

1           \***-0627/P3.4**\*SECTION 3405. 121.58 (2) (a) (intro.) of the statutes is amended  
2 to read:

3           121.58 (2) (a) (intro.) A school district ~~which~~ that provides transportation to  
4 and from a school under ss. 118.50 (3) (a), 121.54 (1) to (3), (5), and (6), and 121.57,  
5 ~~and the~~ a nonresident school district that a pupil attends under s. 118.51 or 121.84  
6 (4) which elects to provide transportation under s. 121.54 (10), and an operator of a  
7 charter school authorized under s. 118.40 (2r) that provides transportation under s.  
8 118.40 (2r) (dm) shall be paid state aid for such transportation at the following rates:

          \*\*\*\*NOTE: This is reconciled s. 121.58 (2) (a) (intro.). This SECTION has been affected  
by drafts with the following LRB numbers: LRB-0541/P2 and LRB-0627/P2.

9           \***-0627/P3.5**\*SECTION 3406. 121.58 (2) (a) 4. of the statutes is amended to read:

10           121.58 (2) (a) 4. For each pupil so transported whose residence is more than  
11 12 miles from the school attended, \$220 per school year in the 2012-13 school year  
12 and \$275 per school year in the 2014-15 school year and \$300 per school year  
13 thereafter.

14           \***-0541/P3.24**\*SECTION 3407. 121.58 (4) of the statutes is amended to read:

15           121.58 (4) STATE AID FOR SUMMER CLASS TRANSPORTATION. Annually on or before  
16 October 1 of the year in which transportation is provided under s. 118.50 (3) (b) or  
17 121.54 (4), or under s. 121.54 (10) if the transportation is provided by the nonresident  
18 school district that a pupil attends under s. 118.51 or 121.84 (4), the school district  
19 clerk shall file with the department a report, containing such information as the  
20 department requires, on transportation provided by the school board to and from  
21 summer classes. Upon receipt of such report and if the summer classes meet the  
22 requirements of s. 121.14 (1) (a) 1. or 2., state aid shall be paid for such  
23 transportation. A school district which provides such transportation shall be paid

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1 state aid for such transportation at the rate of \$4 per pupil transported to and from  
2 public school whose residence is at least 2 miles and not more than 5 miles by the  
3 nearest traveled route from the public school attended, and \$6 per pupil transported  
4 to and from public school whose residence is more than 5 miles by the nearest  
5 traveled route from the public school attended, if the pupil is transported 30 days or  
6 more. The state aid shall be reduced proportionately if the pupil is transported less  
7 than 30 days.

8 \*~~0627/P3.6~~SECTION 3408. 121.58 (6) (b) of the statutes is amended to read:

9 121.58 (6) (b) If the appropriation under s. 20.255 (2) (cr) in any fiscal year  
10 exceeds the amount of approved claims paid in full under this section and s. 121.575,  
11 the department shall distribute the balance to those school districts and charter  
12 school operators entitled to state aid under this section, with each ~~school district~~  
13 entitled recipient receiving a percentage of the balance equal to its percentage of the  
14 total approved claims.

15 \*~~0627/P3.7~~SECTION 3409. 121.58 (7) of the statutes is amended to read:

16 121.58 (7) PAYMENT. Each school district and charter school operator entitled  
17 to state aid under this section shall receive its total aid entitlement in January.

18 \*~~0628/1.1~~SECTION 3410. 121.59 (1) of the statutes is renumbered 121.59 (1)  
19 (intro.) and amended to read:

20 121.59 (1) (intro.) In this section, ~~“transportation:~~

21 (b) “Transportation costs” means costs that are eligible for reimbursement  
22 under s. 121.58.

23 \*~~0628/1.2~~SECTION 3411. 121.59 (1) (a) of the statutes is created to read:

1           121.59 (1) (a) "Eligible school district" means a school district the membership  
2 of which in the previous school year, when divided by the school district's area in  
3 square miles, is 50 or less.

4           \*~~0628/1.3~~\*SECTION 3412. 121.59 (2) (intro.) of the statutes is amended to  
5 read:

6           121.59 (2) (intro.) Annually the department shall pay to each eligible school  
7 district the amount determined as follows:

8           \*~~0628/1.4~~\*SECTION 3413. 121.59 (2) (e) of the statutes is amended to read:

9           121.59 (2) (e) Divide the product under par. (d) for the school district by the  
10 product under par. (d) for all eligible school districts.

11           \*~~0541/P3.25~~\*SECTION 3414. 121.77 (3) of the statutes is amended to read:

12           121.77 (3) Subsections (1) (b) and (2) do not apply to a pupil attending a public  
13 school in a nonresident school district under s. 118.50, 118.51, or 121.84 (4).

14           \*~~0564/P3.1~~\*SECTION 3415. 121.85 (3) (a) of the statutes is renumbered 121.85  
15 (3) (a) 1. and amended to read:

16           121.85 (3) (a) 1. The Subject to subd. 2., the school board of the district of  
17 residence and the school board of the district of attendance may enter into annual  
18 written agreements to permit a pupil to attend a public school outside the school  
19 district of residence.

20           \*~~0564/P3.2~~\*SECTION 3416. 121.85 (3) (a) 2. of the statutes is created to read:

21           121.85 (3) (a) 2. a. Except as provided in subd. 2. b., beginning on the effective  
22 date of this subdivision paragraph .... [LRB inserts date], no school board may enter  
23 into a written agreement with another school board under subd. 1.

1           b. A school board may continue to enter into an annual written agreement with  
2 another school board under subd. 1. on behalf of a pupil that attended a public school  
3 under a written agreement under subd. 1. in the 2014–15 school year.

4           \***-0564/P3.3\*SECTION 3417.** 121.85 (3) (b) of the statutes is renumbered 121.85  
5 (3) (b) 1. and amended to read:

6           121.85 (3) (b) 1. The Except as provided in subd. 2., the school board of the a  
7 district may not permit a pupil to attend a public school under this section that is  
8 within the district ~~which~~ but that is outside the pupil's attendance area.

9           \***-0564/P3.4\*SECTION 3418.** 121.85 (3) (b) 2. of the statutes is created to read:

10           121.85 (3) (b) 2. The school board of a school district may permit a pupil to  
11 attend a public school under this section that is within the pupil's district of residence  
12 but that is outside the pupil's attendance area if the pupil attended a public school  
13 under this section that is within the pupil's district of residence but that is outside  
14 the pupil's attendance area in the 2014–15 school year.

15           \***-0564/P3.5\*SECTION 3419.** 121.85 (4) of the statutes is amended to read:

16           121.85 (4) OTHER PLANS TO REDUCE RACIAL IMBALANCE. (a) Pupil transfers  
17 resulting from a plan implemented by the school board to reduce racial imbalance  
18 in a school district or attendance area shall be deemed to be transfer agreements  
19 under sub. (3) and shall be eligible for state aid under this section if the transfers  
20 comply with sub. (2), provided the transfers are of pupils who attended a public  
21 school in a school district or attendance area under the plan in the 2014–15 school  
22 year.

23           (b) Any school board that, prior to May 4, 1976, established a plan to reduce  
24 racial imbalance in the school district is eligible for state aid under sub. (6) (a) if the  
25 state superintendent approves the plan, provided the transfer pupil attended a

1 public school in an attendance area other than the pupil's attendance area under the  
2 plan in the 2014-15 school year.

3 \*~~0564/P3.6~~\*SECTION 3420. 121.85 (5) of the statutes is renumbered 121.85  
4 (5) (a) and amended to read:

5 121.85 (5) (a) ~~Part-time~~ Except as provided in par. (b), part-time transfers for  
6 curriculum offerings ~~also may be~~ are not permitted under this section. The  
7 department ~~shall establish procedures for aid computations in such cases.~~

8 \*~~0564/P3.7~~\*SECTION 3421. 121.85 (5) (b) of the statutes is created to read:

9 121.85 (5) (b) A pupil who, in the 2014-15 school year, attended on a part-time  
10 basis under this section a public school that is in a school district other than the  
11 pupil's district of residence, or that is located in an attendance area other than the  
12 pupil's attendance area, for the purpose of receiving curriculum offerings at that  
13 school may continue to attend on a part-time basis under this section a public school  
14 that is in a school district other than the pupil's district of residence, or that is located  
15 in an attendance area other than the pupil's attendance area, for the purpose of  
16 receiving curriculum offerings at that school. The department shall establish  
17 procedures for aid computations in such cases.

18 \*~~0564/P3.8~~\*SECTION 3422. 121.85 (6) (h) of the statutes is created to read:

19 121.85 (6) (h) *Sunset*. Beginning on the effective date of this paragraph ....  
20 [LRB inserts date], a school district may not receive state aid under this section  
21 unless all of the following conditions are satisfied:

22 1. A pupil is attending a public school in the school district under one of the  
23 following:

24 a. A transfer agreement under sub. (3).

1           b. A plan that has been deemed a transfer agreement under sub. (4) (a) or  
2 approved under sub. (4) (b).

3           c. A part-time transfer under sub. (5).

4           2. The attendance of the pupil in the public school pursuant to the transfer  
5 agreement, plan, or part-time transfer described in subd. 1. complies with sub. (2).

6           3. The pupil described in subd. 1. attended a public school in the school district  
7 under one of the following in the 2014-15 school year:

8           a. A transfer agreement under sub. (3).

