

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

9 **SECTION 220.** 71.28 (5j) (a) 2d. of the statutes is amended to read:

10 71.28 (5j) (a) 2d. “Diesel replacement renewable fuel” includes biodiesel and  
11 any other fuel derived from a renewable resource that meets all of the applicable  
12 requirements of the American Society for Testing and Materials for that fuel and that  
13 the department of ~~commerce or the department of safety and professional services~~  
14 financial institutions and professional standards designates by rule as a diesel  
15 replacement renewable fuel.

16 **SECTION 221.** 71.28 (5j) (a) 2m. of the statutes is amended to read:

17 71.28 (5j) (a) 2m. “Gasoline replacement renewable fuel” includes ethanol and  
18 any other fuel derived from a renewable resource that meets all of the applicable  
19 requirements of the American Society for Testing and Materials for that fuel and that  
20 the department of ~~commerce or the department of safety and professional services~~  
21 financial institutions and professional standards designates by rule as a gasoline  
22 replacement renewable fuel.

23 **SECTION 222.** 71.28 (5j) (c) 3. of the statutes is amended to read:

24 71.28 (5j) (c) 3. The department of ~~commerce or the department of safety and~~  
25 ~~professional services~~ financial institutions and professional standards shall

**SECTION 222**

1 establish standards to adequately prevent, in the distribution of conventional fuel  
2 to an end user, the inadvertent distribution of fuel containing a higher percentage  
3 of renewable fuel than the maximum percentage established by the federal  
4 environmental protection agency for use in conventionally-fueled engines.

5 **SECTION 223.** 71.28 (5r) (a) 2. of the statutes is amended to read:

6 71.28 (5r) (a) 2. “Course of instruction” has the meaning given in s. ~~38.50~~ 440.52  
7 (1) (c).

8 **SECTION 224.** 71.28 (5r) (a) 6. b. of the statutes is amended to read:

9 71.28 (5r) (a) 6. b. A school ~~approved~~ authorized under s. ~~38.50~~ 440.52, if the  
10 delivery of education occurs in this state.

11 **SECTION 225.** 71.47 (5r) (a) 2. of the statutes is amended to read:

12 71.47 (5r) (a) 2. “Course of instruction” has the meaning given in s. ~~38.50~~ 440.52  
13 (1) (c).

14 **SECTION 226.** 71.47 (5r) (a) 6. b. of the statutes is amended to read:

15 71.47 (5r) (a) 6. b. A school ~~approved~~ authorized under s. ~~38.50~~ 440.52, if the  
16 delivery of education occurs in this state.

17 **SECTION 227.** 73.0301 (1) (d) 3. of the statutes is amended to read:

18 73.0301 (1) (d) 3. A license, certificate of approval, provisional license,  
19 conditional license, certification, certification card, registration, permit, training  
20 permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7)  
21 (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3), (3g), or (3m), ~~252.23 (2), 252.24 (2),~~  
22 254.176, 254.20 (3), ~~255.08 (2) (a),~~ 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f) or  
23 343.305 (6) (a) or a permit for operation of a campground specified in s. 254.47 (1).

24 **SECTION 228.** 73.0301 (1) (d) 6. of the statutes is amended to read:

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

6           **SECTION 229.** 73.0301 (1) (e) of the statutes is amended to read:

7           73.0301 (1) (e) “Licensing department” means the department of  
8           administration; the department of agriculture, trade and consumer protection; the  
9           board of commissioners of public lands; the department of children and families; the  
10          government accountability board; the department of financial institutions and  
11          professional standards; the department of health services; the department of natural  
12          resources; the department of public instruction; ~~the department of safety and~~  
13          ~~professional services~~; the department of workforce development; the office of the  
14          commissioner of insurance; or the department of transportation.

15          **SECTION 230.** 84.075 (1c) (a) of the statutes is amended to read:

16          84.075 (1c) (a) “Disabled veteran-owned business” means a business certified  
17          ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

18          **SECTION 231.** 84.075 (1c) (b) of the statutes is amended to read:

19          84.075 (1c) (b) “Minority business” means a business certified ~~by the~~  
20          ~~department of administration~~ under s. ~~16.287~~ 203.07 (2).

21          **SECTION 232.** 84.076 (1) (c) of the statutes is amended to read:

22          84.076 (1) (c) “Minority business” has the meaning given under s. ~~16.287~~ 203.07  
23          (1) (e) 1.

24          **SECTION 233.** 84.076 (1) (d) of the statutes is amended to read:

**SECTION 233**

1           84.076 (1) (d) “Minority group member” has the meaning given under s. ~~16.287~~  
2           203.07 (1) (f).

3           **SECTION 234.** 85.25 (2) (c) 1m. b. of the statutes is amended to read:

4           85.25 (2) (c) 1m. b. It is currently performing a useful business function as  
5           defined in s. ~~16.287~~ 203.07 (1) (h).

6           **SECTION 235.** 100.67 of the statutes is created to read:

7           **100.67 Private trade, business, technical, and other schools. (1)**

8           DEFINITIONS. In this section, unless the context clearly requires otherwise:

9           (b) “Course” has the meaning given in s. 440.52 (1) (b).

10          (c) “Course of instruction” has the meaning given in s. 440.52 (1) (c).

11          (d) “Person” has the meaning given in s. 440.52 (1) (d).

12          (e) “School” has the meaning given in s. 440.52 (1) (e).

13          **(2) RESPONSIBILITIES.** The department shall protect the general public by  
14          investigating complaints and potential violations related to this section and s.  
15          440.52.

16          **(3) RULE-MAKING POWER.** The department may promulgate rules and establish  
17          standards necessary to administer this section.

18          **SECTION 236.** 101.02 (20) (b) of the statutes is amended to read:

19          101.02 (20) (b) Except as provided in par. (e), the department of safety and  
20          professional services may not issue or renew a license unless each applicant who is  
21          an individual provides the department of safety and professional services with his  
22          or her social security number and each applicant that is not an individual provides  
23          the department of safety and professional services with its federal employer  
24          identification number. The department of safety and professional services may not  
25          disclose the social security number or the federal employer identification number of

1 an applicant for a license or license renewal except to the department of revenue for  
2 the sole purpose of requesting certifications under s. 73.0301 and to the department  
3 of workforce development for the sole purpose of requesting certifications under s.  
4 108.227.

5 **SECTION 237.** 101.02 (20) (c) of the statutes is amended to read:

6 101.02 (20) (c) The department of ~~safety and professional services~~ may not  
7 issue or renew a license if the department of revenue certifies under s. 73.0301 that  
8 the applicant or licensee is liable for delinquent taxes or if the department of  
9 workforce development certifies under s. 108.227 that the applicant or licensee is  
10 liable for delinquent unemployment insurance contributions.

11 **SECTION 238.** 101.02 (20) (d) of the statutes is amended to read:

12 101.02 (20) (d) The department of ~~safety and professional services~~ shall revoke  
13 a license if the department of revenue certifies under s. 73.0301 that the licensee is  
14 liable for delinquent taxes or if the department of workforce development certifies  
15 under s. 108.227 that the licensee is liable for delinquent unemployment insurance  
16 contributions.

17 **SECTION 239.** 101.02 (20) (e) 1. of the statutes is amended to read:

18 101.02 (20) (e) 1. If an applicant who is an individual does not have a social  
19 security number, the applicant, as a condition of applying for or applying to renew  
20 a license shall submit a statement made or subscribed under oath or affirmation to  
21 the department of ~~safety and professional services~~ that the applicant does not have  
22 a social security number. The form of the statement shall be prescribed by the  
23 department of children and families.

