

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

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

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

19 **SECTION 222.** 71.28 (5j) (a) 2m. of the statutes is amended to read:

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

SECTION 223

1 **SECTION 223.** 71.28 (5j) (c) 3. of the statutes is amended to read:

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

8 **SECTION 224.** 71.28 (5r) (a) 2. of the statutes is amended to read:

9 71.28 **(5r)** (a) 2. “Course of instruction” has the meaning given in s. ~~38.50~~ 440.52
10 (1) (c).

11 **SECTION 225.** 71.28 (5r) (a) 6. b. of the statutes is amended to read:

12 71.28 **(5r)** (a) 6. b. A school ~~approved~~ authorized under s. ~~38.50~~ 440.52, if the
13 delivery of education occurs in this state.

14 **SECTION 226.** 71.47 (5r) (a) 2. of the statutes is amended to read:

15 71.47 **(5r)** (a) 2. “Course of instruction” has the meaning given in s. ~~38.50~~ 440.52
16 (1) (c).

17 **SECTION 227.** 71.47 (5r) (a) 6. b. of the statutes is amended to read:

18 71.47 **(5r)** (a) 6. b. A school ~~approved~~ authorized under s. ~~38.50~~ 440.52, if the
19 delivery of education occurs in this state.

20 **SECTION 228.** 73.0301 (1) (d) 3. of the statutes is amended to read:

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

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

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

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

9 **SECTION 230.** 73.0301 (1) (e) of the statutes is amended to read:

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

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

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

21 **SECTION 232.** 84.075 (1c) (b) of the statutes is amended to read:

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

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

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

3 **SECTION 234.** 84.076 (1) (d) of the statutes is amended to read:

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

6 **SECTION 235.** 85.25 (2) (c) 1m. b. of the statutes is amended to read:

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

9 **SECTION 236.** 100.67 of the statutes is created to read:

10 **100.67 Private trade, business, technical, and other schools. (1)**

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

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

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

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

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

16 **(2) RESPONSIBILITIES.** The department shall protect the general public by
17 investigating complaints and potential violations related to this section and s.
18 440.52.

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

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

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

1 the department of ~~safety and professional services~~ with its federal employer
2 identification number. The department of ~~safety and professional services~~ may not
3 disclose the social security number or the federal employer identification number of
4 an applicant for a license or license renewal except to the department of revenue for
5 the sole purpose of requesting certifications under s. 73.0301 and to the department
6 of workforce development for the sole purpose of requesting certifications under s.
7 108.227.

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

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

14 **SECTION 239.** 101.02 (20) (d) of the statutes is amended to read:

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

20 **SECTION 240.** 101.02 (20) (e) 1. of the statutes is amended to read:

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

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1 a social security number. The form of the statement shall be prescribed by the
2 department of children and families.

3 **SECTION 241.** 101.02 (21) (b) of the statutes is amended to read:

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

13 **SECTION 242.** 101.02 (21) (e) 1. of the statutes is amended to read:

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

20 **SECTION 243.** 101.12 (1) (intro.) of the statutes is amended to read:

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

1 **SECTION 244.** 101.149 (6) (b) of the statutes is amended to read:

2 101.149 (6) (b) The department shall promulgate rules, in consultation with
3 the department of health services, under which the department of ~~safety and~~
4 ~~professional services~~ shall authorize certified heating, ventilating, and air
5 conditioning inspectors to conduct regular inspections of sealed combustion units, as
6 required under sub. (5) (c), for carbon monoxide emissions in residential buildings
7 other than hotels, tourist rooming houses, and bed and breakfast establishments.
8 The rules shall specify conditions under which it may issue orders as specified under
9 sub. (8) (a). The rules may not require the department of ~~safety and professional~~
10 ~~services~~ to authorize inspection of sealed combustion units during the period in
11 which the sealed combustion units are covered by a manufacturer's warranty against
12 defects.

13 **SECTION 245.** 101.149 (8) (a) of the statutes is amended to read:

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

23 **SECTION 246.** 101.31 of the statutes is repealed.

