the person's appointment of the ~~division~~ department to be the person's
13 attorney to receive service of any lawful process in any noncriminal suit, action, or
14 proceeding against the person or the person's successor or personal representative
15 that grows out of that conduct and that is brought under this law or any rule or order
16 under this chapter, with the same force and validity as if served on the person
17 personally. Service may be made by leaving a copy of the process at the office of the
18 ~~division~~ secretary of the department, but it is not effective unless the plaintiff, who
19 may be the ~~division~~ department in a suit, action, or proceeding instituted by the
20 ~~division~~ department, immediately sends notice of the service and a copy of the
21 process by registered or certified mail to the defendant or respondent at his or her
22 last-known address or takes other steps that are reasonably calculated to give actual
23 notice, and the plaintiff's affidavit of compliance with this section is filed in the case
24 on or before the return day of the process, if any, or within any further time that the
25 court allows.

1 **SECTION 468.** 565.01 (4d) of the statutes is amended to read:

2 565.01 (4d) “Minority business” means a business certified by the department
3 of administration under s. ~~16.287~~ 203.07 (2).

4 **SECTION 469.** 565.01 (4e) of the statutes is amended to read:

5 565.01 (4e) “Minority group member” has the meaning given in s. ~~16.287~~
6 203.07 (1) (f).

7 **SECTION 470.** 601.415 (9) of the statutes is amended to read:

8 601.415 (9) CONSUMER CREDIT LAW. The commissioner shall cooperate with the
9 ~~division of banking department of financial institutions and professional standards~~
10 in the administration of ch. 424, shall determine the method for computation of
11 refunds under s. 424.205, shall approve forms, schedules of premium rates, and
12 charges under s. 424.209, and shall issue rules or orders of compliance to insurers
13 under s. 424.602.

14 **SECTION 471.** 601.72 (1) (intro.) of the statutes is amended to read:

15 601.72 (1) GENERAL. (intro.) Under procedures specified in s. 601.73, the
16 commissioner is by law constituted attorney, except in cases in which the proceeding
17 is to be brought by the state against an insurer or intermediary other than a risk
18 retention group or risk purchasing group, in which event the department of financial
19 institutions and professional standards is by law constituted attorney, to receive
20 service of summons, notices, orders, pleadings and all other legal process relating to
21 any court or administrative agency in this state for all of the following:

22 **SECTION 472.** 601.72 (2) of the statutes is amended to read:

23 601.72 (2) APPOINTMENT OF ATTORNEY. Except as provided in sub. (2m), every
24 licensed insurer by applying for and receiving a certificate of authority, every surplus
25 lines insurer by entering into a contract subject to the surplus lines law, and every

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1 unauthorized insurer by doing an insurance business in this state, is deemed to have
2 irrevocably appointed the commissioner and department of financial institutions
3 and professional standards as the insurer's attorneys in accordance with sub. (1).

4 **SECTION 473.** 601.72 (3) of the statutes is amended to read:

5 601.72 (3) OTHERS AFFECTED. The commissioner and department of financial
6 institutions and professional standards shall also be attorneys for the personal
7 representatives, receivers, trustees, or other successors in interest of the persons
8 specified in sub. (1).

9 **SECTION 474.** 601.73 (1) (intro.) of the statutes is amended to read:

10 601.73 (1) REQUIREMENTS FOR EFFECTIVE SERVICE. (intro.) Service upon the
11 commissioner or department of financial institutions and professional standards
12 under s. 601.72 is service on the principal, if:

13 **SECTION 475.** 601.73 (1) (a) of the statutes is amended to read:

14 601.73 (1) (a) Two copies of the process are left in the hands or office of the
15 commissioner or department of financial institutions and professional standards
16 respectively; and

17 **SECTION 476.** 601.73 (1) (b) of the statutes is amended to read:

18 601.73 (1) (b) The commissioner or department of financial institutions and
19 professional standards mails a copy of the process to the person served according to
20 sub. (2) (b).

21 **SECTION 477.** 601.73 (2) (a) of the statutes is amended to read:

22 601.73 (2) (a) *Records.* The commissioner and department of financial
23 institutions and professional standards shall give receipts for and keep records of all
24 process served through them.

25 **SECTION 478.** 601.73 (2) (b) of the statutes is amended to read:

1 601.73 (2) (b) *Process mailed.* The commissioner or department of financial
2 institutions and professional standards shall send immediately by certified mail to
3 the person served, at the person’s last-known principal place of business, residence
4 or post-office address or at an address designated in writing by the person, one copy
5 of any process received and shall retain the other copy.

6 **SECTION 479.** 601.73 (3) of the statutes is amended to read:

7 601.73 (3) **PROOF OF SERVICE.** A certificate by the commissioner or the
8 department of financial institutions and professional standards, showing service
9 made upon the commissioner or department of financial institutions and
10 professional standards, and attached to a copy of the process presented for that
11 purpose is sufficient evidence of the service.

