



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-0249/P7
MPG/KRP/ZW/AM:amn

DOA:.....Potts, BB0032 - Elimination of inactive boards, councils, or commissions

FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

This bill eliminates a number of inactive state entities based on the 2017-19 budget request of DSPS. Current law requires DSPS to include in its agency budget request a proposal to eliminate any council, board, or commission that has not held a meeting since the preceding September 15, unless the council, board, or commission is required to exist under federal law.

The entities eliminated under the bill include the Bioenergy Council; the Automatic Fire Sprinkler System Contractors and Journeymen Council; and the Plumbers Council.

The bill eliminates the Depository Selection Board and transfers its powers and duties to the secretary of administration or his or her designee and eliminates the Examining Board of Professional Geologists, Hydrologists and Soil Scientists and transfers its powers and duties to DSPS.

The bill eliminates the Building Inspector Review Board and transfers its powers and duties to the Uniform Dwelling Code Council. Under the bill, the Uniform Dwelling Code Council, rather than the board, receives and reviews complaints regarding building inspectors, may revoke a building inspector's

certification under certain circumstances, and may modify or reverse erroneous decisions of a building inspector.

The bill eliminates the Contractor Certification Council and the Manufactured Housing Code Council and transfers their duties to the Uniform Dwelling Code Council.

Finally, the bill repeals requirements that the secretary of DSPS appoint certain advisory committees.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.01 (4) of the statutes is amended to read:

15.01 (4) "Council" means a part-time body appointed to function on a continuing basis for the study, and recommendation of solutions and policy alternatives, of the problems arising in a specified functional area of state government, except the council on physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the state council on alcohol and other drug abuse has the powers and duties specified in s. 14.24, the uniform dwelling code council has the powers and duties specified in s. 101.596, and the electronic recording council has the powers and duties specified in s. 706.25 (4).

SECTION 2. 15.105 (3) of the statutes is repealed.

SECTION 3. 15.137 (6) of the statutes is repealed.

SECTION 4. 15.405 (1m) of the statutes is repealed.

SECTION 5. 15.405 (2m) of the statutes is repealed.

SECTION 6. 15.407 (11) of the statutes is repealed.

SECTION 7. 15.407 (13) of the statutes is repealed.

****NOTE: This is reconciled s. 15.407 (13). This SECTION has been affected by drafts with the following LRB numbers: -0249/P5 and -0496/P1.

SECTION 8. 15.407 (16) of the statutes is repealed.

SECTION 9. 15.407 (17) of the statutes is repealed.

SECTION 10. 16.401 (14) of the statutes is amended to read:

16.401 (14) APPORTION INTEREST. Apportion at least quarterly the interest earned on state moneys in all depositories among the several funds as provided in s. 25.14 (3), except that earnings attributable to the investment of temporary excess balances under sub. (4) (b) shall be distributed according to a formula prescribed by the ~~depository selection board~~ secretary or his or her designee. To the maximum extent deemed administratively feasible by the ~~depository selection board~~ secretary or his or her designee, the formula shall approximate the distribution of earnings among funds which would occur if earnings were allocated in proportion to each fund's actual contribution to the earnings. Interest so apportioned shall be added to and become a part of such funds.

SECTION 11. 20.905 (1) of the statutes is amended to read:

20.905 (1) MANNER OF PAYMENT. Payments to the state may be made in legal tender, postal money order, express money order, bank draft, or certified check. Payments to the state may also be made by personal check or individual check drawn in the ordinary course of business unless otherwise required by individual state agencies. Payments to the state made by a debit or credit card approved by the ~~depository selection board~~ secretary of administration or his or her designee may be accepted by state agencies. Prior to authorizing the use of a card, the ~~depository selection board~~ secretary of administration or his or her designee shall determine how any charges associated with the use of the card shall be paid, unless the method of payment of such charges is specified by law. Unless otherwise specifically prohibited by law, payments to the state may be made by electronic funds transfer.

SECTION 12. 20.905 (2) of the statutes is amended to read:

20.905 (2) **PROTESTED PAYMENT.** If a personal check tendered to make any payment to the state is not paid by the bank on which it is drawn, if an electronic funds transfer does not take place because of insufficient funds, or if a demand for payment under a debit or credit card transaction is not paid by the bank upon which demand is made, the person by whom the check has been tendered, the person whose funds were to be electronically transferred, or the person entering into the debit or credit card transaction shall remain liable for the payment of the amount for which the check was tendered, the amount that was to be electronically transferred, or the amount agreed to be paid by debit or credit card and for all legal penalties, additions and a charge set by the ~~depository selection board~~ secretary of administration or his or her designee which is comparable to charges for unpaid drafts made by establishments in the private sector. In addition, the officer to whom the check was tendered, to whom the electronic funds transfer was promised, or to whom the debit or credit card was presented may, if there is probable cause to believe that a crime has been committed, provide any information or evidence relating to the crime to the district attorney of the county having jurisdiction over the offense for prosecution as provided by law. If any license has been granted upon any such check, any such electronic funds transfer, or any such debit or credit card transaction, the license shall be subject to cancellation for the nonpayment of the check, the failure to make the electronic funds transfer, or failure of the bank to honor the demand for payment authorized by debit or credit card.