24 **SECTION 240.** 101.02 (21) (b) of the statutes is amended to read:

1           101.02 (21) (b) As provided in the memorandum of understanding under s.  
2           49.857 and except as provided in par. (e), the department of ~~safety and professional~~  
3           ~~services~~ may not issue or renew a license unless the applicant provides the  
4           department of ~~safety and professional services~~ with his or her social security number.  
5           The department of ~~safety and professional services~~ may not disclose the social  
6           security number except that the department of ~~safety and professional services~~ may  
7           disclose the social security number of an applicant for a license under par. (a) or a  
8           renewal of a license under par. (a) to the department of children and families for the  
9           sole purpose of administering s. 49.22.

10           **SECTION 241.** 101.02 (21) (e) 1. of the statutes is amended to read:

11           101.02 (21) (e) 1. If an applicant who is an individual does not have a social  
12           security number, the applicant, as a condition of applying for or applying to renew  
13           a license shall submit a statement made or subscribed under oath or affirmation to  
14           the department of ~~safety and professional services~~ that the applicant does not have  
15           a social security number. The form of the statement shall be prescribed by the  
16           department of children and families.

17           **SECTION 242.** 101.12 (1) (intro.) of the statutes is amended to read:

18           101.12 (1) (intro.) Except for plans that are reviewed by the department of  
19           health services under ss. 50.02 (2) (b) ~~and, 50.025, 50.36 (2), or 50.92 (3m)~~, the  
20           department shall require the submission of essential drawings, calculations and  
21           specifications for public buildings, public structures and places of employment  
22           including the following components:

23           **SECTION 243.** 101.149 (6) (b) of the statutes is amended to read:

24           101.149 (6) (b) The department shall promulgate rules, in consultation with  
25           the department of health services, under which the department of ~~safety and~~

1 ~~professional services~~ shall authorize certified heating, ventilating, and air  
2 conditioning inspectors to conduct regular inspections of sealed combustion units, as  
3 required under sub. (5) (c), for carbon monoxide emissions in residential buildings  
4 other than hotels, tourist rooming houses, and bed and breakfast establishments.  
5 The rules shall specify conditions under which it may issue orders as specified under  
6 sub. (8) (a). The rules may not require the department of ~~safety and professional~~  
7 ~~services~~ to authorize inspection of sealed combustion units during the period in  
8 which the sealed combustion units are covered by a manufacturer's warranty against  
9 defects.

10 **SECTION 244.** 101.149 (8) (a) of the statutes is amended to read:

11 101.149 (8) (a) If the department of ~~safety and professional services~~ or the  
12 department of health services determines after an inspection of a building under this  
13 section or s. 254.74 (1g) that the owner of the building has violated sub. (2) or (3), the  
14 respective department shall issue an order requiring the person to correct the  
15 violation within 5 days or within such shorter period as the respective department  
16 determines is necessary to protect public health and safety. If the person does not  
17 correct the violation within the time required, he or she shall forfeit \$50 for each day  
18 of violation occurring after the date on which the respective department finds that  
19 the violation was not corrected.

20 **SECTION 245.** 101.31 of the statutes is repealed.

21 **SECTION 246.** 101.573 (3) (a) of the statutes is amended to read:

22 101.573 (3) (a) On or before May 1 in each year, the department shall compile  
23 the fire department dues paid by all insurers under s. 601.93 and the dues paid by  
24 the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5%  
25 and certify to the secretary of administration the proper amount to be paid from the

**SECTION 246**

1 appropriation under s. ~~20.165 (2)~~ 20.142 (4) (L) to each city, village, or town entitled  
2 to fire department dues under s. 101.575. Annually, on or before August 1, the  
3 secretary of administration shall pay the amounts certified by the department to the  
4 cities, villages and towns eligible under s. 101.575.

5 **SECTION 247.** 101.573 (5) of the statutes is amended to read:

6 101.573 (5) The department shall promulgate a rule defining “administrative  
7 expenses” for purposes of s. ~~20.165 (2)~~ 20.142 (4) (La).

8 **SECTION 248.** 101.654 (1m) (e) of the statutes is amended to read:

9 101.654 (1m) (e) ~~The continuing education approved by the department under~~  
10 ~~par. (b) 1. shall include courses offered by private organizations with whom the~~  
11 ~~department contracts under s. 101.657. The department may approve continuing~~  
12 ~~education courses that are offered by other states.~~

13 **SECTION 249.** 101.657 of the statutes is repealed.

14 **SECTION 250.** 101.935 (2) (e) of the statutes is amended to read:

15 101.935 (2) (e) Section 254.69 (2), as it applies to an agent for the department  
16 of health services in the administration of s. 254.47, applies to an agent for the  
17 department of safety and professional services in the administration of this section.

18 **SECTION 251.** 101.951 (7) (a) of the statutes is amended to read:

19 101.951 (7) (a) ~~The department of safety and professional services may, without~~  
20 notice, deny the application for a license within 60 days after receipt thereof by  
21 written notice to the applicant, stating the grounds for the denial. Within 30 days  
22 after such notice, the applicant may petition the department of administration to  
23 conduct a hearing to review the denial, and a hearing shall be scheduled with  
24 reasonable promptness. The division of hearings and appeals shall conduct the



1 hearing. This paragraph does not apply to denials of applications for licenses under  
2 s. 101.02 (21).

3 **SECTION 252.** 101.951 (7) (b) of the statutes is amended to read:

4 101.951 (7) (b) No license may be suspended or revoked except after a hearing  
5 thereon. The department of safety and professional services shall give the licensee  
6 at least 5 days' notice of the time and place of the hearing. The order suspending or  
7 revoking such license shall not be effective until after 10 days' written notice thereof  
8 to the licensee, after such hearing has been had; except that the department of safety  
9 and professional services, when in its opinion the best interest of the public or the  
10 trade demands it, may suspend a license upon not less than 24 hours' notice of  
11 hearing and with not less than 24 hours' notice of the suspension of the license.  
12 Matters involving suspensions and revocations brought before the department of  
13 safety and professional services shall be heard and decided upon by the department  
14 of administration. The division of hearings and appeals shall conduct the hearing.  
15 This paragraph does not apply to licenses that are suspended or revoked under s.  
16 101.02 (21).

17 **SECTION 253.** 101.951 (7) (c) of the statutes is amended to read:

18 101.951 (7) (c) The department of safety and professional services may inspect  
19 the pertinent books, records, letters and contracts of a licensee. The actual cost of  
20 each such examination shall be paid by such licensee so examined within 30 days  
21 after demand therefor by the department, and the department may maintain an  
22 action for the recovery of such costs in any court of competent jurisdiction.

23 **SECTION 254.** 101.953 (1) (a) of the statutes is amended to read:

24 101.953 (1) (a) A statement that the manufactured home meets those  
25 standards prescribed by law or administrative rule of the department of

1 administration or of the department of safety and professional services that are in  
2 effect at the time of the manufacture of the manufactured home.

3 **SECTION 255.** 101.973 (8) of the statutes is amended to read:

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

6 **SECTION 256.** 107.30 (10) of the statutes is amended to read:

7 107.30 (10) “Mining damage appropriation” means the appropriation under s.  
8 ~~20.165 (2)~~ 20.142 (4) (a).

9 **SECTION 257.** 107.31 (5) (a) (intro.) of the statutes is amended to read:

10 107.31 (5) (a) *Calculation.* (intro.) The mining damage reserve accumulation  
11 is calculated by subtracting the total amount of all mining damages awards paid  
12 from the appropriation under s. 20.445 (4) (a), 2001 stats., beginning on May 22, 1980  
13 or paid from the appropriation under s. ~~20.165 (2)~~ 20.142 (4) (a) from the sum of:

14 **SECTION 258.** 108.227 (1) (e) 3. of the statutes is amended to read:

15 108.227 (1) (e) 3. A license, certificate of approval, provisional license,  
16 conditional license, certification, certification card, registration, permit, training  
17 permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7)  
18 (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3), (3g), or (3m), ~~252.23 (2), 252.24 (2),~~  
19 254.176, 254.20 (3), ~~255.08 (2) (a),~~ 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f) or  
20 343.305 (6) (a) or a permit for operation of a campground specified in s. 254.47 (1).