9           b. A plan that has been deemed a transfer agreement under sub. (4) (a) or  
10 approved under sub. (4) (b).

11           c. A part-time transfer under sub. (5).

12           \*~~0638/P2.14~~SECTION 3423. 121.87 (1) (b) of the statutes is amended to read:

13           121.87 (1) (b) The number of pupils who transferred to the school district under  
14 this subchapter who ~~are eligible~~ satisfy the income eligibility criteria for free or  
15 reduced-price lunches under 42 USC 1758 ~~(b) (1)~~.

16           \*~~1137/P7.35~~SECTION 3424. 121.90 (2) (am) 1. of the statutes is amended to  
17 read:

18           121.90 (2) (am) 1. Aid under ~~ss. s. 121.08, as if any reduction under s. 121.08~~  
19 (4) (c) had not occurred, and ss. 121.09, 121.105, and 121.136 and subch. VI, as  
20 calculated for the current school year on October 15 under s. 121.15 (4) and including  
21 adjustments made under s. 121.15 (4).

22           \*~~0602/P4.69~~SECTION 3425. 125.02 (3r) of the statutes is amended to read:

23           125.02 (3r) "Caterer" means any person holding a ~~restaurant permit~~ license  
24 under s. ~~254.64~~ 97.30 for a restaurant who is in the business of preparing food and  
25 transporting it for consumption on premises where gatherings, meetings, or events

1 are held, if the sale of food at each gathering, meeting, or event accounts for greater  
2 than 50 percent of the gross receipts of all of the food and beverages served at the  
3 gathering, meeting, or event.

4 \*~~0602/P4.70~~\*SECTION 3426. 125.02 (7) of the statutes is amended to read:

5 125.02 (7) “Hotel” means a hotel, as defined in s. ~~254.61(3)~~ 97.01 (7), that is  
6 provided with a restaurant.

7 \*~~0602/P4.71~~\*SECTION 3427. 125.02 (18) of the statutes is amended to read:

8 125.02 (18) “Restaurant” means a restaurant, as defined in s. ~~254.61(5)~~ 97.01  
9 (14g).

10 \*~~0807/P6.265~~\*SECTION 3428. 125.04 (5) (a) 5. of the statutes is amended to

11 read:

12 125.04 (5) (a) 5. Have successfully completed within the 2 years prior to the  
13 date of application a responsible beverage server training course at any location that  
14 is offered by a technical college district and that conforms to curriculum guidelines  
15 specified by the technical college system board or a comparable training course that  
16 is approved by the department ~~or the educational approval board~~. This subdivision  
17 does not apply to an applicant who held, or who was an agent appointed and approved  
18 under sub. (6) of a corporation or limited liability company that held, within the past  
19 2 years, a Class “A”, “Class A” or “Class C” license or a Class “B” or “Class B” license  
20 or permit or a manager’s or operator’s license.

21 \*~~0602/P4.72~~\*SECTION 3429. 125.06 (12) of the statutes is amended to read:

22 125.06 (12) BED AND BREAKFAST ESTABLISHMENTS. The provision by a bed and  
23 breakfast establishment, as defined under s. ~~254.61(1)~~ 97.01 (1g), of not more than  
24 2 complimentary 4-fluid-ounce glasses of wine per day to a person renting a room

1 at the bed and breakfast establishment for consumption on the premises of the bed  
2 and breakfast establishment.

3 \*~~0602/P4.73~~\*SECTION 3430. 125.07 (3) (a) 6. of the statutes is amended to  
4 read:

5 125.07 (3) (a) 6. Premises operated under both a Class “B” or “Class B” license  
6 or permit and a ~~restaurant permit~~ license under s. 97.30 for a restaurant where the  
7 principal business conducted is that of a restaurant. If the premises are operated  
8 under both a Class “B” or “Class B” license or permit and a ~~restaurant permit~~ license  
9 under s. 97.30 for a restaurant, the principal business conducted is presumed to be  
10 the sale of alcohol beverages, but the presumption may be rebutted by competent  
11 evidence.

12 \*~~0602/P4.74~~\*SECTION 3431. 125.07 (3) (a) 6m. of the statutes is amended to  
13 read:

14 125.07 (3) (a) 6m. Premises operating under both a “Class C” license and a  
15 ~~restaurant permit~~ license under s. 97.30 for a restaurant.

16 \*~~0807/P6.266~~\*SECTION 3432. 125.17 (6) (a) (intro.) of the statutes is amended  
17 to read:

18 125.17 (6) (a) (intro.) Except as provided in par. (b), no municipal governing  
19 body may issue an operator’s license unless the applicant has successfully completed  
20 a responsible beverage server training course at any location that is offered by a  
21 technical college district and that conforms to curriculum guidelines specified by the  
22 technical college system board or a comparable training course, which may include  
23 computer-based training and testing, that is approved by the department ~~or the~~  
24 ~~educational approval board~~, or unless the applicant fulfills one of the following  
25 requirements:



1           \***-0602/P4.75**\*SECTION 3433. 125.29 (6) of the statutes is amended to read:

2           125.29 (6) RESTAURANTS. A brewer may operate a restaurant on the brewery  
3 premises and at an off-site retail outlet established by the brewer. A brewer may not  
4 hold a restaurant permit license under s. 97.30 for a restaurant for the operation of  
5 a restaurant at any other location except that a brewer may possess or hold an  
6 indirect interest in a Class “B” license for not more than 20 restaurants in each of  
7 which the sale of alcohol beverages accounts for less than 60 percent of the  
8 restaurant’s gross receipts if no fermented malt beverages manufactured by the  
9 brewer are offered for sale in any of these restaurants.

10          \***-0602/P4.76**\*SECTION 3434. 125.295 (2) (a) 3. of the statutes is amended to  
11 read:

12          125.295 (2) (a) 3. The applicant operates a restaurant on the premises for which  
13 the permit is issued, for which a restaurant permit license is issued under s. ~~254.64~~  
14 97.30 for a restaurant.

15          \***-0602/P4.77**\*SECTION 3435. 125.295 (2) (b) of the statutes is amended to read:

16          125.295 (2) (b) If an applicant under par. (a) has no current operations, the  
17 applicant may certify that the applicant has applied for or will apply for a Class “B”  
18 license or restaurant permit license under s. 97.30 for a restaurant or will comply  
19 with any other requirement under par. (a), prior to or upon commencing operations  
20 authorized under this section. If a Class “B” license or restaurant permit license  
21 under s. 97.30 for a restaurant is not subsequently issued to the applicant, or if the  
22 applicant otherwise fails to comply with any requirement for eligibility under par.  
23 (a), the department may revoke under s. 125.12 (5) the permit issued under this  
24 section.

25          \***-0602/P4.78**\*SECTION 3436. 125.68 (5) of the statutes is amended to read:

1           125.68 (5) RESTAURANT SANITATION RULES. No applicant may obtain a “Class B”  
2 license or permit or a “Class C” license unless the premises complies with the rules  
3 promulgated by the department of health services agriculture, trade and consumer  
4 protection governing sanitation in restaurants. However, the department of health  
5 services agriculture, trade and consumer protection may not restrict the serving of  
6 cheese without charge in individual portions to customers as permitted by s. 254.61  
7 (~~5~~) 97.01 (14g).

8           \*~~0602/P4.79~~\*SECTION 3437. 126.56 (2) (b) of the statutes is amended to read:

9           126.56 (2) (b) A restaurant or other retail food establishment that procures  
10 processing vegetables solely for retail sale at the restaurant or other retail food  
11 establishment.

12           \*~~0807/P6.267~~\*SECTION 3438. 134.66 (2m) (b) of the statutes is amended to  
13 read:

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

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

5 **\*-0971/P5.618\*SECTION 3439.** 137.20 (6) (b) of the statutes is amended to read:

6 137.20 (6) (b) A governmental unit that has custody of a record is also further  
7 subject to the retention requirements for public records of state agencies, and the  
8 records of the University of Wisconsin System Authority and the University of  
9 Wisconsin Hospitals and Clinics Authority established under ss. 16.61, and 16.611  
10 and the retention requirements for documents of local governmental units  
11 established under s. 16.612.

12 **\*-0971/P5.619\*SECTION 3440.** 137.20 (7) of the statutes is amended to read:

13 137.20 (7) The public records board may promulgate rules prescribing  
14 standards consistent with this subchapter for retention of records by state agencies,  
15 the University of Wisconsin System Authority, the University of Wisconsin Hospitals  
16 and Clinics Authority and local governmental units.

17 **\*-0807/P6.268\*SECTION 3441.** 138.055 (4) (d) of the statutes is amended to  
18 read:

19 138.055 (4) (d) The division of banking department of financial institutions and  
20 professional standards for all other lenders.

21 **\*-0807/P6.269\*SECTION 3442.** 138.056 (1) (a) 4. d. of the statutes is amended  
22 to read:

23 138.056 (1) (a) 4. d. The division of banking department of financial  
24 institutions and professional standards for all other lenders.

25 **\*-0807/P6.270\*SECTION 3443.** 138.09 (1d) of the statutes is amended to read:

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

3 ~~\*-0807/P6.271\*SECTION 3444.~~ 138.12 (1) (a) of the statutes is repealed.