SECTION 13. 20.906 (6) of the statutes is amended to read:

20.906 (6) **DIRECT DEPOSITS.** The governor or the secretary of administration may require state agencies making deposits under this section to make direct deposits to any depository designated by the ~~depository selection board~~ secretary of

administration or his or her designee, if such a requirement is advantageous or beneficial to this state.

SECTION 14. 20.920 (2) (c) of the statutes is amended to read:

20.920 (2) (c) All moneys in a contingent fund, except petty cash accounts established under s. 16.52 (7), shall be deposited in a separate account in a public depository approved by the ~~depository selection board~~ secretary or his or her designee. The agency head of each state agency having a contingent fund is responsible for all disbursements from the fund, but the agency head may delegate the responsibility for administration of the fund to a custodian, who shall be an employee of the agency. State agency invoices which qualify for payment from a contingent fund may be paid by check, share draft or other draft drawn by the agency head or custodian against the account. No such invoice need be submitted for audit prior to disbursement. After making each disbursement, the agency head shall file with the secretary a claim for reimbursement of the contingent fund on a voucher which shall be accompanied by a copy of the invoice to be reimbursed. Upon audit and approval of the claim by the secretary, the department of administration shall reimburse the contingent fund with the total amount lawfully paid therefrom.

SECTION 15. 25.19 (3) of the statutes is amended to read:

25.19 (3) The secretary of administration or his or her designee shall, ~~at the direction of the depository selection board~~ under s. 34.045 (1) (bm), allocate bank service costs to the funds incurring those costs.

SECTION 16. 34.045 (title) of the statutes is repealed and recreated to read:

34.045 (title) Secretary of administration.

SECTION 17. 34.045 (1) (intro.) of the statutes is amended to read:

34.045 (1) (intro.) ~~The depository selection board~~ secretary of administration or his or her designee shall:

SECTION 18. 34.045 (1) (bm) of the statutes is amended to read:

34.045 (1) (bm) ~~Direct the secretary of administration to maintain~~ Maintain compensating balances, or direct the investment board to pay bank service costs as allocated by the secretary of administration under s. 25.19 (3) directly from the income account of the state investment fund, or by a combination of such methods.

SECTION 19. 34.045 (2) of the statutes is amended to read:

34.045 (2) ~~In the exercise of its authority, the depository selection board~~ The secretary of administration or his or her designee shall require any state department or agency to submit to it him or her for prior review, elimination, consolidation, renegotiation, or confirmation any existing service contract or service proposed by the department or agency.

SECTION 20. 34.045 (3) of the statutes is amended to read:

34.045 (3) ~~The board~~ secretary of administration or his or her designee may, for cause, disapprove any contract submitted to it under sub. (2) if it he or she finds the proposed contract to be in violation of the guidelines established under sub. (1), or to have been improperly negotiated or to be otherwise illegal. If the ~~board~~ secretary of administration or his or her designee fails to disapprove a proposed contract within 60 days after it is submitted by the department or agency, the contract shall be deemed approved. ~~The board~~ secretary of administration or his or her designee shall provide written justification for disapproving a contract proposed by a state agency or department. A disapproval is subject to judicial review under ch. 227.

SECTION 21. 34.045 (4) of the statutes is amended to read:

34.045 (4) State agencies and departments shall provide the ~~board~~ secretary of administration or his or her designee with a written justification for any proposed contract award for service.

SECTION 22. 93.47 of the statutes is repealed.

SECTION 23. 101.596 (title) of the statutes is repealed and recreated to read:

101.596 (title) Review of building inspectors.

SECTION 24. 101.596 (1) (a) of the statutes is repealed.

SECTION 25. 101.596 (2) (a) of the statutes is amended to read:

101.596 (2) (a) The ~~review board~~ uniform dwelling code council shall review complaints received from permittees concerning possible incompetent, negligent, or unethical conduct by building inspectors.