24 **SECTION 247.** 101.573 (3) (a) of the statutes is amended to read:

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

9 **SECTION 248.** 101.573 (5) of the statutes is amended to read:

10 101.573 (5) The department shall promulgate a rule defining “administrative
11 expenses” for purposes of s. ~~20.165 (2)~~ 20.142 (4) (La).

12 **SECTION 249.** 101.654 (1m) (e) of the statutes is amended to read:

13 101.654 (1m) (e) ~~The continuing education approved by the department under~~
14 ~~par. (b) 1. shall include courses offered by private organizations with whom the~~
15 ~~department contracts under s. 101.657.~~ The department may approve continuing
16 education courses that are offered by other states.

17 **SECTION 250.** 101.657 of the statutes is repealed.

18 **SECTION 251.** 101.935 (2) (e) of the statutes is amended to read:

19 101.935 (2) (e) Section 254.69 (2), as it applies to an agent for the department
20 of health services in the administration of s. 254.47, applies to an agent for the
21 department of safety and professional services in the administration of this section.

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

23 101.951 (7) (a) ~~The department of safety and professional services may, without~~
24 notice, deny the application for a license within 60 days after receipt thereof by
25 written notice to the applicant, stating the grounds for the denial. Within 30 days

1 after such notice, the applicant may petition the department of administration to
2 conduct a hearing to review the denial, and a hearing shall be scheduled with
3 reasonable promptness. The division of hearings and appeals shall conduct the
4 hearing. This paragraph does not apply to denials of applications for licenses under
5 s. 101.02 (21).

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

7 101.951 (7) (b) No license may be suspended or revoked except after a hearing
8 thereon. The department of safety and professional services shall give the licensee
9 at least 5 days' notice of the time and place of the hearing. The order suspending or
10 revoking such license shall not be effective until after 10 days' written notice thereof
11 to the licensee, after such hearing has been had; except that the department of safety
12 and professional services, when in its opinion the best interest of the public or the
13 trade demands it, may suspend a license upon not less than 24 hours' notice of
14 hearing and with not less than 24 hours' notice of the suspension of the license.
15 Matters involving suspensions and revocations brought before the department of
16 safety and professional services shall be heard and decided upon by the department
17 of administration. The division of hearings and appeals shall conduct the hearing.
18 This paragraph does not apply to licenses that are suspended or revoked under s.
19 101.02 (21).

20 **SECTION 254.** 101.951 (7) (c) of the statutes is amended to read:

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

1 **SECTION 255.** 101.953 (1) (a) of the statutes is amended to read:

2 101.953 (1) (a) A statement that the manufactured home meets those
3 standards prescribed by law or administrative rule of the department of
4 administration or of the department of safety and professional services that are in
5 effect at the time of the manufacture of the manufactured home.

6 **SECTION 256.** 101.973 (8) of the statutes is amended to read:

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

9 **SECTION 257.** 107.30 (10) of the statutes is amended to read:

10 107.30 (10) “Mining damage appropriation” means the appropriation under s.
11 ~~20.165 (2)~~ 20.142 (4) (a).

12 **SECTION 258.** 107.31 (5) (a) (intro.) of the statutes is amended to read:

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

17 **SECTION 259.** 108.227 (1) (e) 3. of the statutes is amended to read:

18 108.227 (1) (e) 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 260.** 108.227 (1) (e) 6. of the statutes is amended to read:

1 108.227 (1) (e) 6. A license or certificate of registration issued by ~~the~~
2 ~~department of financial institutions, or a division of it,~~ under ss. 138.09, 138.12,
3 138.14, 202.12 to 202.14, 202.22, 217.06, 218.0101 to 218.0163, 218.02, 218.04,
4 218.05, 224.72, 224.725, 224.93 or under subch. IV of ch. 551.

5 **SECTION 261.** 108.227 (1) (f) of the statutes is amended to read:

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

14 **SECTION 262.** 111.335 (1) (cx) of the statutes is amended to read:

15 111.335 (1) (cx) Notwithstanding s. 111.322, it is not employment
16 discrimination because of conviction record to refuse to employ or license, or to bar
17 or terminate from employment or licensure, any individual who has been convicted
18 of any offense under s. ~~38.50~~ 100.67 (13) (c).