12 **SECTION 480.** 601.93 (2) of the statutes is amended to read:

13 601.93 (2) Every insurer doing a fire insurance business in this state shall,
14 before March 1 in each year, file with the commissioner a statement, showing the
15 amount of premiums upon fire insurance due for the preceding calendar year.
16 Return premiums may be deducted in determining the premium on which the fire
17 department dues are computed. Payments of quarterly installments of the total
18 estimated payment for the then current calendar year under this subsection are due
19 on or before April 15, June 15, September 15 and December 15. On March 1 the
20 insurer shall pay any additional amounts due for the preceding calendar year.
21 Overpayments will be credited on the amount due April 15. The commissioner shall,
22 prior to May 1 each year, report to the department of ~~safety and professional services~~
23 financial institutions and professional standards the amount of dues paid under this
24 subsection and to be paid under s. 101.573 (1).

25 **SECTION 481.** 610.70 (1) (a) of the statutes is amended to read:

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1 610.70 (1) (a) "Health care provider" means any person licensed, registered,
2 permitted or certified by the department of health services or the department of
3 ~~safety and professional services~~ financial institutions and professional standards to
4 provide health care services, items or supplies in this state.

5 **SECTION 482.** 611.29 (1) of the statutes is amended to read:

6 611.29 (1) **RIGHT TO AMEND ARTICLES.** A stock corporation may amend its articles
7 under ss. 180.0726, 180.1001 to 180.1007, 180.1706, 180.1707 and 180.1708 (4) and
8 a mutual may amend its articles under ss. 181.1001, 181.1002 (1), 181.1003,
9 181.1005 and 181.1006, except that papers required by those sections to be filed with
10 the department of financial institutions and professional standards shall instead be
11 filed with the commissioner. Subject to sub. (3), the stock corporation or mutual may
12 amend its articles in any desired respect including substantial changes of its original
13 purposes. No amendment may be made contrary to s. 611.12 (1) to (3).

14 **SECTION 483.** 611.72 (1) of the statutes is amended to read:

15 611.72 (1) **GENERAL.** Subject to this section, ss. 180.1101, 180.1103 to 180.1106,
16 180.1706, 180.1707, and 180.1708 (5) apply to the merger of a domestic stock
17 insurance corporation or its parent insurance holding corporation, except that
18 papers required by those sections to be filed with the department of financial
19 institutions and professional standards shall instead be filed with the commissioner.

20 **SECTION 484.** 611.73 (1) (a) of the statutes is amended to read:

21 611.73 (1) (a) *In general.* Any 2 or more domestic mutuals may merge under
22 the procedures of this section and ss. 181.1105 and 181.1106, except that papers
23 required by those sections to be filed with the department of financial institutions
24 and professional standards shall instead be filed with the commissioner.

25 **SECTION 485.** 611.74 (1) of the statutes is amended to read:

1 611.74 (1) PLAN OF DISSOLUTION. At least 60 days prior to the submission to
2 shareholders or policyholders of any proposed voluntary dissolution of an insurance
3 corporation under s. 180.1402 or 181.1401 the plan shall be filed with the
4 commissioner. The commissioner may require the submission of additional
5 information to establish the financial condition of the corporation or other facts
6 relevant to the proposed dissolution. If the shareholders or policyholders adopt the
7 resolution to dissolve, the commissioner shall, within 30 days after the adoption of
8 the resolution, begin to examine the corporation. The commissioner shall approve
9 the dissolution unless, after a hearing, the commissioner finds that it is insolvent or
10 may become insolvent in the process of dissolution. Subject to chs. 600 to 645, upon
11 approval, the corporation may dissolve under ss. 180.1402 to 180.1408 and 180.1706,
12 or ss. 181.1401 to 181.1407, except that papers required by those sections to be filed
13 with the department of financial institutions and professional standards shall
14 instead be filed with the commissioner. Upon disapproval, the commissioner shall
15 petition the court for liquidation or for rehabilitation under ch. 645.

16 **SECTION 486.** 611.76 (11) of the statutes is amended to read:

17 611.76 (11) SECURITY REGULATION. The filing with the ~~division of securities~~
18 department of financial institutions and professional standards of a certified copy of
19 the plan of conversion as approved by the commissioner constitutes registration
20 under s. 551.305 of the securities authorized to be issued thereunder.

21 **SECTION 487.** 613.01 (8) (title) of the statutes is amended to read:

22 613.01 (8) (title) DEPARTMENT OF FINANCIAL INSTITUTIONS AND PROFESSIONAL
23 STANDARDS.