SECTION 26. 101.596 (2) (b) of the statutes is amended to read:

101.596 (2) (b) After reviewing a complaint received under par. (a), the ~~review board~~ uniform dwelling code council may revoke the certification of a building inspector if the ~~board~~ uniform dwelling code council determines that the building inspector has engaged in incompetent, negligent, or unethical conduct.

SECTION 27. 101.596 (2) (c) of the statutes is amended to read:

101.596 (2) (c) The ~~review board~~ uniform dwelling code council may modify or reverse decisions made by building inspectors if the ~~board~~ uniform dwelling code council finds that the decision by the building inspector was made in error.

SECTION 28. 101.596 (3) of the statutes is repealed.

SECTION 29. 101.596 (4) of the statutes is created to read:

101.596 (4) **RULES.** The department, in consultation with the uniform dwelling code council, may promulgate any rules necessary for the administration of this section.

SECTION 30. 101.62 (title) of the statutes is amended to read:

101.62 (title) **Uniform dwelling code council; power duties.**

SECTION 31. 101.625 (intro.) of the statutes is repealed.

SECTION 32. 101.625 (1) of the statutes is renumbered 101.62 (5) and amended to read:

101.62 (5) ~~Recommend~~ The uniform dwelling code council shall recommend for promulgation by the department rules for certifying the financial responsibility of contractors under s. 101.654. ~~These~~ Those rules shall include rules providing for the assessment of fees upon applicants for certification of financial responsibility under s. 101.654 and for the suspension and revocation of that certification. The amount of the fees recommended under this subsection may not exceed an amount that is sufficient to defray the costs incurred in certifying the financial responsibility of applicants under s. 101.654.

SECTION 33. 101.625 (2) of the statutes is renumbered 101.62 (6) and amended to read:

101.62 (6) ~~Recommend~~ The uniform dwelling code council shall recommend to the department for approval under s. 101.654 (1m) (b) 1. courses that meet continuing education requirements.

SECTION 34. 101.625 (3) of the statutes is renumbered 101.62 (7) and amended to read:

101.62 (7) ~~Advise~~ The uniform dwelling code council shall advise the department on the development of course examinations for those persons who are required to pass an examination under s. 101.654 (1m) (b).

SECTION 35. 101.64 (3) of the statutes is amended to read:

101.64 (3) Revise the rules under this subchapter after consultation with the uniform dwelling code council ~~or with the contractor certification council, as appropriate.~~

SECTION 36. 101.933 of the statutes is amended to read:

101.933 ~~Manufactured housing~~ Uniform dwelling code council duties.

The ~~manufactured housing~~ uniform dwelling code council shall review this subchapter and rules promulgated under this subchapter and recommend a statewide manufactured housing code for promulgation by the department. The uniform dwelling code council shall consider and make recommendations to the department pertaining to rules and any other matter related to this subchapter, including recommendations with regard to licensure and professional discipline of manufacturers of manufactured homes, manufactured home dealers, manufactured home salespersons, and installers, and with regard to consumer protection applicable to consumers of manufactured homes. In making recommendations, the uniform dwelling code council shall consider the likely costs of any proposed rules to consumers in relation to the benefits that are likely to result therefrom.

SECTION 37. 101.96 (1) (a) of the statutes is amended to read:

101.96 (1) (a) *Promulgation of standards.* The department shall, by rule, establish installation standards for the safe installation of manufactured homes in this state. In promulgating rules under this paragraph, the department shall consider the recommendations of the ~~manufactured housing~~ uniform dwelling code council under s. 101.933.

SECTION 38. 145.02 (4) (a) of the statutes is amended to read:

145.02 (4) (a) The department shall ~~prescribe~~ promulgate rules as to the qualifications, ~~examination~~ and licensing of ~~master and journeyman plumbers and~~

the qualifications, examination, and licensing of master plumbers and restricted plumber licensees, for the licensing of utility contractors, for the registration of plumbing apprentices and pipe layers pipelayers, and for the registration and training of registered learners. The plumbers council, created under s. 15.407 (16), shall advise the department in formulating the rules. The department may not require an applicant for journeyman plumber's license to pass an examination.

***NOTE: This is reconciled s. 145.02 (4) (a). This SECTION has been affected by drafts with the following LRB numbers: -0249/P5 and -1393/P1.

SECTION 39. 145.17 (1) of the statutes is amended to read:

145.17 (1) The department may employ competent supervisors, who shall be licensed automatic fire sprinkler contractors or journeymen journeyman automatic fire sprinkler system fitters, and may employ other persons.