19 **SECTION 263.** 112.07 (1) of the statutes is amended to read:

20 112.07 (1) Notwithstanding any other provision of the statutes, any fiduciary,
21 as defined in s. 112.01 (1) (b), who is holding securities in a fiduciary capacity, any
22 bank or trust company holding securities as a custodian or managing agent, and any
23 bank or trust company holding securities as custodian for a fiduciary may deposit or
24 arrange for the deposit of such securities in a clearing corporation as defined in s.
25 408.102 (1) (e). When the securities are so deposited, certificates representing

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

22 **SECTION 264.** 119.495 (2) of the statutes is amended to read:

23 119.495 (2) The board shall include in its budget transmitted to the common
24 council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing
25 to be authorized in the budget for the ensuing year. The common council shall issue

1 the notes and levy a direct annual irrevocable tax sufficient to pay the principal and
2 interest on the notes as they become due. The common council may issue the notes
3 by private sale. The common council shall make every effort to involve a minority
4 investment firm certified under s. ~~16.287~~ 203.07 as managing underwriter of the
5 notes or to engage a minority financial adviser certified under s. ~~16.287~~ 203.07 to
6 advise the city regarding any public sale of the notes.

7 **SECTION 265.** 119.496 (2) of the statutes is amended to read:

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

18 **SECTION 266.** 125.04 (5) (a) 5. of the statutes is amended to read:

19 125.04 (5) (a) 5. Have successfully completed within the 2 years prior to the
20 date of application a responsible beverage server training course at any location that
21 is offered by a technical college district and that conforms to curriculum guidelines
22 specified by the technical college system board or a comparable training course that
23 is approved by the department or the educational approval board. This subdivision
24 does not apply to an applicant who held, or who was an agent appointed and approved
25 under sub. (6) of a corporation or limited liability company that held, within the past

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1 2 years, a Class “A”, “Class A” or “Class C” license or a Class “B” or “Class B” license
2 or permit or a manager’s or operator’s license.

3 **SECTION 267.** 125.17 (6) (a) (intro.) of the statutes is amended to read:

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

12 **SECTION 268.** 134.66 (2m) (b) of the statutes is amended to read:

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

1 course under s. 125.04 (5) (a) 5. only if that training course includes the training
2 program developed or approved by the department of health services under par. (a)
3 or a comparable training program approved by that department.

4 **SECTION 269.** 138.055 (4) (d) of the statutes is amended to read:

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

7 **SECTION 270.** 138.056 (1) (a) 4. d. of the statutes is amended to read:

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

10 **SECTION 271.** 138.09 (1d) of the statutes is amended to read:

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

13 **SECTION 272.** 138.12 (1) (a) of the statutes is repealed.

14 **SECTION 273.** 138.12 (1) (am) of the statutes is created to read:

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

17 **SECTION 274.** 138.14 (1) (f) of the statutes is repealed.

18 **SECTION 275.** 138.14 (9r) (f) of the statutes is amended to read:

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

25 **SECTION 276.** 138.16 (1) (a) of the statutes is amended to read:

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

3 **SECTION 277.** 145.01 (12) of the statutes is amended to read:

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

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

14 **145.02 (title) Powers of the department of financial institutions and**
15 **professional standards and the department of natural resources.**

16 **SECTION 279.** 145.02 (2) of the statutes is amended to read:

17 145.02 (2) The Except as provided in sub. (2m), the department shall have
18 general supervision of all such plumbing and shall after public hearing prescribe and
19 publish and enforce reasonable standards therefor which shall be uniform and of
20 statewide concern so far as practicable. Any employee designated by the department
21 may act for the department in holding such public hearing. To the extent that the
22 historic building code applies to the subject matter of these standards, the standards
23 do not apply to a qualified historic building if the owner elects to be subject to s.
24 101.121.

25 **SECTION 280.** 145.02 (2m) of the statutes is created to read:

1 145.02 (2m) The department of natural resources shall have general
2 supervision of private on-site wastewater treatment systems and shall have the
3 powers described under s. 281.48 with respect to those systems. The department
4 shall promulgate rules establishing standards for private on-site wastewater
5 treatment systems.