4 ~~\*-0807/P6.272\*SECTION 3445.~~ 138.12 (1) (am) of the statutes is created to  
5 read:

6 138.12 (1) (am) “Department” means the department of financial institutions  
7 and professional standards.

8 ~~\*-0807/P6.273\*SECTION 3446.~~ 138.14 (1) (f) of the statutes is repealed.

9 ~~\*-0807/P6.274\*SECTION 3447.~~ 138.14 (9r) (f) of the statutes is amended to  
10 read:

11 138.14 (9r) (f) The ~~division~~ department shall make copies of the informational  
12 materials under par. (a) available, upon request, to licensees and to the public,  
13 including making these informational materials available on the department’s  
14 Internet site of the ~~department of financial institutions~~. The ~~division~~ department  
15 may charge licensees a reasonable fee for printed copies of informational materials  
16 supplied under this paragraph.

17 ~~\*-0807/P6.275\*SECTION 3448.~~ 138.16 (1) (a) of the statutes is amended to read:

18 138.16 (1) (a) ~~“Division”~~ Department means the ~~division of banking attached~~  
19 ~~to the department of financial institutions~~ and professional standards.

20 ~~\*-0794/P1.6\*SECTION 3449.~~ 145.01 (4m) of the statutes is renumbered 145.01  
21 (4m) (intro.) and amended to read:

22 145.01 (4m) FAILING PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM. (intro.)  
23 “Failing private on-site wastewater treatment system” ~~has the meaning specified~~  
24 ~~under s. 145.245 (4).~~ means a private on-site wastewater treatment system that  
25 causes or results in any of the following conditions:

1           \*~~0794/P1.7~~\*SECTION 3450. 145.01 (4m) (a) of the statutes is created to read:

2           145.01 (4m) (a) The discharge of sewage into surface water or groundwater.

3           \*~~0794/P1.8~~\*SECTION 3451. 145.01 (4m) (b) of the statutes is created to read:

4           145.01 (4m) (b) The introduction of sewage into zones of saturation which

5 adversely affects the operation of a private on-site wastewater treatment system.

6           \*~~0794/P1.9~~\*SECTION 3452. 145.01 (4m) (c) of the statutes is created to read:

7           145.01 (4m) (c) The discharge of sewage to a drain tile or into zones of bedrock.

8           \*~~0794/P1.10~~\*SECTION 3453. 145.01 (4m) (d) of the statutes is created to read:

9           145.01 (4m) (d) The discharge of sewage to the surface of the ground.

10          \*~~0794/P1.11~~\*SECTION 3454. 145.01 (4m) (e) of the statutes is created to read:

11          145.01 (4m) (e) The failure to accept sewage discharges and backup of sewage

12 into the structure served by the private on-site wastewater treatment system.

13          \*~~0807/P6.276~~\*SECTION 3455. 145.01 (12) of the statutes is amended to read:

14          145.01 (12) PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM. “Private on-site

15 wastewater treatment system” means a sewage treatment and disposal system

16 serving a single structure with a septic tank and soil absorption field located on the

17 same parcel as the structure. This term also means an alternative sewage system

18 approved by the department of natural resources including a substitute for the septic

19 tank or soil absorption field, a holding tank, a system serving more than one

20 structure or a system located on a different parcel than the structure. A private

21 on-site wastewater treatment system may be owned by the property owner or by a

22 special purpose district.

23          \*~~0807/P6.277~~\*SECTION 3456. 145.02 (title) of the statutes is amended to read:

24          145.02 (title) **Powers of the department of financial institutions and**

25 **professional standards and the department of natural resources.**

## SECTION 3457

1           \*~~0807/P6.278~~\*SECTION 3457. 145.02 (2) of the statutes is amended to read:

2           145.02 (2) The Except as provided in sub. (2m), the department shall have  
3 general supervision of all such plumbing and shall after public hearing prescribe and  
4 publish and enforce reasonable standards therefor which shall be uniform and of  
5 statewide concern so far as practicable. Any employee designated by the department  
6 may act for the department in holding such public hearing. To the extent that the  
7 historic building code applies to the subject matter of these standards, the standards  
8 do not apply to a qualified historic building if the owner elects to be subject to s.  
9 101.121.

10          \*~~0807/P6.279~~\*SECTION 3458. 145.02 (2m) of the statutes is created to read:

11          145.02 (2m) The department of natural resources shall have general  
12 supervision of private on-site wastewater treatment systems and shall have the  
13 powers described under s. 281.48 with respect to those systems. The department  
14 shall promulgate rules establishing standards for private on-site wastewater  
15 treatment systems.

16          \*~~0807/P6.280~~\*SECTION 3459. 145.02 (4) (a) of the statutes is amended to read:

17          145.02 (4) (a) The department shall prescribe rules as to the qualifications,  
18 examination and licensing of master and journeyman plumbers and restricted  
19 plumber licensees, for the licensing of utility contractors, for the registration of  
20 plumbing apprentices and pipe layers and for the registration and training of  
21 registered learners. The plumbers council, created under s. ~~15.407~~ 15.177 (16), shall  
22 advise the department in formulating the rules.

23          \*~~0807/P6.281~~\*SECTION 3460. 145.045 (1) of the statutes is amended to read:

24          145.045 (1) POWERS AND DUTIES. The department shall by rule establish an  
25 examining program for the certification of soil testers, setting such standards as the

1 department finds necessary to accomplish the purposes of this chapter. Such  
2 standards shall include formal written examinations for all applicants. The  
3 department shall charge applicants for the cost of examination and certification.  
4 After July 1, 1974, no person may construct soil bore holes or conduct soil percolation  
5 tests or other similar tests specified by the department of natural resources that  
6 relate to private on-site wastewater treatment systems unless the person holds a  
7 valid certificate issued under this section.

8 \*~~0807/P6.282~~\*SECTION 3461. 145.045 (3) of the statutes is amended to read:

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

14 \*~~0807/P6.283~~\*SECTION 3462. 145.17 (2) of the statutes is amended to read:

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

21 \*~~0807/P6.284~~\*SECTION 3463. 145.19 (1b) of the statutes is amended to read:

22 145.19 (1b) DEFINITION. In this section, "sanitary permit" means a permit  
23 authorizing the installation of a private on-site wastewater treatment system that  
24 is issued by the department of natural resources or any governmental unit  
25 responsible for the regulation of private on-site wastewater treatment systems.

## SECTION 3464

1           \*~~0807/P6.285~~\*SECTION 3464. 145.19 (1m) of the statutes is amended to read:

2           145.19 (1m) APPLICATION PROCESS. The department of natural resources shall  
3           prescribe the information to be included in an application for a sanitary permit. The  
4           applicant shall submit the completed application for a sanitary permit to the  
5           governmental unit. The governmental unit shall approve or disapprove the sanitary  
6           permit according to the rules promulgated by the department of natural resources  
7           under this chapter.

8           \*~~0807/P6.286~~\*SECTION 3465. 145.19 (2) of the statutes is amended to read:

9           145.19 (2) FEE. No fee for a sanitary permit may be less than the amount  
10          determined under by the department of natural resources by rule. The governing  
11          body for the governmental unit responsible for the regulation of private on-site  
12          wastewater treatment systems may establish a fee for a sanitary permit which is  
13          more than the amount determined under by the department of natural resources by  
14          rule. A governmental unit may not charge more than one fee for a sanitary permit  
15          or the renewal of a sanitary permit in any 12-month period.

16          \*~~0807/P6.287~~\*SECTION 3466. 145.19 (3) of the statutes is amended to read:

17          145.19 (3) FEES AND RECORDS OF PERMITS FORWARDED TO THE DEPARTMENT OF  
18          NATURAL RESOURCES. The governmental unit responsible for the regulation of private  
19          on-site wastewater treatment systems shall forward to the department of natural  
20          resources within 90 days after each valid permit is issued a portion of the fee, as  
21          determined under by the department of natural resources by rule. The  
22          governmental unit shall also compile a periodic summary of the permits that it has  
23          issued. The summary shall contain the information required by the department of  
24          natural resources by rule, and shall be submitted by the governmental unit to the



1 department of natural resources at intervals to be determined by the department of  
2 natural resources by rule.

3 \***-0807/P6.288**\*SECTION 3467. 145.19 (6) of the statutes is amended to read:

4 145.19 (6) GROUNDWATER FEE. In addition to the fee under sub. (2), the  
5 governmental unit responsible for the regulation of private on-site wastewater  
6 treatment systems shall collect a groundwater fee of \$25 for each sanitary permit.  
7 The governmental unit shall forward this fee to the department of natural resources  
8 together with the fee under sub. (3). The moneys collected under this subsection  
9 shall be credited to the environmental fund for environmental management.

10 \***-0807/P6.289**\*SECTION 3468. 145.20 (2) (e) of the statutes is amended to read:

11 145.20 (2) (e) File reports and conduct surveys and inspections as required by  
12 the governmental unit responsible for the regulation of private on-site wastewater  
13 treatment systems or the department of natural resources.

14 \***-0807/P6.290**\*SECTION 3469. 145.20 (2) (g) of the statutes is amended to read:

15 145.20 (2) (g) Perform other duties regarding private on-site wastewater  
16 treatment systems as considered appropriate by the governmental unit responsible  
17 for the regulation of private on-site wastewater treatment systems or as required by  
18 the rules of the department of natural resources.