SECTION 40. 145.17 (2) of the statutes is amended to read:

145.17 (2) The department shall prescribe promulgate rules as to the qualifications, examination, and licensing of journeymen journeyman automatic fire sprinkler system fitters and automatic fire sprinkler contractors and for the registration and training of automatic fire sprinkler system apprentices. The automatic fire sprinkler system contractors and journeymen council, created under s. 15.407 (17), shall advise the department in formulating the rules. The department may not require an applicant for a journeyman automatic fire sprinkler system fitter or automatic fire sprinkler contractor license to pass an examination if the applicant has successfully completed an automatic fire sprinkler apprenticeship program under subch. I of ch. 106 that is recognized by the department.

***NOTE: This is reconciled s. 145.17 (2). This SECTION has been affected by drafts with the following LRB numbers: -0249/P5 and -1393/P1.

SECTION 41. 145.18 of the statutes is amended to read:

145.18 Temporary permits. The department may issue temporary permits to journeymen ~~journeyman~~ automatic fire sprinkler ~~system~~ fitters or to automatic fire sprinkler contractors pending examination of applicants for licenses. The department may also issue temporary permits to applicants for automatic fire sprinkler-maintenance only registration certificates. The department shall, by rule, prescribe the procedure for issuing these permits. Examination fees shall be paid at the time the permit is issued.

SECTION 42. 202.051 (3) (c) of the statutes is amended to read:

202.051 (3) (c) Pays the charge for an unpaid draft established by the ~~depository selection board~~ under s. 20.905 (2).

SECTION 43. 440.23 (2) (c) of the statutes is amended to read:

440.23 (2) (c) Pays the charge for an unpaid draft established by the ~~depository selection board~~ under s. 20.905 (2).

SECTION 44. 440.317 of the statutes is repealed.

SECTION 45. 440.987 of the statutes is repealed.

SECTION 46. 454.287 of the statutes is repealed.

SECTION 47. Chapter 470 (title) of the statutes is amended to read:

CHAPTER 470

~~EXAMINING BOARD OF PROFESSIONAL~~

GEOLOGISTS, HYDROLOGISTS, AND

SOIL SCIENTISTS

SECTION 48. 470.01 (1) of the statutes is repealed.

SECTION 49. 470.01 (5m) of the statutes is repealed.

SECTION 50. 470.01 (6m) of the statutes is repealed.

SECTION 51. 470.01 (8) of the statutes is repealed.

SECTION 52. 470.02 (1) of the statutes is amended to read:

470.02 (1) Engage or offer to engage in the practice of professional geology, designate himself or herself as a professional geologist, or use or assume the title “professional geologist” or any other title, letters, or designation ~~which~~ that represents or may tend to represent the person as a professional geologist unless the person is licensed ~~by the professional geologist section~~ as a professional geologist under this chapter.

SECTION 53. 470.02 (2) of the statutes is amended to read:

470.02 (2) Engage or offer to engage in the practice of professional hydrology, designate himself or herself as a professional hydrologist, or use or assume the title “professional hydrologist” or any other title, letters, or designation ~~which~~ that represents or may tend to represent the person as a professional hydrologist unless the person is licensed ~~by the professional hydrologist section~~ as a professional hydrologist under this chapter.

SECTION 54. 470.02 (3) of the statutes is amended to read:

470.02 (3) Engage or offer to engage in the practice of professional soil science, designate himself or herself as a professional soil scientist, or use or assume the title “professional soil scientist” or any other title, letters, or designation ~~which~~ that represents or may tend to represent the person as a professional soil scientist unless the person is licensed ~~by the professional soil scientist section~~ as a professional soil scientist under this chapter.

SECTION 55. 470.03 (title) of the statutes is amended to read:

470.03 (title) Duties of the examining board department.

SECTION 56. 470.03 (1) (intro.) of the statutes is amended to read:

470.03 (1) (intro.) The ~~examining board~~ department shall do all of the following:

SECTION 57. 470.03 (1) (a) of the statutes is amended to read:

470.03 (1) (a) ~~Upon the advice of the professional geologist section,~~ Promulgate rules establishing requirements and standards for the practice of professional geology by a person who is licensed as a professional geologist under this chapter, including a code of ethics that governs the practice of professional geology.

SECTION 58. 470.03 (1) (b) of the statutes is amended to read:

470.03 (1) (b) ~~Upon the advice of the professional hydrologist section,~~ Promulgate rules establishing requirements and standards for the practice of professional hydrology by a person who is licensed as a professional hydrologist under this chapter, including a code of ethics that governs the practice of professional hydrology.

SECTION 59. 470.03 (1) (c) of the statutes is amended to read:

470.03 (1) (c) ~~Upon the advice of the professional soil scientist section,~~ Promulgate rules establishing requirements and standards for the practice of professional soil science by a person who is licensed as a professional soil scientist under this chapter, including a code of ethics that governs the practice of professional soil science.

SECTION 60. 470.03 (2) of the statutes is amended to read:

470.03 (2) ~~Upon the advice of the appropriate section of the examining board,~~ The department may promulgate rules that establish continuing education requirements that a person must satisfy to be eligible to renew a license that is issued under this chapter.

SECTION 61. 470.03 (3) of the statutes is amended to read:

SECTION 61

470.03 (3) ~~Upon the advice of the appropriate section of the examining board, the examining board~~ The department may promulgate rules that exempt a person who is engaged in a profession related to those listed in s. 470.025 (12) (intro.) from the requirement to obtain a license under this chapter if the practice of the profession by the person involves only the incidental practice of geology, hydrology, or soil science, as defined in s. 470.025 (12) (a), and the person does not designate himself or herself as a professional geologist, hydrologist, or soil scientist or use any other title, letters, or designation that represents or tends to represent that the person is a professional geologist, hydrologist, or soil scientist.

SECTION 62. 470.04 (1) (intro.) of the statutes is amended to read:

470.04 (1) (intro.) ~~The professional geologist, hydrologist or soil scientist section~~ department may not grant a license under this chapter unless an applicant does each of the following:

SECTION 63. 470.04 (2) (intro.) of the statutes is amended to read:

470.04 (2) (intro.) ~~The professional geologist section~~ department shall grant a professional geologist license to a person who satisfies the requirements under sub. (1) and who submits evidence satisfactory to the ~~section~~ department of all of the following:

SECTION 64. 470.04 (2) (b) of the statutes is amended to read:

470.04 (2) (b) Subject to sub. (7), that he or she has a bachelor's degree with course credits in geology of a variety and nature sufficient to constitute a geology major from a college or university approved by the ~~examining board~~ department.

SECTION 65. 470.04 (2) (c) 1. (intro.) of the statutes is amended to read:

470.04 (2) (c) 1. (intro.) Subject to sub. (5), at least 5 years of professional experience in geologic work of a character satisfactory to the ~~section~~ which

department that demonstrates that the applicant is qualified to assume responsible charge of geologic work. At least 2 years of the geologic work required under this subdivision must have been performed under the supervision of any of the following:

SECTION 66. 470.04 (2) (c) 1. c. of the statutes is amended to read:

470.04 (2) (c) 1. c. Any other person whom the ~~section~~ department determines is qualified to have responsible charge of geologic work.

SECTION 67. 470.04 (2) (c) 2. of the statutes is amended to read:

470.04 (2) (c) 2. Subject to sub. (6), at least 7 years of professional experience in geologic work of a character satisfactory to the ~~section which~~ department that demonstrates that the applicant is qualified to assume responsible charge of geologic work, with a satisfactory evaluation of the last 2 years of the professional experience under a peer review system approved by the section department.

SECTION 68. 470.04 (3) (intro.) of the statutes is amended to read:

470.04 (3) (intro.) The ~~professional hydrologist section~~ department shall grant a professional hydrologist license to a person who satisfies the requirements under sub. (1) and who submits evidence satisfactory to the ~~section~~ department of all of the following:

SECTION 69. 470.04 (3) (b) of the statutes is amended to read:

470.04 (3) (b) Subject to sub. (7), that he or she has a bachelor's degree with course credits in hydrology or water resources of a variety and nature sufficient to constitute a hydrology or water resources major from a college or university approved by the ~~examining board~~ department.

SECTION 70. 470.04 (3) (c) 1. (intro.) of the statutes is amended to read:

470.04 (3) (c) 1. (intro.) Subject to sub. (5), at least 5 years of professional experience in hydrologic work of a character satisfactory to the ~~section which~~

department that demonstrates that the applicant is qualified to assume responsible charge of hydrologic work. At least 2 years of the hydrologic work required under this subdivision must have been performed under the supervision of any of the following:

SECTION 71. 470.04 (3) (c) 1. c. of the statutes is amended to read:

470.04 (3) (c) 1. c. Any other person who the ~~section~~ department determines is qualified to have responsible charge of hydrologic work.

SECTION 72. 470.04 (3) (c) 2. of the statutes is amended to read:

470.04 (3) (c) 2. Subject to sub. (6), at least 7 years of professional experience in hydrologic work of a character satisfactory to the ~~section which~~ department that demonstrates that the applicant is qualified to assume responsible charge of hydrologic work, with a satisfactory evaluation of the last 2 years of the professional experience under a peer review system approved by the ~~section~~ department.

SECTION 73. 470.04 (4) (intro.) of the statutes is amended to read:

470.04 (4) (intro.) The ~~professional soil scientist section~~ department shall grant a professional soil scientist license to a person who satisfies the requirements under sub. (1) and who submits evidence satisfactory to the ~~section~~ department of all of the following:

SECTION 74. 470.04 (4) (b) of the statutes is amended to read:

470.04 (4) (b) Subject to sub. (7), that he or she has a bachelor's degree with course credits in soil science of a variety and nature sufficient to constitute a soil science major from a college or university approved by the ~~examining board~~ department.

SECTION 75. 470.04 (4) (c) 1. (intro.) of the statutes is amended to read:

470.04 (4) (c) 1. (intro.) Subject to sub. (5), at least 5 years of professional experience in soil science work of a character satisfactory to the ~~section which~~

department that demonstrates that the applicant is qualified to assume responsible charge of soil science work. At least 2 years of the soil science work required under this subdivision must have been performed under the supervision of any of the following:

SECTION 76. 470.04 (4) (c) 1. c. of the statutes is amended to read:

470.04 (4) (c) 1. c. Any other person who the ~~section~~ department determines is qualified to have responsible charge of soil science work.

SECTION 77. 470.04 (4) (c) 2. of the statutes is amended to read:

470.04 (4) (c) 2. Subject to sub. (6), at least 7 years of professional experience in soil science work of a character satisfactory to the ~~section which~~ department that demonstrates that the applicant is qualified to assume responsible charge of soil science work, with a satisfactory evaluation of the last 2 years of the professional experience under a peer review system approved by the section department.

SECTION 78. 470.04 (5) of the statutes is amended to read:

470.04 (5) The ~~appropriate section of the examining board~~ department shall reduce the 5-year-experience requirement under sub. (2) (c) 1., (3) (c) 1. or (4) (c) 1. to 4 years if an applicant for a license has one or more advanced degrees, approved by the ~~section~~ department, in geology, geophysics, geochemistry, hydrology, engineering geology, geotechnical engineering, soil science or a related science.

SECTION 79. 470.04 (6) of the statutes is amended to read:

470.04 (6) The ~~appropriate section of the examining board~~ department shall reduce the 7-year-experience requirement under sub. (2) (c) 2., (3) (c) 2., or (4) (c) 2. to 6 years if an applicant for a license has one or more advanced degrees, approved by the ~~section~~ department, in hydrology, geology, geophysics, geochemistry, engineering geology, geotechnical engineering, soil science, or a related science.

SECTION 80. 470.04 (7) of the statutes is amended to read:

470.04 (7) ~~The appropriate section of the examining board~~ department may waive a requirement specified in sub. (2) (b), (3) (b), or (4) (b) if an applicant for a license has professional experience in excess of 5 years that the applicant demonstrates to the satisfaction of the ~~section~~ department is substantially equivalent to the requirement.

SECTION 81. 470.045 (3) (a) of the statutes is amended to read:

470.045 (3) (a) A firm, partnership, or corporation desiring a certificate of authorization shall submit an application to the department on forms provided by the department, listing the names and addresses of all officers and directors, and all individuals in its employment licensed to practice professional geology, hydrology, or soil science in this state who will be in responsible charge of professional geology, hydrology, or soil science being practiced in this state through the firm, partnership, or corporation and other relevant information required by the ~~appropriate section of the examining board~~ department. A similar type of form shall also accompany the renewal fee. If there is a change in any of these persons, the change shall be reported on the same type of form, and filed with the department within 30 days after the effective date of the change. ~~The appropriate section of the examining board~~ department shall grant a certificate of authorization to a firm, partnership, or corporation complying with this subsection upon payment of the initial credential fee determined by the department under s. 440.03 (9) (a). This subsection does not apply to firms, partnerships or corporations exempt under s. 470.025 (3).

SECTION 82. 470.05 of the statutes is amended to read:

470.05 Examination. ~~Beginning no later than January 1, 2000, the appropriate section of the examining board~~ The department shall conduct or arrange

for examinations for licensure as a professional geologist, hydrologist, or soil scientist at least semiannually and at times and places determined by the ~~section~~ department. Examinations under this section shall require an applicant to demonstrate minimum competency in the principles and practice of subjects substantially related to the practice of professional geology, hydrology, or soil science and may consist of one or more written or oral tests, or both.

SECTION 83. 470.06 (intro.) of the statutes is amended to read:

470.06 Reciprocal licenses. (intro.) Upon application and payment of the fee specified in s. 440.05 (2), the ~~appropriate section of the examining board~~ department may issue a professional geologist, hydrologist, or soil scientist license to a person who has been issued a similar license by another state or territory of the United States or in another country if he or she submits evidence satisfactory to the ~~section~~ department of all of the following:

SECTION 84. 470.07 of the statutes is amended to read:

470.07 Renewal of licenses. The renewal dates for licenses granted under this chapter are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the ~~appropriate section of the examining board~~ department that the applicant has completed any continuing education requirements specified in rules promulgated under s. 470.03 (2).

SECTION 85. 470.08 (1) of the statutes is amended to read:

470.08 (1) Subject to the rules promulgated under s. 440.03 (1), the ~~appropriate section of the examining board~~ department may make investigations and conduct

hearings to determine whether a violation of this chapter or any rule promulgated under this chapter has occurred.

SECTION 86. 470.08 (2) (intro.) of the statutes is amended to read:

470.08 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the ~~appropriate section of the examining board~~ department may reprimand a person issued a license under this chapter, or may deny, limit, suspend or revoke a license under this chapter, if the applicant or license holder has done any of the following:

SECTION 87. 470.08 (2) (g) of the statutes is amended to read:

470.08 (2) (g) Violated any requirement or standard relating to the practice of professional geology, hydrology, or soil science established by the ~~examining board~~ department by rule.

SECTION 88. 470.08 (2) (i) of the statutes is amended to read:

470.08 (2) (i) Failed to cooperate with the ~~examining board~~ department in an investigation under this section.

SECTION 89. 470.08 (3) of the statutes is amended to read:

470.08 (3) The ~~examining board~~ department may reprimand a firm, partnership, or corporation that holds a certificate of authorization issued under this chapter or may limit, suspend, or revoke such a certificate if any of the agents, employees, or officers of the firm, partnership, or corporation has committed any act or has been guilty of any conduct ~~which~~ that would authorize a reprimand or a limitation, suspension or revocation of a license under this chapter, unless the firm, partnership or corporation submits evidence satisfactory to the ~~examining board~~ department that the agent, employee, or officer is no longer practicing or offering to practice professional geology, hydrology, or soil science in its behalf.

SECTION 90. 470.08 (4) of the statutes is amended to read:

470.08 (4) Any person may make charges that any holder of a license or certificate of authorization issued under this chapter has committed an act for which a reprimand or limitation, suspension, or revocation of registration is authorized under sub. (2). Such charges shall be in writing, shall be sworn to by the person making them, and shall be submitted to the ~~examining board~~ department. The ~~examining board~~ department may, on its own motion, make such charges. All charges, unless dismissed by the ~~examining board~~ department as unfounded or trivial, shall be heard by the ~~appropriate section of the examining board~~ department, subject to the rules promulgated under s. 440.03 (1).

SECTION 91. 470.08 (5) of the statutes is amended to read:

470.08 (5) If, after a hearing under sub. (4), ~~3 members of a section of the examining board vote in favor of sustaining~~ department sustains the charges specified in sub. (4), the ~~examining board~~ department shall reprimand the holder of the license or certificate of authorization or limit, suspend, or revoke the license or certificate.

SECTION 92. 470.08 (6) of the statutes is amended to read:

470.08 (6) The ~~examining board~~ department, for reasons the ~~appropriate section of the examining board~~ department considers sufficient, may reissue a license or certificate of record to any person whose certificate has been revoked if ~~3 members of the section vote in favor of the reissuance~~. Subject to the rules of the ~~examining board~~ department, the ~~examining board~~ department may, upon payment of the required fee, issue a new license or certificate of authorization to replace any license or certificate that is revoked, lost, destroyed, or mutilated.

SECTION 93. 563.055 (2) (b) of the statutes is amended to read:

563.055 (2) (b) Pays the charge for an unpaid draft established by the depository selection board under s. 20.905 (2).

SECTION 9101. Nonstatutory provisions; Administration.

(1) ELIMINATION OF DEPOSITORY SELECTION BOARD.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the depository selection board become the assets and liabilities of the department of administration.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the depository selection board is transferred to the department of administration.

(c) *Contracts.* All contracts entered into by the depository selection board in effect on the effective date of this paragraph remain in effect and are transferred to the department of administration. The department of administration shall carry out all obligations under such a contract unless modified or rescinded by the department of administration to the extent allowed under the contract.

(d) *Pending matters.* Each matter pending with the depository selection board on the effective date of this paragraph is transferred to the department of administration, and all materials submitted to or actions taken by the depository selection board with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(e) *Rules and orders.* All rules promulgated by the depository selection board that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the department of administration. All orders issued by the depository selection board that are in effect

on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the department of administration.

SECTION 9102. Nonstatutory provisions; Agriculture, Trade and Consumer Protection.

(1) **ELIMINATION OF BIOENERGY COUNCIL.**

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the bioenergy council become the assets and liabilities of the department of agriculture, trade and consumer protection.

(b) *Contracts.* All contracts entered into by the bioenergy council in effect on the effective date of this paragraph remain in effect and are transferred to the department of agriculture, trade and consumer protection. The department of agriculture, trade and consumer protection shall carry out all obligations under such a contract unless modified or rescinded by the department of agriculture, trade and consumer protection to the extent allowed under the contract.

(c) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the bioenergy council is transferred to the department of agriculture, trade and consumer protection.

SECTION 9139. Nonstatutory provisions; Safety and Professional Services.

(1) **ELIMINATION OF EXAMINING BOARD OF PROFESSIONAL GEOLOGISTS, HYDROLOGISTS AND SOIL SCIENTISTS.**

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the examining board of professional geologists, hydrologists and soil scientists become the assets and liabilities of the department of safety and professional services.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the examining board of professional geologists, hydrologists and soil scientists is transferred to the department of safety and professional services.

(c) *Contracts.* All contracts entered into by the examining board of professional geologists, hydrologists and soil scientists in effect on the effective date of this paragraph remain in effect and are transferred to the department of safety and professional services. The department of safety and professional services shall carry out all obligations under such a contract unless modified or rescinded by the department of safety and professional services to the extent allowed under the contract.

(d) *Pending matters.* Each matter pending with the examining board of professional geologists, hydrologists and soil scientists on the effective date of this paragraph is transferred to the department of safety and professional services and all materials submitted to or actions taken by the examining board of professional geologists, hydrologists and soil scientists with respect to the pending matter are considered as having been submitted to or taken by the department of safety and professional services.

(e) *Rules and orders.* All rules promulgated by the examining board of professional geologists, hydrologists and soil scientists that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the department of safety and professional services. All orders issued by the examining board of professional geologists, hydrologists and soil scientists that are in effect on the effective date of this paragraph remain in effect

until their specified expiration dates or until modified or rescinded by the department of safety and professional services.

(2) ELIMINATION OF BUILDING INSPECTOR REVIEW BOARD.

(a) *Pending matters.* Each matter pending with the building inspector review board on the effective date of this paragraph is transferred to the uniform dwelling code council, and all materials submitted to or actions taken by the building inspector review board with respect to the pending matter are considered as having been submitted to or taken by the uniform dwelling code council.

(b) *Orders.* All orders issued by the building inspector review board that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the uniform dwelling code council.

(3) ELIMINATION OF CONTRACTOR CERTIFICATION COUNCIL.

(a) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the contractor certification council is transferred to the uniform dwelling code council.

(b) *Contracts.* All contracts entered into by the contractor certification council in effect on the effective date of this paragraph remain in effect and are transferred to the uniform dwelling code council. The uniform dwelling code council shall carry out any obligations under such a contract unless modified or rescinded by the uniform dwelling code council to the extent allowed under the contract.

(4) ELIMINATION OF MANUFACTURED HOUSING CODE COUNCIL.

(a) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the manufactured housing code council is transferred to the uniform dwelling code council.

(b) *Contracts*. All contracts entered into by the manufactured housing code council in effect on the effective date of this paragraph remain in effect and are transferred to the uniform dwelling code council. The uniform dwelling code council shall carry out any obligations under such a contract unless modified or rescinded by the uniform dwelling code council to the extent allowed under the contract.

(5) ELIMINATION OF AUTOMATIC FIRE SPRINKLER SYSTEM CONTRACTORS AND JOURNEYMEN COUNCIL.

(a) *Tangible personal property*. On the effective date of this paragraph, all tangible personal property, including records, of the automatic fire sprinkler system contractors and journeymen council is transferred to the department of safety and professional services.

(b) *Contracts*. All contracts entered into by the automatic fire sprinkler system contractors and journeymen council in effect on the effective date of this paragraph remain in effect and are transferred to the department of safety and professional services. The department of safety and professional services shall carry out any obligations under such a contract unless modified or rescinded by the department safety and professional services to the extent allowed under the contract.

(6) ELIMINATION OF PLUMBERS COUNCIL.

(a) *Tangible personal property*. On the effective date of this paragraph, all tangible personal property, including records, of the plumbers council is transferred to the department of safety and professional services.

(b) *Contracts*. All contracts entered into by the plumbers council in effect on the effective date of this paragraph remain in effect and are transferred to the department of safety and professional services. The department of safety and professional services shall carry out any obligations under such a contract unless

modified or rescinded by the department safety and professional services to the extent allowed under the contract.

(END)