24 **SECTION 488.** 616.09 (1) (c) 2. of the statutes is amended to read:

1 616.09 (1) (c) 2. In all actions commenced after May 11, 1980, but before the
2 effective date of this subdivision ... [LRB inserts date], in those provisions of ch. 185
3 which apply under subd. 1. to plans authorized under s. 616.06, “department” shall
4 be deemed to read “department of financial institutions and commissioner”, except
5 in s. 185.48, where “department” shall be deemed to read “commissioner”.

6 **SECTION 489.** 616.09 (1) (c) 3. of the statutes is created to read:

7 616.09 (1) (c) 3. In all actions commenced on or after the effective date of this
8 subdivision ... [LRB inserts date], in those provisions of ch. 185 that apply under
9 subd. 1. to plans authorized under s. 616.06, “department” shall be deemed to read
10 “department of financial institutions and professional standards and commissioner,”
11 except in s. 185.48, where “department” shall be deemed to read “commissioner.”

12 **SECTION 490.** 616.74 (1) (c) of the statutes is amended to read:

13 616.74 (1) (c) A certificate from the department of financial institutions and
14 professional standards, if it is a nonprofit corporation, that it has complied with the
15 corporation laws of this state; if it is a corporation the stock of which has been or is
16 being sold to the general public, a certificate from the ~~division of securities~~
17 department of financial institutions and professional standards that it has complied
18 with the requirements of the securities law of this state.

19 **SECTION 491.** 632.10 (1) of the statutes is amended to read:

20 632.10 (1) “Building and safety standards” means the requirements of chs. 101
21 and 145 and of any rule promulgated by the department of ~~safety and professional~~
22 services of financial institutions and professional standards under ch. 101 or 145,
23 and standards of a 1st class city relating to the health and safety of occupants of
24 buildings.

25 **SECTION 492.** 644.09 (2) of the statutes is amended to read:

1 644.09 (2) AMENDMENT OF ARTICLES. A mutual holding company may amend its
2 articles in the manner provided in ss. 181.1001, 181.1002 (1), 181.1003, 181.1005 and
3 181.1006, except that papers required by those sections to be filed with the
4 department of financial institutions and professional standards shall instead be filed
5 with the commissioner. The articles may be amended in any desired respect,
6 including substantial changes of its original purposes, except that no amendment
7 may be made that is contrary to sub. (1). In addition to the requirements of s.
8 181.1005, the articles of amendment of a mutual holding company shall, if mail
9 voting is used, state the number of members voting by mail and the number of such
10 members voting for and against the amendment. No amendment may become
11 effective until the articles of amendment have been filed with the commissioner. No
12 amendment shall affect any existing cause of action in favor of or against such
13 mutual holding company, any civil, criminal, administrative or investigatory
14 proceeding to which the mutual holding company is a party or the existing rights of
15 persons other than members. In the event that the corporate name is changed by
16 amendment, no suit brought by or against such mutual holding company under its
17 former name shall abate for that reason.

18 **SECTION 493.** 766.565 (7) of the statutes is amended to read:

19 766.565 (7) With respect to consumer credit transactions, the ~~division of~~
20 banking department of financial institutions and professional standards may
21 promulgate rules to interpret this chapter and chs. 421 to 427, consistent with the
22 purposes and policies of this chapter and chs. 421 to 427.

23 **SECTION 494.** 813.05 (2) of the statutes is amended to read:

24 813.05 (2) In an action against an insurance company or fraternal benefit
25 society for an injunction or a receiver the ~~commissioner of insurance~~ department of

1 financial institutions and professional standards shall be notified. Mailing a copy
2 of such notice addressed to the ~~commissioner of insurance secretary, or department,~~
3 of financial institutions and professional standards at Madison, Wisconsin, shall be
4 sufficient service.

5 SECTION 495. 813.16 (7) of the statutes is amended to read:

6 813.16 (7) If the person seeking the appointment of a receiver under sub. (1)
7 is a savings and loan association or savings bank supervised by the ~~division of~~
8 banking department of financial institutions and professional standards or a
9 corporation supervised by the home loan bank board, federal office of thrift
10 supervision, federal deposit insurance corporation, or resolution trust corporation,
11 the court, unless the opposing party objects, shall appoint an officer of such
12 corporation as receiver to act without compensation and to give such bond as the
13 court requires.

14 SECTION 496. 940.207 (title) of the statutes is amended to read:

15 940.207 (title) ~~Battery or threat to department of safety and~~
16 professional services financial institutions and professional standards or
17 department of workforce development employee.

18 SECTION 497. 940.207 (2) (intro.) of the statutes is amended to read:

19 940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
20 cause bodily harm to the person or family member of any department of ~~safety and~~
21 professional services financial institutions and professional standards official,
22 employee, or agent whose responsibilities are primarily related to the buildings and
23 safety or professional regulation functions of that department, or any department of
24 workforce development official, employee, or agent, under all of the following
25 circumstances is guilty of a Class H felony:

1 **SECTION 498.** 940.207 (2) (a) of the statutes is amended to read:

2 940.207 (2) (a) At the time of the act or threat, the actor knows or should have
3 known that the victim is a department of ~~safety and professional services~~ financial
4 institutions and professional standards or department of workforce development
5 official, employee, or agent or a member of his or her family.