21 **SECTION 259.** 108.227 (1) (e) 6. of the statutes is amended to read:

22 108.227 (1) (e) 6. A license or certificate of registration issued by the  
23 department of financial institutions, or a division of it, under ss. 138.09, 138.12,  
24 138.14, 202.12 to 202.14, 202.22, 217.06, 218.0101 to 218.0163, 218.02, 218.04,  
25 218.05, 224.72, 224.725, 224.93 or under subch. IV of ch. 551.

1           **SECTION 260.** 108.227 (1) (f) of the statutes is amended to read:

2           108.227 (1) (f) “Licensing department” means the department of  
3 administration; the department of agriculture, trade and consumer protection; the  
4 board of commissioners of public lands; the department of children and families; the  
5 government accountability board; the department of financial institutions and  
6 professional standards; the department of health services; the department of natural  
7 resources; the department of public instruction; the department of revenue; ~~the~~  
8 ~~department of safety and professional services~~; the office of the commissioner of  
9 insurance; or the department of transportation.

10           **SECTION 261.** 111.335 (1) (cx) of the statutes is amended to read:

11           111.335 (1) (cx) Notwithstanding s. 111.322, it is not employment  
12 discrimination because of conviction record to refuse to employ or license, or to bar  
13 or terminate from employment or licensure, any individual who has been convicted  
14 of any offense under s. ~~38.50~~ 100.67 (13) (c).

15           **SECTION 262.** 112.07 (1) of the statutes is amended to read:

16           112.07 (1) Notwithstanding any other provision of the statutes, any fiduciary,  
17 as defined in s. 112.01 (1) (b), who is holding securities in a fiduciary capacity, any  
18 bank or trust company holding securities as a custodian or managing agent, and any  
19 bank or trust company holding securities as custodian for a fiduciary may deposit or  
20 arrange for the deposit of such securities in a clearing corporation as defined in s.  
21 408.102 (1) (e). When the securities are so deposited, certificates representing  
22 securities of the same class of the same issuer may be merged and held in bulk in the  
23 name of the nominee of the clearing corporation with any other such securities  
24 deposited in that clearing corporation by any person regardless of the ownership of  
25 the securities, and certificates of small denomination may be merged into one or more

1 certificates of larger denomination. The records of the fiduciary and the records of  
2 the bank or trust company acting as custodian, as managing agent or as custodian  
3 for a fiduciary shall at all times show the name of the party for whose account the  
4 securities are so deposited. Ownership of, and other interests in, the securities may  
5 be transferred by bookkeeping entry on the books of the clearing corporation without  
6 physical delivery of certificates representing the securities. A bank or trust company  
7 which deposits securities pursuant to this section shall be subject to such rules and  
8 regulations as, in the case of state chartered institutions, the ~~division of banking~~  
9 department of financial institutions and professional standards and, in the case of  
10 national banking associations, the comptroller of the currency may from time to time  
11 issue. A bank or trust company acting as custodian for a fiduciary shall, on demand  
12 by the fiduciary, certify in writing to the fiduciary the securities deposited by the  
13 bank or trust company in a clearing corporation pursuant to this section for the  
14 account of the fiduciary. A fiduciary shall, on demand by any party to a judicial  
15 proceeding for the settlement of the fiduciary's account or on demand by the attorney  
16 for such a party, certify in writing to the party the securities deposited by the  
17 fiduciary in the clearing corporation for its account as such fiduciary.

18 **SECTION 263.** 119.495 (2) of the statutes is amended to read:

19 119.495 (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 irrepealable 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 make every effort to involve a minority  
25 investment firm certified under s. ~~16.287~~ 203.07 as managing underwriter of the

1 notes or to engage a minority financial adviser certified under s. ~~16.287~~ 203.07 to  
2 advise the city regarding any public sale of the notes.

3 **SECTION 264.** 119.496 (2) of the statutes is amended to read:

4 119.496 (2) The board shall include in its budget transmitted to the common  
5 council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing  
6 to be authorized in the budget for the ensuing year. The common council shall issue  
7 the notes and levy a direct annual irrevocable tax sufficient to pay the principal and  
8 interest on the notes as they become due. The common council may issue the notes  
9 by private sale. The common council shall establish goals of involving minority  
10 investment firms certified under s. ~~16.287~~ 203.07 as managing underwriters for at  
11 least 50% of the total amount financed by the notes and of engaging a minority  
12 financial adviser certified under s. ~~16.287~~ 203.07 to advise the city regarding any  
13 public sale of the notes.

14 **SECTION 265.** 125.04 (5) (a) 5. of the statutes is amended to read:

15 125.04 (5) (a) 5. Have successfully completed within the 2 years prior to the  
16 date of application a responsible beverage server training course at any location that  
17 is offered by a technical college district and that conforms to curriculum guidelines  
18 specified by the technical college system board or a comparable training course that  
19 is approved by the department ~~or the educational approval board~~. This subdivision  
20 does not apply to an applicant who held, or who was an agent appointed and approved  
21 under sub. (6) of a corporation or limited liability company that held, within the past  
22 2 years, a Class “A”, “Class A” or “Class C” license or a Class “B” or “Class B” license  
23 or permit or a manager’s or operator’s license.

24 **SECTION 266.** 125.17 (6) (a) (intro.) of the statutes is amended to read:

1           125.17 (6) (a) (intro.) Except as provided in par. (b), no municipal governing  
2 body may issue an operator's license unless the applicant has successfully completed  
3 a responsible beverage server training course at any location that is offered by a  
4 technical college district and that conforms to curriculum guidelines specified by the  
5 technical college system board or a comparable training course, which may include  
6 computer-based training and testing, that is approved by the department ~~or the~~  
7 ~~educational approval board~~, or unless the applicant fulfills one of the following  
8 requirements:

9           **SECTION 267.** 134.66 (2m) (b) of the statutes is amended to read:

10           134.66 (2m) (b) Paragraph (a) does not apply to an agent, employee, or  
11 independent contractor who has received the training described in par. (a) as part of  
12 a responsible beverage server training course or a comparable training course, as  
13 described in s. 125.04 (5) (a) 5., that was successfully completed by the agent,  
14 employee, or independent contractor. The department of health services shall make  
15 the training program developed or approved by that department under par. (a)  
16 available to the technical college system board, and that board shall include that  
17 training program or a comparable training program approved by that department  
18 in the curriculum guidelines specified by that board under s. 125.04 (5) (a) 5. The  
19 department of health services shall also make the training program developed or  
20 approved by that department under par. (a) available to any provider of a comparable  
21 training course, as described in s. 125.04 (5) (a) 5., on request, and the department  
22 of revenue ~~or the educational approval board~~ may approve a comparable training  
23 course under s. 125.04 (5) (a) 5. only if that training course includes the training  
24 program developed or approved by the department of health services under par. (a)  
25 or a comparable training program approved by that department.

1           **SECTION 268.** 138.055 (4) (d) of the statutes is amended to read:

2           138.055 (4) (d) ~~The division of banking~~ department of financial institutions and  
3 professional standards for all other lenders.

4           **SECTION 269.** 138.056 (1) (a) 4. d. of the statutes is amended to read:

5           138.056 (1) (a) 4. d. ~~The division of banking~~ department of financial  
6 institutions and professional standards for all other lenders.

7           **SECTION 270.** 138.09 (1d) of the statutes is amended to read:

8           138.09 (1d) In this section, ~~“division”~~ “department” means the ~~division of~~  
9 banking department of financial institutions and professional standards.

10          **SECTION 271.** 138.12 (1) (a) of the statutes is repealed.

11          **SECTION 272.** 138.12 (1) (am) of the statutes is created to read:

12          138.12 (1) (am) “Department” means the department of financial institutions  
13 and professional standards.

14          **SECTION 273.** 138.14 (1) (f) of the statutes is repealed.

15          **SECTION 274.** 138.14 (9r) (f) of the statutes is amended to read:

16          138.14 (9r) (f) ~~The division~~ department shall make copies of the informational  
17 materials under par. (a) available, upon request, to licensees and to the public,  
18 including making these informational materials available on the department’s  
19 Internet site ~~of the department of financial institutions.~~ ~~The division~~ department  
20 may charge licensees a reasonable fee for printed copies of informational materials  
21 supplied under this paragraph.

22          **SECTION 275.** 138.16 (1) (a) of the statutes is amended to read:

23          138.16 (1) (a) ~~“Division”~~ Department means the ~~division of banking attached~~  
24 ~~to the~~ department of financial institutions and professional standards.

25          **SECTION 276.** 145.01 (12) of the statutes is amended to read:

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

10           **SECTION 277.** 145.02 (title) of the statutes is amended to read:

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

13           **SECTION 278.** 145.02 (2) of the statutes is amended to read:

14           145.02 (2) The Except as provided in sub. (2m), the department shall have  
15 general supervision of all such plumbing and shall after public hearing prescribe and  
16 publish and enforce reasonable standards therefor which shall be uniform and of  
17 statewide concern so far as practicable. Any employee designated by the department  
18 may act for the department in holding such public hearing. To the extent that the  
19 historic building code applies to the subject matter of these standards, the standards  
20 do not apply to a qualified historic building if the owner elects to be subject to s.  
21 101.121.

22           **SECTION 279.** 145.02 (2m) of the statutes is created to read:

23           145.02 (2m) The department of natural resources shall have general  
24 supervision of private on-site wastewater treatment systems and shall have the  
25 powers described under s. 281.48 with respect to those systems. The department



1 shall promulgate rules establishing standards for private on-site wastewater  
2 treatment systems.

3 **SECTION 280.** 145.02 (4) (a) of the statutes is amended to read:

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

10 **SECTION 281.** 145.045 (1) of the statutes is amended to read:

11 145.045 (1) POWERS AND DUTIES. The department shall by rule establish an  
12 examining program for the certification of soil testers, setting such standards as the  
13 department finds necessary to accomplish the purposes of this chapter. Such  
14 standards shall include formal written examinations for all applicants. The  
15 department shall charge applicants for the cost of examination and certification.  
16 After July 1, 1974, no person may construct soil bore holes or conduct soil percolation  
17 tests or other similar tests specified by the department of natural resources that  
18 relate to private on-site wastewater treatment systems unless the person holds a  
19 valid certificate issued under this section.

20 **SECTION 282.** 145.045 (3) of the statutes is amended to read:

21 145.045 (3) PLUMBERS AND SEPTIC TANK INSTALLERS. A plumber or septic tank  
22 installer may also be a soil tester and install any system after approval of the site or  
23 project by the department of financial institutions and professional standards, the  
24 department of natural resources, or the governmental unit responsible for the  
25 regulation of private on-site wastewater treatment systems.

1           **SECTION 283.** 145.17 (2) of the statutes is amended to read:

2           145.17 (2) The department shall prescribe rules as to the qualifications,  
3 examination and licensing of journeymen automatic fire sprinkler system fitters and  
4 automatic fire sprinkler contractors and for the registration and training of  
5 automatic fire sprinkler system apprentices. The automatic fire sprinkler system  
6 contractors and journeymen council, created under s. ~~15.407~~ 15.177 (17), shall advise  
7 the department in formulating the rules.

8           **SECTION 284.** 145.19 (1b) of the statutes is amended to read:

9           145.19 (1b) DEFINITION. In this section, “sanitary permit” means a permit  
10 authorizing the installation of a private on-site wastewater treatment system that  
11 is issued by the department of natural resources or any governmental unit  
12 responsible for the regulation of private on-site wastewater treatment systems.

13           **SECTION 285.** 145.19 (1m) of the statutes is amended to read:

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

20           **SECTION 286.** 145.19 (2) of the statutes is amended to read:

21           145.19 (2) FEE. No fee for a sanitary permit may be less than the amount  
22 determined ~~under by the~~ department of natural resources by rule. The governing  
23 body for the governmental unit responsible for the regulation of private on-site  
24 wastewater treatment systems may establish a fee for a sanitary permit which is  
25 more than the amount determined ~~under by the~~ department of natural resources by

1 rule. A governmental unit may not charge more than one fee for a sanitary permit  
2 or the renewal of a sanitary permit in any 12-month period.

3 **SECTION 287.** 145.19 (3) of the statutes is amended to read:

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

14 **SECTION 288.** 145.19 (6) of the statutes is amended to read:

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

21 **SECTION 289.** 145.20 (2) (e) of the statutes is amended to read:

22 145.20 (2) (e) File reports and conduct surveys and inspections as required by  
23 the governmental unit responsible for the regulation of private on-site wastewater  
24 treatment systems or the department of natural resources.

25 **SECTION 290.** 145.20 (2) (g) of the statutes is amended to read:

**SECTION 290**

1           145.20 (2) (g) Perform other duties regarding private on-site wastewater  
2 treatment systems as considered appropriate by the governmental unit responsible  
3 for the regulation of private on-site wastewater treatment systems or as required by  
4 the rules of the department of natural resources.

5           **SECTION 291.** 145.20 (3) (title) of the statutes is amended to read:

6           145.20 (3) (title) DEPARTMENT OF NATURAL RESOURCES RESPONSIBILITIES.

7           **SECTION 292.** 145.20 (3) (a) 1. of the statutes is amended to read:

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

13           **SECTION 293.** 145.20 (3) (a) 2. of the statutes is amended to read:

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

1 provided by the department of natural resources. Findings in a revocation action  
2 may be made only after a public hearing upon 30 days' advance notice to the clerk  
3 of the governmental unit. The department of natural resources shall submit a report  
4 under s.13.172 (2) to the chief clerk of each house of the legislature, at the beginning  
5 of each legislative session, describing the exemptions under this subdivision.

6 **SECTION 294.** 145.20 (3) (b) of the statutes is amended to read:

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

13 **SECTION 295.** 145.20 (3) (c) of the statutes is amended to read:

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

1 installation of a private on-site wastewater treatment system until the violation is  
2 corrected.

3 **SECTION 296.** 145.20 (3) (d) of the statutes is amended to read:

4 145.20 (3) (d) The department of natural resources shall conduct training and  
5 informational programs for officials of the governmental unit responsible for the  
6 regulation of private on-site wastewater treatment systems and employees and  
7 persons licensed under this chapter and s. 281.48 and certified as operators of  
8 septage servicing vehicles under s. 281.17 (3) to improve the delivery of service under  
9 the private on-site wastewater treatment system program. The department of of  
10 natural resources shall obtain the assistance of the Wisconsin counties association,  
11 and may consult with the department of financial institutions and professional  
12 standards, in planning and conducting the training and informational programs.

13 **SECTION 297.** 145.20 (5) (a) of the statutes, as affected by 2015 Wisconsin Act  
14 ... (this act), is amended to read:

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

1 on-site wastewater treatment systems on or before the date on which the  
2 governmental unit adopts the program.

\*\*\*\*NOTE: This is reconciled s. 145.20 (5) (a). This SECTION has been affected by  
drafts with the following LRB numbers: -0794/P1 and -0807/P5.

3 **SECTION 298.** 145.20 (5) (b) of the statutes is amended to read:

4 145.20 (5) (b) The maintenance program shall include a requirement of  
5 inspection or pumping of the private on-site wastewater treatment system at least  
6 once every 3 years if the private on-site wastewater treatment system does not have  
7 a maintenance plan as prescribed by rule by the department of natural resources.  
8 Inspections may be conducted by a master plumber, journeyman plumber or  
9 restricted plumber licensed under this chapter, a person licensed under s. 281.48 or  
10 by an employee of the state or governmental unit designated by the department of  
11 natural resources, and the department of natural resources may determine by rule  
12 other persons who are qualified to undertake required inspection, maintenance, or  
13 repairs. The department of natural resources shall specify the methods to establish  
14 the required frequency of inspection, maintenance, and pumping for each type of  
15 private on-site wastewater treatment system that does not have a maintenance plan  
16 and shall periodically update the methods.

17 **SECTION 299.** 145.20 (5) (c) of the statutes is amended to read:

18 145.20 (5) (c) The department of natural resources may suspend or revoke a  
19 license issued under s. 281.48 or a certificate issued under s. 281.17 (3) to the  
20 operator of a septage servicing vehicle if the department of natural resources finds  
21 that the licensee or operator falsified information on inspection forms. The  
22 department ~~of safety and professional services~~ may suspend or revoke the license of

1 a plumber licensed under this chapter if the department finds that the plumber  
2 falsified information on inspection forms.

3 **SECTION 300.** 145.23 of the statutes is amended to read:

4 **145.23 Rules.** The department of natural resources may make and enforce  
5 rules relating to lot size and lot elevation necessary for proper sanitary conditions  
6 in the development and maintenance of subdivisions not served by a public sewer,  
7 where provision for such service has not been made. The department of natural  
8 resources may consult with the department of financial institutions and professional  
9 standards in promulgating rules under this section.

10 **SECTION 301.** 145.24 (1) of the statutes is amended to read:

11 145.24 (1) If an existing private on-site wastewater treatment system either  
12 is not located in soil meeting the siting standards or is not constructed in accordance  
13 with design standards promulgated under s. 145.02 or 145.13, the owner of the  
14 private on-site wastewater treatment system may petition the department of  
15 natural resources for a variance to the siting or design standards.

16 **SECTION 302.** 145.24 (2) of the statutes is amended to read:

17 145.24 (2) The department of natural resources shall establish procedures for  
18 the review and evaluation of existing private on-site wastewater treatment systems  
19 which do not comply with siting or design standards.

20 **SECTION 303.** 145.24 (3) of the statutes is amended to read:

21 145.24 (3) Upon receipt of a petition for a variance, the department of natural  
22 resources shall require the owner of the private on-site wastewater treatment  
23 system to submit information necessary to evaluate the request for a variance. If the  
24 department of natural resources determines that the existing private on-site  
25 wastewater treatment system is not a failing private on-site wastewater treatment



1 system, and continued use of the existing private on-site wastewater treatment  
2 system will not pose a threat of contamination of waters of the state, then the  
3 department of natural resources may issue a variance to allow continued use of the  
4 existing private on-site wastewater treatment system. The department of natural  
5 resources shall rescind the variance if the existing private on-site wastewater  
6 treatment system becomes a failing private on-site wastewater treatment system or  
7 contaminates waters of the state.

8 **SECTION 304.** 157.061 (2g) of the statutes is amended to read:

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

11 **SECTION 305.** 157.062 (1) of the statutes is amended to read:

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

22 **SECTION 306.** 157.062 (2) of the statutes is amended to read:

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

**SECTION 306**

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

4 **SECTION 307.** 157.062 (6) (b) of the statutes is amended to read:

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

20 **SECTION 308.** 157.062 (6m) of the statutes is amended to read:

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

23 **SECTION 309.** 157.062 (9) of the statutes is amended to read:

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

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

5 **SECTION 310.** 157.064 (7) of the statutes is amended to read:

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

11 **SECTION 311.** 157.11 (9m) of the statutes is amended to read:

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

16 **SECTION 312.** 157.12 (3) (b) of the statutes is amended to read:

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

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

3 **SECTION 313.** 157.62 (1) (a) (intro.) of the statutes is amended to read:

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

10 **SECTION 314.** 157.62 (1) (c) of the statutes is amended to read:

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

16 **SECTION 315.** 157.65 (1) (a) of the statutes is amended to read:

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

22 **SECTION 316.** 157.65 (1) (b) of the statutes is amended to read:

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

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

3 **SECTION 317.** 157.65 (2) of the statutes is amended to read:

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

15 **SECTION 318.** 165.825 of the statutes is amended to read:

16 **165.825 Information link.** The department of justice shall cooperate with the  
17 departments of ~~safety and professional services~~, health services, and financial  
18 institutions and professional standards in developing and maintaining a computer  
19 linkup to provide access to the information obtained from a criminal history search.

20 **SECTION 319.** 167.35 (7) (b) of the statutes is amended to read:

21 167.35 (7) (b) The department of revenue, in the course of conducting any  
22 inspection or examination authorized under s. 139.39, may inspect cigarettes to  
23 determine if the cigarettes are marked as provided under sub. (4), and the  
24 department of revenue shall notify the department of ~~safety and professional~~  
25 services of any unmarked cigarettes.

1           **SECTION 320.** 167.35 (7) (c) of the statutes is amended to read:

2           167.35 (7) (c) Authorized personnel from the department of justice, from the  
3 department of ~~safety and professional services~~, and from the department of revenue,  
4 and any sheriff, police officer, or other law enforcement personnel, within their  
5 respective jurisdictions, may enter and inspect any premises where cigarettes are  
6 made, sold, offered for sale, or stored to determine if the cigarettes comply with this  
7 section. An inspection under this paragraph includes examining the books, papers,  
8 invoices, and other records of any person who is subject to this section and who is in  
9 control, possession, or occupancy of the premises.

10           **SECTION 321.** 177.30 (2) of the statutes is amended to read:

11           177.30 (2) The administrator, at reasonable times and upon reasonable notice,  
12 may examine the records of any person to determine whether the person has  
13 complied with this chapter. The administrator may designate the ~~division of banking~~  
14 department of financial institutions and professional standards or other appropriate  
15 regulatory authority to examine the records of regulated institutions to determine  
16 if the institutions have complied with this chapter. The administrator may conduct  
17 the examination even if the person believes it is not in possession of any property  
18 reportable or deliverable under this chapter.

19           **SECTION 322.** 182.028 of the statutes is amended to read:

20           **182.028 School corporations.** Any corporation formed for the establishment  
21 and maintenance of schools, academies, seminaries, colleges or universities or for the  
22 cultivation and practice of music shall have power to enact bylaws for the protection  
23 of its property, and provide fines as liquidated damages upon its members and  
24 patrons for violating the bylaws, and may collect the same in tort actions, and to  
25 prescribe and regulate the courses of instruction therein, and to confer such degrees

1 and grant such diplomas as are usually conferred by similar institutions or as shall  
2 be appropriate to the courses of instruction prescribed, ~~except that no corporation~~  
3 ~~shall operate or advertise a school that is subject to s. 38.50 (10) without complying~~  
4 ~~with the requirements of s. 38.50.~~ Any stockholder may transfer his or her stock to  
5 the corporation for its use; and if the written transfer so provides the stock shall be  
6 perpetually held by the board of directors with all the rights of a stockholder,  
7 including the right to vote.

8 **SECTION 323.** 186.098 (12) of the statutes is amended to read:

9 186.098 (12) LOANS TO MEMBERS. A credit union may make loans to members  
10 secured by assignment or transfer of stock certificates or other evidence of the  
11 borrower's ownership interest in a corporation formed for the cooperative ownership  
12 of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a  
13 mortgage involving a one-family residence, apply to a proceeding to enforce the  
14 lender's rights in security given for a loan under this subsection. The office of credit  
15 unions shall promulgate joint rules with the ~~division of banking~~ department of  
16 financial institutions and professional standards that establish procedures for  
17 enforcing a lender's rights in security given for a loan under this subsection.

18 **SECTION 324.** 186.235 (15) (b) of the statutes is amended to read:

19 186.235 (15) (b) Witness fees shall be the same as fees under s. 814.67 (1) (b)  
20 and (c). The fees of witnesses who are called by the office in the interests of the state  
21 shall be paid by the state upon presentation of proper vouchers approved by the office  
22 of credit unions and charged to the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (g).  
23 A witness subpoenaed by the office at the instance of a party other than the office  
24 shall not be entitled to payment of fees by the state unless the office certifies that the  
25 testimony was material to the purpose for which the subpoena was issued.

**SECTION 325**

1           **SECTION 325.** 186.314 (2m) (e) of the statutes is amended to read:

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

10           **SECTION 326.** 200.49 (1) (b) of the statutes is amended to read:

11           200.49 (1) (b) “Minority group member” has the meaning given under s. ~~16.287~~  
12 203.07 (1) (f).

13           **SECTION 327.** 200.57 (1) (a) of the statutes is amended to read:

14           200.57 (1) (a) “Disabled veteran–owned financial adviser” and “disabled  
15 veteran–owned investment firm” mean a financial adviser and investment firm,  
16 respectively, certified by the ~~department of administration~~ under s. ~~16.283~~ 203.03  
17 (3).

18           **SECTION 328.** 200.57 (1) (b) of the statutes is amended to read:

19           200.57 (1) (b) “Minority financial adviser” and “minority investment firm”  
20 mean a financial adviser and investment firm, respectively, certified by the  
21 ~~department of administration~~ under s. ~~16.287~~ 203.07 (2).

22           **SECTION 329.** Chapter 203 (title) of the statutes is created to read:

23                                   **CHAPTER 203**  
24                                   **BUSINESS DEVELOPMENT**

25           **SECTION 330.** 203.01 of the statutes is created to read:



1           **203.01 Definitions.** In this chapter:

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

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

6           **SECTION 331.** 214.01 (1) (f) of the statutes is created to read:

7           214.01 (1) (f) “Department” means the department of financial institutions and  
8 professional standards.

9           **SECTION 332.** 214.01 (1) (im) of the statutes is repealed.

10          **SECTION 333.** 214.04 (21) (b) of the statutes is amended to read:

11          214.04 (21) (b) The rules of the ~~division~~ department shall provide that any  
12 remote service unit shall be available for use, on a nondiscriminatory basis, by any  
13 state or federal savings bank which has its principal place of business in this state,  
14 by any other state or federal savings bank obtaining the consent of a state or federal  
15 savings bank that has its principal place of business in this state and is using the  
16 terminal and by all customers designated by a savings bank using the unit. This  
17 paragraph does not authorize a savings bank which has its principal place of  
18 business outside this state to conduct business as a savings bank in this state. A  
19 remote service unit shall be available for use, on a nondiscriminatory basis, by any  
20 credit union, state or national bank or state or federal savings and loan association,  
21 whose home office is located in this state, if the credit union, bank or savings and loan  
22 association requests to share its use, subject to joint rules established by ~~the division~~  
23 ~~of banking~~, the office of credit unions and the ~~division~~ department. The ~~division~~  
24 department by order may authorize the installation and operation of a remote service

1 unit in a mobile facility, after notice and hearing upon the proposed service stops of  
2 the mobile facility.

3 **SECTION 334.** 214.48 (4) (a) of the statutes is amended to read:

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

10 **SECTION 335.** 214.715 (2) of the statutes is amended to read:

11 214.715 (2) Employees of the ~~division~~ department may not be subject to any  
12 civil liability or penalty, or to any criminal prosecution, for any error in judgment or  
13 discretion made in good faith and upon reasonable grounds in any action taken or  
14 omitted under this chapter by the employee in an official capacity.

15 **SECTION 336.** 214.72 (1) (am) of the statutes is repealed.

16 **SECTION 337.** 214.72 (1) (b) of the statutes is amended to read:

17 214.72 (1) (b) “Financial regulator” means the department secretary and  
18 deputy secretary, and an administrator having duties related to financial  
19 institutions, a supervisor of data processing, legal counsel, and a financial  
20 institution examiner employed by the department and includes any member of a  
21 financial regulator’s immediate family, as defined in s. 19.42 (7).

22 **SECTION 338.** 214.725 (5) of the statutes is amended to read:

23 214.725 (5) Employees of the ~~division~~ department or other designated agents  
24 may administer oaths and examine and take and preserve testimony under oath as  
25 to anything in the affairs or ownership of the savings bank or the entity examined.

1           **SECTION 339.** 214.78 (3) of the statutes is amended to read:

2           214.78 (3) A person who subpoenas a witness shall advance the fees and  
3 mileage of the witness. Witness fees shall be the same as fees under s. 814.67 (1) (b)  
4 and (c). The fees of witnesses who are called by the review board in the interests of  
5 the state shall be paid by the state upon presentation of proper vouchers approved  
6 by the chairperson of the review board and charged to the appropriation under s.  
7 ~~20.144 (1)~~ 20.142 (2) (g).

8           **SECTION 340.** 215.01 (6) of the statutes is repealed.

9           **SECTION 341.** 215.01 (6f) of the statutes is created to read:

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

12          **SECTION 342.** 215.02 (4) of the statutes is amended to read:

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

18          **SECTION 343.** 215.04 (1) (b) of the statutes is amended to read:

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

21          **SECTION 344.** 215.04 (3) of the statutes is amended to read:

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

**SECTION 344**

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 345.** 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 346.** 217.02 (2m) of the statutes is repealed.

7 **SECTION 347.** 218.02 (1) (d) of the statutes is repealed.

8 **SECTION 348.** 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 349.** 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 350.** 218.04 (1) (c) of the statutes is repealed.

15 **SECTION 351.** 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 352.** 218.05 (1) (d) of the statutes is repealed.

19 **SECTION 353.** 220.01 (1m) of the statutes is repealed.

20 **SECTION 354.** 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~~

1 department shall provide that any such customer bank communications terminal  
2 shall be available for use, on a nondiscriminatory basis, by any state or national bank  
3 and by all customers designated by a bank using the terminal. This subsection does  
4 not authorize a bank which has its principal place of business outside this state to  
5 conduct banking business in this state. The customer bank communications  
6 terminals also shall be available for use, on a nondiscriminatory basis, by any credit  
7 union, savings and loan association, or savings bank, if the credit union, savings and  
8 loan association, or savings bank requests to share its use, subject to rules jointly  
9 established by the ~~division of banking~~ department and the office of credit unions.  
10 The ~~division~~ department by order may authorize the installation and operation of a  
11 customer bank communications terminal in a mobile facility, after notice and  
12 hearing upon the proposed service stops of the mobile facility.

13 **SECTION 355.** 221.0802 of the statutes is amended to read:

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

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1 and the percentage specified in s. ~~20.144 (1)~~ 20.142 (2) (g) shall be credited to the  
2 appropriation account under s. ~~20.144 (1)~~ 20.142 (2) (g).

3 **SECTION 356.** 222.0102 (3) of the statutes is repealed.

4 **SECTION 357.** 224.71 (1e) of the statutes is repealed.

5 **SECTION 358.** 224.90 (1) of the statutes is repealed.

6 **SECTION 359.** 227.01 (13) (zy) of the statutes is amended to read:

7 227.01 (13) (zy) Relates to any form prescribed by ~~the division of banking in~~  
8 the department of financial institutions and professional standards in connection  
9 with the licensing of mortgage bankers or mortgage brokers under s. 224.72 or the  
10 licensing of mortgage loan originators under s. 224.725.

11 **SECTION 360.** 227.52 (3) of the statutes is amended to read:

12 227.52 (3) Those decisions of the ~~division of banking~~ department of financial  
13 institutions and professional standards that are subject to review, prior to any  
14 judicial review, by the banking review board, and decisions of the ~~division of banking~~  
15 department of financial institutions and professional standards relating to savings  
16 banks or savings and loan associations, ~~but no other institutions subject to the~~  
17 ~~jurisdiction of the division of banking.~~

18 **SECTION 361.** 227.59 of the statutes is amended to read:

19 **227.59 Certification of certain cases from the circuit court of Dane**  
20 **County to other circuits.** Any action or proceeding for the review of any order of  
21 an administrative officer, commission, department, or other administrative tribunal  
22 of the state required by law to be instituted in or taken to the circuit court of Dane  
23 County, except an action or appeal for the review of any order of the department of  
24 workforce development or the department of ~~safety and professional services~~  
25 financial institutions and professional standards under chs. 101, 107, 145, 157, 167,

1 or 440 to 480 or findings and orders of the labor and industry review commission,  
2 which is instituted or taken and is not called for trial or hearing within 6 months after  
3 the proceeding or action is instituted, and the trial or hearing of which is not  
4 continued by stipulation of the parties or by order of the court for cause shown, shall  
5 on the application of either party on 5 days' written notice to the other be certified  
6 and transmitted for trial to the circuit court of the county of the residence or principal  
7 place of business of the plaintiff or petitioner, where the action or proceeding shall  
8 be given preference. Unless written objection is filed within the 5-day period, the  
9 order certifying and transmitting the proceeding shall be entered without hearing.  
10 The plaintiff or petitioner shall pay to the clerk of the circuit court of Dane County  
11 a fee of \$2 for transmitting the record.

12 **SECTION 362.** 229.46 (1) (ag) of the statutes is amended to read:

13 229.46 (1) (ag) "Disabled veteran-owned business" means a business certified  
14 ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

15 **SECTION 363.** 229.46 (1) (b) of the statutes is amended to read:

16 229.46 (1) (b) "Minority group member" has the meaning given in s. ~~16.287~~  
17 203.07 (1) (f).

18 **SECTION 364.** 229.70 (1) (ag) of the statutes is amended to read:

19 229.70 (1) (ag) "Disabled veteran-owned business" means a business certified  
20 ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

21 **SECTION 365.** 229.70 (1) (am) of the statutes is amended to read:

22 229.70 (1) (am) "Minority business" has the meaning given in s. ~~16.287~~ 203.07  
23 (1) (e).

24 **SECTION 366.** 229.70 (1) (b) of the statutes is amended to read:

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1           229.70 (1) (b) “Minority group member” has the meaning given in s. ~~16.287~~  
2           203.07 (1) (f).

3           **SECTION 367.** 229.8273 (1) (am) of the statutes is amended to read:

4           229.8273 (1) (am) “Disabled veteran–owned business” means a business  
5 certified by the department of administration under s. ~~16.283~~ 203.03 (3).

6           **SECTION 368.** 229.8273 (1) (b) of the statutes is amended to read:

7           229.8273 (1) (b) “Minority business” has the meaning given in s. ~~16.287~~ 203.07  
8 (1) (e).

9           **SECTION 369.** 229.8273 (1) (c) of the statutes is amended to read:

10          229.8273 (1) (c) “Minority group member” has the meaning given in s. ~~16.287~~  
11 203.07 (1) (f).

12          **SECTION 370.** 229.845 (1) (ag) of the statutes is amended to read:

13          229.845 (1) (ag) “Disabled veteran–owned business” means a business certified  
14 by the department of administration under s. ~~16.283~~ 203.03 (3).

15          **SECTION 371.** 229.845 (1) (am) of the statutes is amended to read:

16          229.845 (1) (am) “Minority business” has the meaning given in s. ~~16.287~~ 203.07  
17 (1) (e).

18          **SECTION 372.** 230.08 (2) (e) 4f. of the statutes is repealed.

19          **SECTION 373.** 230.08 (2) (e) 4g. of the statutes is created to read:

20          230.08 (2) (e) 4g. Financial institutions and professional standards – 21.

21          **SECTION 374.** 230.08 (2) (e) 11m. of the statutes is repealed.

22          **SECTION 375.** 230.08 (2) (v) of the statutes is repealed.

23          **SECTION 376.** 230.08 (2) (yb) of the statutes is amended to read:



1           230.08 (2) (yb) The director and the deputy director of, ~~and legal counsel to,~~ the  
2 office of business development in the department of ~~administration~~ financial  
3 institutions and professional standards.

4           **SECTION 377.** 230.339 of the statutes is repealed.

5           **SECTION 378.** 231.27 (1) of the statutes is amended to read:

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

10          **SECTION 379.** 231.29 (1) of the statutes is amended to read:

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

14          **SECTION 380.** 234.35 of the statutes is renumbered 235.0291, and 235.0291 (1),  
15 as renumbered, is amended to read:

16          235.0291 (1) In this section, “minority business”, “minority financial adviser”  
17 and “minority investment firm” mean a business, financial adviser and investment  
18 firm, respectively, certified ~~by the department of administration~~ under s. ~~16.287~~  
19 203.07 (2).

          \*\*\*NOTE: This is reconciled s. 234.35. This SECTION has been affected by drafts  
with the following LRB numbers: -0807/P5 and -1215/P2.

20          **SECTION 381.** 234.36 of the statutes is renumbered 235.0293, and 235.0293 (1),  
21 as renumbered, is amended to read:

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1           235.0293 (1) In this section, “business,” “financial adviser,” and “investment  
2 firm” mean a business, financial adviser, and investment firm certified by the  
3 ~~department of administration~~ under s. ~~16.283~~ 203.03 (3).

\*\*\*\*NOTE: This is reconciled s. 234.36. This SECTION has been affected by drafts  
with the following LRB numbers: -0807/P5 and -1215/P2.

4           **SECTION 382.** 236.13 (2m) of the statutes is amended to read:

5           236.13 (2m) As a further condition of approval when lands included in the plat  
6 lie within 500 feet of the ordinary high-water mark of any lake, any navigable  
7 stream, or any other body of navigable water or if land in the proposed plat involves  
8 lake or navigable stream shorelands referred to in s. 236.16, the department of  
9 natural resources, to prevent pollution of navigable waters, ~~or the department of~~  
10 ~~safety and professional services,~~ and to protect the public health and safety, may  
11 require assurance of adequate drainage areas for private on-site wastewater  
12 treatment systems and building setback restrictions, or provisions by the owner for  
13 public sewage disposal facilities for waters of the state, as defined in s. 281.01 (18),  
14 industrial wastes, as defined in s. 281.01 (5), and other wastes, as defined in s. 281.01  
15 (7). The public sewage disposal facilities may consist of one or more systems as the  
16 department of natural resources ~~or the department of safety and professional~~  
17 ~~services~~ determines on the basis of need for prevention of pollution of the waters of  
18 the state or protection of public health and safety.

19           **SECTION 383.** 250.041 (1) (b) of the statutes is repealed.

20           **SECTION 384.** 250.041 (1) (e) of the statutes is amended to read:

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

23           **SECTION 385.** 252.12 (2) (a) 9. of the statutes is amended to read:

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

6           **SECTION 386.** 252.12 (2) (c) 2. of the statutes is amended to read:

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

15           **SECTION 387.** 252.23 of the statutes is renumbered 463.10, and 463.10 (title),  
16 (2), (3) and (4) (a), as renumbered, are amended to read:

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

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

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

1 use or assume the title “tattooist” and no tattoo establishment may be operated  
2 unless the person and the establishment are licensed by the department under this  
3 section or by a local health department that is designated as the department’s agent  
4 under s. ~~252.245~~ 463.16. Except as provided in s. 463.16, fees for licenses issued  
5 under this section shall be as determined under s. 440.03 (9).

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

12 **SECTION 388.** 252.24 of the statutes is renumbered 463.12, and 463.12 (2), (3)  
13 and (4) (a), as renumbered, are amended to read:

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

21 (3) LICENSE REQUIRED. Except as provided in sub. (5), no person may pierce the  
22 body of or attempt to pierce the body of another, designate or represent himself or  
23 herself as a body piercer or use or assume the title “body piercer” unless the person  
24 is licensed by the department under this section or by a local health department that  
25 is designated as the department’s agent under s. 463.16. Except as provided in s.

1 463.16, fees for licenses issued under this section shall be as determined under s.  
2 440.03 (9).

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

10 **SECTION 389.** 252.241 of the statutes is renumbered 463.14, and 463.14 (title),  
11 (1), (1m), (3), (4) and (5), as renumbered, are amended to read:

12 **463.14 (title) Denial, nonrenewal and revocation of license or permit**  
13 **based on delinquent taxes or unemployment insurance contributions. (1)**  
14 Except as provided in sub. (1m), the department shall require each applicant to  
15 provide the department with the applicant's social security number, if the applicant  
16 is an individual, or the applicant's federal employer identification number, if the  
17 applicant is not an individual, as a condition of issuing or renewing a license under  
18 s. ~~252.23 (2) or (4) (a) or 252.24 (2) or (4) (a)~~ 463.10 or 463.12, or a permit under s.  
19 463.25.

20 **(1m)** If an individual who applies for or to renew a license or permit under sub.  
21 (1) does not have a social security number, the individual, as a condition of obtaining  
22 the license or permit, shall submit a statement made or subscribed under oath or  
23 affirmation to the department that the applicant does not have a social security  
24 number. The form of the statement shall be prescribed by the department of children

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1 and families. A license or permit issued or renewed in reliance upon a false  
2 statement submitted under this subsection is invalid.

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

6 (4) The department shall deny an application for the issuance or renewal of a  
7 license or permit specified in sub. (1), or shall revoke the license or permit specified  
8 in sub. (1), if the department of revenue certifies under s. 73.0301 that the applicant  
9 for or holder of the license or permit is liable for delinquent taxes.

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

15 **SECTION 390.** 252.245 of the statutes is renumbered 463.16, and 463.16 (1), (2),  
16 (3), (4m), (5), (6), (8) and (9), as renumbered, are amended to read:

17 463.16 (1) In the administration and enforcement of ss. ~~252.23 and 252.24~~  
18 463.10 and 463.12, the department may enter into a written agreement with a local  
19 health department with a jurisdictional area that has a population greater than  
20 5,000, which designates the local health department as the department's agent in  
21 issuing licenses to and making investigations or inspections of tattooists and tattoo  
22 establishments and body piercers and body-piercing establishments. In a  
23 jurisdictional area of a local health department without agent status, the  
24 department of ~~health services~~ financial institutions and professional standards may  
25 issue licenses, collect license fees established by rule under ss. ~~252.23 (4) (a) and~~

1 ~~252.24~~ (4) (a) s. 440.03 (9) and make investigations or inspections of tattooists and  
2 tattoo establishments and body piercers and body-piercing establishments. If the  
3 department of financial institutions and professional standards designates a local  
4 health department as its agent, the department of financial institutions and  
5 professional standards or local health department may require no license for the  
6 same operations other than the license issued by the local health department under  
7 this subsection. If the designation is made and the services are furnished, the  
8 department of financial institutions and professional standards shall reimburse the  
9 local health department furnishing the service at the rate of 80% of the net license  
10 fee per license per year issued in the jurisdictional area.

11 (2) A local health department designated as the department's agent under this  
12 section shall meet standards promulgated under ss. ~~252.23~~ 463.10 (4) (a) and ~~252.24~~  
13 463.12 (4) (a). The department shall annually evaluate the licensing, investigation  
14 and inspection program of each local health department granted agent status. If, at  
15 any time, a local health department designated as the department's agent fails to  
16 meet the standards, the department of ~~health services~~ financial institutions and  
17 professional standards may revoke its agent status.

18 (3) The department shall provide education and training to agents designated  
19 under this section to ensure uniformity in the enforcement of s. ~~252.23~~ 463.10 or  
20 ~~252.24~~ 463.12 and rules promulgated under s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12.

21 (4m) A local health department designated as the department's agent under  
22 this section may contract with the department of ~~health services~~ financial  
23 institutions and professional standards for the department of ~~health services~~  
24 financial institutions and professional standards to collect fees and issue licenses  
25 under s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12. The department of financial institutions

1 and professional standards shall collect from the local health department the actual  
2 and reasonable cost of providing the services.

3 (5) If, under this section, a local health department becomes an agent or its  
4 agent status is discontinued during a licensee's license year, the department of  
5 ~~health services~~ financial institutions and professional standards and the local health  
6 department shall divide any license fee paid by the licensee for that license year  
7 according to the proportions of the license year occurring before and after the local  
8 health department is designated as an agent or the agent status is discontinued. No  
9 additional fee may be required during the license year due to the change in agent  
10 status.

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

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



1           **(9)** The department shall promulgate rules establishing state fees for its costs  
2 related to setting standards under ss. ~~252.23~~ 463.10 and ~~252.24~~ 463.12 and  
3 monitoring and evaluating the activities of, and providing education and training to,  
4 agent local health departments. The department may not promulgate a rule under  
5 which a local health department may charge an individual who is eligible for the  
6 veterans fee waiver program under s. 45.44 a state fee to obtain a license under s.  
7 ~~252.23~~ 463.10 (3) or ~~252.24~~ 463.12 (3). Agent local health departments shall include  
8 the state fees in the license fees established under sub. (4), collect the state fees and  
9 reimburse the department for the state fees collected. For tattooists or tattoo  
10 establishments and for body piercers or body-piercing establishments, the state fee  
11 may not exceed 20% of the license fees established under s. ~~252.23~~ (4) (a) or ~~252.24~~  
12 ~~(4) (a)~~ 440.03 (9).

13           **SECTION 391.** 254.115 (1) (d) of the statutes is repealed.

14           **SECTION 392.** 255.08 of the statutes is renumbered 463.25, and 463.25 (2) (a)  
15 and (b), as renumbered, are amended to read:

16           **463.25 (2) (a)** No person may operate a tanning facility without a permit that  
17 the department may, except as provided in ss. ~~250.041 and 254.115~~ s. 463.14, issue  
18 under this subsection. The holder of a permit issued under this subsection shall  
19 display the permit in a conspicuous place at the tanning facility for which the permit  
20 is issued.

21           (b) Permits issued under this subsection shall expire annually on June 30.  
22 Except as provided in ss. ~~250.041 and 254.115~~ s. 463.14, a permit applicant shall  
23 submit an application for a permit to the department on a form provided by the  
24 department with ~~a~~ the permit fee established by the department ~~by rule~~ under s.  
25 440.03 (9). The application shall include the name and complete mailing address and

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

3 **SECTION 393.** 281.33 (2) of the statutes is amended to read:

4 281.33 (2) STATE STORM WATER MANAGEMENT PLAN. The department, ~~in~~  
5 ~~consultation with the department of safety and professional services,~~ shall  
6 promulgate by rule a state storm water management plan. This state plan is  
7 applicable to activities contracted for or conducted by any agency, as defined under  
8 s. 227.01 (1) but also including the office of district attorney, unless that agency  
9 enters into a memorandum of understanding with the department of natural  
10 resources in which that agency agrees to regulate activities related to storm water  
11 management. The department shall coordinate the activities of agencies, as defined  
12 under s. 227.01 (1), in storm water management and make recommendations to  
13 these agencies concerning activities related to storm water management.

14 **SECTION 394.** 321.60 (1) (a) 4. of the statutes is amended to read:

15 321.60 (1) (a) 4. A license, certificate of approval, provisional license,  
16 conditional license, certification, certification card, registration, permit, training  
17 permit, or approval specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a),  
18 ~~252.23 (2), 252.24 (2),~~ 254.176, 254.178 (2) (a), 254.20 (2), (3), or (4), 254.64 (1) (a) or  
19 (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  
20 (6) (a) or a permit for the operation of a campground specified in s. 254.47 (1).

21 **SECTION 395.** 321.60 (1) (a) 12. of the statutes is amended to read:

22 321.60 (1) (a) 12. A license or certificate of registration issued by the  
23 department of financial institutions, ~~or a division of it,~~ and professional standards  
24 under ss. 138.09, 138.12, 138.14, 202.13, 202.14, 217.06, 218.0101 to 218.0163,  
25 218.02, 218.04, 218.05, 224.72, 224.725, or 224.93 or subch. IV of ch. 551.