19 \***-0807/P6.291**\*SECTION 3470. 145.20 (3) (title) of the statutes is amended to  
20 read:

21 145.20 (3) (title) DEPARTMENT OF NATURAL RESOURCES RESPONSIBILITIES.

22 \***-0807/P6.292**\*SECTION 3471. 145.20 (3) (a) 1. of the statutes is amended to  
23 read:

24 145.20 (3) (a) 1. The department of natural resources may specify categories  
25 of private on-site wastewater treatment systems for which approval by the

1 department of natural resources is required prior to issuance of sanitary permits by  
2 the governmental unit responsible for the regulation of private on-site wastewater  
3 treatment systems.

4 \***-0807/P6.293**\*SECTION 3472. 145.20 (3) (a) 2. of the statutes is amended to  
5 read:

6 145.20 (3) (a) 2. The department of natural resources may exempt a  
7 governmental unit from any category of private on-site wastewater treatment  
8 systems for which ~~departmental approval by the department of natural resources~~ is  
9 required prior to sanitary permit issuance under subd. 1., upon a determination, in  
10 accordance with rules promulgated by the department of natural resources, that past  
11 performance of the governmental unit on reviews and audits under par. (b) has been  
12 satisfactory and that the governmental unit has the capacity to give the same level  
13 of application and plan review as that provided by the department of natural  
14 resources. The department of natural resources may revoke an exemption upon a  
15 finding that performance of the governmental unit on a review or audit conducted  
16 subsequent to the granting of the exemption is unsatisfactory or that the  
17 governmental unit is not giving the same level of application and plan review as that  
18 provided by the department of natural resources. Findings in a revocation action  
19 may be made only after a public hearing upon 30 days' advance notice to the clerk  
20 of the governmental unit. The department of natural resources shall submit a report  
21 under s.13.172 (2) to the chief clerk of each house of the legislature, at the beginning  
22 of each legislative session, describing the exemptions under this subdivision.

23 \***-0807/P6.294**\*SECTION 3473. 145.20 (3) (b) of the statutes is amended to read:

24 145.20 (3) (b) The department of natural resources shall review the private  
25 on-site wastewater treatment system program in each governmental unit

1 responsible for the regulation of private on-site wastewater treatment systems to  
2 ascertain compliance with sub. (2) and with regulations issued by the department of  
3 natural resources. This review shall include a random audit of sanitary permits,  
4 including verification by on-site inspection.

5 \*~~0807/P6.295~~SECTION 3474. 145.20 (3) (c) of the statutes is amended to read:

6 145.20 (3) (c) If the governing body for a governmental unit responsible for the  
7 regulation of private on-site wastewater treatment systems does not adopt a private  
8 on-site wastewater treatment system ordinance meeting the requirements of s.  
9 59.70 (5) or if the governmental unit does not appoint personnel meeting the  
10 requirements of sub. (1) or if the governmental unit does not comply with the  
11 requirements of sub. (2) or s. 145.19 (3), the department of natural resources may  
12 conduct hearings in the county seat upon 30 days' notice to the county clerk. As soon  
13 as practicable after the public hearing, the department of natural resources shall  
14 issue a written decision regarding compliance with s. 59.70 (5) or 145.19 (3) or sub.  
15 (1) or (2). If the department of natural resources determines that there is a violation  
16 of these provisions, the governmental unit may not issue a sanitary permit for the  
17 installation of a private on-site wastewater treatment system until the violation is  
18 corrected.

19 \*~~0807/P6.296~~SECTION 3475. 145.20 (3) (d) of the statutes is amended to  
20 read:

21 145.20 (3) (d) The department of natural resources shall conduct training and  
22 informational programs for officials of the governmental unit responsible for the  
23 regulation of private on-site wastewater treatment systems and employees and  
24 persons licensed under this chapter and s. 281.48 and certified as operators of  
25 septage servicing vehicles under s. 281.17 (3) to improve the delivery of service under

1 the private on-site wastewater treatment system program. The department of  
2 natural resources shall obtain the assistance of the Wisconsin counties association,  
3 and may consult with the department of financial institutions and professional  
4 standards, in planning and conducting the training and informational programs.

5 \*~~0794/P1.12~~\*SECTION 3476. 145.20 (5) (a) of the statutes is amended to read:

6 145.20 (5) (a) The department shall establish a maintenance program to be  
7 administered by governmental units responsible for the regulation of private on-site  
8 wastewater treatment systems. The department shall determine the private on-site  
9 wastewater treatment systems to which the maintenance program applies. At a  
10 minimum the maintenance program is applicable to all new or replacement private  
11 on-site wastewater treatment systems constructed in a governmental unit after the  
12 date on which the governmental unit adopts this program. The department may  
13 apply the maintenance program by rule to private on-site wastewater treatment  
14 systems constructed in a governmental unit responsible for the regulation of private  
15 on-site wastewater treatment systems on or before the date on which the  
16 governmental unit adopts the program. ~~The department shall determine the private~~  
17 ~~on-site wastewater treatment systems to which the maintenance program applies~~  
18 ~~in governmental units that do not meet the conditions for eligibility under s. 145.245~~  
19 (9).

20 \*~~0807/P6.297~~\*SECTION 3477. 145.20 (5) (a) of the statutes, as affected by  
21 2015 Wisconsin Act .... (this act), is amended to read:

22 145.20 (5) (a) The department of natural resources shall establish a  
23 maintenance program to be administered by governmental units responsible for the  
24 regulation of private on-site wastewater treatment systems. The department of of  
25 natural resources shall determine the private on-site wastewater treatment

1 systems to which the maintenance program applies. At a minimum the maintenance  
2 program is applicable to all new or replacement private on-site wastewater  
3 treatment systems constructed in a governmental unit after the date on which the  
4 governmental unit adopts this program. The department of natural resources may  
5 apply the maintenance program by rule to private on-site wastewater treatment  
6 systems constructed in a governmental unit responsible for the regulation of private  
7 on-site wastewater treatment systems on or before the date on which the  
8 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.

9       \***-0794/P1.13**\*SECTION 3478. 145.20 (5) (am) of the statutes is amended to  
10 read:

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

19       \***-0807/P6.298**\*SECTION 3479. 145.20 (5) (b) of the statutes is amended to read:  
20       145.20 (5) (b) The maintenance program shall include a requirement of  
21 inspection or pumping of the private on-site wastewater treatment system at least  
22 once every 3 years if the private on-site wastewater treatment system does not have  
23 a maintenance plan as prescribed by rule by the department of natural resources.

1 Inspections may be conducted by a master plumber, journeyman plumber or  
2 restricted plumber licensed under this chapter, a person licensed under s. 281.48 or  
3 by an employee of the state or governmental unit designated by the department of  
4 natural resources, and the department of natural resources may determine by rule  
5 other persons who are qualified to undertake required inspection, maintenance, or  
6 repairs. The department of natural resources shall specify the methods to establish  
7 the required frequency of inspection, maintenance, and pumping for each type of  
8 private on-site wastewater treatment system that does not have a maintenance plan  
9 and shall periodically update the methods.

10 \*~~0807/P6.299~~\*SECTION 3480. 145.20 (5) (c) of the statutes is amended to read:

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

18 \*~~0807/P6.300~~\*SECTION 3481. 145.23 of the statutes is amended to read:

19 **145.23 Rules.** The department of natural resources may make and enforce  
20 rules relating to lot size and lot elevation necessary for proper sanitary conditions  
21 in the development and maintenance of subdivisions not served by a public sewer,  
22 where provision for such service has not been made. The department of natural  
23 resources may consult with the department of financial institutions and professional  
24 standards in promulgating rules under this section.

25 \*~~0807/P6.301~~\*SECTION 3482. 145.24 (1) of the statutes is amended to read:

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

6           \*~~0807/P6.302~~\*SECTION 3483. 145.24 (2) of the statutes is amended to read:

7           145.24 (2) The department of natural resources shall establish procedures for  
8 the review and evaluation of existing private on-site wastewater treatment systems  
9 which do not comply with siting or design standards.

10          \*~~0807/P6.303~~\*SECTION 3484. 145.24 (3) of the statutes is amended to read:

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

23          \*~~0794/P1.14~~\*SECTION 3485. 145.245 of the statutes is repealed.

24          \*~~0433/P4.3~~\*SECTION 3486. 146.82 (1) of the statutes is amended to read:

1           146.82 (1) CONFIDENTIALITY. All patient health care records shall remain  
2 confidential. Patient health care records may be released only to the persons  
3 designated in this section or to other persons with the informed consent of the patient  
4 or of a person authorized by the patient. This subsection does not prohibit reports  
5 made in compliance with s. 253.12 (2), 255.40, or 979.01; records generated or  
6 disclosed pursuant to rules promulgated under s. 450.19 961.385; testimony  
7 authorized under s. 905.04 (4) (h); or releases made for purposes of health care  
8 operations, as defined in 45 CFR 164.501, and as authorized under 45 CFR 164,  
9 subpart E.