6 **SECTION 499.** 944.21 (8) (b) 3. a. of the statutes is amended to read:

7 944.21 (8) (b) 3. a. Is a technical college, is a school ~~approved~~ authorized by the
8 ~~educational approval board under s. 38.50~~ department of financial institutions and
9 professional standards under s. 440.52, or is a school described in s. ~~38.50~~ 440.52 (1)
10 (e) 6., 7. or 8.; and

11 **SECTION 500.** 948.11 (4) (b) 3. a. of the statutes is amended to read:

12 948.11 (4) (b) 3. a. Is a technical college, is a school ~~approved~~ authorized by the
13 ~~educational approval board under s. 38.50~~ department of financial institutions and
14 professional standards under s. 440.52, or is a school described in s. ~~38.50~~ 440.52 (1)
15 (e) 6., 7. or 8.; and

16 **SECTION 501.** 995.55 (1) (b) of the statutes is amended to read:

17 995.55 (1) (b) “Educational institution” means an institution of higher
18 education, as defined in s. 108.02 (18); a technical college established under s. 38.02;
19 a school, as defined in s. ~~38.50~~ 440.52 (11) (a) 2.; a public school, as described in s.
20 115.01 (1); a charter school, as defined in s. 115.001 (1); a private school, as defined
21 in s. 115.001 (3r); or a private educational testing service or administrator.

22 **SECTION 9101. Nonstatutory provisions; Administration.**

23 (1) TRANSFER OF BUSINESS CERTIFICATION PROGRAMS.

24 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
25 liabilities of the department of administration primarily related to disabled

1 veteran-owned business certifications, woman-owned business certifications, and
2 minority business certifications, as determined by the secretary of administration,
3 become the assets and liabilities of the department of financial institutions and
4 professional standards.

5 (b) *Positions and employees.* On the effective date of this paragraph, all
6 positions and all incumbent employees in the classified service of the state civil
7 service holding those positions in the department of administration performing
8 duties primarily related to disabled veteran-owned business certifications,
9 woman-owned business certifications, and minority business certifications, as
10 determined by the secretary of administration, are transferred to the department of
11 financial institutions and professional standards.

12 (c) *Employee status.* Employees transferred under paragraph (b) have all the
13 rights and the same status under chapter 230 of the statutes in the department of
14 financial institutions and professional standards that they enjoyed in the
15 department of administration immediately before the transfer. Notwithstanding
16 section 230.28 (4) of the statutes, no employee so transferred who has attained
17 permanent status in class is required to serve a probationary period.

18 (d) *Tangible personal property.* On the effective date of this paragraph, all
19 tangible personal property, including records, of the department of administration
20 primarily related to disabled veteran-owned business certifications, woman-owned
21 business certifications, and minority business certifications, as determined by the
22 secretary of administration, is transferred to the department of financial institutions
23 and professional standards.

24 (e) *Pending matters.* Any matter pending with the department of
25 administration on the effective date of this paragraph that is primarily related to

1 disabled veteran-owned business certifications, woman-owned business
2 certifications, and minority business certifications, as determined by the secretary
3 of administration, is transferred to the department of financial institutions and
4 professional standards. All materials submitted to or actions taken by the
5 department of administration with respect to the pending matter are considered as
6 having been submitted to or taken by the department of financial institutions and
7 professional standards.

8 (f) *Contracts.* All contracts entered into by the department of administration
9 in effect on the effective date of this paragraph that are primarily related to disabled
10 veteran-owned business certifications, woman-owned business certifications, and
11 minority business certifications, as determined by the secretary of administration,
12 remain in effect and are transferred to the department of financial institutions and
13 professional standards. The department of financial institutions and professional
14 standards shall carry out any obligations under those contracts unless modified or
15 rescinded by that department to the extent allowed under the contract.

16 (g) *Rules and orders.* All rules promulgated by the department of
17 administration primarily related to disabled veteran-owned business certifications,
18 woman-owned business certifications, and minority business certifications, as
19 determined by the secretary of administration, that are in effect on the effective date
20 of this paragraph remain in effect until their specified expiration dates or until
21 amended or repealed by the department of financial institutions and professional
22 standards. All orders issued by the department of administration primarily related
23 to disabled veteran-owned business certifications, woman-owned business
24 certifications, and minority business certifications, as determined by the secretary
25 of administration, that are in effect on the effective date of this paragraph remain

1 in effect until their specified expiration dates or until modified or rescinded by the
2 department of financial institutions and professional standards.

3 (2) TRANSFER OF SMALL BUSINESS REGULATORY REVIEW BOARD AND OFFICE OF
4 BUSINESS DEVELOPMENT.