6 **SECTION 281.** 145.02 (4) (a) of the statutes is amended to read:

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

13 **SECTION 282.** 145.045 (1) of the statutes is amended to read:

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

23 **SECTION 283.** 145.045 (3) of the statutes is amended to read:

24 145.045 (3) PLUMBERS AND SEPTIC TANK INSTALLERS. A plumber or septic tank
25 installer may also be a soil tester and install any system after approval of the site or

1 project by the department of financial institutions and professional standards, the
2 department of natural resources, or the governmental unit responsible for the
3 regulation of private on-site wastewater treatment systems.

4 **SECTION 284.** 145.17 (2) of the statutes is amended to read:

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

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

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

16 **SECTION 286.** 145.19 (1m) of the statutes is amended to read:

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

23 **SECTION 287.** 145.19 (2) of the statutes is amended to read:

24 145.19 (2) FEE. No fee for a sanitary permit may be less than the amount
25 determined ~~under~~ by the department of natural resources by rule. The governing

1 body for the governmental unit responsible for the regulation of private on-site
2 wastewater treatment systems may establish a fee for a sanitary permit which is
3 more than the amount determined ~~under~~ by the department of natural resources by
4 rule. A governmental unit may not charge more than one fee for a sanitary permit
5 or the renewal of a sanitary permit in any 12-month period.

6 **SECTION 288.** 145.19 (3) of the statutes is amended to read:

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

17 **SECTION 289.** 145.19 (6) of the statutes is amended to read:

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

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

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1 145.20 (2) (e) File reports and conduct surveys and inspections as required by
2 the governmental unit responsible for the regulation of private on-site wastewater
3 treatment systems or the department of natural resources.

4 **SECTION 291.** 145.20 (2) (g) of the statutes is amended to read:

5 145.20 (2) (g) Perform other duties regarding private on-site wastewater
6 treatment systems as considered appropriate by the governmental unit responsible
7 for the regulation of private on-site wastewater treatment systems or as required by
8 the rules of the department of natural resources.

9 **SECTION 292.** 145.20 (3) (title) of the statutes is amended to read:

10 145.20 (3) (title) DEPARTMENT OF NATURAL RESOURCES RESPONSIBILITIES.

11 **SECTION 293.** 145.20 (3) (a) 1. of the statutes is amended to read:

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

17 **SECTION 294.** 145.20 (3) (a) 2. of the statutes is amended to read:

18 145.20 (3) (a) 2. The department of natural resources may exempt a
19 governmental unit from any category of private on-site wastewater treatment
20 systems for which departmental approval by the department of natural resources is
21 required prior to sanitary permit issuance under subd. 1., upon a determination, in
22 accordance with rules promulgated by the department of natural resources, that past
23 performance of the governmental unit on reviews and audits under par. (b) has been
24 satisfactory and that the governmental unit has the capacity to give the same level
25 of application and plan review as that provided by the department of natural

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

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

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

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

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

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

6 **SECTION 297.** 145.20 (3) (d) of the statutes is amended to read:

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

16 **SECTION 298.** 145.20 (5) (a) of the statutes, as affected by 2015 Wisconsin Act
17 (this act), is amended to read:

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

1 apply the maintenance program by rule to private on–site wastewater treatment
2 systems constructed in a governmental unit responsible for the regulation of private
3 on–site wastewater treatment systems on or before the date on which the
4 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.

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

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

19 **SECTION 300.** 145.20 (5) (c) of the statutes is amended to read:

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

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1 department of safety and professional services may suspend or revoke the license of
2 a plumber licensed under this chapter if the department finds that the plumber
3 falsified information on inspection forms.

4 **SECTION 301.** 145.23 of the statutes is amended to read:

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

11 **SECTION 302.** 145.24 (1) of the statutes is amended to read:

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

17 **SECTION 303.** 145.24 (2) of the statutes is amended to read:

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

21 **SECTION 304.** 145.24 (3) of the statutes is amended to read:

22 145.24 (3) Upon receipt of a petition for a variance, the department of natural
23 resources shall require the owner of the private on-site wastewater treatment
24 system to submit information necessary to evaluate the request for a variance. If the
25 department of natural resources determines that the existing private on-site

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

9 **SECTION 305.** 157.061 (2g) of the statutes is amended to read:

10 157.061 (2g) “Cemetery board” means the board created in s. ~~15.405~~ 15.175
11 (3m).