10           \*~~1258/P1.2~~SECTION 3487. 153.60 (intro.) and (1) of the statutes are  
11 consolidated, renumbered 153.60 and amended to read:

12           **153.60 Assessments to fund operations of department Department**  
13 **expenditure estimate.** Subject to s. 153.455: ~~(1) The, the~~ department shall, by  
14 the first October 1 after the commencement of each fiscal year, estimate the total  
15 amount of expenditures under this subchapter for the department for that fiscal year  
16 for data collection, database development and maintenance, generation of data files  
17 and standard reports, orientation and training provided under s. 153.05 (9) (a) and  
18 contracting with the data organization under s. 153.05 (2r). ~~The department shall~~  
19 ~~assess the estimated total amount for that fiscal year, less the estimated total~~  
20 ~~amount to be received for purposes of administration of this subchapter under s.~~  
21 ~~20.435 (1) (hi) during the fiscal year and the unencumbered balance of the amount~~  
22 ~~received for purposes of administration of this subchapter under s. 20.435 (1) (hi)~~  
23 ~~from the prior fiscal year, to health care providers, other than hospitals and~~  
24 ~~ambulatory surgery centers, who are in a class of health care providers from whom~~  
25 ~~the department collects data under this subchapter in a manner specified by the~~



1 ~~department by rule. The department shall work together with the department of~~  
2 ~~safety and professional services to develop a mechanism for collecting assessments~~  
3 ~~from health care providers other than hospitals and ambulatory surgery centers. No~~  
4 ~~health care provider that is not a facility may be assessed under this subsection an~~  
5 ~~amount that exceeds \$75 per fiscal year. All payments of assessments shall be~~  
6 ~~credited to the appropriation under s. 20.435 (1) (hg).~~

7 \*~~0971/P5.620~~**SECTION 3488.** 157.02 (3) of the statutes is amended to read:

8 157.02 (3) NOTICE TO UNIVERSITY OR SCHOOL. If the corpse is in the Mendota  
9 Mental Health Institute district, the University of Wisconsin System Authority shall  
10 be notified that it may have the corpse. If the corpse is in the Winnebago Mental  
11 Health Institute district, the Medical College of Wisconsin, Inc., or any accredited  
12 school of mortuary science at Milwaukee shall be notified that it may have the corpse.  
13 The university or school so notified shall immediately inform the superintendent or  
14 public officer whether it desires to have the corpse. If it does, the corpse shall be  
15 delivered accordingly, properly encased, to the most available facility for  
16 transportation to the consignee, the consignee to pay the cost of transportation.

17 \*~~0807/P6.304~~**SECTION 3489.** 157.061 (2g) of the statutes is amended to read:

18 157.061 (2g) "Cemetery board" means the board created in s. ~~15.405~~ 15.175  
19 (3m).

20 \*~~0807/P6.305~~**SECTION 3490.** 157.062 (1) of the statutes is amended to read:

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

1 Within 3 days, the chairperson and secretary shall certify the corporate name, the  
2 names, home addresses and business addresses of the organizers and of the trustees,  
3 and their classification, and the annual meeting date acknowledged by them, and,  
4 except as provided in sub. (9), deliver the certification to the department of ~~financial~~  
5 ~~institutions~~. The association then has the powers of a corporation.

6 \*~~0807/P6.306~~\*SECTION 3491. 157.062 (2) of the statutes is amended to read:

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

13 \*~~0807/P6.307~~\*SECTION 3492. 157.062 (6) (b) of the statutes is amended to  
14 read:

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

1 reorganization, the title to the cemetery grounds, trust funds, and all other property  
2 of the association or group vests in the reorganized association, under the control of  
3 the trustees. The reorganized association may continue the name of the dissolved  
4 association or may adopt a new name.

5 \*~~0807/P6.308~~SECTION 3493. 157.062 (6m) of the statutes is amended to  
6 read:

7 157.062 (6m) FORMS. The department of ~~financial institutions~~ may prescribe  
8 and furnish forms for providing the information required under subs. (1) to (6).

9 \*~~0807/P6.309~~SECTION 3494. 157.062 (9) of the statutes is amended to read:

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

16 \*~~0807/P6.310~~SECTION 3495. 157.064 (7) of the statutes is amended to read:

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

22 \*~~0807/P6.311~~SECTION 3496. 157.11 (9m) of the statutes is amended to read:

23 157.11 (9m) ACTION BY DISTRICT ATTORNEY. If any money or property is not  
24 turned over when required by this section, or default occurs under a bond, the district

1 attorney, upon the request of the department of safety and professional services,  
2 shall bring action to recover.

3 \*~~0807/P6.312~~\*SECTION 3497. 157.12 (3) (b) of the statutes is amended to read:

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

14 \*~~0807/P6.313~~\*SECTION 3498. 157.62 (1) (a) (intro.) of the statutes is amended  
15 to read:

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

22 \*~~0807/P6.314~~\*SECTION 3499. 157.62 (1) (c) of the statutes is amended to read:

23 157.62 (1) (c) The department of financial institutions may prescribe and  
24 furnish forms for reports required under this subsection. If the department of  
25 financial institutions prescribes forms under this paragraph, the department of

1 ~~financial institutions~~ shall mail the forms to cemetery associations required to file  
2 under par. (a) no later than 60 days before the reports are due.

3 \*~~0807/P6.315~~\*SECTION 3500. 157.65 (1) (a) of the statutes is amended to read:

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

9 \*~~0807/P6.316~~\*SECTION 3501. 157.65 (1) (b) of the statutes is amended to read:

10 157.65 (1) (b) If the department of ~~safety and professional services~~ has reason  
11 to believe that any person is violating s. 157.12 or any rule promulgated under s.  
12 157.12 and that the continuation of that activity might cause injury to the public  
13 interest, the department of ~~safety and professional services~~ may investigate.

14 \*~~0807/P6.317~~\*SECTION 3502. 157.65 (2) of the statutes is amended to read:

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

1           \*~~0971/P5.621~~\*SECTION 3503. 160.50 (1m) of the statutes is repealed.

2           \*~~1195/P2.2~~\*SECTION 3504. 165.055 (3) of the statutes is created to read:

3           165.055 (3) The attorney general may appoint, in the unclassified service, a  
4           solicitor general and no more than 3 deputy solicitors general, each of whom shall be  
5           an attorney at law licensed to practice in this state. The attorney general may assign  
6           assistant attorneys general to assist the solicitor general.

7           \*~~0971/P5.622~~\*SECTION 3505. 165.25 (6) (a) of the statutes is amended to read:

8           165.25 (6) (a) At the request of the head of any department of state government,  
9           the attorney general may appear for and defend any state department, or any state  
10          officer, employee, or agent of the department in any civil action or other matter  
11          brought before a court or an administrative agency which is brought against the state  
12          department, or officer, employee, or agent for or on account of any act growing out  
13          of or committed in the lawful course of an officer's, employee's, or agent's duties.  
14          Witness fees or other expenses determined by the attorney general to be reasonable  
15          and necessary to the defense in the action or proceeding shall be paid as provided for  
16          in s. 885.07. The Except when the attorney general appears for or defends the  
17          University of Wisconsin System Authority, the attorney general may compromise  
18          and settle the action as the attorney general determines to be in the best interest of  
19          the state. Members, officers, and employees of the Wisconsin state agencies building  
20          corporation and the Wisconsin state public building corporation are covered by this  
21          section. Members of the board of governors created under s. 619.04 (3), members of  
22          a committee or subcommittee of that board of governors, members of the injured  
23          patients and families compensation fund peer review council created under s.  
24          655.275 (2), and persons consulting with that council under s. 655.275 (5) (b) are  
25          covered by this section with respect to actions, claims, or other matters arising

1 before, on, or after April 25, 1990. The attorney general may compromise and settle  
2 claims asserted before such actions or matters formally are brought or may delegate  
3 such authority to the department of administration. This paragraph may not be  
4 construed as a consent to sue the state or any department thereof or as a waiver of  
5 state sovereign immunity.

6 **\*-0971/P5.623\*SECTION 3506.** 165.25 (8r) of the statutes is created to read:

7 **165.25 (8r) BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM**  
8 **AUTHORITY.** In subs. (1), (1m), (6), and (6m), treat the Board of Regents of the  
9 University of Wisconsin System Authority as a department of state government and  
10 any official, employee, or agent of the Board of Regents as a state official, employee,  
11 or agent, unless the state and the Board of Regents are adverse parties in an action  
12 or proceeding.

13 **\*-0244/P6.13\*SECTION 3507.** 165.25 (10m) (intro.) of the statutes is amended  
14 to read:

15 **165.25 (10m) REPORT ON GRANTS.** (intro.) Beginning on January 15, 2015, and  
16 annually thereafter, the department of justice shall submit a report to the legislature  
17 under s. 13.172 (2), regarding its administration of grant programs under ss. 165.71,  
18 165.95, and 165.955, 165.96, 165.986, and 165.987. The report shall include, for each  
19 grant program, all of the following information:

20 **\*-0971/P5.624\*SECTION 3508.** 165.40 (1) (f) of the statutes is amended to read:

21 **165.40 (1) (f)** “State agency” has the meaning given in s. 16.004 (12) (a), except  
22 that it includes the University of Wisconsin System Authority and the University of  
23 Wisconsin Hospitals and Clinics Authority.

24 **\*-0971/P5.625\*SECTION 3509.** 165.40 (2) (a) 6. of the statutes is created to  
25 read:

1 165.40 (2) (a) 6. The University of Wisconsin System Authority.

2 \*-0971/P5.626\*SECTION 3510. 165.40 (4) (h) of the statutes is amended to  
3 read:

4 165.40 (4) (h) That, if the hospital is sold, a right of first refusal is retained to  
5 repurchase the assets by a successor nonprofit corporation, by the city, county or  
6 state, the University of Wisconsin System Authority, or by the University of  
7 Wisconsin Hospitals and Clinics Authority if the hospital is subsequently sold to,  
8 acquired by or merged with another entity.