5 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
6 liabilities of the department of administration primarily related to the small
7 business regulatory review board and the office of business development, as
8 determined by the secretary of administration, become the assets and liabilities of
9 the department of financial institutions and professional standards.

10 (b) *Tangible personal property.* On the effective date of this paragraph, all
11 tangible personal property, including records, of the department of administration
12 primarily related to the small business regulatory review board and the office of
13 business development, as determined by the secretary of administration, is
14 transferred to the department of financial institutions and professional standards.

15 (c) *Pending matters.* Any matter pending with the department of
16 administration on the effective date of this paragraph that is primarily related to the
17 small business regulatory review board and the office of business development, as
18 determined by the secretary of administration, is transferred to the department of
19 financial institutions and professional standards. All materials submitted to or
20 actions taken by the department of administration with respect to the pending
21 matter are considered as having been submitted to or taken by the department of
22 financial institutions and professional standards.

23 (d) *Contracts.* All contracts entered into by the department of administration
24 in effect on the effective date of this paragraph that are primarily related to the small
25 business regulatory review board and the office of business development, as

1 determined by the secretary of administration, remain in effect and are transferred
2 to the department of financial institutions and professional standards. The
3 department of financial institutions and professional standards shall carry out any
4 obligations under those contracts unless modified or rescinded by that department
5 to the extent allowed under the contract.

6 **SECTION 9114. Nonstatutory provisions; Financial Institutions.**

7 (1) MERGER WITH OTHER AGENCIES; NAME CHANGES.

8 (a) *Agency name change.*

9 1. Wherever the term “department of financial institutions” appears in the
10 statutes, as affected by the acts of 2015, the term “department of financial
11 institutions and professional standards” is substituted.

12 2. Wherever the term “secretary of financial institutions” appears in the
13 statutes, as affected by the acts of 2015, the term “secretary of financial institutions
14 and professional standards” is substituted.

15 (b) *Elimination of division of securities.*

16 1. Wherever the term “division of securities” or “division” appears in chapters
17 551, 552, and 553 of the statutes, as affected by the acts of 2015, the term
18 “department” is substituted, except in sections 551.202 (26) (h) and (i) and 552.03 (1)
19 (e) of the statutes.

20 2. Wherever the term “division’s” appears in ch. 553 of the statutes, as affected
21 by the acts of 2015, the term “department’s” is substituted.

22 (c) *Elimination of division of banking.*

23 1. Wherever the term “division of banking” appears in chapters 34, 138, and
24 227, subchapter I of chapter 218, and sections 214.592 and 215.141 of the statutes,

1 as affected by the acts of 2015, the term “department of financial institutions and
2 professional standards” is substituted.

3 2. Wherever the term “division” appears in chapters 214, 215, and 217,
4 subchapters II, III, and IV of chapter 218, and sections 138.09, 138.12, 138.14, and
5 138.16 of the statutes, as affected by the acts of 2015, the term “department” is
6 substituted.

7 3. Wherever the term “division” or “division of banking” appears in chapters
8 220, 221, 222, 223, and 224 of the statutes, as affected by the acts of 2015, the term
9 “department” is substituted, except in section 224.77 (1m) (b) of the statutes.

10 4. Wherever the term “division’s” appears in chs. 138, 214, 215, 217, 218, 220,
11 221, 222, 223, and 224 of the statutes, as affected by the acts of 2015, the term
12 “department’s” is substituted.

13 (2) ELIMINATION OF THE DEPARTMENT OF FINANCIAL INSTITUTIONS.

14 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
15 liabilities of the department of financial institutions become the assets and liabilities
16 of the department of financial institutions and professional standards.

17 (b) *Positions and employees.* On the effective date of this paragraph, all
18 positions and all incumbent employees in the classified service of the state civil
19 service holding those positions in the department of financial institutions, as
20 determined by the secretary of administration, are transferred to the department of
21 financial institutions and professional standards.

22 (c) *Employee status.* Employees transferred under paragraph (b) have all the
23 rights and the same status under chapter 230 of the statutes in the department of
24 financial institutions and professional standards or department of administration,
25 whichever is appropriate, that they enjoyed in the department of financial

1 institutions immediately before the transfer. Notwithstanding section 230.28 (4) of
2 the statutes, no employee so transferred who has attained permanent status in class
3 is required to serve a probationary period.

4 (d) *Tangible personal property.* On the effective date of this paragraph, all
5 tangible personal property, including records, of the department of financial
6 institutions is transferred to the department of financial institutions and
7 professional standards.

8 (e) *Pending matters.* Any matter pending with the department of financial
9 institutions on the effective date of this paragraph is transferred to the department
10 of financial institutions and professional standards. All materials submitted to or
11 actions taken by the department of financial institutions are considered as having
12 been submitted to or taken by the department of financial institutions and
13 professional standards.