12 **SECTION 306.** 157.062 (1) of the statutes is amended to read:

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

23 **SECTION 307.** 157.062 (2) of the statutes is amended to read:

24 157.062 (2) AMENDMENTS. The association may change its name, the number
25 of trustees or the annual meeting date by resolution at an annual meeting, or special

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1 meeting called for such purpose, by a majority vote of the members present, and,
2 except as provided in sub. (9), by delivering to the department of ~~financial~~
3 ~~institutions~~ a copy of the resolution, with the date of adoption, certified by the
4 president and secretary or corresponding officers.

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

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

21 **SECTION 309.** 157.062 (6m) of the statutes is amended to read:

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

24 **SECTION 310.** 157.062 (9) of the statutes is amended to read:

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

7 **SECTION 311.** 157.064 (7) of the statutes is amended to read:

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

13 **SECTION 312.** 157.11 (9m) of the statutes is amended to read:

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

18 **SECTION 313.** 157.12 (3) (b) of the statutes is amended to read:

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

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1 investment may be used only to maintain the mausoleum, except that if the amount
2 of income exceeds the amount necessary to properly maintain the mausoleum the
3 excess amount may be used to maintain any portion of the cemetery.

4 **SECTION 314.** 157.62 (1) (a) (intro.) of the statutes is amended to read:

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

11 **SECTION 315.** 157.62 (1) (c) of the statutes is amended to read:

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

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

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

23 **SECTION 317.** 157.65 (1) (b) of the statutes is amended to read:

24 157.65 (1) (b) If the department of ~~safety and professional services~~ has reason
25 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 318.** 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 319.** 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 320.** 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 321.** 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 322.** 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 323.** 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 324.** 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 325.** 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.

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 332.** 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 333.** 214.01 (1) (im) of the statutes is repealed.

10 **SECTION 334.** 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 335.** 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 336.** 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 337.** 214.72 (1) (am) of the statutes is repealed.

16 **SECTION 338.** 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 339.** 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 340.** 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 341.** 215.01 (6) of the statutes is repealed.

9 **SECTION 342.** 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 343.** 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 344.** 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 345.** 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

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 346.** 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 347.** 217.02 (2m) of the statutes is repealed.

7 **SECTION 348.** 218.02 (1) (d) of the statutes is repealed.

8 **SECTION 349.** 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 350.** 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 351.** 218.04 (1) (c) of the statutes is repealed.

15 **SECTION 352.** 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 353.** 218.05 (1) (d) of the statutes is repealed.

19 **SECTION 354.** 220.01 (1m) of the statutes is repealed.

20 **SECTION 355.** 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 356.** 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

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 357.** 222.0102 (3) of the statutes is repealed.

4 **SECTION 358.** 224.71 (1e) of the statutes is repealed.

5 **SECTION 359.** 224.90 (1) of the statutes is repealed.

6 **SECTION 360.** 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 361.** 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 362.** 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 363.** 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 364.** 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 365.** 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 366.** 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 367.** 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 368.** 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 369.** 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 370.** 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 371.** 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 372.** 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 373.** 230.08 (2) (e) 4f. of the statutes is repealed.

19 **SECTION 374.** 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 375.** 230.08 (2) (e) 11m. of the statutes is repealed.

22 **SECTION 376.** 230.08 (2) (v) of the statutes is repealed.

23 **SECTION 377.** 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 378.** 230.339 of the statutes is repealed.

5 **SECTION 379.** 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 380.** 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 381.** 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 382.** 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 383.** 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 384.** 250.041 (1) (b) of the statutes is repealed.

20 **SECTION 385.** 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 386.** 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 387.** 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 388.** 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 389.** 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 390.** 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 391.** 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 392.** 254.115 (1) (d) of the statutes is repealed.

14 **SECTION 393.** 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 394.** 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 395.** 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 396.** 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.