9 \*-0244/P6.14\*SECTION 3511. 165.71 of the statutes is created to read:

10 **165.71 State justice assistance grants.** (1) From the appropriation under  
11 s. 20.455 (2) (kz), the department of justice shall provide justice assistance grants to  
12 state agencies, local units of government, and private organizations to support the  
13 investigation, prosecution, or prevention of crime; to enhance public safety; to  
14 facilitate multijurisdictional or interagency information sharing; to support crime  
15 victims; and to reduce recidivism or crime.

16 (2) In consultation with local law enforcement, district attorneys, the secretary  
17 of corrections, the director of state courts, and the public defender, the department  
18 of justice shall develop and periodically update a strategic plan for state justice  
19 assistance grants under sub. (1).

20 (3) In providing grants under sub. (1), the department of justice shall give  
21 preference to grant-funded programs that have at least one of the following  
22 characteristics:

23 (a) The program has a primarily statewide or regional impact on the  
24 investigation, prosecution, or prevention of crime and is consistent with the strategic  
25 plan developed under sub. (2).



1 (b) The program has a primarily local impact on the investigation, prosecution,  
2 or prevention of crime; can be measured for effectiveness; and is consistent with the  
3 strategic plan developed under sub. (2).

4 (c) The program supports the investigation, prosecution, or prevention of  
5 crimes against children, domestic violence, or sexual assault.

6 (d) The program is designed to facilitate multijurisdictional or interagency  
7 information sharing that will assist in the investigation, prosecution, or prevention  
8 of crime.

9 (e) The program is designed to reduce recidivism or otherwise reduce crime and  
10 can be measured for effectiveness.

11 (4) The department of justice shall develop criteria and procedures to use in  
12 selecting recipients of grants under sub. (1) and in administering the grant program.  
13 Notwithstanding s. 227.10, the criteria and procedures do not need to be  
14 promulgated as rules under ch. 227. Any recipient that receives a grant under sub.  
15 (1) shall comply with state audits and any other criteria specified by the department  
16 of justice in awarding the grant.

17 **\*-0240/P3.4\*SECTION 3512.** 165.755 (7) of the statutes is amended to read:

18 165.755 (7) All moneys collected from crime laboratories and drug law  
19 enforcement surcharges under this section shall be deposited by the secretary of  
20 administration and used as specified in s. ss. 20.455 (2) (jb), (kd), and (Lm) and  
21 20.475 (1) (km).

\*\*\*\*NOTE: This is reconciled s. 165.755 (7). This SECTION has been affected by drafts  
with the following LRB numbers: - 0240/P2 and - 1058/P1.

22 **\*-0971/P5.627\*SECTION 3513.** 165.80 of the statutes is amended to read:

1           **165.80 Cooperation with ~~other state departments~~ the University of**  
2 **Wisconsin System Authority**. For the purpose of coordinating the work of the  
3 crime laboratories with the research departments located in the University of  
4 Wisconsin System Authority, the attorney general and the University of Wisconsin  
5 System Authority may agree for the use of university laboratories and university  
6 physical facilities and the exchange and utilization of personnel between the crime  
7 laboratories and the university.

8           \*~~0971/P5.628~~\*SECTION 3514. 165.81 (1) of the statutes is amended to read:  
9           165.81 (1) Whenever the department is informed by the submitting officer or  
10 agency that physical evidence in the possession of the laboratories is no longer  
11 needed the department may, except as provided in sub. (3) or unless otherwise  
12 provided by law, destroy the evidence, retain it in the laboratories, return it to the  
13 submitting officer or agency, or turn it over to the University of Wisconsin System  
14 Authority upon the request of the head of any department of the University of  
15 Wisconsin System Authority. If the department returns the evidence to the  
16 submitting officer or agency, any action taken by the officer or agency with respect  
17 to the evidence shall be in accordance with s. 968.20. Except as provided in sub. (3),  
18 whenever the department receives information from which it appears probable that  
19 the evidence is no longer needed, the department may give written notice to the  
20 submitting agency and the appropriate district attorney, by registered mail, of the  
21 intention to dispose of the evidence. If no objection is received within 20 days after  
22 the notice was mailed, it may dispose of the evidence.

23           \*~~0807/P6.318~~\*SECTION 3515. 165.825 of the statutes is amended to read:  
24           **165.825 Information link.** The department of justice shall cooperate with the  
25 departments of ~~safety and professional services~~, health services, and financial

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

3 \***-0244/P6.15**\*SECTION 3516. 165.96 of the statutes is repealed.

4 \***-0244/P6.16**\*SECTION 3517. 165.986 of the statutes is repealed.

5 \***-0244/P6.17**\*SECTION 3518. 165.987 of the statutes is repealed.

6 \***-0807/P6.319**\*SECTION 3519. 167.35 (7) (b) of the statutes is amended to read:

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

12 \***-0807/P6.320**\*SECTION 3520. 167.35 (7) (c) of the statutes is amended to read:

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

21 \***-1053/P2.21**\*SECTION 3521. 169.01 (35) (a) of the statutes is amended to read:

22 169.01 (35) (a) A veterinarian who is licensed in this state to practice  
23 veterinary medicine under ch. 453 89 and who is certified under rules promulgated  
24 by the department of agriculture, trade and consumer protection.

25 \***-1053/P2.22**\*SECTION 3522. 173.05 (1) (b) of the statutes is amended to read:

1           173.05 (1) (b) A person to whom par. (a) applies who is a veterinarian licensed  
2 under ch. 453 89 is not required to complete a course of training approved by the  
3 department if he or she takes an examination given by the department and passes  
4 the examination on the first attempt.

5           \*~~1053/P2.23~~\*SECTION 3523. 173.41 (2) (e) of the statutes is amended to read:

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

9           \*~~1053/P2.24~~\*SECTION 3524. 173.41 (12) (a) 4. of the statutes is amended to  
10 read:

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

16           \*~~0971/P5.629~~\*SECTION 3525. 174.13 (2) of the statutes is amended to read:

17           174.13 (2) Any officer or pound which has custody of an unclaimed dog may  
18 release the dog to the University of Wisconsin System Authority, the Medical College  
19 of Wisconsin, Inc., or to any other educational institution of higher learning  
20 chartered under the laws of the state and accredited to the University of Wisconsin  
21 System Authority, upon requisition by the institution. The requisition shall be in  
22 writing, shall bear the signature of an authorized agent, and shall state that the dog  
23 is requisitioned for scientific or educational purposes. If a requisition is made for a  
24 greater number of dogs than is available at a given time, the officer or pound may  
25 supply those immediately available and may withhold from other disposition all

1 unclaimed dogs coming into the officer's or pound's custody until the requisition is  
2 fully discharged, excluding impounded dogs as to which ownership is established  
3 within a reasonable period. A dog left by its owner for disposition is not considered  
4 an unclaimed dog under this section. If operated by a county, city, village or town,  
5 the officer or pound is entitled to the payment of \$1 for each dog requisitioned. An  
6 institution making a requisition shall provide for the transportation of the dog.

7 \*~~0807/P6.321~~\*SECTION 3526. 177.30 (2) of the statutes is amended to read:

8 177.30 (2) The administrator, at reasonable times and upon reasonable notice,  
9 may examine the records of any person to determine whether the person has  
10 complied with this chapter. The administrator may designate the ~~division of banking~~  
11 department of financial institutions and professional standards or other appropriate  
12 regulatory authority to examine the records of regulated institutions to determine  
13 if the institutions have complied with this chapter. The administrator may conduct  
14 the examination even if the person believes it is not in possession of any property  
15 reportable or deliverable under this chapter.

16 \*~~0807/P6.322~~\*SECTION 3527. 182.028 of the statutes is amended to read:

17 **182.028 School corporations.** Any corporation formed for the establishment  
18 and maintenance of schools, academies, seminaries, colleges or universities or for the  
19 cultivation and practice of music shall have power to enact bylaws for the protection  
20 of its property, and provide fines as liquidated damages upon its members and  
21 patrons for violating the bylaws, and may collect the same in tort actions, and to  
22 prescribe and regulate the courses of instruction therein, and to confer such degrees  
23 and grant such diplomas as are usually conferred by similar institutions or as shall  
24 be appropriate to the courses of instruction prescribed, ~~except that no corporation~~  
25 ~~shall operate or advertise a school that is subject to s. 38.50 (10) without complying~~

1 ~~with the requirements of s. 38.50.~~ Any stockholder may transfer his or her stock to  
2 the corporation for its use; and if the written transfer so provides the stock shall be  
3 perpetually held by the board of directors with all the rights of a stockholder,  
4 including the right to vote.

5 \*~~0807/P6.323~~\*SECTION 3528. 186.098 (12) of the statutes is amended to read:

6 186.098 (12) LOANS TO MEMBERS. A credit union may make loans to members  
7 secured by assignment or transfer of stock certificates or other evidence of the  
8 borrower's ownership interest in a corporation formed for the cooperative ownership  
9 of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a  
10 mortgage involving a one-family residence, apply to a proceeding to enforce the  
11 lender's rights in security given for a loan under this subsection. The office of credit  
12 unions shall promulgate joint rules with the ~~division of banking~~ department of  
13 financial institutions and professional standards that establish procedures for  
14 enforcing a lender's rights in security given for a loan under this subsection.