14 (f) *Contracts.* All contracts entered into by the department of financial
15 institutions in effect on the effective date of this paragraph remain in effect and are
16 transferred to the department of financial institutions and professional standards.
17 The department of financial institutions and professional standards shall carry out
18 any obligations under those contracts unless modified or rescinded by that
19 department to the extent allowed under the contract.

20 (g) *Rules and orders.* All rules promulgated by the department of financial
21 institutions in effect on the effective date of this paragraph remain in effect until
22 their specified expiration dates or until amended or repealed by the department of
23 financial institutions and professional standards. All orders issued by the
24 department of financial institutions in effect on the effective date of this paragraph

1 remain in effect until their specified expiration dates or until modified or rescinded
2 by the department of financial institutions and professional standards.

3 **SECTION 9118. Nonstatutory provisions; Health Services.**

4 (1) TRANSFER OF BODY ART AND TANNING FACILITY REGULATION FUNCTIONS TO THE
5 DEPARTMENT OF FINANCIAL INSTITUTIONS AND PROFESSIONAL STANDARDS.

6 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
7 liabilities of the department of health services that are primarily related to the
8 regulation of tattooing, body piercing, and tanning under section 255.08, 2013 stats.,
9 and sections 252.23 to 252.25, 2013 stats., become the assets and liabilities of the
10 department of financial institutions and professional standards.

11 (b) *Tangible personal property.* On the effective date of this paragraph, all
12 tangible personal property, including records, of the department of health services
13 that are primarily related to the regulation of tattooing, body piercing, and tanning
14 under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats., as
15 determined by the secretary of administration, is transferred to the department of
16 financial institutions and professional standards.

17 (c) *Pending matters.* Any matter pending with the department of health
18 services that is primarily related to the regulation of tattooing, body piercing, and
19 tanning under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats.,
20 on the effective date of this paragraph is transferred to the department of financial
21 institutions and professional standards. All materials submitted to or actions taken
22 by the department of health services that are primarily related to the regulation of
23 tattooing, body piercing, and tanning under section 255.08, 2013 stats., and sections
24 252.23 to 252.25, 2013 stats., are considered as having been submitted to or taken
25 by the department of financial institutions and professional standards.

1 (d) *Contracts.* All contracts entered into by the department of health services
2 that are primarily related to the regulation of tattooing, body piercing, and tanning
3 under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats., in effect
4 on the effective date of this paragraph remain in effect and are transferred to the
5 department of financial institutions and professional standards. The department of
6 financial institutions and professional standards shall carry out any obligations
7 under those contracts unless modified or rescinded by that department to the extent
8 allowed under the contract.

9 (e) *Rules and orders.* All rules in chapters DHS 161 and DHS 173, Wisconsin
10 Administrative Code, and any other rules promulgated by the department of health
11 services that are primarily related to the regulation of tattooing, body piercing, and
12 tanning under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats.,
13 in effect on the effective date of this paragraph remain in effect until their specified
14 expiration dates or until amended or repealed by the department of financial
15 institutions and professional standards. All orders issued by the department of
16 health services that are primarily related to the regulation of tattooing, body
17 piercing, and tanning under section 255.08, 2013 stats., and sections 252.23 to
18 252.25, 2013 stats., in effect on the effective date of this paragraph remain in effect
19 until their specified expiration dates or until modified or rescinded by the
20 department of financial institutions and professional standards.

21 **SECTION 9138. Nonstatutory provisions; Safety and Professional**
22 **Services.**

23 (1) AGENCY NAME CHANGE. Wherever the term “safety and professional services”
24 appears in the statutes, as affected by the acts of 2015, the term “financial
25 institutions and professional standards” is substituted.

1 (2) ELIMINATION OF THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES.

2 (a) *Assets and liabilities.* Except as provided in subsection (3), on the effective
3 date of this paragraph, the assets and liabilities of the department of safety and
4 professional services become the assets and liabilities of the department of financial
5 institutions and professional standards.

6 (b) *Positions and employees.* Except as provided in subsection (3), on the
7 effective date of this paragraph, all positions and all incumbent employees in the
8 classified service of the state civil service holding those positions in the department
9 of safety and professional services, as determined by the secretary of administration,
10 are transferred to the department of financial institutions and professional
11 standards.

12 (c) *Employee status.* Employees transferred under paragraph (b) have all the
13 rights and the same status under chapter 230 of the statutes in the department of
14 financial institutions and professional standards that they enjoyed in the
15 department of safety and professional services immediately before the transfer.
16 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
17 has attained permanent status in class is required to serve a probationary period.

18 (d) *Tangible personal property.* Except as provided in subsection (3), on the
19 effective date of this paragraph, all tangible personal property, including records, of
20 the department of safety and professional services is transferred to the department
21 of financial institutions and professional standards.

22 (e) *Pending matters.* Except as provided in subsection (3), any matter pending
23 with the department of safety and professional services on the effective date of this
24 paragraph is transferred to the department of financial institutions and professional
25 standards. Except as provided in subsection (3), all materials submitted to or actions

1 taken by the department of safety and professional services are considered as having
2 been submitted to or taken by the department of financial institutions and
3 professional standards.

4 (f) *Contracts.* Except as provided in subsection (3), all contracts entered into
5 by the department of safety and professional services in effect on the effective date
6 of this paragraph remain in effect and are transferred to the department of financial
7 institutions and professional standards. The department of financial institutions
8 and professional standards shall carry out any obligations under those contracts
9 unless modified or rescinded by that department to the extent allowed under the
10 contract.

11 (g) *Rules and orders.* Except as provided in subsection (3), all rules
12 promulgated by the department of safety and professional services in effect on the
13 effective date of this paragraph remain in effect until their specified expiration dates
14 or until amended or repealed by the department of financial institutions and
15 professional standards. Except as provided in subsection (3), all orders issued by the
16 department of safety and professional services in effect on the effective date of this
17 paragraph remain in effect until their specified expiration dates or until modified or
18 rescinded by the department of financial institutions and professional standards.

19 (3) TRANSFER OF PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEMS.

20 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
21 liabilities of the department of safety and professional services that are primarily
22 related to the regulation of private on-site wastewater treatment systems, as
23 determined by the secretary of administration, become the assets and liabilities of
24 the department of natural resources.

1 (b) *Positions and employees.* On the effective date of this paragraph, all
2 positions and all incumbent employees in the classified service of the state civil
3 service holding those positions in the department of safety and professional services
4 with duties that are primarily related to the regulation of private on-site wastewater
5 treatment systems, as determined by the secretary of administration, are
6 transferred to the department of natural resources.

7 (c) *Employee status.* Employees transferred under paragraph (b) have all the
8 rights and the same status under chapter 230 of the statutes in the department of
9 natural resources that they enjoyed in the department of safety and professional
10 services immediately before the transfer. Notwithstanding section 230.28 (4) of the
11 statutes, no employee so transferred who has attained permanent status in class is
12 required to serve a probationary period.

13 (d) *Tangible personal property.* On the effective date of this paragraph, all
14 tangible personal property, including records, of the department of safety and
15 professional services that are primarily related to the regulation of private on-site
16 wastewater treatment systems, as determined by the secretary of administration, is
17 transferred to the department of natural resources.

18 (e) *Pending matters.* Any matter pending with the department of safety and
19 professional services on the effective date of this paragraph that is primarily related
20 to the regulation of private on-site wastewater treatment systems, as determined by
21 the secretary of administration, is transferred to the department of natural
22 resources. All materials submitted to or actions taken by the department of safety
23 and professional services that are primarily related to the regulation of private
24 on-site wastewater treatment systems, as determined by the secretary of

1 administration, are considered as having been submitted to or taken by the
2 department of natural resources.

3 (f) *Contracts.* All contracts entered into by the department of safety and
4 professional services in effect on the effective date of this paragraph that are
5 primarily related to the regulation of private on-site wastewater treatment systems,
6 as determined by the secretary of administration, remain in effect and are
7 transferred to the department of natural resources. The department of natural
8 resources shall carry out any obligations under those contracts unless modified or
9 rescinded by that department to the extent allowed under the contract.

10 (g) *Rules and orders.* All rules promulgated by the department of safety and
11 professional services in effect on the effective date of this paragraph that relate to
12 the regulation of private on-site wastewater treatment systems, as determined by
13 the secretary of administration, remain in effect until their specified expiration dates
14 or until amended or repealed by the department of natural resources. All orders
15 issued by the department of safety and professional services in effect on the effective
16 date of this paragraph that relate to the regulation of private on-site wastewater
17 treatment systems, as determined by the secretary of administration, remain in
18 effect until their specified expiration dates or until modified or rescinded by the
19 department of natural resources.

20 **SECTION 9143. Nonstatutory provisions; Technical College System.**

21 (1) ELIMINATION OF EDUCATIONAL APPROVAL BOARD AND TRANSFER OF FUNCTIONS.

22 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
23 liabilities of the educational approval board, other than those related to consumer
24 protection functions, as determined by the secretary of administration, become the
25 assets and liabilities of the department of financial institutions and professional

1 standards. The assets and liabilities of the educational approval board related to
2 consumer protection functions become the assets and liabilities of the department
3 of agriculture, trade and consumer protection.

4 (b) *Tangible personal property.* On the effective date of this paragraph, all
5 tangible personal property, including records, of the educational approval board,
6 other than property related to consumer protection functions, as determined by the
7 secretary of administration, is transferred to the department of financial institutions
8 and professional standards. Property related to consumer protection functions is
9 transferred to the department of agriculture, trade and consumer protection.

10 (c) *Pending matters.* Any matter pending with the educational approval board
11 on the effective date of this paragraph, other than one related to the board's
12 consumer protection functions, as determined by the secretary of administration, is
13 transferred to the department of financial institutions and professional standards.
14 Any matter related to the board's consumer protection functions is transferred to the
15 department of agriculture, trade and consumer protection. All materials submitted
16 to or actions taken by the board are considered as having been submitted to or taken
17 by the department of financial institutions and professional standards or the
18 department of agriculture, trade and consumer protection, as applicable.

19 (d) *Contracts.* All contracts entered into by the educational approval board in
20 effect on the effective date of this paragraph remain in effect and are transferred to
21 the department of financial institutions and professional standards, except that
22 those related to the board's consumer protection functions are transferred to the
23 department of agriculture, trade and consumer protection. The department of
24 financial institutions and professional standards or the department of agriculture,
25 trade and consumer protection, as applicable, shall carry out any obligations under

1 those contracts unless modified or rescinded by that department to the extent
2 allowed under the contract.

3 (e) *Rules and orders.*

4 1. All rules promulgated by the educational approval board in effect on the
5 effective date of this subdivision remain in effect until their specified expiration
6 dates or until amended or repealed by the department of financial institutions and
7 professional standards or the department of agriculture, trade and consumer
8 protection, as applicable. The secretary of administration shall determine which
9 rules of the board become those of the department of financial institutions and
10 professional standards and which rules become those of the department of
11 agriculture, trade and consumer protection.

12 2. All orders issued by the educational approval board in effect on the effective
13 date of this subdivision remain in effect until their specified expiration dates or until
14 modified or rescinded by the department of financial institutions and professional
15 standards or the department of agriculture, trade and consumer protection, as
16 applicable. The secretary of administration shall determine which orders of the
17 board become those of the department of financial institutions and professional
18 standards and which orders become those of the department of agriculture, trade
19 and consumer protection.

20 (f) *Secretary to resolve transition disagreements.* In the case of disagreement
21 among or between the educational approval board, the department of financial
22 institutions and professional standards, and the department of agriculture, trade
23 and consumer protection with respect to any matter specified in this subsection, the
24 secretary of administration shall determine the matter and shall develop a plan for
25 an orderly transfer.

SECTION 9214. Fiscal changes; Financial Institutions.

(1) GIFTS AND GRANTS. There is transferred from the appropriation account under section 20.142 (2) (h) of the statutes, as affected by this act, to the appropriation account under section 20.142 (1) (gm) of the statutes, as affected by this act, all moneys, in the amount determined by the secretary of administration, received from gifts, grants, and bequests that have been credited to the appropriation account under section 20.142 (2) (h) of the statutes, as affected by this act, and that have not been expended or encumbered on or before the effective date of this subsection.

SECTION 9238. Fiscal changes; Safety and Professional Services.

(1) GIFTS AND GRANTS TRANSFER. The unencumbered balance in the appropriation account under section 20.165 (2) (g), 2013 stats., is transferred to the appropriation account under section 20.142 (1) (gm) of the statutes, as affected by this act.

SECTION 9243. Fiscal changes; Technical College System.

(1) TRANSFERS FROM EDUCATIONAL APPROVAL BOARD.

(a) On the effective date of this paragraph, the unencumbered balances in the appropriation accounts under section 20.292 (2) (g), 2013 stats., section 20.292 (2) (gm), 2013 stats., and section 20.292 (2) (i), 2013 stats., immediately before the effective date of this paragraph, are transferred to the appropriation account under section 20.142 (3) (g) of the statutes, as affected by this act.

(b) After the effective date of this paragraph but no later than January 31, 2016, the secretary of administration shall transfer the unencumbered balance in the appropriation account under section 20.142 (3) (g) of the statutes, as affected by this act, related to consumer protection functions under section 100.67 of the statutes, as

1 created by this act, as determined by the secretary of administration, to the
2 appropriation account under section 20.115 (8) (ks) of the statutes.

3 **SECTION 9338. Initial applicability; Safety and Professional Services.**

4 (1) TRANSFER OF FUNCTIONS TO THE DEPARTMENT OF FINANCIAL INSTITUTIONS AND
5 PROFESSIONAL STANDARDS. The treatment of section 440.92 (2) (d) of the statutes first
6 applies to a preneed sales contract entered into on the effective date of this
7 subsection.

8 **SECTION 9452. Effective dates; Other.**

9 (1) ELIMINATION OF EDUCATIONAL APPROVAL BOARD. This act takes effect on
10 January 1, 2016, or on the day after publication, whichever is later.

****NOTE: This effective date provision still needs to be replaced with a
budget-style provision that lists all the statutes treated, and all the nonstatutory
provisions included, in this draft.

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(END)