15 \*~~0807/P6.324~~\*SECTION 3529. 186.235 (15) (b) of the statutes is amended to  
16 read:

17 186.235 (15) (b) Witness fees shall be the same as fees under s. 814.67 (1) (b)  
18 and (c). The fees of witnesses who are called by the office in the interests of the state  
19 shall be paid by the state upon presentation of proper vouchers approved by the office  
20 of credit unions and charged to the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (g).  
21 A witness subpoenaed by the office at the instance of a party other than the office  
22 shall not be entitled to payment of fees by the state unless the office certifies that the  
23 testimony was material to the purpose for which the subpoena was issued.

24 \*~~0807/P6.325~~\*SECTION 3530. 186.314 (2m) (e) of the statutes is amended to  
25 read:

1           186.314 (2m) (e) Upon approval by the credit union members of the proposition  
2 for conversion under par. (c), the credit union shall take all necessary action under  
3 ch. 214 or 221 to complete the conversion to a savings bank or state bank. Within  
4 90 days after receipt from the ~~division of banking~~ department of financial  
5 institutions and professional standards of a certificate of incorporation as a savings  
6 bank or state bank, the credit union shall file a copy of the certificate with the office  
7 of credit unions and the office of credit unions shall issue to a converting credit union  
8 a certificate of conversion to a savings bank or state bank.

9           \*~~0234/P2.1~~\***SECTION 3531.** 194.01 (11) of the statutes is amended to read:

10           194.01 (11) “Private motor carrier” means any person ~~except a common or~~  
11 ~~contract motor carrier engaged in the~~ who provides transportation of property or  
12 passengers by commercial motor vehicle ~~other than an automobile or trailer used~~  
13 ~~therewith, upon the public highways~~ and is not a contract motor carrier.

14           \*~~1078/P4.22~~\***SECTION 3532.** 196.218 (3) (a) 3. b. of the statutes is amended  
15 to read:

16           196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), (qm),  
17 and (r), 20.285 (1) (q), and 20.505 (4) (s), ~~(t), (tm), (tu), and (tw).~~

18           \*~~0971/P5.630~~\***SECTION 3533.** 196.218 (3) (a) 3. b. of the statutes, as affected  
19 by 2015 Wisconsin Act .... (this act), is amended to read:

20           196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), (qm),  
21 and (r), ~~20.285 (1) (q),~~ and 20.505 (4) (s).

      \*\*\*\*NOTE: This is reconciled s. 196.218 (3) (a) 3. b. This SECTION has been affected  
by drafts with the following LRB numbers: LRB-0971/P4 and LRB-1061/P2.

22           \*~~0971/P5.631~~\***SECTION 3534.** 196.218 (5) (a) 6. of the statutes is repealed.

1           \*~~1078/P4.23~~**SECTION 3535.** 196.218 (5) (a) 10. of the statutes is created to  
2 read:

3           196.218 (5) (a) 10. To make broadband expansion grants under s. 196.504.

4           \*~~1215/P3.339~~**SECTION 3536.** 196.49 (4) of the statutes is amended to read:  
5           196.49 (4) The commission may not issue a certificate under sub. (1), (2), or (3)  
6 for the construction of electric generating equipment and associated facilities unless  
7 the commission determines that brownfields, as defined in s. ~~238.13~~ 235.13 (1) (a) or  
8 s. 560.13 (1) (a), 2009 stats., are used to the extent practicable.

9           \*~~1215/P3.340~~**SECTION 3537.** 196.491 (3) (a) 2m. b. of the statutes is amended  
10 to read:

11           196.491 (3) (a) 2m. b. The applicant proposes alternative construction sites for  
12 the facility that are contiguous or proximate, provided that at least one of the  
13 proposed sites is a brownfield, as defined in s. ~~238.13~~ 235.13 (1) (a), or the site of a  
14 former or existing large electric generating facility.

15           \*~~1215/P3.341~~**SECTION 3538.** 196.491 (3) (d) 8. of the statutes is amended to  
16 read:

17           196.491 (3) (d) 8. For a large electric generating facility, brownfields, as defined  
18 in s. ~~238.13~~ 235.13 (1) (a), are used to the extent practicable.

19           \*~~1078/P4.24~~**SECTION 3539.** 196.504 (2) (a) of the statutes is amended to read:  
20           196.504 (2) (a) To make broadband expansion grants to eligible applicants for  
21 the purpose of constructing broadband infrastructure in underserved areas  
22 designated under par. (d). Grants awarded under this section shall be paid from the  
23 appropriation appropriations under s. 20.155 (3) ~~(g)~~ (k), (r), and (rm).

24           \*~~0338/P3.1~~**SECTION 3540.** 196.504 (2) (c) of the statutes is amended to read:



1 196.504 (2) (c) To establish criteria for evaluating applications and awarding  
2 grants under this section. The criteria shall prohibit grants that have the effect of  
3 subsidizing the expenses of a telecommunication provider or the monthly bills of  
4 telecommunications customers. The criteria shall give priority to projects that  
5 include matching funds, that involve public-private partnerships, that affect areas  
6 with no broadband service providers, that are scalable, or that affect a large  
7 geographic area or a large number of underserved individuals or communities.

8 ~~\*-0807/P6.326\*~~SECTION 3541. 200.49 (1) (b) of the statutes is amended to read:

9 200.49 (1) (b) “Minority group member” has the meaning given under s. ~~16.287~~  
10 203.07 (1) (f).

11 ~~\*-0807/P6.327\*~~SECTION 3542. 200.57 (1) (a) of the statutes is amended to read:

12 200.57 (1) (a) “Disabled veteran-owned financial adviser” and “disabled  
13 veteran-owned investment firm” mean a financial adviser and investment firm,  
14 respectively, certified by ~~the department of administration~~ under s. ~~16.283~~ 203.03  
15 (3).

16 ~~\*-0807/P6.328\*~~SECTION 3543. 200.57 (1) (b) of the statutes is amended to read:

17 200.57 (1) (b) “Minority financial adviser” and “minority investment firm”  
18 mean a financial adviser and investment firm, respectively, certified by ~~the~~  
19 ~~department of administration~~ under s. ~~16.287~~ 203.07 (2).

20 ~~\*-0807/P6.329\*~~SECTION 3544. Chapter 203 (title) of the statutes is created to  
21 read:

## 22 CHAPTER 203

### 23 BUSINESS DEVELOPMENT

24 ~~\*-0807/P6.330\*~~SECTION 3545. 203.01 of the statutes is created to read:

25 **203.01 Definitions.** In this chapter:

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

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

5           \*~~0807/P6.331~~\*SECTION 3546. 214.01 (1) (f) of the statutes is created to read:  
6           214.01 (1) (f) “Department” means the department of financial institutions and  
7 professional standards.

8           \*~~0807/P6.332~~\*SECTION 3547. 214.01 (1) (im) of the statutes is repealed.

9           \*~~0807/P6.333~~\*SECTION 3548. 214.04 (21) (b) of the statutes is amended to  
10 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 \*~~0807/P6.334~~SECTION 3549. 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 \*~~0807/P6.335~~SECTION 3550. 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 \*~~0807/P6.336~~SECTION 3551. 214.72 (1) (am) of the statutes is repealed.

16 \*~~0807/P6.337~~SECTION 3552. 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 \*~~0807/P6.338~~SECTION 3553. 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           \*~~0807/P6.339~~\*SECTION 3554. 214.78 (3) of the statutes is amended to read:

2           214.78 (3) A person who subpoenaes 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           \*~~0807/P6.340~~\*SECTION 3555. 215.01 (6) of the statutes is repealed.

9           \*~~0807/P6.341~~\*SECTION 3556. 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          \*~~0807/P6.342~~\*SECTION 3557. 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          \*~~0807/P6.343~~\*SECTION 3558. 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          \*~~0807/P6.344~~\*SECTION 3559. 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 **\*-0807/P6.345\*SECTION 3560.** 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 **\*-0807/P6.346\*SECTION 3561.** 217.02 (2m) of the statutes is repealed.

7 **\*-0807/P6.347\*SECTION 3562.** 218.02 (1) (d) of the statutes is repealed.

8 **\*-0807/P6.348\*SECTION 3563.** 218.02 (1) (dm) of the statutes is created to  
9 read:

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

12 **\*-0807/P6.349\*SECTION 3564.** 218.04 (1) (bm) of the statutes is created to  
13 read:

14 218.04 (1) (bm) “Department” means the department of financial institutions  
15 and professional standards.

16 **\*-0807/P6.350\*SECTION 3565.** 218.04 (1) (c) of the statutes is repealed.

17 **\*-0807/P6.351\*SECTION 3566.** 218.05 (1) (cm) of the statutes is created to read:

18 218.05 (1) (cm) “Department” means the department of financial institutions  
19 and professional standards.

20 **\*-0807/P6.352\*SECTION 3567.** 218.05 (1) (d) of the statutes is repealed.

21 **\*-0971/P5.632\*SECTION 3568.** 219.09 (1) (h) of the statutes is created to read:

22 219.09 (1) (h) The University of Wisconsin System Authority.

23 **\*-0807/P6.353\*SECTION 3569.** 220.01 (1m) of the statutes is repealed.

24 **\*-0807/P6.354\*SECTION 3570.** 221.0303 (2) of the statutes is amended to read:

1           221.0303 (2) OPERATION AND ACQUISITION OF CUSTOMER BANK COMMUNICATIONS  
2           TERMINALS. A bank may, directly or indirectly, acquire, place, and operate, or  
3           participate in the acquisition, placement, and operation of, at locations other than  
4           its main or branch offices, customer bank communications terminals, in accordance  
5           with rules established by the ~~division~~ department. The rules of the ~~division~~  
6           department shall provide that any such customer bank communications terminal  
7           shall be available for use, on a nondiscriminatory basis, by any state or national bank  
8           and by all customers designated by a bank using the terminal. This subsection does  
9           not authorize a bank which has its principal place of business outside this state to  
10          conduct banking business in this state. The customer bank communications  
11          terminals also shall be available for use, on a nondiscriminatory basis, by any credit  
12          union, savings and loan association, or savings bank, if the credit union, savings and  
13          loan association, or savings bank requests to share its use, subject to rules jointly  
14          established by the ~~division of banking~~ department and the office of credit unions.  
15          The ~~division~~ department by order may authorize the installation and operation of a  
16          customer bank communications terminal in a mobile facility, after notice and  
17          hearing upon the proposed service stops of the mobile facility.

18           \*~~-0807/P6.355~~\*SECTION 3571. 221.0802 of the statutes is amended to read:

19           **221.0802 Banks may be placed in hands of ~~division~~ department.** A bank  
20          doing business under this chapter may place its affairs and assets under the control  
21          of the ~~division~~ department by posting a notice on its front door, as follows: "This bank  
22          is in the hands of the ~~Division of Banking of the Department of Financial Institutions~~  
23          and Professional Standards". Immediately upon posting such notice, the bank shall  
24          notify the ~~division~~ department of this action. The posting of the notice, or the taking  
25          possession of a bank by the ~~division~~ department, places the bank's assets and

1 property in the possession of the ~~division~~ department, and bars any attachment  
2 proceedings. For each day the ~~division~~ department is placed in possession of the  
3 bank, and until such time as a special deputy is appointed under s. 220.08 (4), the  
4 bank shall pay to the ~~division~~ department the actual cost of such liquidation  
5 proceedings. The ~~division~~ department shall pay the amounts to the state treasurer  
6 and the percentage specified in s. ~~20.144 (1)~~ 20.142 (2) (g) shall be credited to the  
7 appropriation account under s. ~~20.144 (1)~~ 20.142 (2) (g).

8 \*~~0807/P6.356~~\*SECTION 3572. 222.0102 (3) of the statutes is repealed.

9 \*~~0809/1.1~~\*SECTION 3573. 224.30 (5) of the statutes is created to read:

10 224.30 (5) ELECTRONIC FILING. (a) In this subsection, “filing” means the  
11 submission to the department of any form, instrument, application, report, notice,  
12 or other information required or permitted to be submitted to the department for  
13 retention in the department’s records.

14 (b) Subject to par. (c), the department may require any filing to be made  
15 electronically in a manner prescribed by the department. Subject to par. (c), if the  
16 department requires that a filing be made electronically, the department may  
17 require that any fee associated with the filing be paid using a suitable method  
18 prescribed by the department.

\*\*\*\*NOTE: Many filings with DFI require payment of a fee. The second sentence of  
this provision allows DFI to require that fees be paid in a manner consistent with the  
electronic filing, such as by electronic fund transfer or prior deposit of funds with DFI.

19 (c) The department may waive any requirement imposed under par. (b) if all  
20 of the following apply:

21 1. The person affected by the requirement makes a written request to the  
22 department, in a manner prescribed by the department, that the requirement be

1 waived and clearly states in the request why the requirement causes the person  
2 undue hardship.

3 2. The department determines, in its discretion, that the requirement, if  
4 imposed on the person, would cause the person undue hardship.

5 **\*-1215/P3.342\*SECTION 3574.** 224.71 (1br) (intro.) of the statutes is amended  
6 to read:

7 224.71 (1br) (intro.) “Bona fide nonprofit organization” means an organization  
8 that is described in section 501 (c) (3) of the Internal Revenue Code and exempt from  
9 federal income tax under section 501 (a) of the Internal Revenue Code, that is  
10 certified by the federal department of housing and urban development or the  
11 Forward Wisconsin Housing and Economic Development Authority, and that does all  
12 of the following:

13 **\*-0807/P6.357\*SECTION 3575.** 224.71 (1e) of the statutes is repealed.

14 **\*-0807/P6.358\*SECTION 3576.** 224.90 (1) of the statutes is repealed.

15 **\*-0971/P5.633\*SECTION 3577.** 227.01 (1) of the statutes is amended to read:

16 227.01 (1) “Agency” means a board, commission, committee, department, or  
17 officer in the state government, except the governor, a district attorney or a military  
18 or judicial officer, and in this subchapter, subch. II, and s. 227.40, “agency” includes  
19 the Board of Regents of the University of Wisconsin System Authority.

20 **\*-0971/P5.634\*SECTION 3578.** 227.01 (13) (kr) of the statutes is repealed.

21 **\*-0971/P5.635\*SECTION 3579.** 227.01 (13) (Lg) of the statutes is created to  
22 read:

23 227.01 (13) (Lg) Is a policy or procedure adopted by the Board of Regents of the  
24 University of Wisconsin System Authority under ch. 36.

25 **\*-0971/P5.636\*SECTION 3580.** 227.01 (13) (Lm) of the statutes is repealed.



1           \*~~0971/P5.637~~\*SECTION 3581. 227.01 (13) (Ln) of the statutes is repealed.

2           \*~~0855/2.3~~\*SECTION 3582. 227.01 (13) (Lr) of the statutes is amended to read:

3           227.01 (13) (Lr) Determines what constitutes high-demand fields for purposes  
4 of s. 38.28 (2) (be) 1. b. and s. 106.34 (2) (b).

5           \*~~0333/P3.33~~\*SECTION 3583. 227.01 (13) (sm) of the statutes is created to read:

6           227.01 (13) (sm) Is a standard or statement of policy adopted by the charter  
7 school oversight board.

8           \*~~0445/P2.22~~\*SECTION 3584. 227.01 (13) (zq) of the statutes is amended to  
9 read:

10           227.01 (13) (zq) Designates the Kickapoo valley reserve under s. ~~41.41~~ 23.0927  
11 (2).

12           \*~~0807/P6.359~~\*SECTION 3585. 227.01 (13) (zy) of the statutes is amended to  
13 read:

14           227.01 (13) (zy) Relates to any form prescribed by ~~the division of banking in~~  
15 the department of financial institutions and professional standards in connection  
16 with the licensing of mortgage bankers or mortgage brokers under s. 224.72 or the  
17 licensing of mortgage loan originators under s. 224.725.

18           \*~~0846/1.1~~\*SECTION 3586. 227.03 (2) of the statutes is amended to read:

19           227.03 (2) Except as provided in s. ~~ss. 108.105, 949.11, and 949.31,~~ only the  
20 provisions of this chapter relating to rules are applicable to matters arising out of s.  
21 66.191, 1981 stats., s. 40.65 (2), 289.33, 303.07 (7) or 303.21 or subch. II of ch. 107  
22 or ch. 102, 108, or 949.

23           \*~~0209/3.7~~\*SECTION 3587. 227.03 (4) of the statutes is amended to read:

24           227.03 (4) The provisions of this chapter relating to contested cases do not  
25 apply to proceedings involving the revocation of community supervision or aftercare

1 supervision under s. 938.357 (5), the revocation of parole, extended supervision, or  
2 probation, the grant of probation, prison discipline, mandatory release under s.  
3 302.11, or any other proceeding involving the care and treatment of a resident or an  
4 inmate of a correctional institution.

5 **\*-1059/9.76\*SECTION 3588.** 227.10 (3) (e) of the statutes is amended to read:

6 227.10 (3) (e) Nothing in this subsection prohibits the ~~administrator~~ director  
7 of the ~~division~~ bureau of merit recruitment and selection in the ~~office of state~~  
8 ~~employment relations~~ department of administration from promulgating rules  
9 relating to expanded certification under s. 230.25 (1n).

10 **\*-1103/P1.4\*SECTION 3589.** 227.43 (1) (bk) of the statutes is created to read:

11 227.43 (1) (bk) Assign a hearing examiner to preside over any hearing or review  
12 under s. 44.40 (3m) or 44.42 (3).

13 **\*-0610/P3.364\*SECTION 3590.** 227.43 (1) (bm) of the statutes is created to

14 read:

15 227.43 (1) (bm) Assign a hearing examiner to preside over any hearing or  
16 review of a worker's compensation claim or other dispute under ch. 102.

17 **\*-0610/P3.365\*SECTION 3591.** 227.43 (2) (am) of the statutes is created to

18 read:

19 227.43 (2) (am) The office of the commissioner of insurance shall notify the  
20 division of hearings and appeals of every pending hearing to which the administrator  
21 of the division is required to assign a hearing examiner under sub. (1) (bm) after the  
22 office of the commissioner of insurance is notified that a hearing on the matter is  
23 required.

24 **\*-1045/P1.3\*SECTION 3592.** 227.43 (3) (a) of the statutes is amended to read: