State of Wisconsin
2015 - 2016 LEGISLATURE

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MG/RK/AG/FK/RC/TD/MD:all:jm

2015 ASSEMBLY BILL 163

April 14, 2015 – Introduced by Representative BALLWEG, cosponsored by Senators ROTH and FARROW. Referred to Committee on State Affairs and Government Operations.

AN ACT ***to repeal*** 15.07 (5) (i), 15.18, 15.183, 15.185 (title), 15.185 (7) (title), 15.40, 15.405 (12) (title), 15.945, 20.144 (title), 20.144 (intro.), 20.165 (intro.), 20.165 (1) (gc), 20.165 (1) (ke), 20.165 (2) (de), 20.165 (2) (g), 20.165 (2) (kg), 20.165 (2) (km), 20.292 (2), 20.320 (3) (title), 20.320 (3) (q), 20.923 (4) (f) 3f., 20.923 (4) (f) 8m., 20.923 (12), 38.50 (title), 38.50 (1) (a), 38.50 (1) (f), 38.50 (1) (g), 38.50 (5), 38.50 (7), 38.50 (8), 38.50 (10), 38.50 (13) (a) 2. b., 38.50 (13) (a) 2. e., 38.50 (13) (d), 46.90 (5m) (br) 5g., 55.043 (4) (b) 5g., 101.31, 101.657, 138.12 (1) (a), 138.14 (1) (f), 145.245, 214.01 (1) (im), 214.72 (1) (am), 215.01 (6), 217.02 (2m), 218.02 (1) (d), 218.04 (1) (c), 218.05 (1) (d), 220.01 (1m), 222.0102 (3), 224.71 (1e), 224.90 (1), 230.08 (2) (e) 4f., 230.08 (2) (e) 11m., 230.08 (2) (v), 230.339, 250.041 (1) (b), 254.115 (1) (d), 281.59 (1m) (c), 440.03 (13) (b) 73., 440.03 (13) (b) 74., 440.08 (2) (a) 70., 440.08 (2) (a) 71., 462.01 (3), 551.102 (5m), 552.01 (1) and 553.03 (3); ***to renumber*** 15.406 (title), 15.407 (title), 16.28, 16.283, 16.285, 16.287, 20.144 (1) (title), 20.144 (1) (a), 20.144 (1) (i), 20.144 (1)

(j), 20.144 (1) (m), 20.144 (1) (u), 20.165 (1) (gm), 20.165 (1) (h), 20.165 (1) (hg), 20.165 (1) (i), 20.165 (1) (im), 20.165 (1) (jm), 20.165 (1) (k), 20.165 (1) (ka), 20.165 (1) (kb), 20.165 (1) (kc), 20.165 (1) (n), 20.165 (1) (o), 20.165 (1) (pz), 20.165 (1) (s), 20.165 (2) (title), 20.165 (2) (a), 20.165 (2) (ga), 20.165 (2) (gb), 20.165 (2) (h), 20.165 (2) (ka), 20.165 (2) (kd), 20.165 (2) (ks), 20.165 (2) (L), 20.165 (2) (La), 20.165 (2) (m), 20.165 (2) (ma), 20.165 (2) (q), 93.135 (1) (a), chapter 453 (title), 453.02, 453.04, 453.065, 453.068, 453.075 and 453.08; ***to renumber and amend*** 15.105 (32), 15.105 (33), 15.185 (1), 15.185 (3), 15.185 (7) (a), 15.185 (7) (b), 15.405 (title), 15.405 (1), 15.405 (1m), 15.405 (2), 15.405 (2m), 15.405 (3), 15.405 (3m), 15.405 (5), 15.405 (5g), 15.405 (6), 15.405 (6m), 15.405 (7), 15.405 (7c), 15.405 (7e), 15.405 (7g), 15.405 (7m), 15.405 (7r), 15.405 (8), 15.405 (9), 15.405 (10m), 15.405 (10r), 15.405 (11m), 15.405 (12), 15.405 (16), 15.405 (17), 15.406 (2), 15.406 (3), 15.406 (4), 15.406 (5), 15.406 (6), 15.407 (1m), 15.407 (2), 15.407 (2m), 15.407 (3), 15.407 (5), 15.407 (6), 15.407 (7), 15.407 (8), 15.407 (9), 15.407 (10), 15.407 (11), 15.407 (12), 15.407 (13), 15.407 (14), 15.407 (16), 15.407 (17), 15.407 (18), 20.144 (1) (g), 20.144 (1) (h), 20.165 (1) (title), 20.165 (1) (a), 20.165 (1) (g), 20.165 (1) (m), 20.165 (2) (j), 20.505 (1) (gr), 38.50 (1) (intro.), (b), (c), (d) and (e), 38.50 (2), 38.50 (3), 38.50 (11), 38.50 (12), 38.50 (13) (title), (a) (intro.), 1., 2. (intro.), a., c. and d., 3. and 4., (b) and (c), 145.01 (4m), 252.23, 252.24, 252.241, 252.245, 255.08, 453.03, 453.05, 453.06, 453.062, 453.07 and 453.072; ***to amend*** 15.08 (1m) (a), 15.08 (1m) (am), 15.085 (1m) (a), 15.085 (1m) (am), 16.75 (3m) (a) 1., 16.75 (3m) (a) 2., 16.75 (3m) (a) 3., 16.75 (3m) (a) 4., 16.75 (3m) (c) 5. a., 16.75 (3m) (c) 5. b., 16.854 (1) (a), 16.854 (1) (b), 16.855 (10m) (ac), 16.855 (10n) (a), 16.87 (1) (am), 18.16 (1) (a), 18.16 (1) (b), 18.16 (1) (c), 18.16 (1) (d), 18.64 (1) (a), 18.64 (1) (b), 18.64 (1) (c),

18.64 (1) (d), 18.77 (1) (a), 18.77 (1) (b), 18.77 (1) (c), 18.77 (1) (d), 20.292 (1) (gm), 20.292 (1) (gr), 20.370 (4) (mq), 20.435 (1) (gm), 20.445 (1) (km), 20.575 (1) (g), 20.912 (4), 20.923 (4) (c) 2., 20.923 (8), 25.185 (1) (a), 25.185 (1) (b), 25.185 (1) (c), 25.185 (1) (d), 25.40 (1) (a) 2., 25.43 (3), 25.46 (5c), 29.506 (7m) (a), 29.736 (1) (b), 34.01 (2) (a), 34.03 (3), 34.03 (4), 34.08, 34.10, 36.34 (1) (a) 3., 38.04 (8) (a), 38.26 (1), 39.40 (1) (c), 39.44 (1) (a) 3., 41.53 (1) (h), 42.09 (3) (b), 45.20 (1) (d), 45.20 (2) (a) 1., 45.20 (2) (a) 2. (intro.), 45.20 (2) (c) 1., 45.20 (2) (d) 1. (intro.), 45.21 (2) (a), 45.44 (1) (a) 5., 45.44 (1) (a) 14., 45.44 (1) (b), 46.29 (3) (e), 46.90 (5m) (br) 5., 49.857 (1) (d) 4., 54.15 (8) (a) 3., 55.043 (4) (b) 5., 59.57 (1) (b), 66.1309 (1) (b) 1., 66.1317 (2) (a) 4., 67.12 (12) (a), 71.05 (6) (b) 28. (intro.), 71.07 (5j) (a) 2d., 71.07 (5j) (a) 2m., 71.07 (5j) (c) 3., 71.07 (5r) (a) 2., 71.07 (5r) (a) 6. b., 71.26 (1) (d), 71.28 (5j) (a) 2d., 71.28 (5j) (a) 2m., 71.28 (5j) (c) 3., 71.28 (5r) (a) 2., 71.28 (5r) (a) 6. b., 71.47 (5r) (a) 2., 71.47 (5r) (a) 6. b., 73.0301 (1) (d) 3., 73.0301 (1) (d) 6., 73.0301 (1) (e), 84.075 (1c) (a), 84.075 (1c) (b), 84.076 (1) (c), 84.076 (1) (d), 85.25 (2) (c) 1m. b., 93.20 (1), 93.22 (1), 93.22 (2), 93.22 (3), 94.67 (33m), 94.67 (33t), 95.21 (1) (e), 95.21 (1) (em), 95.21 (2) (a), 101.02 (20) (b), 101.02 (20) (c), 101.02 (20) (d), 101.02 (20) (e) 1., 101.02 (21) (b), 101.02 (21) (e) 1., 101.12 (1) (intro.), 101.149 (6) (b), 101.149 (8) (a), 101.573 (3) (a), 101.573 (5), 101.654 (1m) (e), 101.935 (2) (e), 101.951 (7) (a), 101.951 (7) (b), 101.951 (7) (c), 101.953 (1) (a), 101.973 (8), 107.30 (10), 107.31 (5) (a) (intro.), 108.227 (1) (e) 3., 108.227 (1) (e) 6., 108.227 (1) (f), 111.335 (1) (cx), 112.07 (1), 119.495 (2), 119.496 (2), 125.04 (5) (a) 5., 125.17 (6) (a) (intro.), 134.66 (2m) (b), 138.055 (4) (d), 138.056 (1) (a) 4. d., 138.09 (1d), 138.14 (9r) (f), 138.16 (1) (a), 145.01 (12), 145.02 (title), 145.02 (2), 145.02 (4) (a), 145.045 (1), 145.045 (3), 145.17 (2), 145.19 (1b), 145.19 (1m), 145.19 (2), 145.19 (3), 145.19 (6), 145.20 (2) (e), 145.20 (2) (g),

145.20 (3) (title), 145.20 (3) (a) 1., 145.20 (3) (a) 2., 145.20 (3) (b), 145.20 (3) (c), 145.20 (3) (d), 145.20 (5) (a), 145.20 (5) (am), 145.20 (5) (b), 145.20 (5) (c), 145.23, 145.24 (1), 145.24 (2), 145.24 (3), 157.061 (2g), 157.062 (1), 157.062 (2), 157.062 (6) (b), 157.062 (6m), 157.062 (9), 157.064 (7), 157.11 (9m), 157.12 (3) (b), 157.62 (1) (a) (intro.), 157.62 (1) (c), 157.65 (1) (a), 157.65 (1) (b), 157.65 (2), 165.825, 167.35 (7) (b), 167.35 (7) (c), 169.01 (35) (a), 173.05 (1) (b), 173.41 (2) (e), 173.41 (12) (a) 4., 177.30 (2), 182.028, 186.098 (12), 186.235 (15) (b), 186.314 (2m) (e), 200.49 (1) (b), 200.57 (1) (a), 200.57 (1) (b), 214.04 (21) (b), 214.48 (4) (a), 214.715 (2), 214.72 (1) (b), 214.725 (5), 214.78 (3), 215.02 (4), 215.04 (1) (b), 215.04 (3), 221.0303 (2), 221.0802, 227.01 (13) (zy), 227.52 (3), 227.59, 229.46 (1) (ag), 229.46 (1) (b), 229.70 (1) (ag), 229.70 (1) (am), 229.70 (1) (b), 229.8273 (1) (am), 229.8273 (1) (b), 229.8273 (1) (c), 229.845 (1) (ag), 229.845 (1) (am), 230.08 (2) (yb), 231.27 (1), 231.29 (1), 234.35 (1), 234.36 (1), 236.13 (2m), 250.041 (1) (e), 252.12 (2) (a) 9., 252.12 (2) (c) 2., 257.01 (5) (a), 257.01 (5) (b), 281.33 (2), 281.57 (7) (c) 1., 321.60 (1) (a) 4., 321.60 (1) (a) 12., 409.501 (1) (b), 426.103, 426.104 (2) (intro.), 426.203, chapter 440 (title), 440.01 (2) (cs), 440.03 (3), 440.03 (3q), 440.03 (9) (a) 2., 440.03 (11m) (c), 440.03 (12m), 440.08 (2) (a) (intro.), 440.13 (1) (b), 440.22 (2), 440.25, subchapter V (title) of chapter 440 [precedes 440.51], 440.905 (1), 440.92 (2) (d), 440.945 (5) (b), 441.01 (7) (a) 2., 443.10 (6), 444.04, 444.14, 450.03 (1) (e), 450.10 (3) (a) 8., 450.11 (1m), 450.125, 450.19 (1) (ar), 452.13 (2) (b) 1., 452.13 (2) (b) 2., 452.13 (2) (b) 3., 452.13 (2) (bm), 452.13 (5), 452.14 (5), 460.05 (1) (e) 1., 551.102 (1m), 551.202 (26) (f) (intro.), 551.202 (27) (h) (intro.), 551.205 (1) (b) 1. (intro.), 551.205 (3), 551.206, 551.601 (5), 551.605 (3) (bm) 1., 551.614 (5), 552.23 (1), 553.605 (2), 553.73, 565.01 (4d), 565.01 (4e), 601.415 (9), 601.72 (1) (intro.), 601.72 (2), 601.72 (3), 601.73 (1) (intro.), 601.73

(1) (a), 601.73 (1) (b), 601.73 (2) (a), 601.73 (2) (b), 601.73 (3), 601.93 (2), 610.70 (1) (a), 611.29 (1), 611.72 (1), 611.73 (1) (a), 611.74 (1), 611.76 (11), 613.01 (8) (title), 616.09 (1) (c) 2., 616.74 (1) (c), 632.10 (1), 644.09 (2), 766.565 (7), 813.16 (7), 940.207 (title), 940.207 (2) (intro.), 940.207 (2) (a), 944.21 (8) (b) 3. a., 948.11 (4) (b) 3. a., 978.05 (6) (a) and 995.55 (1) (b); and ***to create*** 15.135 (5) (title), 15.17, 20.001 (7), 20.115 (2) (jm), 20.142 (intro.), 20.142 (1) (title), 20.142 (1) (gm), 20.142 (1) (k), 20.142 (1) (m), 20.923 (4) (f) 3d., 50.92 (3m), 89.02 (3d), 89.063, 89.085, 93.135 (1) (ab), 100.67, 138.12 (1) (am), 145.01 (4m) (a), 145.01 (4m) (b), 145.01 (4m) (c), 145.01 (4m) (d), 145.01 (4m) (e), 145.02 (2m), 145.19 (6m), 145.20 (7), chapter 203 (title), 203.01, 214.01 (1) (f), 215.01 (6f), 217.02 (2k), 218.02 (1) (dm), 218.04 (1) (bm), 218.05 (1) (cm), 230.08 (2) (e) 4g., 321.60 (1) (a) 6m., 440.52 (title), 440.52 (7m), 440.52 (11) (bm), chapter 463 (title), 463.18, 551.102 (4t), 552.01 (1m), 553.03 (2m) and 616.09 (1) (c) 3. of the statutes; **relating to:** elimination of the Department of Safety and Professional Services and the Department of Financial Institutions; elimination of the Educational Approval Board; creation of the Department of Financial Institutions and Professional Standards; transfer of the Veterinary Examining Board to the Department of Agriculture, Trade and Consumer Protection, providing an exemption from emergency rule procedures; requiring the exercise of rule–making authority; and making appropriations.

Analysis by the Legislative Reference Bureau

COMMERCE AND ECONOMIC DEVELOPMENT

Under current law, the Department of Financial Institutions (DFI) regulates state–chartered banks, savings and loan associations, savings banks, and certain operations of the securities industry in this state. DFI also reviews and files charters, articles of incorporation, and other documents of business organizations

and registers and oversees the mortgage banking industry. Finally, DFI oversees Uniform Commercial Code filings in this state and administers the Wisconsin Consumer Act.

This bill transfers all of the functions of DFI, including functions of the Division of Banking and the Division of Securities, to the Department of Financial Institutions and Professional Standards (DFIPS). Additionally, this bill transfers the Office of Credit Unions to DFIPS.

Under current law, the Department of Administration (DOA) administers disabled veteran–owned business certifications, woman–owned business certifications, and minority business certifications that are designed to encourage the creation and foster the growth of Wisconsin businesses owned by women, disabled veterans, or minorities. A business that qualifies for and maintains one of those certifications may be eligible to receive certain advantages bidding on public projects and other benefits. This bill transfers the administration of those certifications to DFIPS.

Also under current law, there is attached to DOA a Small Business Regulatory Review Board, which is tasked with reviewing and making reports concerning proposed administrative rules that may have an economic impact on small businesses. The Small Business Regulatory Review Board is advised by the Office of Business Development, which is also attached to DOA. The bill transfers the Small Business Regulatory Review Board and the Office of Business Development from DOA to DFIPS.

EDUCATION

Under current law, the Educational Approval Board (EAB), which is attached to the Technical College System Board, inspects and approves private trade, correspondence, business, and technical schools. The EAB also issues permits to, and regulates, persons who solicit students for enrollment in these schools. The EAB also performs certain functions related to the preservation of student records at closed schools. The EAB also has certain consumer protection functions related to deceptive practices involving institutions of higher education.

This bill eliminates the EAB. The bill eliminates some current functions of the EAB, transfers some functions to DFIPS, and transfers some functions to the Department of Agriculture, Trade and Consumer Protection (DATCP). Under the bill, DFIPS must, upon application, issue written authorization to a proprietary school if the school meets requirements established by rule by DFIPS. One requirement is that the school must have accreditation recognized by the federal Department of Education or by the Council for Higher Education Accreditation. The EAB's record preservation functions are also transferred to DFIPS. Certain consumer protection functions of the EAB are transferred to DATCP.

HEALTH AND HUMAN SERVICES

The bill transfers oversight of tattooing, body piercing, and tanning from the Department of Health Services, which currently regulates those areas, to DFIPS.

SAFETY AND PROFESSIONAL SERVICES

Under current law, the Department of Safety and Professional Services (DSPS) and the various boards and councils attached to DSPS regulate professional

licensure and buildings and safety in Wisconsin. This bill eliminates DSPS and transfers all of its functions to DFIPS. The bill attaches to DFIPS the various boards and councils attached to DSPS under current law, except that the bill transfers the Veterinary Examining Board to DATCP.

Under current law, DSPS administers the laws regulating private on–site wastewater treatment systems. Generally, a private on–site wastewater treatment system is a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. Current law also requires certain local governmental units to enact ordinances regulating private on–site wastewater treatment systems.

This bill transfers DSPS's responsibilities with respect to administration of the laws regulating private on–site wastewater treatment systems to the Department of Natural Resources, except that the bill eliminates a grant program for individuals and businesses served by failing private on–site wastewater treatment systems.

For further information see the ***state and local*** 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. 15.07 (5) (i) of the statutes is repealed.

SECTION 2. 15.08 (1m) (a) of the statutes is amended to read:

15.08 **(1m)** (a) Public members appointed under s. ~~15.405~~ 15.175 or ~~15.407~~ 15.177 shall have all the powers and duties of other members except they shall not prepare questions for or grade any licensing examinations.

SECTION 3. 15.08 (1m) (am) of the statutes is amended to read:

15.08 **(1m)** (am) Public members appointed under s. ~~15.405~~ 15.175 or ~~15.407~~ 15.177 shall not be, nor ever have been, licensed, certified, registered, or engaged in any profession or occupation licensed or otherwise regulated by the board, examining board, or examining council to which they are appointed, shall not be married to any person so licensed, certified, registered, or engaged, and shall not employ, be employed by, or be professionally associated with any person so licensed, certified, registered, or engaged.

SECTION 4. 15.085 (1m) (a) of the statutes is amended to read:

15.085 **(1m)** (a) Public members appointed under s. ~~15.406~~ 15.176 shall have all of the powers and duties of other members except that they shall not prepare questions for or grade any licensing examinations.

SECTION 5. 15.085 (1m) (am) of the statutes is amended to read:

15.085 **(1m)** (am) Public members appointed under s. ~~15.406~~ 15.176 shall not be, nor ever have been, licensed, certified, registered, or engaged in any profession or occupation licensed or otherwise regulated by the affiliated credentialing board to which they are appointed, shall not be married to any person so licensed, certified, registered, or engaged, and shall not employ, be employed by, or be professionally associated with any person so licensed, certified, registered, or engaged.

SECTION 6. 15.105 (32) of the statutes is renumbered 15.142 (18g) and amended to read:

15.142 **(18g)** OFFICE OF BUSINESS DEVELOPMENT. There is created an office of business development which is attached to the department of ~~administration~~ financial institutions and professional standards under s. 15.03. The office shall be under the direction and supervision of a director who shall be appointed by the governor to serve at his or her pleasure.

SECTION 7. 15.105 (33) of the statutes is renumbered 15.142 (18r) and amended to read:

15.142 **(18r)** SMALL BUSINESS REGULATORY REVIEW BOARD. There is created a small business regulatory review board, attached to the department of ~~administration~~ financial institutions and professional standards under s. 15.03. The board shall consist of 7 representatives of small businesses, as defined in s. 227.114 (1), who shall be appointed for 3–year terms, and the chairpersons of one senate and

one assembly committee concerned with small businesses, appointed as are members of standing committees.

SECTION 8. 15.135 (5) (title) of the statutes is created to read:

15.135 **(5)** (title) VETERINARY EXAMINING BOARD.

SECTION 9. 15.17 of the statutes is created to read:

15.17 Department of financial institutions and professional standards. There is created a department of financial institutions and professional standards under the direction and supervision of the secretary of financial institutions and professional standards.

SECTION 10. 15.18 of the statutes is repealed.

SECTION 11. 15.183 of the statutes is repealed.

SECTION 12. 15.185 (title) of the statutes is repealed.

SECTION 13. 15.185 (1) of the statutes is renumbered 15.175 (14m) and amended to read:

15.175 **(14m)** BANKING REVIEW BOARD. There is created in the department of financial institutions and professional standards a banking review board consisting of 5 persons, appointed for staggered 5–year terms. At least 3 members shall be experienced bankers having at least 5 years' experience in the banking business. No member is qualified to act in any matter involving a bank in which the member is an officer, director or stockholder, or to which the member is indebted.

SECTION 14. 15.185 (3) of the statutes is renumbered 15.175 (15m) and amended to read:

15.175 **(15m)** SAVINGS INSTITUTIONS REVIEW BOARD. There is created in the department of financial institutions and professional standards a savings institutions review board consisting of 5 members, at least 3 of whom shall have not

less than 5 years' experience in the savings and loan or savings bank business in this state, appointed for 5–year terms.

SECTION 15. 15.185 (7) (title) of the statutes is repealed.

SECTION 16. 15.185 (7) (a) of the statutes is renumbered 15.175 (16m) and amended to read:

15.175 **(16m)** OFFICE OF CREDIT UNIONS~~, CREATION~~. There is created in the department of financial institutions and professional standards an office of credit unions ~~which is attached to the department of financial institutions under s. 15.03~~. The director shall be appointed by the governor to serve at the pleasure of the governor. No person may be appointed director who has not had at least 3 years of actual experience either in the operation of a credit union, or serving in a credit union supervisory capacity, or a combination of both. ~~Notwithstanding s. 15.03, all personnel and budget requests by the office of credit unions shall be processed and forwarded by the department of financial institutions without change except as requested and concurred in by the office of credit unions.~~

SECTION 17. 15.185 (7) (b) of the statutes is renumbered 15.175 (16r) and amended to read:

15.175 **(16r)** CREDIT UNION REVIEW BOARD. There is created in the ~~office of credit unions~~ department of financial institutions and professional standards a credit union review board consisting of 5 persons, appointed for staggered 5–year terms. All members shall have at least 5 years' experience in the operations of a credit union. The office of credit unions may call special meetings of the review board.

SECTION 18. 15.40 of the statutes is repealed.

SECTION 19. 15.405 (title) of the statutes is renumbered 15.175 (title) and amended to read:

15.175 (title) **Same; attached boards ~~and~~, examining boards, and offices.**

SECTION 20. 15.405 (1) of the statutes is renumbered 15.175 (1) and amended to read:

15.175 **(1)** ACCOUNTING EXAMINING BOARD. There is created an accounting examining board in the department of ~~safety and professional services~~ financial institutions and professional standards. The examining board shall consist of 7 members, appointed for staggered 4–year terms. Five members shall hold certificates as certified public accountants and be eligible for licensure to practice in this state. Two members shall be public members.

SECTION 21. 15.405 (1m) of the statutes is renumbered 15.175 (1m), and 15.175 (1m) (a) (intro.) and 5., as renumbered, are amended to read:

15.175 **(1m)** (a) (intro.) There is created a building inspector review board which is attached to the department of ~~safety and professional services~~ financial institutions and professional standards under s. 15.03 that consists of the following members:

5. A building inspector certified by the department of ~~safety and professional services~~ financial institutions and professional standards, to inspect public buildings, places of employment, or one–family and two–family dwellings.

SECTION 22. 15.405 (2) of the statutes is renumbered 15.175 (2), and 15.175 (2) (intro.), as renumbered, is amended to read:

15.175 **(2)** EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS, AND PROFESSIONAL LAND SURVEYORS. (intro.) There is created an examining board of architects, landscape architects, professional engineers, designers, and professional land surveyors in the department of ~~safety~~

~~and professional services~~ financial institutions and professional standards. Any professional member appointed to the examining board shall be registered or licensed to practice architecture, landscape architecture, professional engineering, the design of engineering systems, or professional land surveying under ch. 443. The examining board shall consist of the following members appointed for 4–year terms: 3 architects, 3 landscape architects, 3 professional engineers, 3 designers, 3 professional land surveyors, and 10 public members.

SECTION 23. 15.405 (2m) of the statutes is renumbered 15.175 (2m), and 15.175 (2m) (a) (intro.), as renumbered, is amended to read:

15.175 **(2m)** (a) (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards an examining board of professional geologists, hydrologists, and soil scientists consisting of the following members appointed for 4–year terms:

SECTION 24. 15.405 (3) of the statutes is renumbered 15.175 (3), and 15.175 (3) (a) (intro.), as renumbered, is amended to read:

15.175 **(3)** (a) (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards an auctioneer board consisting of the following members appointed for 4–year terms:

SECTION 25. 15.405 (3m) of the statutes is renumbered 15.175 (3m), and 15.175 (3m) (b) (intro.), as renumbered, is amended to read:

15.175 **(3m)** (b) (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards a cemetery board consisting of the following members, who shall serve 4–year terms:

SECTION 26. 15.405 (5) of the statutes is renumbered 15.175 (5) and amended to read:

15.175 **(5)** CHIROPRACTIC EXAMINING BOARD. There is created a chiropractic examining board in the department of ~~safety and professional services~~ financial institutions and professional standards. The chiropractic examining board shall consist of 6 members, appointed for staggered 4–year terms. Four members shall be graduates from a school of chiropractic and licensed to practice chiropractic in this state. Two members shall be public members. No person may be appointed to the examining board who is in any way connected with or has a financial interest in any chiropractic school.

SECTION 27. 15.405 (5g) of the statutes is renumbered 15.175 (5g) and amended to read:

15.175 **(5g)** CONTROLLED SUBSTANCES BOARD. There is created in the department of ~~safety and professional services~~ financial institutions and professional standards a controlled substances board consisting of the attorney general, the secretary of health services, and the secretary of agriculture, trade and consumer protection, or their designees; the chairperson of the pharmacy examining board or a designee; and one psychiatrist and one pharmacologist appointed for 3–year terms.

SECTION 28. 15.405 (6) of the statutes is renumbered 15.175 (6), and 15.175 (6) (intro.), as renumbered, is amended to read:

15.175 **(6)** DENTISTRY EXAMINING BOARD. (intro.) There is created a dentistry examining board in the department of ~~safety and professional services~~ financial institutions and professional standards consisting of the following members appointed for 4–year terms:

SECTION 29. 15.405 (6m) of the statutes is renumbered 15.175 (6m), and 15.175 (6m) (intro.), as renumbered, is amended to read:

15.175 **(6m)** HEARING AND SPEECH EXAMINING BOARD. (intro.) There is created a hearing and speech examining board in the department of ~~safety and professional services~~ financial institutions and professional standards consisting of the following members appointed for 4–year terms:

SECTION 30. 15.405 (7) of the statutes is renumbered 15.175 (7), and 15.175 (7) (a), as renumbered, is amended to read:

15.175 **(7)** (a) There is created a medical examining board in the department of ~~safety and professional services~~ financial institutions and professional standards.

SECTION 31. 15.405 (7c) of the statutes is renumbered 15.175 (7c), and 15.175 (7c) (a) (intro.), as renumbered, is amended to read:

15.175 **(7c)** (a) (intro.) There is created a marriage and family therapy, professional counseling, and social work examining board in the department of ~~safety and professional services~~ financial institutions and professional standards consisting of the following members appointed for 4–year terms:

SECTION 32. 15.405 (7e) of the statutes is renumbered 15.175 (7e), and 15.175 (7e) (intro.), as renumbered, is amended to read:

15.175 **(7e)** RADIOGRAPHY EXAMINING BOARD. (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards a radiography examining board consisting of the following 7 members appointed for 4–year terms:

SECTION 33. 15.405 (7g) of the statutes is renumbered 15.175 (7g) and amended to read:

15.175 **(7g)** BOARD OF NURSING. There is created a board of nursing in the department of ~~safety and professional services~~ financial institutions and professional standards. The board of nursing shall consist of the following members

appointed for staggered 4–year terms: 5 currently licensed registered nurses under ch. 441; 2 currently licensed practical nurses under ch. 441; and 2 public members. Each registered nurse member shall have graduated from a program in professional nursing and each practical nurse member shall have graduated from a program in practical nursing accredited by the state in which the program was conducted.

SECTION 34. 15.405 (7m) of the statutes is renumbered 15.175 (7m) and amended to read:

15.175 **(7m)** NURSING HOME ADMINISTRATOR EXAMINING BOARD. There is created a nursing home administrator examining board in the department of ~~safety and professional services~~ financial institutions and professional standards consisting of 9 members appointed for staggered 4–year terms and the secretary of health services or a designee, who shall serve as a nonvoting member. Five members shall be nursing home administrators licensed in this state. One member shall be a physician. One member shall be a nurse licensed under ch. 441. Two members shall be public members. No more than 2 members may be officials or full–time employees of this state.

SECTION 35. 15.405 (7r) of the statutes is renumbered 15.175 (7r), and 15.175 (7r) (intro.), as renumbered, is amended to read:

15.175 **(7r)** PHYSICAL THERAPY EXAMINING BOARD. (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards a physical therapy examining board consisting of the following members appointed for staggered 4–year terms:

SECTION 36. 15.405 (8) of the statutes is renumbered 15.175 (8) and amended to read:

15.175 **(8)** OPTOMETRY EXAMINING BOARD. There is created an optometry examining board in the department of ~~safety and professional services~~ financial institutions and professional standards. The optometry examining board shall consist of 7 members appointed for staggered 4–year terms. Five of the members shall be licensed optometrists in this state. Two members shall be public members.

SECTION 37. 15.405 (9) of the statutes is renumbered 15.175 (9) and amended to read:

15.175 **(9)** PHARMACY EXAMINING BOARD. There is created a pharmacy examining board in the department of ~~safety and professional services~~ financial institutions and professional standards. The pharmacy examining board shall consist of 7 members appointed for staggered 4–year terms. Five of the members shall be licensed to practice pharmacy in this state. Two members shall be public members.

SECTION 38. 15.405 (10m) of the statutes is renumbered 15.175 (10m) and amended to read:

15.175 **(10m)** PSYCHOLOGY EXAMINING BOARD. There is created in the department of ~~safety and professional services~~ financial institutions and professional standards a psychology examining board consisting of 6 members appointed for staggered 4–year terms. Four of the members shall be psychologists licensed in this state. Each of the psychologist members shall represent a different specialty area within the field of psychology. Two members shall be public members.

SECTION 39. 15.405 (10r) of the statutes is renumbered 15.175 (10r), and 15.175 (10r) (a) (intro.), as renumbered, is amended to read:

15.175 **(10r)** (a) (intro.) There is created a real estate appraisers board in the department of ~~safety and professional services~~ financial institutions and

professional standards consisting of the following members appointed for 4–year terms:

SECTION 40. 15.405 (11m) of the statutes is renumbered 15.175 (11m) and amended to read:

15.175 **(11m)** REAL ESTATE EXAMINING BOARD. There is created a real estate examining board in the department of ~~safety and professional services~~ financial institutions and professional standards. The real estate examining board shall consist of 7 members appointed to staggered 4–year terms. Five of the members shall be real estate brokers or salespersons licensed in this state. Two members shall be public members. No member may serve more than 2 terms.

SECTION 41. 15.405 (12) (title) of the statutes is repealed.

SECTION 42. 15.405 (12) of the statutes is renumbered 15.135 (5) (a) (intro.) and amended to read:

15.135 **(5)** (a) (intro.) There is created a veterinary examining board in the department of ~~safety and professional services~~ agriculture, trade and consumer protection. The veterinary examining board shall consist of the following 8 members appointed for staggered 4–year terms~~.~~:

1. Five ~~of the members shall be licensed~~ veterinarians licensed in this state.

2. One ~~member shall be a~~ veterinary technician certified in this state.

3. Two ~~members shall be~~ public members.

(b) No member of the examining board may in any way be financially interested in any school having a veterinary department or a course of study in veterinary or animal technology.

SECTION 43. 15.405 (16) of the statutes is renumbered 15.175 (16) and amended to read:

15.175 **(16)** FUNERAL DIRECTORS EXAMINING BOARD. There is created a funeral directors examining board in the department of ~~safety and professional services~~ financial institutions and professional standards. The funeral directors examining board shall consist of 6 members appointed for staggered 4–year terms. Four members shall be licensed funeral directors under ch. 445 in this state. Two members shall be public members.

SECTION 44. 15.405 (17) of the statutes is renumbered 15.175 (17) and amended to read:

15.175 **(17)** COSMETOLOGY EXAMINING BOARD. There is created a cosmetology examining board in the department of ~~safety and professional services~~ financial institutions and professional standards. The cosmetology examining board shall consist of 9 members appointed for 4–year terms. Four members shall be licensed aestheticians or cosmetologists, 2 members shall be public members, one member shall be a representative of a private school of cosmetology, one member shall be a representative of a public school of cosmetology, and one member shall be a licensed electrologist. No more than 4 members may be connected with or have any financial interest in a cosmetology school.

SECTION 45. 15.406 (title) of the statutes is renumbered 15.176 (title).

SECTION 46. 15.406 (2) of the statutes is renumbered 15.176 (2), and 15.176 (2) (intro.), as renumbered, is amended to read:

15.176 **(2)** DIETITIANS AFFILIATED CREDENTIALING BOARD. (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards, attached to the medical examining board, a dietitians affiliated credentialing board consisting of the following members appointed for 4–year terms:

SECTION 47. 15.406 (3) of the statutes is renumbered 15.176 (3), and 15.176 (3) (intro.), as renumbered, is amended to read:

15.176 **(3)** PODIATRY AFFILIATED CREDENTIALING BOARD. (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards, attached to the medical examining board, a podiatry affiliated credentialing board consisting of the following members appointed for 4–year terms:

SECTION 48. 15.406 (4) of the statutes is renumbered 15.176 (4), and 15.176 (4) (intro.), as renumbered, is amended to read:

15.176 **(4)** ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD. (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards, attached to the medical examining board, an athletic trainers affiliated credentialing board consisting of the following members appointed for 4–year terms:

SECTION 49. 15.406 (5) of the statutes is renumbered 15.176 (5), and 15.176 (5) (intro.), as renumbered, is amended to read:

15.176 **(5)** OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD. (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards, attached to the medical examining board, an occupational therapists affiliated credentialing board consisting of the following members appointed for 4–year terms:

SECTION 50. 15.406 (6) of the statutes is renumbered 15.176 (6), and 15.176 (6) (a) (intro.) and 1., as renumbered, are amended to read:

15.176 **(6)** (a) (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards, attached to

the medical examining board, a massage therapy and bodywork therapy affiliated credentialing board. The affiliated credentialing board shall consist of the following 7 members appointed for 4–year terms:

1. Six massage therapists or bodywork therapists licensed under ch. 460 who have engaged in the practice of massage therapy or bodywork therapy for at least 2 years preceding appointment. One member appointed under this subdivision shall be a representative of a massage therapy or bodywork therapy school ~~approved~~ certified by the ~~educational approval board under s. 38.50~~ department of financial institutions and professional standards under s. 440.52. One member appointed under this subdivision shall be a representative of a massage therapy or bodywork therapy program offered by a technical college in this state. No other members appointed under this subdivision shall be directly or indirectly affiliated with a massage therapy or bodywork therapy school or program.

SECTION 51. 15.407 (title) of the statutes is renumbered 15.177 (title).

SECTION 52. 15.407 (1m) of the statutes is renumbered 15.177 (1m) and amended to read:

15.177 **(1m)** RESPIRATORY CARE PRACTITIONERS EXAMINING COUNCIL. There is created a respiratory care practitioners examining council in the department of ~~safety and professional services~~ financial institutions and professional standards and serving the medical examining board in an advisory capacity in the formulating of rules to be promulgated by the medical examining board for the regulation of respiratory care practitioners. The respiratory care practitioners examining council shall consist of 3 certified respiratory care practitioners, each of whom shall have engaged in the practice of respiratory care for at least 3 years preceding appointment, one physician and one public member. The respiratory care

practitioner and physician members shall be appointed by the medical examining board. The members of the examining council shall serve 3–year terms. Section 15.08 (1) to (4) (a) and (6) to (10) shall apply to the respiratory care practitioners examining council, except that members of the examining council may serve more than 2 consecutive terms.

SECTION 53. 15.407 (2) of the statutes is renumbered 15.177 (2), and 15.177 (2) (intro.), as renumbered, is amended to read:

15.177 **(2)** COUNCIL ON PHYSICIAN ASSISTANTS. (intro.) There is created a council on physician assistants in the department of ~~safety and professional services~~ financial institutions and professional standards and serving the medical examining board in an advisory capacity. The council's membership shall consist of:

SECTION 54. 15.407 (2m) of the statutes is renumbered 15.177 (2m), and 15.177 (2m) (intro.), as renumbered, is amended to read:

15.177 **(2m)** (intro.) There is created a perfusionists examining council in the department of ~~safety and professional services~~ financial institutions and professional standards and serving the medical examining board in an advisory capacity. The council shall consist of the following members appointed for 3–year terms:

SECTION 55. 15.407 (3) of the statutes is renumbered 15.177 (3), and 15.177 (3) (intro.), as renumbered, is amended to read:

15.177 **(3)** EXAMINING COUNCILS; BOARD OF NURSING. (intro.) The following examining councils are created in the department of ~~safety and professional services~~ financial institutions and professional standards to serve the board of nursing in an advisory capacity. Section 15.08 (1) to (4) (a) and (6) to (10), applies to the examining councils.

SECTION 56. 15.407 (5) of the statutes is renumbered 15.177 (5) and amended to read:

15.177 **(5)** COUNCIL ON REAL ESTATE CURRICULUM AND EXAMINATIONS. There is created in the department of ~~safety and professional services~~ financial institutions and professional standards a council on real estate curriculum and examinations consisting of 7 members appointed for 4–year terms. Five members shall be real estate brokers or salespersons licensed under ch. 452 and 2 members shall be public members. Of the real estate broker or salesperson members, one member shall be a member of the real estate examining board appointed by the real estate examining board, at least 2 members shall be licensed real estate brokers with at least 5 years of experience as real estate brokers, and at least one member shall be a licensed real estate salesperson with at least 2 years of experience as a real estate salesperson. Of the 2 public members, at least one member shall have at least 2 years of experience in planning or presenting real estate educational programs. No member of the council may serve more than 2 consecutive terms.

SECTION 57. 15.407 (6) of the statutes is renumbered 15.177 (6), and 15.177 (6) (intro.), as renumbered, is amended to read:

15.177 **(6)** PHARMACIST ADVISORY COUNCIL. (intro.) There is created a pharmacist advisory council in the department of ~~safety and professional services~~ financial institutions and professional standards and serving the pharmacy examining board in an advisory capacity. The council shall consist of the following members appointed for 3–year terms:

SECTION 58. 15.407 (7) of the statutes is renumbered 15.177 (7), and 15.177 (7) (intro.), as renumbered, is amended to read:

15.177 **(7)** COUNCIL ON ANESTHESIOLOGIST ASSISTANTS; DUTIES. (intro.) There is created a council on anesthesiologist assistants in the department of ~~safety and professional services~~ financial institutions and professional standards and serving the medical examining board in an advisory capacity. The council's membership shall consist of the following members, who shall be selected from a list of recommended appointees submitted by the president of the Wisconsin Society of Anesthesiologists, Inc., after the president of the Wisconsin Society of Anesthesiologists, Inc., has considered the recommendation of the Wisconsin Academy of Anesthesiologist Assistants for the appointee under par. (b), and who shall be appointed by the medical examining board for 3–year terms:

SECTION 59. 15.407 (8) of the statutes is renumbered 15.177 (8), and 15.177 (8) (intro.), as renumbered, is amended to read:

15.177 **(8)** CREMATORY AUTHORITY COUNCIL. (intro.) There is created a crematory authority council in the department of ~~safety and professional services~~ financial institutions and professional standards consisting of the secretary of ~~safety and professional services~~ financial institutions and professional standards or a designee of the secretary, who shall serve as a nonvoting member, and the following persons appointed for 3–year terms:

SECTION 60. 15.407 (9) of the statutes is renumbered 15.177 (9), and 15.177 (9) (a) (intro.), as renumbered, is amended to read:

15.177 **(9)** (a) (intro.) There is created a sign language interpreter council in the department of ~~safety and professional services~~ financial institutions and professional standards consisting of the secretary of ~~safety and professional services~~ financial institutions and professional standards or a designee of the secretary and

the following 8 members nominated by the governor, and with the advice and consent of the senate appointed, for 3–year terms:

SECTION 61. 15.407 (10) of the statutes is renumbered 15.177 (10), and 15.177 (10) (a) (intro.) and (b), as renumbered, are amended to read:

15.177 **(10)** (a) (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards, a dwelling code council, consisting of 11 members appointed for staggered 2–year terms. Each member shall represent at least one of the following groups:

(b) An employee of the department designated by the secretary of ~~safety and professional services~~ financial institutions and professional standards shall serve as secretary, but shall not be a member, of the council. The council shall meet at least twice a year. Seven members of the council shall constitute a quorum. For the purpose of conducting business a majority vote of the council is required.

SECTION 62. 15.407 (11) of the statutes is renumbered 15.177 (11) and amended to read:

15.177 **(11)** CONTRACTOR CERTIFICATION COUNCIL. There is created in the department of ~~safety and professional services~~ financial institutions and professional standards a contractor certification council consisting of 3 members who are building contractors holding certificates of financial responsibility under s. 101.654 and who are involved in, or who have demonstrated an interest in, continuing education for building contractors. The members shall be appointed by the secretary of ~~safety and professional services~~ financial institutions and professional standards for 3–year terms.

SECTION 63. 15.407 (12) of the statutes is renumbered 15.177 (12), and 15.177 (12) (a) (intro.), as renumbered, is amended to read:

15.177 **(12)** (a) (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards a multifamily dwelling code council consisting of the following members appointed for 3–year terms:

SECTION 64. 15.407 (13) of the statutes is renumbered 15.177 (13), and 15.177 (13) (a) (intro.), as renumbered, is amended to read:

15.177 **(13)** (a) (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards a manufactured housing code council consisting of the following members appointed by the secretary of ~~safety and professional services~~ financial institutions and professional standards for 3–year terms:

SECTION 65. 15.407 (14) of the statutes is renumbered 15.177 (14), and 15.177 (14) (a) (intro.) and 10. and (b), as renumbered, are amended to read:

15.177 **(14)** (a) (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards a conveyance safety code council consisting of the following members appointed for 3–year terms:

10. An employee of the department of ~~safety and professional services~~ financial institutions and professional standards, designated by the secretary of ~~safety and professional services~~ financial institutions and professional standards, who is familiar with commercial building inspections.

(b) The council shall meet at least twice a year. The employee of the department of ~~safety and professional services~~ financial institutions and professional standards designated by the secretary of ~~safety and professional services~~ financial institutions and professional standards under par. (a) 10. shall serve as nonvoting secretary of the council.

SECTION 66. 15.407 (16) of the statutes is renumbered 15.177 (16) and amended to read:

15.177 **(16)** PLUMBERS COUNCIL. There is created in the department of ~~safety and professional services~~ financial institutions and professional standards a plumbers council consisting of 3 members. One member shall be an employee of the department of ~~safety and professional services~~ financial institutions and professional standards, selected by the secretary of ~~safety and professional services~~ financial institutions and professional standards, to serve as the secretary of the council. Two members, one a master plumber and one a journeyman plumber, shall be appointed by the secretary of ~~safety and professional services~~ financial institutions and professional standards for 2–year terms.

SECTION 67. 15.407 (17) of the statutes is renumbered 15.177 (17) and amended to read:

15.177 **(17)** AUTOMATIC FIRE SPRINKLER SYSTEM CONTRACTORS AND JOURNEYMEN COUNCIL. There is created in the department of ~~safety and professional services~~ financial institutions and professional standards an automatic fire sprinkler system contractors and journeymen council consisting of 5 members. One member shall be an employee of the department of ~~safety and professional services~~ financial institutions and professional standards, selected by the secretary of ~~safety and professional services~~ financial institutions and professional standards, to serve as secretary of the council. Two members shall be licensed journeymen automatic fire sprinkler fitters and 2 members shall be persons representing licensed automatic fire sprinkler contractors, all appointed by the secretary of ~~safety and professional services~~ financial institutions and professional standards for staggered 4–year terms.

SECTION 68. 15.407 (18) of the statutes is renumbered 15.177 (18), and 15.177 (18) (a) (intro.), as renumbered, is amended to read:

15.177 **(18)** (a) (intro.) There is created in the department of ~~safety and professional services~~ financial institutions and professional standards a building code council consisting of the following members appointed for 3–year terms:

SECTION 69. 15.945 of the statutes is repealed.

SECTION 70. 16.28 of the statutes is renumbered 203.02.

SECTION 71. 16.283 of the statutes is renumbered 203.03.

SECTION 72. 16.285 of the statutes is renumbered 203.05.

SECTION 73. 16.287 of the statutes is renumbered 203.07.

SECTION 74. 16.75 (3m) (a) 1. of the statutes is amended to read:

16.75 **(3m)** (a) 1. "Disabled veteran–owned business" means a business certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 75. 16.75 (3m) (a) 2. of the statutes is amended to read:

16.75 **(3m)** (a) 2. "Disabled veteran–owned financial adviser" means a financial adviser certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 76. 16.75 (3m) (a) 3. of the statutes is amended to read:

16.75 **(3m)** (a) 3. "Disabled veteran–owned investment firm" means an investment firm certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 77. 16.75 (3m) (a) 4. of the statutes is amended to read:

16.75 **(3m)** (a) 4. "Minority business" means a business certified ~~by the department of administration~~ under s. ~~16.287~~ 203.07 (2).

SECTION 78. 16.75 (3m) (c) 5. a. of the statutes is amended to read:

16.75 **(3m)** (c) 5. a. In determining whether a purchase, contract, or subcontract complies with the goal established under par. (b) 1. or 2. or s. 16.855 (10m) (am) 1. or 2., 16.87 (2) (b) or (c), or 25.185 (2) (a) or (b), the department shall include only amounts paid to businesses, financial advisers, and investment firms certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 or ~~16.287~~ 203.07 (2), whichever is appropriate.

SECTION 79. 16.75 (3m) (c) 5. b. of the statutes is amended to read:

16.75 **(3m)** (c) 5. b. In determining whether a purchase, contract, or subcontract is made with a disabled veteran–owned business, the department shall include only amounts paid to disabled veteran–owned businesses certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 80. 16.854 (1) (a) of the statutes is amended to read:

16.854 **(1)** (a) "Minority business" has the meaning given in s. ~~16.287~~ 203.07 (1) (e).

SECTION 81. 16.854 (1) (b) of the statutes is amended to read:

16.854 **(1)** (b) "Minority group member" has the meaning given in s. ~~16.287~~ 203.07 (1) (f).

SECTION 82. 16.855 (10m) (ac) of the statutes is amended to read:

16.855 **(10m)** (ac) In this subsection, "disabled veteran–owned business" means a business certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 83. 16.855 (10n) (a) of the statutes is amended to read:

16.855 **(10n)** (a) In this subsection, "minority group member" has the meaning given in s. ~~16.287~~ 203.07 (1) (f).

SECTION 84. 16.87 (1) (am) of the statutes is amended to read:

16.87 **(1)** (am) "Disabled veteran–owned business" means a business certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 85. 18.16 (1) (a) of the statutes is amended to read:

18.16 **(1)** (a) "Disabled veteran–owned financial adviser" means a financial adviser certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 86. 18.16 (1) (b) of the statutes is amended to read:

18.16 **(1)** (b) "Disabled veteran–owned investment firm" means an investment firm certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 87. 18.16 (1) (c) of the statutes is amended to read:

18.16 **(1)** (c) "Minority financial adviser" means a financial adviser certified ~~by the department of administration~~ under s. ~~16.287~~ 203.07 (2).

SECTION 88. 18.16 (1) (d) of the statutes is amended to read:

18.16 **(1)** (d) "Minority investment firm" means an investment firm certified ~~by the department of administration~~ under s. ~~16.287~~ 203.07 (2).

SECTION 89. 18.64 (1) (a) of the statutes is amended to read:

18.64 **(1)** (a) "Disabled veteran–owned financial adviser" means a financial adviser certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 90. 18.64 (1) (b) of the statutes is amended to read:

18.64 **(1)** (b) "Disabled veteran–owned investment firm" means an investment firm certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 91. 18.64 (1) (c) of the statutes is amended to read:

18.64 **(1)** (c) "Minority financial adviser" means a financial adviser certified ~~by the department of administration~~ under s. ~~16.287~~ 203.07 (2).

SECTION 92. 18.64 (1) (d) of the statutes is amended to read:

18.64 **(1)** (d) "Minority investment firm" means an investment firm certified ~~by the department of administration~~ under s. ~~16.287~~ 203.07 (2).

SECTION 93. 18.77 (1) (a) of the statutes is amended to read:

18.77 **(1)** (a) "Disabled veteran–owned financial adviser" means a financial adviser certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 94. 18.77 (1) (b) of the statutes is amended to read:

18.77 **(1)** (b) "Disabled veteran–owned investment firm" means an investment firm certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 95. 18.77 (1) (c) of the statutes is amended to read:

18.77 **(1)** (c) "Minority financial adviser" means a financial adviser certified ~~by the department of administration~~ under s. ~~16.287~~ 203.07 (2).

SECTION 96. 18.77 (1) (d) of the statutes is amended to read:

18.77 **(1)** (d) "Minority investment firm" means an investment firm certified ~~by the department of administration~~ under s. ~~16.287~~ 203.07 (2).

SECTION 97. 20.001 (7) of the statutes is created to read:

20.001 **(7)** CERTAIN APPROPRIATIONS OF THE DEPARTMENT OF FINANCIAL INSTITUTIONS AND PROFESSIONAL STANDARDS. In s. 20.142 (2):

(a) "Banking functions" means the functions conducted by the department of financial institutions and professional standards under chs. 34, 138, 202, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 421, 422, 423, 424, 425, 426, 427, 428, and 429.

(b) "Financial services functions" means all of the following:

1. The functions conducted by the department of financial institutions and professional standards specified in par. (a).

2. The functions conducted by the department of financial institutions and professional standards under chs. 132, 137, 178, 179, 180, 181, 182, 183, 184, 185, 187, 188, 190, 191, 193, 401, 402, 403, 404, 405, 407, 408, 409, 410, 411, 551, 552, and 553 and under ss. 50.05 (15), 66.0420, 71.80 (12), 88.05 (6), 96.17 (6), 100.23, 101.955, 102.17, 109.09, 111.07, 231.13 (2), 279.08 (2), 443.10 (6), 703.23, 704.22, 779.87 (3), 779.97, and 995.12 (3).

3. All functions conducted by the office of credit unions.

4. All of the following functions conducted by the department of financial institutions and professional standards under ch. 157:

a. Receiving the certification of a cemetery association under s. 157.062 (1) or a certified copy of an amendment resolution under s. 157.062 (2).

b. Receiving a copy of proceedings to reorganize a cemetery association under s. 157.062 (6) (b).

c. Prescribing and furnishing forms related to cemetery associations under s. 157.062 (6m).

d. Receiving notice of transfer of cemetery property, trust funds, and other property used for cemetery purposes from one cemetery association or religious association to another cemetery association or religious association, and prescribing and furnishing forms related to such a transfer, under s. 157.064 (7).

e. Receiving and filing cemetery association annual reports, and prescribing and furnishing forms for these reports, under s. 157.62 (1).

SECTION 98. 20.115 (2) (jm) of the statutes is created to read:

20.115 **(2)** (jm) *Veterinary examining board.* All moneys received from issuing and renewing credentials under ch. 89 for the licensing, rule–making, and regulatory functions of the veterinary examining board.

SECTION 99. 20.142 (intro.) of the statutes is created to read:

20.142 Financial institutions and professional standards, department of. (intro.) There is appropriated to the department of financial institutions and professional standards for the following programs:

SECTION 100. 20.142 (1) (title) of the statutes is created to read:

20.142 **(1)** (title) SUPERVISION AND MANAGEMENT.

SECTION 101. 20.142 (1) (gm) of the statutes is created to read:

20.142 **(1)** (gm) *Gifts and grants.* Except as otherwise provided in subs. (2), (3), and (4), all moneys received from gifts, grants, bequests, and devises, for the purposes for which made.

SECTION 102. 20.142 (1) (k) of the statutes is created to read:

20.142 **(1)** (k) *Interagency and intra–agency programs.* Except as otherwise provided in subs. (2), (3), and (4), all moneys received from other state agencies and all moneys received by the department from the department, for the purposes for which received.

SECTION 103. 20.142 (1) (m) of the statutes is created to read:

20.142 **(1)** (m) *Federal funds.* Except as otherwise provided in subs. (2), (3), and (4), all moneys received from the federal government as authorized by the governor under s. 16.54, for the purposes for which received.

SECTION 104. 20.144 (title) of the statutes is repealed.

SECTION 105. 20.144 (intro.) of the statutes is repealed.

SECTION 106. 20.144 (1) (title) of the statutes is renumbered 20.142 (2) (title).

SECTION 107. 20.144 (1) (a) of the statutes is renumbered 20.142 (2) (a).

SECTION 108. 20.144 (1) (g) of the statutes is renumbered 20.142 (2) (g) and amended to read:

20.142 **(2)** (g) *General program operations related to financial services functions*. The amounts in the schedule for the general program operations of the department of financial institutions and professional standards related to financial services functions. Except as provided in pars. (a), (h), (i), (j), and (u), all moneys received by the department, other than by the office of credit unions and the ~~division of banking~~ department for banking functions, and 88% of all moneys received by the office of credit unions and the ~~department's division of banking~~ department for banking functions, shall be credited to this appropriation, but any balance at the close of a fiscal year under this appropriation shall lapse to the general fund. Annually, $325,000 of the amounts received under this appropriation account shall be transferred to the appropriation account under s. 20.575 (1) (g).

SECTION 109. 20.144 (1) (h) of the statutes is renumbered 20.142 (2) (h) and amended to read:

20.142 **(2)** (h) ~~*Gifts, grants, settlements*~~ *Settlements and publications; financial services functions*. All moneys received from ~~gifts, grants, bequests,~~ forfeitures under s. 426.203, and from settlements arising from financial services functions, for the purposes for which made or received and all moneys received by the department from financial services functions as fees or other charges for photocopying, microfilm copying, generation of copies of documents from optical disk storage, sales of books and other services provided in carrying out the financial services functions of the department, for the purposes for which the moneys were received or collected.

SECTION 110. 20.144 (1) (i) of the statutes is renumbered 20.142 (2) (i).

SECTION 111. 20.144 (1) (j) of the statutes is renumbered 20.142 (2) (j).

SECTION 112. 20.144 (1) (m) of the statutes is renumbered 20.142 (2) (m).

SECTION 113. 20.144 (1) (u) of the statutes is renumbered 20.142 (2) (u).

SECTION 114. 20.165 (intro.) of the statutes is repealed.

SECTION 115. 20.165 (1) (title) of the statutes is renumbered 20.142 (3) (title) and amended to read:

20.142 **(3)** (title) PROFESSIONAL REGULATION AND ~~ADMINISTRATIVE~~ BUSINESS SERVICES.

SECTION 116. 20.165 (1) (a) of the statutes is renumbered 20.142 (1) (a) and amended to read:

20.142 **(1)** (a) *General program operations ~~— executive and administrative services~~*. The amounts in the schedule for general program operations.

SECTION 117. 20.165 (1) (g) of the statutes is renumbered 20.142 (3) (g) and amended to read:

20.142 **(3)** (g) *General program operations, professional licensure*. The amounts in the schedule for the professional licensing~~, rule making,~~ and regulatory functions of the department under chs. 440 to 480, other than the licensing, rule–making, and credentialing functions of the medical examining board and the affiliated credentialing boards attached to the medical examining board and except for preparing, administering, and grading examinations. Ninety percent of all moneys received under chs. 440 to 480, except ch. 448 and ss. 440.03 (13), 440.05 (1) (b), and, less $10 of each renewal fee received under s. 452.12 (5); all moneys transferred from the appropriation under par. (i); and all moneys received under ~~s.~~ ss. 440.055 (2) and 440.52 (7m) (c) 5. and (11) (d) and ch. 463, shall be credited to this appropriation.

SECTION 118. 20.165 (1) (gc) of the statutes is repealed.

SECTION 119. 20.165 (1) (gm) of the statutes is renumbered 20.142 (3) (gm).

SECTION 120. 20.165 (1) (h) of the statutes is renumbered 20.142 (3) (h).

SECTION 121. 20.165 (1) (hg) of the statutes is renumbered 20.142 (3) (hg).

SECTION 122. 20.165 (1) (i) of the statutes is renumbered 20.142 (3) (i).

SECTION 123. 20.165 (1) (im) of the statutes is renumbered 20.142 (3) (im).

SECTION 124. 20.165 (1) (jm) of the statutes is renumbered 20.142 (3) (jm).

SECTION 125. 20.165 (1) (k) of the statutes is renumbered 20.142 (3) (k).

SECTION 126. 20.165 (1) (ka) of the statutes is renumbered 20.142 (3) (ka).

SECTION 127. 20.165 (1) (kb) of the statutes is renumbered 20.142 (3) (kb).

SECTION 128. 20.165 (1) (kc) of the statutes is renumbered 20.142 (3) (kc).

SECTION 129. 20.165 (1) (ke) of the statutes is repealed.

SECTION 130. 20.165 (1) (m) of the statutes is renumbered 20.142 (3) (m) and amended to read:

20.142 **(3)** (m) *Federal funds.* All moneys received from the federal government as authorized by the governor under s. 16.54 for technical assistance provided under s. 440.03 (2) ~~or to carry out other purposes for which made and received~~.

SECTION 131. 20.165 (1) (n) of the statutes is renumbered 20.142 (3) (n).

SECTION 132. 20.165 (1) (o) of the statutes is renumbered 20.142 (3) (o).

SECTION 133. 20.165 (1) (pz) of the statutes is renumbered 20.142 (3) (pz).

SECTION 134. 20.165 (1) (s) of the statutes is renumbered 20.142 (3) (s).

SECTION 135. 20.165 (2) (title) of the statutes is renumbered 20.142 (4) (title).

SECTION 136. 20.165 (2) (a) of the statutes is renumbered 20.142 (4) (a).

SECTION 137. 20.165 (2) (de) of the statutes is repealed.

SECTION 138. 20.165 (2) (g) of the statutes is repealed.

SECTION 139. 20.165 (2) (ga) of the statutes is renumbered 20.142 (4) (ga).

SECTION 140. 20.165 (2) (gb) of the statutes is renumbered 20.142 (4) (gb).

SECTION 141. 20.165 (2) (h) of the statutes is renumbered 20.142 (4) (h).

SECTION 142. 20.165 (2) (j) of the statutes is renumbered 20.142 (4) (j) and amended to read:

20.142 **(4)** (j) *Safety and building operations.* The amounts in the schedule for the purposes of chs. 101 and 145 and ss. 167.35, 236.12 (2) (ap), 236.13 (1) (d) and (2m), and 236.335~~, for the purpose of transferring the amounts in the schedule under par. (kg) to the appropriation account under par. (kg), and for the purpose of transferring the amounts in the schedule under par. (km) to the appropriation account under par. (km)~~. All moneys received under ch. 145, except the amounts specified under ss. 145.19 (6m) and 145.20 (7), ss. 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4), 101.955 (2), 101.973 (7), 167.35 (2) (f), and 236.12 (7) and all moneys transferred under 2005 Wisconsin Act 45, section 76 (6), shall be credited to this appropriation account.

SECTION 143. 20.165 (2) (ka) of the statutes is renumbered 20.142 (4) (ka).

SECTION 144. 20.165 (2) (kd) of the statutes is renumbered 20.142 (4) (kd).

SECTION 145. 20.165 (2) (kg) of the statutes is repealed.

SECTION 146. 20.165 (2) (km) of the statutes is repealed.

SECTION 147. 20.165 (2) (ks) of the statutes is renumbered 20.142 (4) (ks).

SECTION 148. 20.165 (2) (L) of the statutes is renumbered 20.142 (4) (L).

SECTION 149. 20.165 (2) (La) of the statutes is renumbered 20.142 (4) (La).

SECTION 150. 20.165 (2) (m) of the statutes is renumbered 20.142 (4) (m).

SECTION 151. 20.165 (2) (ma) of the statutes is renumbered 20.142 (4) (ma).

SECTION 152. 20.165 (2) (q) of the statutes is renumbered 20.142 (4) (q).

SECTION 153. 20.292 (1) (gm) of the statutes is amended to read:

20.292 **(1)** (gm) *Fire schools; state operations.* The amounts in the schedule for supervising and conducting schools for instruction in fire protection and prevention

under s. 38.04 (9). All moneys transferred from s. ~~20.165 (2)~~ 20.142 (4) (L) to this appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), at the end of each fiscal year the unencumbered balance in this appropriation shall revert to the appropriation under s. ~~20.165 (2)~~ 20.142 (4) (L).

SECTION 154. 20.292 (1) (gr) of the statutes is amended to read:

20.292 **(1)** (gr) *Fire schools; local assistance.* The amounts in the schedule for district fire fighter training programs under s. 38.12 (9). All moneys transferred from s. ~~20.165 (2)~~ 20.142 (4) (L) to this appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation under s. ~~20.165 (2)~~ 20.142 (4) (L).

SECTION 155. 20.292 (2) of the statutes is repealed.

SECTION 156. 20.320 (3) (title) of the statutes is repealed.

SECTION 157. 20.320 (3) (q) of the statutes is repealed.

SECTION 158. 20.370 (4) (mq) of the statutes is amended to read:

20.370 **(4)** (mq) *General program operations — environmental fund.* From the environmental fund, the amounts in the schedule for administration of environmental activities under chs. 160, 281, and 283 and for administration of activities related to the regulation of private on–site wastewater treatment systems under ch. 145.

SECTION 159. 20.435 (1) (gm) of the statutes is amended to read:

20.435 **(1)** (gm) *Licensing, review and certifying activities; fees; supplies and services.* The amounts in the schedule for the purposes specified in ss. ~~252.23, 252.24, 252.245,~~ 253.12, 254.176, 254.178, 254.179, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.88, ~~255.08 (2),~~ and 256.15 (8), ch. 69, for the purchase

and distribution of medical supplies, and to analyze and provide data under s. 250.04. All moneys received under ss. 250.04 (3m), ~~252.23 (4) (a), 252.24 (4) (a), 252.245 (9),~~ 254.176, 254.178, 254.181, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.88, ~~255.08 (2) (b),~~ and 256.15 (5) (f) and (8) (d) and ch. 69, other than s. 69.22 (1m), and as reimbursement for medical supplies shall be credited to this appropriation account.

SECTION 160. 20.445 (1) (km) of the statutes is amended to read:

20.445 **(1)** (km) *Nursing workforce survey and grants.* All moneys transferred from the appropriation account under s. ~~20.165 (1)~~ 20.142 (3) (jm) for developing, compiling, processing, evaluating, and reporting on the survey required under s. 106.30 (2) and (3) and for awarding grants under s. 106.30 (5) (a).

SECTION 161. 20.505 (1) (gr) of the statutes is renumbered 20.142 (3) (gr) and amended to read:

20.142 **(3)** (gr) *Disabled veteran–owned, woman–owned, and minority business certification fees.* All moneys received from fees collected under s. ~~16.283~~ 203.03 (3) (c) for the costs of certifying disabled veteran–owned businesses under s. ~~16.283~~ 203.03; all moneys received from fees collected under s. ~~16.285~~ 203.05 (1) (bm), for the costs of certifying woman–owned businesses under s. ~~16.285~~ 203.05; and all moneys received from fees collected under s. ~~16.287~~ 203.07 (2) (dm) for the costs of certifying minority businesses under s. ~~16.287~~ 203.07.

SECTION 162. 20.575 (1) (g) of the statutes is amended to read:

20.575 **(1)** (g) *Program fees.* The amounts in the schedule for the purpose of carrying out general program operations. Except as provided under par. (ka), all amounts received by the secretary of state, including fees under s. 137.02 and all moneys transferred from the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (g), shall

be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), any unencumbered balance at the close of a fiscal year exceeding 10% of that fiscal year's expenditures under this appropriation shall lapse to the general fund.

SECTION 163. 20.912 (4) of the statutes is amended to read:

20.912 **(4)** INSOLVENT DEPOSITORIES. When the bank, savings and loan association, savings bank, or credit union on which any check, share draft, or other draft is drawn by the secretary of administration before payment of such check, share draft, or other draft becomes insolvent or is taken over by the ~~division of banking~~ department of financial institutions and professional standards, the federal home loan bank board, the U.S. office of thrift supervision, the federal deposit insurance corporation, the resolution trust corporation, the office of credit unions, the administrator of federal credit unions, or the U.S. comptroller of the currency, the secretary of administration shall on the demand of the person in whose favor such check, share draft, or other draft was drawn and upon the return to the secretary of such check, share draft, or other draft issue a replacement for the same amount.

SECTION 164. 20.923 (4) (c) 2. of the statutes is amended to read:

20.923 **(4)** (c) 2. ~~Administration~~ Financial institutions and professional standards, department of; office of business development: director.

SECTION 165. 20.923 (4) (f) 3d. of the statutes is created to read:

20.923 **(4)** (f) 3d. Financial institutions and professional standards, department of: secretary.

SECTION 166. 20.923 (4) (f) 3f. of the statutes is repealed.

SECTION 167. 20.923 (4) (f) 8m. of the statutes is repealed.

SECTION 168. 20.923 (8) of the statutes is amended to read:

20.923 **(8)** DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3) (b), 15.04 (2), 230.04 (16), and 551.601 (1) shall be set by the appointing authority. The salary shall not exceed the maximum of the salary range one range below the salary range of the executive salary group to which the department or agency head is assigned. The positions of assistant secretary of state, assistant state treasurer and associate director of the historical society shall be treated as unclassified deputies for pay purposes under this subsection. The salary of the deputy director of the office of business development in the department of ~~administration~~ financial institutions and professional standards is assigned to executive salary group 2.

SECTION 169. 20.923 (12) of the statutes is repealed.

SECTION 170. 25.185 (1) (a) of the statutes is amended to read:

25.185 **(1)** (a) "Disabled veteran–owned financial adviser" means a financial adviser certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 171. 25.185 (1) (b) of the statutes is amended to read:

25.185 **(1)** (b) "Disabled veteran–owned investment firm" means an investment firm certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 172. 25.185 (1) (c) of the statutes is amended to read:

25.185 **(1)** (c) "Minority financial adviser" means a financial adviser certified ~~by the department of administration~~ under s. ~~16.287~~ 203.07 (2).

SECTION 173. 25.185 (1) (d) of the statutes is amended to read:

25.185 **(1)** (d) "Minority investment firm" means an investment firm certified ~~by the department of administration~~ under s. ~~16.287~~ 203.07 (2).

SECTION 174. 25.40 (1) (a) 2. of the statutes is amended to read:

25.40 **(1)** (a) 2. Other revenues specified in ch. 218 derived from the issuance of licenses under the authority of the ~~division of banking~~ department of financial institutions and professional standards which shall be paid into the general fund.

SECTION 175. 25.43 (3) of the statutes is amended to read:

25.43 **(3)** Except for the purpose of investment as provided in s. 25.17 (2) (d), the environmental improvement fund may be used only for the purposes authorized under ss. 20.320 (1) (r), (s), (sm), (t), and (x)~~,~~ and (2) (s) and (x) ~~and (3) (q)~~, 20.370 (4) (mt), (mx), and (nz), (8) (mr), and (9) (mt), (mx), and (ny), 20.505 (1) (v), (x), and (y), 281.58, 281.59, 281.60, 281.61, and 281.62.

SECTION 176. 25.46 (5c) of the statutes is amended to read:

25.46 **(5c)** The moneys ~~collected~~ specified under ~~s.~~ ss. 145.19 ~~(6)~~ (6m) and 145.20 for environmental management.

SECTION 177. 29.506 (7m) (a) of the statutes is amended to read:

29.506 **(7m)** (a) The department shall issue a taxidermy school permit to a person who applies for the permit; who, on August 15, 1991, holds a valid taxidermist permit issued under this section; and who, on August 15, 1991, operates a taxidermy school approved by the educational approval board under s. ~~38.50~~ 38.51, 1989 stats.

SECTION 178. 29.736 (1) (b) of the statutes is amended to read:

29.736 **(1)** (b) "Qualified inspector" means a veterinarian licensed under ch. ~~453~~ 89 or a person who is qualified to provide evidence of fish health under s. 95.60 (4s) (c).

SECTION 179. 34.01 (2) (a) of the statutes is amended to read:

34.01 **(2)** (a) Any loss of public moneys, which have been deposited in a designated public depository in accordance with this chapter, resulting from the

failure of any public depository to repay to any public depositor the full amount of its deposit because the office of credit unions, administrator of federal credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, or ~~division of banking~~ department of financial institutions and professional standards has taken possession of the public depository or because the public depository has, with the consent and approval of the office of credit unions, administrator of federal credit unions, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, or ~~division of banking~~ department of financial institutions and professional standards, adopted a stabilization and readjustment plan or has sold a part or all of its assets to another credit union, bank, savings bank, or savings and loan association which has agreed to pay a part or all of the deposit liability on a deferred payment basis or because the depository is prevented from paying out old deposits because of rules of the office of credit unions, administrator of federal credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, or ~~division of banking~~ department of financial institutions and professional standards.

SECTION 180. 34.03 (3) of the statutes is amended to read:

34.03 **(3)** Take such action as the ~~division~~ department deems necessary or appropriate for the protection, collection, compromise or settlement of any claim against or in favor of the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (a).

SECTION 181. 34.03 (4) of the statutes is amended to read:

34.03 **(4)** Exercise all powers reasonably necessary and proper to the full and complete performance of the ~~division's~~ department's functions under this chapter, including but not limited to ordinary powers granted corporations.

SECTION 182. 34.08 of the statutes is amended to read:

34.08 Payment of losses. (1) Except as provided in sub. (2), the appropriation in s. ~~20.144 (1)~~ 20.142 (2) (a) shall be used to repay public depositors for losses until the appropriation is exhausted.

(2) Payments under sub. (1) shall be made in the order in which satisfactory proofs of loss are received by the ~~division of banking~~ department of financial institutions and professional standards. The payment made to any public depositor for all losses of the public depositor in any individual public depository may not exceed $400,000 above the amount of deposit insurance provided by an agency of the United States at the public depository that experienced the loss. Upon a satisfactory proof of loss, the ~~division of banking~~ department of financial institutions and professional standards shall direct the department of administration to draw its warrant payable from the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (a) and the secretary of administration shall pay the warrant under s. 16.401 (4) in favor of the public depositor that has submitted the proof of loss.

(3) Losses become fixed as of the date of loss. A public depositor experiencing a loss shall, within 60 days of the loss, assign its interest in the deposit, to the extent of the amount paid under this section, to the ~~division of banking~~ department of financial institutions and professional standards. Upon failure to make the assignment, the public depositor shall forfeit its right to payment under this section. Any recovery made by the ~~division of banking~~ department of financial institutions

and professional standards under the assignment shall be repaid to the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (a).

SECTION 183. 34.10 of the statutes is amended to read:

34.10 Reorganization and stabilization of financial institutions. Whenever the office of credit unions, administrator of federal credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, or ~~division of banking~~ department of financial institutions and professional standards has taken charge of a credit union, bank, savings bank, or savings and loan association with a view of restoring its solvency, pursuant to law, or with a view of stabilizing and readjusting the structure of any national or state credit union, bank, savings bank, or savings and loan association located in this state, and has approved a reorganization plan or a stabilization and readjustment agreement entered into between the credit union, bank, savings bank, or savings and loan association and depositors and unsecured creditors, or when a credit union, bank, savings bank, or savings and loan association, with the approval of the office of credit unions, administrator of federal credit unions, U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift supervision, federal deposit insurance corporation, resolution trust corporation, or ~~division of banking~~ department of financial institutions and professional standards proposes to sell its assets to another credit union, bank, savings bank, or savings and loan association which agrees to assume a part or all of the deposit liability of such selling credit union, bank, savings bank, or savings and loan association and to pay the same on a deferred payment basis, the governing board of the public depositor may, on the approval of the ~~division of banking~~ department of financial institutions and professional

standards, join in the execution of any reorganization plan, or any stabilization and readjustment agreement, or any depositor's agreement relative to a proposed sale of assets if, in its judgment and that of the ~~division of banking~~ department of financial institutions and professional standards, the reorganization plan or stabilization and readjustment agreement or proposed sale of assets is in the best interest of all persons concerned. The joining in any reorganization plan, or any stabilization and readjustment agreement, or any proposed sale of assets which meets the approval of the ~~division of banking~~ department of financial institutions and professional standards does not waive any rights under this chapter.

SECTION 184. 36.34 (1) (a) 3. of the statutes is amended to read:

36.34 **(1)** (a) 3. Is a Hispanic, as defined in s. ~~16.287~~ 203.07 (1) (d).

SECTION 185. 38.04 (8) (a) of the statutes is amended to read:

38.04 **(8)** (a) In this subsection, "minority group member" has the meaning given in s. ~~16.287~~ 203.07 (1) (f).

SECTION 186. 38.26 (1) of the statutes is amended to read:

38.26 **(1)** In this section, "minority student" means a student enrolled in a district school who is a minority group member, as defined in s. ~~16.287~~ 203.07 (1) (f).

SECTION 187. 38.50 (title) of the statutes is repealed.

SECTION 188. 38.50 (1) (intro.), (b), (c), (d) and (e) of the statutes are renumbered 440.52 (1) (intro.), (b), (c), (d) and (e), and 440.52 (1) (e) 8., as renumbered, is amended to read:

440.52 **(1)** (e) 8. Schools accredited by accrediting agencies recognized by the ~~board~~ department.

SECTION 189. 38.50 (1) (a) of the statutes is repealed.

SECTION 190. 38.50 (1) (f) of the statutes is repealed.

SECTION 191. 38.50 (1) (g) of the statutes is repealed.

SECTION 192. 38.50 (2) of the statutes is renumbered 440.52 (2) and amended to read:

440.52 **(2)** RESPONSIBILITIES. The ~~board~~ department shall protect the general public by ~~inspecting and approving~~ authorizing any private ~~trade, correspondence, business, and technical schools~~ school seeking funding under 20 USC 1070 to 1099d, doing business ~~within~~ in this state, whether located within or outside this state, ~~changes of ownership or control of the schools, teaching locations used by the schools, and courses of instruction offered by the schools and regulate the soliciting of students for correspondence or classroom courses and courses of instruction offered by the schools~~ and the department may authorize any other private trade, correspondence, business, or technical school, doing business within or outside this state, that seeks authorization from the state.

SECTION 193. 38.50 (3) of the statutes is renumbered 440.52 (3) and amended to read:

440.52 **(3)** RULE-MAKING POWER. The ~~board~~ department shall promulgate rules and establish standards necessary to administer this section.

SECTION 194. 38.50 (5) of the statutes is repealed.

SECTION 195. 38.50 (7) of the statutes is repealed.

SECTION 196. 38.50 (8) of the statutes is repealed.

SECTION 197. 38.50 (10) of the statutes is repealed.

SECTION 198. 38.50 (11) of the statutes is renumbered 440.52 (11), and 440.52 (11) (b) 1., (c) and (d), as renumbered, are amended to read:

440.52 **(11)** (b) 1. If a school operating in this state discontinues its operations, proposes to discontinue its operations, or is in imminent danger of discontinuing its

operations as determined by the ~~board~~ department, if the student records of the school are not taken into possession under subd. 2., and if the ~~board~~ department determines that the student records of the school are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the persons who are the subjects of those student records or the authorized representatives of those persons, the ~~board~~ department may take possession of those student records.

(c) If necessary to protect student records from being destroyed, secreted, mislaid, or otherwise made unavailable to the persons who are the subjects of those student records or the authorized representatives of those persons, the ~~board~~ department or association may seek a court order authorizing the ~~board~~ department or association to take possession of those student records.

(d) The ~~board~~ department or association shall preserve a student record that comes into the possession of the ~~board~~ department or association under par. (b) ~~1. or 2.~~ or (bm) and shall keep the student record confidential as provided under 20 USC 1232g and 34 CFR part 99. A student record in the possession of the ~~board~~ department is not open to public inspection or copying under s. 19.35 (1). Upon request of the person who is the subject of a student record or an authorized representative of that person, the ~~board~~ department or association shall provide a copy of the student record to the requester. The ~~board~~ department or association may charge a fee for providing a copy of a student record. The fee shall be based on the administrative cost of taking possession of, preserving, and providing the copy of the student record. All fees collected by the ~~board~~ department under this paragraph shall be credited to the appropriation account under s. ~~20.292 (2) (i)~~ 20.142 (3) (g).

SECTION 199. 38.50 (12) of the statutes is renumbered 100.67 (12), and 100.67 (12) (a), (b) and (c), as renumbered, are amended to read:

100.67 **(12)** (a) No person that holds itself out to the public in any way as a legitimate institution of higher education may use the term "college" or "university" in the person's name unless the person provides an educational program for which the person awards an associate or higher degree and the person has accreditation recognized by the U.S. secretary of education~~, has the foreign equivalent of that accreditation, as determined by the board, or has accreditation recognized~~ or by the Council for Higher Education Accreditation. This paragraph does not apply to any of the following:

1. A school that was doing business in this state with the approval of the educational approval board under s. 38.50, 2007 stats., prior to May 27, 2010.

1m. A person described in ~~sub.~~ s. 440.52 (1) (e) 1. whose administrative headquarters and principal place of business is in the village of Union Grove that provides a residential facility located in that village to assist young adults with disabilities in transitioning from home and school to work and independent living.

2. A person described in ~~sub.~~ s. 440.52 (1) (e) 3. to 7. that was doing business in this state prior to May 27, 2010.

(b) No school, including a school described in ~~sub.~~ s. 440.52 (1) (e) 1. to 8., may use the term "state" or "Wisconsin" in its name if the use of that term operates to mislead the public into believing that the school is affiliated with the University of Wisconsin System or the technical college system, unless the school actually is so affiliated. This paragraph does not apply to a school described in ~~sub.~~ s. 440.52 (1) (e) 1. that has accreditation recognized by the U.S. secretary of education~~, has the foreign equivalent of that accreditation, as determined by the board, or has accreditation recognized~~ or by the Council for Higher Education Accreditation.

(c) The department, attorney general, or any district attorney may ~~bring~~ commence an action in circuit court for the enforcement of this subsection, including bringing an action to restrain by temporary or permanent injunction any violation of par. (a) or (b).

SECTION 200. 38.50 (13) (title), (a) (intro.), 1., 2. (intro.), a., c. and d., 3. and 4., (b) and (c) of the statutes are renumbered 100.67 (13) (title), (a) (intro.), 1., 2. (intro.), a., c. and d., 3. and 4., (b) and (c), and 100.67 (13) (a) 2. a. and c., as renumbered, are amended to read:

100.67 **(13)** (a) 2. a. Has accreditation recognized by the U.S. secretary of education; has the foreign equivalent of that accreditation~~, as determined by the board~~; or has accreditation recognized by the Council for Higher Education Accreditation.

c. Operates in this state and is a school described in ~~sub.~~ s. 440.52 (1) (e) 1. to 8.

SECTION 201. 38.50 (13) (a) 2. b. of the statutes is repealed.

SECTION 202. 38.50 (13) (a) 2. e. of the statutes is repealed.

SECTION 203. 38.50 (13) (d) of the statutes is repealed.

SECTION 204. 39.40 (1) (c) of the statutes is amended to read:

39.40 **(1)** (c) A Hispanic, as defined in s. ~~16.287~~ 203.07 (1) (d).

SECTION 205. 39.44 (1) (a) 3. of the statutes is amended to read:

39.44 **(1)** (a) 3. Is a Hispanic, as defined in s. ~~16.287~~ 203.07 (1) (d).

SECTION 206. 41.53 (1) (h) of the statutes is amended to read:

41.53 **(1)** (h) Annually, award an amount equal to at least 5% of all state and federal funds received by the board in that year for grants to artists and arts organizations to artists who are minority group members and arts groups composed

principally of minority group members. In this paragraph, "minority group member" has the meaning specified in s. ~~16.287~~ 203.07 (1) (f).

SECTION 207. 42.09 (3) (b) of the statutes is amended to read:

42.09 **(3)** (b) The board shall develop policies encouraging each private person entering into an agreement with the board under this subsection to agree that his or her goal shall be to ensure that at least 25% of the employees hired to perform construction work in connection with state fair park facilities or to perform professional services in connection with the construction or development of those facilities will be minority group members, as defined in s. ~~16.287~~ 203.07 (1) (f), and that at least 5% of the employees hired to perform construction work in connection with state fair park facilities or to perform professional services in connection with the construction or development of those facilities will be women.

SECTION 208. 45.20 (1) (d) of the statutes is amended to read:

45.20 **(1)** (d) "Tuition," when referring to the University of Wisconsin System, means academic fees and segregated fees; when referring to the technical colleges, means "program fees" and "additional fees" as described in s. 38.24 (1m) and (1s); and when referring to a high school, a school that is approved under s. 45.03 (11), or a proprietary school that is ~~approved~~ authorized under s. ~~38.50~~ 440.52, means the charge for the courses for which a person is enrolled.

SECTION 209. 45.20 (2) (a) 1. of the statutes is amended to read:

45.20 **(2)** (a) 1. The department shall administer a tuition reimbursement program for eligible veterans enrolling as undergraduates in any institution of higher education in this state, enrolling in a school that is approved under s. 45.03 (11), enrolling in a proprietary school that is ~~approved~~ authorized under s. ~~38.50~~ 440.52, enrolling in a public or private high school, enrolling in a tribal school, as

defined in s. 115.001 (15m), in any grade from 9 to 12, or receiving a waiver of nonresident tuition under s. 39.47.

SECTION 210. 45.20 (2) (a) 2. (intro.) of the statutes is amended to read:

45.20 **(2)** (a) 2. (intro.) A veteran who is a resident of this state and otherwise qualified to receive benefits under this subsection may receive the benefits under this subsection upon the completion of any correspondence courses or part–time classroom study from an institution of higher education located outside this state, from a school that is approved under s. 45.03 (11), or from a proprietary school that is ~~approved~~ authorized under s. ~~38.50~~ 440.52, if any of the following applies:

SECTION 211. 45.20 (2) (c) 1. of the statutes is amended to read:

45.20 **(2)** (c) 1. A veteran who meets the eligibility requirements under par. (b) 1. may be reimbursed upon satisfactory completion of an undergraduate semester in any institution of higher education in this state, or upon satisfactory completion of a course at any school that is approved under s. 45.03 (11), any proprietary school that is ~~approved~~ authorized under s. ~~38.50~~ 440.52, any public or private high school, any tribal school, as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or any institution from which the veteran receives a waiver of nonresident tuition under s. 39.47. Except as provided in par. (e), the amount of reimbursement may not exceed the total cost of the veteran's tuition minus any grants or scholarships that the veteran receives specifically for the payment of the tuition, or, if the tuition is for an undergraduate semester in any institution of higher education, the standard cost of tuition for a state resident for an equivalent undergraduate semester at the University of Wisconsin–Madison, whichever is less.

SECTION 212. 45.20 (2) (d) 1. (intro.) of the statutes is amended to read:

45.20 **(2)** (d) 1. (intro.) Subject to subd. 1m., a veteran's eligibility for reimbursement under this subsection at any institution of higher education in this state, at a school that is approved under s. 45.03 (11), at a proprietary school that is ~~approved~~ authorized under s. ~~38.50~~ 440.52, at a public or private high school, at a tribal school, as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or at an institution where he or she is receiving a waiver of nonresident tuition under s. 39.47 is limited to the following:

SECTION 213. 45.21 (2) (a) of the statutes is amended to read:

45.21 **(2)** (a) The veteran is enrolled in a training course in a technical college under ch. 38 or in a proprietary school in the state ~~approved~~ authorized by the ~~educational approval board under s. 38.50~~ department of financial institutions and professional standards under s. 440.52, other than a proprietary school offering a 4–year degree or 4–year program, or is engaged in a structured on–the–job training program that meets program requirements promulgated by the department by rule.

SECTION 214. 45.44 (1) (a) 5. of the statutes is amended to read:

45.44 **(1)** (a) 5. A license, certification, registration, or permit issued under s. 89.06, 89.072, 94.10 (2), (3), or (3g), 94.50 (2), 94.704, 95.60, 97.17 (2), 97.175 (2), 97.22 (2), 98.145, 98.146, 98.18 (1) (a), or 168.23 (3).

SECTION 215. 45.44 (1) (a) 14. of the statutes is amended to read:

45.44 **(1)** (a) 14. A license, certification, certification card, or permit issued under s. ~~252.23, 252.24,~~ 254.176, 254.178, 254.20, 254.71, and 256.15.

SECTION 216. 45.44 (1) (b) of the statutes is amended to read:

45.44 **(1)** (b) "Licensing agency" means the department of agriculture, trade and consumer protection; the department of children and families; ~~the department of financial institutions;~~ the department of health services; the department of

natural resources; the department of public instruction; the department of revenue; the department of ~~safety and professional services~~ financial institutions and professional standards and its examining boards and affiliated credentialing boards; the department of transportation; the department of workforce development; the board of commissioners of public lands; the government accountability board; or the office of the commissioner of insurance.

SECTION 217. 46.29 (3) (e) of the statutes is amended to read:

46.29 **(3)** (e) The secretary of ~~safety and professional services~~ financial institutions and professional standards.

SECTION 218. 46.90 (5m) (br) 5. of the statutes is amended to read:

46.90 **(5m)** (br) 5. Refer the case to the department of ~~safety and professional services~~ financial institutions and professional standards if the financial exploitation, neglect, self–neglect, or abuse involves an individual who is required to be registered under s. 202.13 or 202.14 or to hold a credential, as defined in s. 440.01 (2) (a), under chs. 440 to 460.

SECTION 219. 46.90 (5m) (br) 5g. of the statutes is repealed.

SECTION 220. 49.857 (1) (d) 4. of the statutes is amended to read:

49.857 **(1)** (d) 4. A certification, license, training permit, registration, approval or certificate issued under s. 49.45 (2) (a) 11., ~~252.23 (2), 252.24 (2),~~ 254.176 (1) or (3) (a), 254.178 (2) (a), 254.20 (2), (3) or (4), 254.47 (1), 254.64 (1) (a) or (b), 254.71 (2), ~~255.08 (2),~~ or 256.15 (5) (a) or (b), (6g) (a), or (8) (a).

SECTION 221. 50.92 (3m) of the statutes is created to read:

50.92 **(3m)** The department may conduct plan reviews of all capital construction and remodeling of structures that are owned or leased for operation of

a hospice. The department shall promulgate rules that establish a fee schedule for its services in conducting the plan reviews under this subsection.

SECTION 222. 54.15 (8) (a) 3. of the statutes is amended to read:

54.15 **(8)** (a) 3. Any license, certificate, permit, or registration of the proposed guardian that is required under chs. 89, 202, or 440 to 480 or by the laws of another state for the practice of a profession or occupation has been suspended or revoked.

SECTION 223. 55.043 (4) (b) 5. of the statutes is amended to read:

55.043 **(4)** (b) 5. Refer the case to the department of ~~safety and professional services~~ financial institutions and professional standards if the financial exploitation, neglect, self–neglect, or abuse involves an individual who is required to be registered under s. 202.13 or 202.14 or to hold a credential, as defined in s. 440.01 (2) (a), under chs. 440 to 460.

SECTION 224. 55.043 (4) (b) 5g. of the statutes is repealed.

SECTION 225. 59.57 (1) (b) of the statutes is amended to read:

59.57 **(1)** (b) If a county with a population of ~~500,000~~ 750,000 or more appropriates money under par. (a) to fund nonprofit agencies, the county shall have a goal of expending 20% of the money appropriated for this purpose to fund a nonprofit agency that is actively managed by minority group members, as defined in s. ~~16.287~~ 203.07 (1) (f), and that principally serves minority group members.

SECTION 226. 66.1309 (1) (b) 1. of the statutes is amended to read:

66.1309 **(1)** (b) 1. The ~~division of banking~~ department of financial institutions and professional standards as conservator, liquidator, or rehabilitator of any person, partnership, or corporation, and persons, partnerships, and corporations organized under or subject to the provisions of the banking law.

SECTION 227. 66.1317 (2) (a) 4. of the statutes is amended to read:

66.1317 **(2)** (a) 4. The ~~division of banking~~ department of financial institutions and professional standards as conservator, liquidator, or rehabilitator of any person, partnership, or corporation, and persons, partnerships, or corporations organized under or subject to chs. 600 to 646.

SECTION 228. 67.12 (12) (a) of the statutes is amended to read:

67.12 **(12)** (a) Any municipality may issue promissory notes as evidence of indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not limited to paying any general and current municipal expense, and refunding any municipal obligations, including interest on them. Each note, plus interest if any, shall be repaid within 10 years after the original date of the note, except that notes issued under this section for purposes of ss. 119.498, 145.245 (12m), 2013 stats., 281.58, 281.59, 281.60, 281.61, and 292.72, issued to raise funds to pay a portion of the capital costs of a metropolitan sewerage district, or issued by a 1st class city or a county having a population of ~~500,000~~ 750,000 or more, to pay unfunded prior service liability with respect to an employee retirement system, shall be repaid within 20 years after the original date of the note.

SECTION 229. 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

71.05 **(6)** (b) 28. (intro.) An amount paid by a claimant for tuition expenses and mandatory student fees for a student who is the claimant or who is the claimant's child and the claimant's dependent who is claimed under section 151 (c) of the Internal Revenue Code, to attend any university, college, technical college or a school ~~approved~~ authorized under s. ~~38.50~~ 440.52, that is located in Wisconsin or to attend a public vocational school or public institution of higher education in Minnesota under the Minnesota–Wisconsin reciprocity agreement under s. 39.47, calculated as follows:

SECTION 230. 71.07 (5j) (a) 2d. of the statutes is amended to read:

71.07 **(5j)** (a) 2d. "Diesel replacement renewable fuel" includes biodiesel and any other fuel derived from a renewable resource that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel and that the department of ~~commerce or the department of safety and professional services~~ financial institutions and professional standards designates by rule as a diesel replacement renewable fuel.

SECTION 231. 71.07 (5j) (a) 2m. of the statutes is amended to read:

71.07 **(5j)** (a) 2m. "Gasoline replacement renewable fuel" includes ethanol and any other fuel derived from a renewable resource that meets all of the applicable requirements of the American Society for Testing and Materials for that fuel and that the department of ~~commerce or the department of safety and professional services~~ financial institutions and professional standards designates by rule as a gasoline replacement renewable fuel.

SECTION 232. 71.07 (5j) (c) 3. of the statutes is amended to read:

71.07 **(5j)** (c) 3. The department of ~~commerce or the department of safety and professional services~~ financial institutions and professional standards shall establish standards to adequately prevent, in the distribution of conventional fuel to an end user, the inadvertent distribution of fuel containing a higher percentage of renewable fuel than the maximum percentage established by the federal environmental protection agency for use in conventionally–fueled engines.

SECTION 233. 71.07 (5r) (a) 2. of the statutes is amended to read:

71.07 **(5r)** (a) 2. "Course of instruction" has the meaning given in s. ~~38.50~~ 440.52 (1) (c).

SECTION 234. 71.07 (5r) (a) 6. b. of the statutes is amended to read:

71.07 **(5r)** (a) 6. b. A school ~~approved~~ authorized under s. ~~38.50~~ 440.52, if the delivery of education occurs in this state.

SECTION 235. 71.26 (1) (d) of the statutes is amended to read:

71.26 **(1)** (d) *Bank in liquidation.* Income of any bank placed in the hands of the ~~division of banking~~ department of financial institutions and professional standards for liquidation under s. 220.08, if the tax levied, assessed or collected under this chapter on account of such bank diminishes the assets thereof so that full payment of all depositors cannot be made. Whenever the ~~division of banking~~ department of financial institutions and professional standards certifies to the department of revenue that the tax or any part thereof levied and assessed under this chapter against any such bank will so diminish the assets thereof that full payment of all depositors cannot be made, the department of revenue shall cancel and abate such tax or part thereof, together with any penalty thereon. This paragraph shall apply to unpaid taxes which were levied and assessed subsequent to the time the bank was taken over by the ~~division of banking~~ department of financial institutions and professional standards.

SECTION 236. 71.28 (5j) (a) 2d. of the statutes is amended to read:

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

SECTION 237. 71.28 (5j) (a) 2m. of the statutes is amended to read:

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

SECTION 238. 71.28 (5j) (c) 3. of the statutes is amended to read:

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

SECTION 239. 71.28 (5r) (a) 2. of the statutes is amended to read:

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

SECTION 240. 71.28 (5r) (a) 6. b. of the statutes is amended to read:

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

SECTION 241. 71.47 (5r) (a) 2. of the statutes is amended to read:

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

SECTION 242. 71.47 (5r) (a) 6. b. of the statutes is amended to read:

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

SECTION 243. 73.0301 (1) (d) 3. of the statutes is amended to read:

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

SECTION 244. 73.0301 (1) (d) 6. of the statutes is amended to read:

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

SECTION 245. 73.0301 (1) (e) of the statutes is amended to read:

73.0301 **(1)** (e) "Licensing department" means the department of administration; the department of agriculture, trade and consumer protection; the board of commissioners of public lands; the department of children and families; the government accountability board; the department of financial institutions and professional standards; the department of health services; the department of natural resources; the department of public instruction; ~~the department of safety and professional services;~~ the department of workforce development; the office of the commissioner of insurance; or the department of transportation.

SECTION 246. 84.075 (1c) (a) of the statutes is amended to read:

84.075 **(1c)** (a) "Disabled veteran–owned business" means a business certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 247. 84.075 (1c) (b) of the statutes is amended to read:

84.075 **(1c)** (b) "Minority business" means a business certified ~~by the department of administration~~ under s. ~~16.287~~ 203.07 (2).

SECTION 248. 84.076 (1) (c) of the statutes is amended to read:

84.076 **(1)** (c) "Minority business" has the meaning given under s. ~~16.287~~ 203.07 (1) (e) 1.

SECTION 249. 84.076 (1) (d) of the statutes is amended to read:

84.076 **(1)** (d) "Minority group member" has the meaning given under s. ~~16.287~~ 203.07 (1) (f).

SECTION 250. 85.25 (2) (c) 1m. b. of the statutes is amended to read:

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

SECTION 251. 89.02 (3d) of the statutes is created to read:

89.02 **(3d)** "Department" means the department of agriculture, trade and consumer protection.

SECTION 252. 89.063 of the statutes is created to read:

89.063 Fees. The department shall determine by rule the fees for each initial license, certification, and permit issued under ss. 89.06 and 89.072, and, if applicable, for renewal of the license, certification, or permit, including late fees, based on the department's administrative and enforcement costs under this chapter.

SECTION 253. 89.085 of the statutes is created to read:

89.085 Unauthorized practice. (1) The department may conduct investigations, hold hearings, and make findings as to whether a person has engaged in a practice or used a title without a credential required under this chapter.

(2) If, after holding a public hearing, the department determines that a person has engaged in a practice or used a title without a required credential, the department may issue a special order enjoining the person from continuing the practice or use of the title.

(3) In lieu of holding a public hearing, if the department has reason to believe that a person has engaged in a practice or used a title without a required credential, the department may petition the circuit court for a temporary restraining order or an injunction as provided in ch. 813.

(4) (a) Any person who violates a special order issued under sub. (2) may be required to forfeit not more than $10,000 for each offense. Each day of continued violation constitutes a separate offense. The attorney general or any district attorney may commence an action in the name of the state to recover a forfeiture under this paragraph.

(b) Any person who violates a temporary restraining order or an injunction issued by a court upon a petition under sub. (3) may be fined not less than $25 nor more than $5,000 or imprisoned for not more than one year in the county jail or both.

SECTION 254. 93.135 (1) (a) of the statutes is renumbered 93.135 (1) (ag).

SECTION 255. 93.135 (1) (ab) of the statutes is created to read:

93.135 **(1)** (ab) A license, certification, or permit under ch. 89.

SECTION 256. 93.20 (1) of the statutes is amended to read:

93.20 **(1)** DEFINITION. In this section, "action" means an action that is commenced in court by, or on behalf of, the department of agriculture, trade and consumer protection to enforce chs. 88, 89, 91 to 100, or 126.

SECTION 257. 93.22 (1) of the statutes is amended to read:

93.22 **(1)** In cases arising under chs. 88, 89, and 93 to 100, the department may be represented by its attorney.

SECTION 258. 93.22 (2) of the statutes is amended to read:

93.22 **(2)** The department may, with the approval of the governor, appoint special counsel to prosecute or assist in the prosecution of any case arising under chs. 88, 89, and 93 to 100. The cost of such special counsel shall be charged to the appropriation for the department.

SECTION 259. 93.22 (3) of the statutes is amended to read:

93.22 **(3)** In any criminal or civil action under chs. 88, 89, and 93 to 100, any exception, exemption, proviso, excuse, or qualification contained in any of said chapters, or in any order, standard, or regulation thereunder, may be proved by the defendant, but need not be specified or negatived in the information or complaint, and, if so specified or negatived, no proof in relation to the matters so specified or negatived, shall be required of the plaintiff.

SECTION 260. 94.67 (33m) of the statutes is amended to read:

94.67 **(33m)** "Veterinarian" means an individual who is licensed as a veterinarian under ch. ~~453~~ 89.

SECTION 261. 94.67 (33t) of the statutes is amended to read:

94.67 **(33t)** "Veterinary technician" means an individual who is certified as a veterinary technician under ch. ~~453~~ 89.

SECTION 262. 95.21 (1) (e) of the statutes is amended to read:

95.21 **(1)** (e) "Veterinarian" has the meaning designated under s. ~~453.02~~ 89.02 (7).

SECTION 263. 95.21 (1) (em) of the statutes is amended to read:

95.21 **(1)** (em) "Veterinary technician" has the meaning designated under s. ~~453.02~~ 89.02 (12).

SECTION 264. 95.21 (2) (a) of the statutes is amended to read:

95.21 **(2)** (a) *Requirement for vaccination.* Except as provided in s. 174.054 or sub. (9) (d), the owner of a dog shall have the dog vaccinated against rabies by a veterinarian or, if a veterinarian is physically present at the location the vaccine is administered, by a veterinary technician, pursuant to s. ~~453.05~~ 89.05 (2) (d), at no later than 5 months of age and revaccinated within one year after the initial vaccination. If the owner obtains the dog or brings the dog into this state after the dog has reached 5 months of age, the owner shall have the dog vaccinated against rabies within 30 days after the dog is obtained or brought into the state unless the dog has been vaccinated as evidenced by a current certificate of rabies vaccination from this state or another state. The owner of a dog shall have the dog revaccinated against rabies by a veterinarian or, if a veterinarian is physically present at the location the vaccine is administered, by a veterinary technician, pursuant to s. ~~453.05~~ 89.05 (2) (d), before the date that the immunization expires as stated on the certificate of vaccination or, if no date is specified, within 3 years after the previous vaccination.

SECTION 265. 100.67 of the statutes is created to read:

100.67 Private trade, business, technical, and other schools. (1) DEFINITIONS. In this section, unless the context clearly requires otherwise:

(b) "Course" has the meaning given in s. 440.52 (1) (b).

(c) "Course of instruction" has the meaning given in s. 440.52 (1) (c).

(d) "Person" has the meaning given in s. 440.52 (1) (d).

(e) "School" has the meaning given in s. 440.52 (1) (e).

(2) RESPONSIBILITIES. The department shall protect the general public by investigating complaints and potential violations related to this section.

(3) RULE-MAKING POWER. The department may promulgate rules necessary to administer this section.

SECTION 266. 101.02 (20) (b) of the statutes is amended to read:

101.02 **(20)** (b) Except as provided in par. (e), the department ~~of safety and professional services~~ may not issue or renew a license unless each applicant who is an individual provides the department ~~of safety and professional services~~ with his or her social security number and each applicant that is not an individual provides the department ~~of safety and professional services~~ with its federal employer identification number. The department ~~of safety and professional services~~ may not disclose the social security number or the federal employer identification number of an applicant for a license or license renewal except to the department of revenue for the sole purpose of requesting certifications under s. 73.0301 and to the department of workforce development for the sole purpose of requesting certifications under s. 108.227.

SECTION 267. 101.02 (20) (c) of the statutes is amended to read:

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

SECTION 268. 101.02 (20) (d) of the statutes is amended to read:

101.02 **(20)** (d) The department ~~of safety and professional services~~ shall revoke a license if the department of revenue certifies under s. 73.0301 that the licensee is

liable for delinquent taxes or if the department of workforce development certifies under s. 108.227 that the licensee is liable for delinquent unemployment insurance contributions.

SECTION 269. 101.02 (20) (e) 1. of the statutes is amended to read:

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

SECTION 270. 101.02 (21) (b) of the statutes is amended to read:

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

SECTION 271. 101.02 (21) (e) 1. of the statutes is amended to read:

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

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

SECTION 272. 101.12 (1) (intro.) of the statutes is amended to read:

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

SECTION 273. 101.149 (6) (b) of the statutes is amended to read:

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

SECTION 274. 101.149 (8) (a) of the statutes is amended to read:

101.149 **(8)** (a) If the department ~~of safety and professional services~~ or the department of health services determines after an inspection of a building under this section or s. 254.74 (1g) that the owner of the building has violated sub. (2) or (3), the respective department shall issue an order requiring the person to correct the

violation within 5 days or within such shorter period as the respective department determines is necessary to protect public health and safety. If the person does not correct the violation within the time required, he or she shall forfeit $50 for each day of violation occurring after the date on which the respective department finds that the violation was not corrected.

SECTION 275. 101.31 of the statutes is repealed.

SECTION 276. 101.573 (3) (a) of the statutes is amended to read:

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

SECTION 277. 101.573 (5) of the statutes is amended to read:

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

SECTION 278. 101.654 (1m) (e) of the statutes is amended to read:

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

SECTION 279. 101.657 of the statutes is repealed.

SECTION 280. 101.935 (2) (e) of the statutes is amended to read:

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

SECTION 281. 101.951 (7) (a) of the statutes is amended to read:

101.951 **(7)** (a) The department ~~of safety and professional services~~ may, without notice, deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for the denial. Within 30 days after such notice, the applicant may petition the department of administration to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness. The division of hearings and appeals shall conduct the hearing. This paragraph does not apply to denials of applications for licenses under s. 101.02 (21).

SECTION 282. 101.951 (7) (b) of the statutes is amended to read:

101.951 **(7)** (b) No license may be suspended or revoked except after a hearing thereon. The department ~~of safety and professional services~~ shall give the licensee at least 5 days' notice of the time and place of the hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the department ~~of safety and professional services~~, when in its opinion the best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations brought before the department ~~of safety and professional services~~ shall be heard and decided upon by the department of administration. The division of hearings and appeals shall conduct the hearing.

This paragraph does not apply to licenses that are suspended or revoked under s. 101.02 (21).

SECTION 283. 101.951 (7) (c) of the statutes is amended to read:

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

SECTION 284. 101.953 (1) (a) of the statutes is amended to read:

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

SECTION 285. 101.973 (8) of the statutes is amended to read:

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

SECTION 286. 107.30 (10) of the statutes is amended to read:

107.30 **(10)** "Mining damage appropriation" means the appropriation under s. ~~20.165 (2)~~ 20.142 (4) (a).

SECTION 287. 107.31 (5) (a) (intro.) of the statutes is amended to read:

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

SECTION 288. 108.227 (1) (e) 3. of the statutes is amended to read:

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

SECTION 289. 108.227 (1) (e) 6. of the statutes is amended to read:

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

SECTION 290. 108.227 (1) (f) of the statutes is amended to read:

108.227 **(1)** (f) "Licensing department" means the department of administration; the department of agriculture, trade and consumer protection; the board of commissioners of public lands; the department of children and families; the government accountability board; the department of financial institutions and professional standards; the department of health services; the department of natural resources; the department of public instruction; the department of revenue; ~~the department of safety and professional services;~~ the office of the commissioner of insurance; or the department of transportation.

SECTION 291. 111.335 (1) (cx) of the statutes is amended to read:

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

SECTION 292. 112.07 (1) of the statutes is amended to read:

112.07 **(1)** Notwithstanding any other provision of the statutes, any fiduciary, as defined in s. 112.01 (1) (b), who is holding securities in a fiduciary capacity, any bank or trust company holding securities as a custodian or managing agent, and any bank or trust company holding securities as custodian for a fiduciary may deposit or arrange for the deposit of such securities in a clearing corporation as defined in s. 408.102 (1) (e). When the securities are so deposited, certificates representing securities of the same class of the same issuer may be merged and held in bulk in the name of the nominee of the clearing corporation with any other such securities deposited in that clearing corporation by any person regardless of the ownership of the securities, and certificates of small denomination may be merged into one or more certificates of larger denomination. The records of the fiduciary and the records of the bank or trust company acting as custodian, as managing agent or as custodian for a fiduciary shall at all times show the name of the party for whose account the securities are so deposited. Ownership of, and other interests in, the securities may be transferred by bookkeeping entry on the books of the clearing corporation without physical delivery of certificates representing the securities. A bank or trust company which deposits securities pursuant to this section shall be subject to such rules and regulations as, in the case of state chartered institutions, the ~~division of banking~~ department of financial institutions and professional standards and, in the case of national banking associations, the comptroller of the currency may from time to time issue. A bank or trust company acting as custodian for a fiduciary shall, on demand by the fiduciary, certify in writing to the fiduciary the securities deposited by the bank or trust company in a clearing corporation pursuant to this section for the account of the fiduciary. A fiduciary shall, on demand by any party to a judicial

proceeding for the settlement of the fiduciary's account or on demand by the attorney for such a party, certify in writing to the party the securities deposited by the fiduciary in the clearing corporation for its account as such fiduciary.

SECTION 293. 119.495 (2) of the statutes is amended to read:

119.495 **(2)** The board shall include in its budget transmitted to the common council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing to be authorized in the budget for the ensuing year. The common council shall issue the notes and levy a direct annual irrepealable tax sufficient to pay the principal and interest on the notes as they become due. The common council may issue the notes by private sale. The common council shall make every effort to involve a minority investment firm certified under s. ~~16.287~~ 203.07 as managing underwriter of the notes or to engage a minority financial adviser certified under s. ~~16.287~~ 203.07 to advise the city regarding any public sale of the notes.

SECTION 294. 119.496 (2) of the statutes is amended to read:

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

SECTION 295. 125.04 (5) (a) 5. of the statutes is amended to read:

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

SECTION 296. 125.17 (6) (a) (intro.) of the statutes is amended to read:

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

SECTION 297. 134.66 (2m) (b) of the statutes is amended to read:

134.66 **(2m)** (b) Paragraph (a) does not apply to an agent, employee, or independent contractor who has received the training described in par. (a) as part of a responsible beverage server training course or a comparable training course, as described in s. 125.04 (5) (a) 5., that was successfully completed by the agent, employee, or independent contractor. The department of health services shall make the training program developed or approved by that department under par. (a)

available to the technical college system board, and that board shall include that training program or a comparable training program approved by that department in the curriculum guidelines specified by that board under s. 125.04 (5) (a) 5. The department of health services shall also make the training program developed or approved by that department under par. (a) available to any provider of a comparable training course, as described in s. 125.04 (5) (a) 5., on request, and the department of revenue ~~or the educational approval board~~ may approve a comparable training course under s. 125.04 (5) (a) 5. only if that training course includes the training program developed or approved by the department of health services under par. (a) or a comparable training program approved by that department.

SECTION 298. 138.055 (4) (d) of the statutes is amended to read:

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

SECTION 299. 138.056 (1) (a) 4. d. of the statutes is amended to read:

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

SECTION 300. 138.09 (1d) of the statutes is amended to read:

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

SECTION 301. 138.12 (1) (a) of the statutes is repealed.

SECTION 302. 138.12 (1) (am) of the statutes is created to read:

138.12 **(1)** (am) "Department" means the department of financial institutions and professional standards.

SECTION 303. 138.14 (1) (f) of the statutes is repealed.

SECTION 304. 138.14 (9r) (f) of the statutes is amended to read:

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

SECTION 305. 138.16 (1) (a) of the statutes is amended to read:

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

SECTION 306. 145.01 (4m) of the statutes is renumbered 145.01 (4m) (intro.) and amended to read:

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

SECTION 307. 145.01 (4m) (a) of the statutes is created to read:

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

SECTION 308. 145.01 (4m) (b) of the statutes is created to read:

145.01 **(4m)** (b) The introduction of sewage into zones of saturation which adversely affects the operation of a private on–site wastewater treatment system.

SECTION 309. 145.01 (4m) (c) of the statutes is created to read:

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

SECTION 310. 145.01 (4m) (d) of the statutes is created to read:

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

SECTION 311. 145.01 (4m) (e) of the statutes is created to read:

145.01 **(4m)** (e) The failure to accept sewage discharges and backup of sewage into the structure served by the private on–site wastewater treatment system.

SECTION 312. 145.01 (12) of the statutes is amended to read:

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

SECTION 313. 145.02 (title) of the statutes is amended to read:

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

SECTION 314. 145.02 (2) of the statutes is amended to read:

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

SECTION 315. 145.02 (2m) of the statutes is created to read:

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

SECTION 316. 145.02 (4) (a) of the statutes is amended to read:

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

SECTION 317. 145.045 (1) of the statutes is amended to read:

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

SECTION 318. 145.045 (3) of the statutes is amended to read:

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

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

SECTION 319. 145.17 (2) of the statutes is amended to read:

145.17 **(2)** The department shall prescribe rules as to the qualifications, examination and licensing of journeymen 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~~ 15.177 (17), shall advise the department in formulating the rules**.**

SECTION 320. 145.19 (1b) of the statutes is amended to read:

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

SECTION 321. 145.19 (1m) of the statutes is amended to read:

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

SECTION 322. 145.19 (2) of the statutes is amended to read:

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

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

SECTION 323. 145.19 (3) of the statutes is amended to read:

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

SECTION 324. 145.19 (6) of the statutes is amended to read:

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

SECTION 325. 145.19 (6m) of the statutes is created to read:

145.19 **(6m)** AMOUNTS DEPOSITED IN THE ENVIRONMENTAL FUND. All moneys collected by the department under this section shall be deposited in the environmental fund for environmental management.

SECTION 326. 145.20 (2) (e) of the statutes is amended to read:

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

SECTION 327. 145.20 (2) (g) of the statutes is amended to read:

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

SECTION 328. 145.20 (3) (title) of the statutes is amended to read:

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

SECTION 329. 145.20 (3) (a) 1. of the statutes is amended to read:

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

SECTION 330. 145.20 (3) (a) 2. of the statutes is amended to read:

145.20 **(3)** (a) 2. The department of natural resources may exempt a governmental unit from any category of private on–site wastewater treatment systems for which ~~departmental~~ approval by the department of natural resources is required prior to sanitary permit issuance under subd. 1., upon a determination, in

accordance with rules promulgated by the department of natural resources, that past performance of the governmental unit on reviews and audits under par. (b) has been satisfactory and that the governmental unit has the capacity to give the same level of application and plan review as that provided by the department of natural resources. The department of natural resources may revoke an exemption upon a finding that performance of the governmental unit on a review or audit conducted subsequent to the granting of the exemption is unsatisfactory or that the governmental unit is not giving the same level of application and plan review as that provided by the department of natural resources. Findings in a revocation action may be made only after a public hearing upon 30 days' advance notice to the clerk of the governmental unit. The department of natural resources shall submit a report under s.13.172 (2) to the chief clerk of each house of the legislature, at the beginning of each legislative session, describing the exemptions under this subdivision.

SECTION 331. 145.20 (3) (b) of the statutes is amended to read:

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

SECTION 332. 145.20 (3) (c) of the statutes is amended to read:

145.20 **(3)** (c) If the governing body for a governmental unit responsible for the regulation of private on–site wastewater treatment systems does not adopt a private on–site wastewater treatment system ordinance meeting the requirements of s. 59.70 (5) or if the governmental unit does not appoint personnel meeting the

requirements of sub. (1) or if the governmental unit does not comply with the requirements of sub. (2) or s. 145.19 (3), the department of natural resources may conduct hearings in the county seat upon 30 days' notice to the county clerk. As soon as practicable after the public hearing, the department of natural resources shall issue a written decision regarding compliance with s. 59.70 (5) or 145.19 (3) or sub. (1) or (2). If the department of natural resources determines that there is a violation of these provisions, the governmental unit may not issue a sanitary permit for the installation of a private on–site wastewater treatment system until the violation is corrected.

SECTION 333. 145.20 (3) (d) of the statutes is amended to read:

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

SECTION 334. 145.20 (5) (a) of the statutes is amended to read:

145.20 **(5)** (a) The department of natural resources shall establish a maintenance program to be administered by governmental units responsible for the regulation of private on–site wastewater treatment systems. The department of natural resources shall determine the private on–site wastewater treatment systems to which the maintenance program applies. At a minimum the maintenance

program is applicable to all new or replacement private on–site wastewater treatment systems constructed in a governmental unit after the date on which the governmental unit adopts this program. The department of natural resources may apply the maintenance program by rule to private on–site wastewater treatment systems constructed in a governmental unit responsible for the regulation of private on–site wastewater treatment systems on or before the date on which the governmental unit adopts the program. ~~The department shall determine the private on–site wastewater treatment systems to which the maintenance program applies in governmental units that do not meet the conditions for eligibility under s. 145.245 (9).~~

SECTION 335. 145.20 (5) (am) of the statutes is amended to read:

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

SECTION 336. 145.20 (5) (b) of the statutes is amended to read:

145.20 **(5)** (b) The maintenance program shall include a requirement of inspection or pumping of the private on–site wastewater treatment system at least once every 3 years if the private on–site wastewater treatment system does not have a maintenance plan as prescribed by rule by the department of natural resources. Inspections may be conducted by a master plumber, journeyman plumber or

restricted plumber licensed under this chapter, a person licensed under s. 281.48 or by an employee of the state or governmental unit designated by the department of natural resources, and the department of natural resources may determine by rule other persons who are qualified to undertake required inspection, maintenance, or repairs. The department of natural resources shall specify the methods to establish the required frequency of inspection, maintenance, and pumping for each type of private on–site wastewater treatment system that does not have a maintenance plan and shall periodically update the methods.

SECTION 337. 145.20 (5) (c) of the statutes is amended to read:

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

SECTION 338. 145.20 (7) of the statutes is created to read:

145.20 **(7)** AMOUNTS DEPOSITED IN THE ENVIRONMENTAL FUND. All moneys collected by the department under rules promulgated under this section shall be deposited in the environmental fund for environmental management.

SECTION 339. 145.23 of the statutes is amended to read:

145.23 Rules. The department of natural resources may make and enforce rules relating to lot size and lot elevation necessary for proper sanitary conditions in the development and maintenance of subdivisions not served by a public sewer, where provision for such service has not been made. The department of natural

resources may consult with the department of financial institutions and professional standards in promulgating rules under this section.

SECTION 340. 145.24 (1) of the statutes is amended to read:

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

SECTION 341. 145.24 (2) of the statutes is amended to read:

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

SECTION 342. 145.24 (3) of the statutes is amended to read:

145.24 **(3)** Upon receipt of a petition for a variance, the department of natural resources shall require the owner of the private on–site wastewater treatment system to submit information necessary to evaluate the request for a variance. If the department of natural resources determines that the existing private on–site wastewater treatment system is not a failing private on–site wastewater treatment system, and continued use of the existing private on–site wastewater treatment system will not pose a threat of contamination of waters of the state, then the department of natural resources may issue a variance to allow continued use of the existing private on–site wastewater treatment system. The department of natural resources shall rescind the variance if the existing private on–site wastewater treatment system becomes a failing private on–site wastewater treatment system or contaminates waters of the state.

SECTION 343. 145.245 of the statutes is repealed.

SECTION 344. 157.061 (2g) of the statutes is amended to read:

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

SECTION 345. 157.062 (1) of the statutes is amended to read:

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

SECTION 346. 157.062 (2) of the statutes is amended to read:

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

SECTION 347. 157.062 (6) (b) of the statutes is amended to read:

157.062 **(6)** (b) If an association that has been dissolved under par. (a), or any group that was never properly organized as a cemetery association, has cemetery

grounds and human remains are buried in the cemetery grounds, 5 or more members, or persons interested as determined by order of the circuit judge under par. (c), may publish a class 3 notice, under ch. 985, in the municipality in which the cemetery is located, of the time, place, and object of the meeting, assemble and reorganize by the election of trustees and divide them into classes as provided in sub. (1), the commencement of the terms to be computed from the next annual meeting date. The secretary shall enter the proceedings of the meeting on the records. The association is reorganized upon delivery of a copy of the proceedings to the department ~~of financial institutions~~, except as provided in sub. (9). Upon reorganization, the title to the cemetery grounds, trust funds, and all other property of the association or group vests in the reorganized association, under the control of the trustees. The reorganized association may continue the name of the dissolved association or may adopt a new name.

SECTION 348. 157.062 (6m) of the statutes is amended to read:

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

SECTION 349. 157.062 (9) of the statutes is amended to read:

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

SECTION 350. 157.064 (7) of the statutes is amended to read:

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

SECTION 351. 157.11 (9m) of the statutes is amended to read:

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

SECTION 352. 157.12 (3) (b) of the statutes is amended to read:

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

SECTION 353. 157.62 (1) (a) (intro.) of the statutes is amended to read:

157.62 **(1)** (a) (intro.) Except as provided in par. (b) and s. 157.625, every cemetery association shall file an annual report with the department ~~of financial institutions~~. The report shall be made on a calendar–year basis unless the

department ~~of financial institutions~~, by rule, provides for other reporting periods. The report is due on the 60th day after the last day of the reporting period. The annual report shall include all of the following:

SECTION 354. 157.62 (1) (c) of the statutes is amended to read:

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

SECTION 355. 157.65 (1) (a) of the statutes is amended to read:

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

SECTION 356. 157.65 (1) (b) of the statutes is amended to read:

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

SECTION 357. 157.65 (2) of the statutes is amended to read:

157.65 **(2)** The department of justice or any district attorney, upon informing the department of justice, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this subchapter. The court may, prior to entry of final judgment, make such orders or

judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, if proof of such loss is submitted to the satisfaction of the court. The department of justice may subpoena persons and require the production of books and other documents, and may request the board described in s. ~~15.405~~ 15.175 (3m) or the department ~~of safety and professional services~~ to exercise its authority under sub. (1) to aid in the investigation of alleged violations of this subchapter.

SECTION 358. 165.825 of the statutes is amended to read:

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

SECTION 359. 167.35 (7) (b) of the statutes is amended to read:

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

SECTION 360. 167.35 (7) (c) of the statutes is amended to read:

167.35 **(7)** (c) Authorized personnel from the department of justice, from the department ~~of safety and professional services~~, and from the department of revenue, and any sheriff, police officer, or other law enforcement personnel, within their respective jurisdictions, may enter and inspect any premises where cigarettes are made, sold, offered for sale, or stored to determine if the cigarettes comply with this section. An inspection under this paragraph includes examining the books, papers,

invoices, and other records of any person who is subject to this section and who is in control, possession, or occupancy of the premises.

SECTION 361. 169.01 (35) (a) of the statutes is amended to read:

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

SECTION 362. 173.05 (1) (b) of the statutes is amended to read:

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

SECTION 363. 173.41 (2) (e) of the statutes is amended to read:

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

SECTION 364. 173.41 (12) (a) 4. of the statutes is amended to read:

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

SECTION 365. 177.30 (2) of the statutes is amended to read:

177.30 **(2)** The administrator, at reasonable times and upon reasonable notice, may examine the records of any person to determine whether the person has complied with this chapter. The administrator may designate the ~~division of banking~~

department of financial institutions and professional standards or other appropriate regulatory authority to examine the records of regulated institutions to determine if the institutions have complied with this chapter. The administrator may conduct the examination even if the person believes it is not in possession of any property reportable or deliverable under this chapter.

SECTION 366. 182.028 of the statutes is amended to read:

182.028 School corporations. Any corporation formed for the establishment and maintenance of schools, academies, seminaries, colleges or universities or for the cultivation and practice of music shall have power to enact bylaws for the protection of its property, and provide fines as liquidated damages upon its members and patrons for violating the bylaws, and may collect the same in tort actions, and to prescribe and regulate the courses of instruction therein, and to confer such degrees and grant such diplomas as are usually conferred by similar institutions or as shall be appropriate to the courses of instruction prescribed~~, except that no corporation shall operate or advertise a school that is subject to s. 38.50 (10) without complying with the requirements of s. 38.50~~. Any stockholder may transfer his or her stock to the corporation for its use; and if the written transfer so provides the stock shall be perpetually held by the board of directors with all the rights of a stockholder, including the right to vote.

SECTION 367. 186.098 (12) of the statutes is amended to read:

186.098 **(12)** LOANS TO MEMBERS. A credit union may make loans to members secured by assignment or transfer of stock certificates or other evidence of the borrower's ownership interest in a corporation formed for the cooperative ownership of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a mortgage involving a one–family residence, apply to a proceeding to enforce the

lender's rights in security given for a loan under this subsection. The office of credit unions shall promulgate joint rules with the ~~division of banking~~ department of financial institutions and professional standards that establish procedures for enforcing a lender's rights in security given for a loan under this subsection.

SECTION 368. 186.235 (15) (b) of the statutes is amended to read:

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

SECTION 369. 186.314 (2m) (e) of the statutes is amended to read:

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

SECTION 370. 200.49 (1) (b) of the statutes is amended to read:

200.49 **(1)** (b) "Minority group member" has the meaning given under s. ~~16.287~~ 203.07 (1) (f).

SECTION 371. 200.57 (1) (a) of the statutes is amended to read:

200.57 **(1)** (a) "Disabled veteran–owned financial adviser" and "disabled veteran–owned investment firm" mean a financial adviser and investment firm, respectively, certified ~~by the department of administration~~ under s. ~~16.283~~ 203.03 (3).

SECTION 372. 200.57 (1) (b) of the statutes is amended to read:

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

SECTION 373. Chapter 203 (title) of the statutes is created to read:

CHAPTER 203

BUSINESS DEVELOPMENT

SECTION 374. 203.01 of the statutes is created to read:

203.01 Definitions. In this chapter:

(1) "Department" means the department of financial institutions and professional standards.

(2) "Secretary" means the secretary of financial institutions and professional standards.

SECTION 375. 214.01 (1) (f) of the statutes is created to read:

214.01 **(1)** (f) "Department" means the department of financial institutions and professional standards.

SECTION 376. 214.01 (1) (im) of the statutes is repealed.

SECTION 377. 214.04 (21) (b) of the statutes is amended to read:

214.04 **(21)** (b) The rules of the ~~division~~ department shall provide that any remote service unit shall be available for use, on a nondiscriminatory basis, by any state or federal savings bank which has its principal place of business in this state,

by any other state or federal savings bank obtaining the consent of a state or federal savings bank that has its principal place of business in this state and is using the terminal and by all customers designated by a savings bank using the unit. This paragraph does not authorize a savings bank which has its principal place of business outside this state to conduct business as a savings bank in this state. A remote service unit shall be available for use, on a nondiscriminatory basis, by any credit union, state or national bank or state or federal savings and loan association, whose home office is located in this state, if the credit union, bank or savings and loan association requests to share its use, subject to joint rules established by ~~the division of banking,~~ the office of credit unions and the ~~division~~ department. The ~~division~~ department by order may authorize the installation and operation of a remote service unit in a mobile facility, after notice and hearing upon the proposed service stops of the mobile facility.

SECTION 378. 214.48 (4) (a) of the statutes is amended to read:

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

SECTION 379. 214.715 (2) of the statutes is amended to read:

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

SECTION 380. 214.72 (1) (am) of the statutes is repealed.

SECTION 381. 214.72 (1) (b) of the statutes is amended to read:

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

SECTION 382. 214.725 (5) of the statutes is amended to read:

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

SECTION 383. 214.78 (3) of the statutes is amended to read:

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

SECTION 384. 215.01 (6) of the statutes is repealed.

SECTION 385. 215.01 (6f) of the statutes is created to read:

215.01 **(6f)** "Department" means the department of financial institutions and professional standards.

SECTION 386. 215.02 (4) of the statutes is amended to read:

215.02 **(4)** IMMUNITY. Employees of the ~~division~~ department shall not be subject to any civil liability or penalty, nor to any criminal prosecution, for any error in

judgment or discretion made in good faith and upon reasonable grounds in any action taken or omitted under this chapter by the employee in the employee's official capacity.

SECTION 387. 215.04 (1) (b) of the statutes is amended to read:

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

SECTION 388. 215.04 (3) of the statutes is amended to read:

215.04 **(3)** WITNESS FEES. A person who causes a witness to be subpoenaed shall advance the fees and mileage expense of the witness. Witness fees shall be the same as fees under s. 814.67 (1) (b) and (c). The fees of witnesses who are called by the review board in the interests of the state shall be paid by the state upon presentation of proper vouchers approved by the chairperson of the review board and charged to the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (g).

SECTION 389. 217.02 (2k) of the statutes is created to read:

217.02 **(2k)** "Department" means the department of financial institutions and professional standards.

SECTION 390. 217.02 (2m) of the statutes is repealed.

SECTION 391. 218.02 (1) (d) of the statutes is repealed.

SECTION 392. 218.02 (1) (dm) of the statutes is created to read:

218.02 **(1)** (dm) "Department" means the department of financial institutions and professional standards.

SECTION 393. 218.04 (1) (bm) of the statutes is created to read:

218.04 **(1)** (bm) "Department" means the department of financial institutions and professional standards.

SECTION 394. 218.04 (1) (c) of the statutes is repealed.

SECTION 395. 218.05 (1) (cm) of the statutes is created to read:

218.05 **(1)** (cm) "Department" means the department of financial institutions and professional standards.

SECTION 396. 218.05 (1) (d) of the statutes is repealed.

SECTION 397. 220.01 (1m) of the statutes is repealed.

SECTION 398. 221.0303 (2) of the statutes is amended to read:

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

SECTION 399. 221.0802 of the statutes is amended to read:

221.0802 Banks may be placed in hands of ~~division~~ department. A bank doing business under this chapter may place its affairs and assets under the control of the ~~division~~ department by posting a notice on its front door, as follows: "This bank is in the hands of the ~~Division of Banking of the~~ Department of Financial Institutions and Professional Standards". Immediately upon posting such notice, the bank shall notify the ~~division~~ department of this action. The posting of the notice, or the taking possession of a bank by the ~~division~~ department, places the bank's assets and property in the possession of the ~~division~~ department, and bars any attachment proceedings. For each day the ~~division~~ department is placed in possession of the bank, and until such time as a special deputy is appointed under s. 220.08 (4), the bank shall pay to the ~~division~~ department the actual cost of such liquidation proceedings. The ~~division~~ department shall pay the amounts to the state treasurer and the percentage specified in s. ~~20.144 (1)~~ 20.142 (2) (g) shall be credited to the appropriation account under s. ~~20.144 (1)~~ 20.142 (2) (g).

SECTION 400. 222.0102 (3) of the statutes is repealed.

SECTION 401. 224.71 (1e) of the statutes is repealed.

SECTION 402. 224.90 (1) of the statutes is repealed.

SECTION 403. 227.01 (13) (zy) of the statutes is amended to read:

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

SECTION 404. 227.52 (3) of the statutes is amended to read:

227.52 **(3)** Those decisions of the ~~division of banking~~ department of financial institutions and professional standards that are subject to review, prior to any

judicial review, by the banking review board, and decisions of the ~~division of banking~~ department of financial institutions and professional standards relating to savings banks or savings and loan associations~~, but no other institutions subject to the jurisdiction of the division of banking~~.

SECTION 405. 227.59 of the statutes is amended to read:

227.59 Certification of certain cases from the circuit court of Dane County to other circuits. Any action or proceeding for the review of any order of an administrative officer, commission, department, or other administrative tribunal of the state required by law to be instituted in or taken to the circuit court of Dane County, except an action or appeal for the review of any order of the department of workforce development or the department of ~~safety and professional services~~ financial institutions and professional standards under chs. 101, 107, 145, 157, 167, or 440 to 480 or findings and orders of the labor and industry review commission, which is instituted or taken and is not called for trial or hearing within 6 months after the proceeding or action is instituted, and the trial or hearing of which is not continued by stipulation of the parties or by order of the court for cause shown, shall on the application of either party on 5 days' written notice to the other be certified and transmitted for trial to the circuit court of the county of the residence or principal place of business of the plaintiff or petitioner, where the action or proceeding shall be given preference. Unless written objection is filed within the 5–day period, the order certifying and transmitting the proceeding shall be entered without hearing. The plaintiff or petitioner shall pay to the clerk of the circuit court of Dane County a fee of $2 for transmitting the record.

SECTION 406. 229.46 (1) (ag) of the statutes is amended to read:

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

SECTION 407. 229.46 (1) (b) of the statutes is amended to read:

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

SECTION 408. 229.70 (1) (ag) of the statutes is amended to read:

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

SECTION 409. 229.70 (1) (am) of the statutes is amended to read:

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

SECTION 410. 229.70 (1) (b) of the statutes is amended to read:

229.70 **(1)** (b) "Minority group member" has the meaning given in s. ~~16.287~~ 203.07 (1) (f).

SECTION 411. 229.8273 (1) (am) of the statutes is amended to read:

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

SECTION 412. 229.8273 (1) (b) of the statutes is amended to read:

229.8273 **(1)** (b) "Minority business" has the meaning given in s. ~~16.287~~ 203.07 (1) (e).

SECTION 413. 229.8273 (1) (c) of the statutes is amended to read:

229.8273 **(1)** (c) "Minority group member" has the meaning given in s. ~~16.287~~ 203.07 (1) (f).

SECTION 414. 229.845 (1) (ag) of the statutes is amended to read:

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

SECTION 415. 229.845 (1) (am) of the statutes is amended to read:

229.845 **(1)** (am) "Minority business" has the meaning given in s. ~~16.287~~ 203.07 (1) (e).

SECTION 416. 230.08 (2) (e) 4f. of the statutes is repealed.

SECTION 417. 230.08 (2) (e) 4g. of the statutes is created to read:

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

SECTION 418. 230.08 (2) (e) 11m. of the statutes is repealed.

SECTION 419. 230.08 (2) (v) of the statutes is repealed.

SECTION 420. 230.08 (2) (yb) of the statutes is amended to read:

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

SECTION 421. 230.339 of the statutes is repealed.

SECTION 422. 231.27 (1) of the statutes is amended to read:

231.27 **(1)** In this section, "minority business", "minority financial adviser" and "minority investment firm" mean a business, financial adviser and investment firm, respectively, certified ~~by the department of administration~~ under s. ~~16.287~~ 203.07 (2).

SECTION 423. 231.29 (1) of the statutes is amended to read:

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

SECTION 424. 234.35 (1) of the statutes is amended to read:

234.35 **(1)** In this section, "minority business", "minority financial adviser" and "minority investment firm" mean a business, financial adviser and investment firm, respectively, certified ~~by the department of administration~~ under s. ~~16.287~~ 203.07 (2).

SECTION 425. 234.36 (1) of the statutes is amended to read:

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

SECTION 426. 236.13 (2m) of the statutes is amended to read:

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

SECTION 427. 250.041 (1) (b) of the statutes is repealed.

SECTION 428. 250.041 (1) (e) of the statutes is amended to read:

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

SECTION 429. 252.12 (2) (a) 9. of the statutes is amended to read:

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

SECTION 430. 252.12 (2) (c) 2. of the statutes is amended to read:

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

SECTION 431. 252.23 of the statutes is renumbered 463.10, and 463.10 (title), (2), (3) and (4) (a), as renumbered, are amended to read:

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

(2) DEPARTMENT; DUTY. Except as provided in ~~ss. 250.041 and 252.241~~ 463.14, the department shall provide uniform, statewide licensing and regulation of tattooists and uniform, statewide licensing and regulation of tattoo establishments under this section. The department shall inspect a tattoo establishment once before

issuing a license for the tattoo establishment under this section and may make additional inspections that the department determines are necessary.

(3) LICENSE REQUIRED. Except as provided in sub. (5), no person may tattoo or attempt to tattoo another, designate or represent himself or herself as a tattooist or use or assume the title "tattooist" and no tattoo establishment may be operated unless the person and the establishment are licensed by the department under this section or by a local health department that is designated as the department's agent under s. ~~252.245~~ 463.16. Except as provided in s. 463.16, fees for licenses issued under this section shall be as determined under s. 440.03 (9).

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

SECTION 432. 252.24 of the statutes is renumbered 463.12, and 463.12 (2), (3) and (4) (a), as renumbered, are amended to read:

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

(3) LICENSE REQUIRED. Except as provided in sub. (5), no person may pierce the body of or attempt to pierce the body of another, designate or represent himself or herself as a body piercer or use or assume the title "body piercer" unless the person is licensed by the department under this section or by a local health department that is designated as the department's agent under s. 463.16. Except as provided in s. 463.16, fees for licenses issued under this section shall be as determined under s. 440.03 (9).

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

SECTION 433. 252.241 of the statutes is renumbered 463.14, and 463.14 (title), (1), (1m), (3), (4) and (5), as renumbered, are amended to read:

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

(1m) If an individual who applies for or to renew a license or permit under sub. (1) does not have a social security number, the individual, as a condition of obtaining the license or permit, shall submit a statement made or subscribed under oath or affirmation to the department that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of children and families. A license or permit issued or renewed in reliance upon a false statement submitted under this subsection is invalid.

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

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

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

SECTION 434. 252.245 of the statutes is renumbered 463.16, and 463.16 (1), (2), (3), (4m), (5), (6), (8) and (9), as renumbered, are amended to read:

463.16 **(1)** In the administration and enforcement of ss. ~~252.23 and 252.24~~ 463.10 and 463.12, the department may enter into a written agreement with a local health department with a jurisdictional area that has a population greater than 5,000, which designates the local health department as the department's agent in

issuing licenses to and making investigations or inspections of tattooists and tattoo establishments and body piercers and body–piercing establishments. In a jurisdictional area of a local health department without agent status, the department of ~~health services~~ financial institutions and professional standards may issue licenses, collect license fees established ~~by rule~~ under ~~ss. 252.23 (4) (a) and 252.24 (4) (a)~~ s. 440.03 (9) and make investigations or inspections of tattooists and tattoo establishments and body piercers and body–piercing establishments. If the department of financial institutions and professional standards designates a local health department as its agent, the department of financial institutions and professional standards or local health department may require no license for the same operations other than the license issued by the local health department under this subsection. If the designation is made and the services are furnished, the department of financial institutions and professional standards shall reimburse the local health department furnishing the service at the rate of 80% of the net license fee per license per year issued in the jurisdictional area.

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

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

(4m) A local health department designated as the department's agent under this section may contract with the department of ~~health services~~ financial institutions and professional standards for the department of ~~health services~~ financial institutions and professional standards to collect fees and issue licenses under s. ~~252.23~~ 463.10 or ~~252.24~~ 463.12. The department of financial institutions and professional standards shall collect from the local health department the actual and reasonable cost of providing the services.

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

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

(8) The department shall hold a hearing under ch. 227 if, in lieu of proceeding under ch. 68, any interested person in the jurisdictional area of a local health department that is designated as the department's agent under this section appeals to the department of ~~health services~~ financial institutions and professional

standards alleging that a license fee for a tattooist or tattooist establishment or for a body piercer or body–piercing establishment exceeds the license issuer's reasonable costs of issuing licenses to, making investigations and inspections of, and providing education, training and technical assistance to the tattooist or tattooist establishment or to the body piercer or body–piercing establishment.

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

SECTION 435. 254.115 (1) (d) of the statutes is repealed.

SECTION 436. 255.08 of the statutes is renumbered 463.25, and 463.25 (2) (a) and (b), as renumbered, are amended to read:

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

(b) Permits issued under this subsection shall expire annually on June 30. Except as provided in ~~ss. 250.041 and 254.115~~ s. 463.14, a permit applicant shall submit an application for a permit to the department on a form provided by the department with ~~a~~ the permit fee established by the department ~~by rule~~ under s. 440.03 (9). The application shall include the name and complete mailing address and street address of the tanning facility and any other information reasonably required by the department for the administration of this section.

SECTION 437. 257.01 (5) (a) of the statutes is amended to read:

257.01 **(5)** (a) An individual who is licensed as a physician, a physician assistant, or a podiatrist under ch. 448, licensed as a registered nurse, licensed practical nurse, or nurse–midwife under ch. 441, licensed as a dentist under ch. 447, licensed as a pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary technician under ch. ~~453~~ 89, or certified as a respiratory care practitioner under ch. 448.

SECTION 438. 257.01 (5) (b) of the statutes is amended to read:

257.01 **(5)** (b) An individual who was at any time within the previous 10 years, but is not currently, licensed as a physician, a physician assistant, or a podiatrist under ch. 448, licensed as a registered nurse, licensed practical nurse~~,~~ or nurse–midwife, under ch. 441, licensed as a dentist under ch. 447, licensed as a pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary technician under ch. ~~453~~ 89, or certified as a respiratory care practitioner under ch. 448, if the individual's license or certification was never revoked, limited, suspended, or denied renewal.

SECTION 439. 281.33 (2) of the statutes is amended to read:

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

SECTION 440. 281.57 (7) (c) 1. of the statutes is amended to read:

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

SECTION 441. 281.59 (1m) (c) of the statutes is repealed.

SECTION 442. 321.60 (1) (a) 4. of the statutes is amended to read:

321.60 **(1)** (a) 4. A license, certificate of approval, provisional license, conditional license, certification, certification card, registration, permit, training permit, or approval specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a), ~~252.23 (2), 252.24 (2),~~ 254.176, 254.178 (2) (a), 254.20 (2), (3), or (4), 254.64 (1) (a) or

(b), 254.71 (2), ~~255.08 (2) (a),~~ 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f), or 343.305 (6) (a) or a permit for the operation of a campground specified in s. 254.47 (1).

SECTION 443. 321.60 (1) (a) 6m. of the statutes is created to read:

321.60 **(1)** (a) 6m. A license, certification, or permit issued under s. 89.06 or 89.072.

SECTION 444. 321.60 (1) (a) 12. of the statutes is amended to read:

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

SECTION 445. 409.501 (1) (b) of the statutes is amended to read:

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

SECTION 446. 426.103 of the statutes is amended to read:

426.103 Administrator. "Administrator" means the secretary of financial institutions and professional standards or an employee of the department of financial institutions and professional standards designated by the secretary.

SECTION 447. 426.104 (2) (intro.) of the statutes is amended to read:

426.104 **(2)** (intro.) The administrator shall report annually on practices in consumer transactions, on the use of consumer credit in the state, on problems attending the collection of debts, on the problems of persons of limited means in consumer transactions, and on the operation of chs. 421 to 427 and 429. For the purpose of making the report, the administrator may conduct research and make

appropriate studies. The report shall be ~~given to the division of banking for inclusion~~ included in the department's report ~~of the division of banking~~ under s. 220.14 and shall include:

SECTION 448. 426.203 of the statutes is amended to read:

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

SECTION 449. Chapter 440 (title) of the statutes is amended to read:

CHAPTER 440

~~DEPARTMENT OF SAFETY AND~~

PROFESSIONAL ~~SERVICES~~ LICENSING

SECTION 450. 440.01 (2) (cs) of the statutes is amended to read:

440.01 **(2)** (cs) "Minority group member" has the meaning given in s. ~~16.287~~ 203.07 (1) (f).

SECTION 451. 440.03 (3) of the statutes is amended to read:

440.03 **(3)** If the secretary reorganizes the department, no modification may be made in the powers and responsibilities of the examining boards or affiliated credentialing boards attached to the department or an examining board under s. ~~15.405~~ 15.175 or ~~15.406~~ 15.176.

SECTION 452. 440.03 (3q) of the statutes is amended to read:

440.03 **(3q)** Notwithstanding sub. (3m), the department ~~of safety and professional services~~ shall investigate any report that it receives under s. 146.40 (4r) (em).

SECTION 453. 440.03 (9) (a) 2. of the statutes is amended to read:

440.03 **(9)** (a) 2. Not later than January 31 of each odd–numbered year, adjusting for the succeeding fiscal biennium each fee for an initial credential for which an examination is not required, for a reciprocal credential, and, subject to s. 440.08 (2) (a), for a credential renewal, if an adjustment is necessary to reflect the approximate administrative and enforcement costs of the department that are attributable to the regulation of the particular occupation or business during the period in which the initial or reciprocal credential or credential renewal is in effect and, for purposes of each fee for a credential renewal, to reflect an estimate of any additional moneys available for the department's general program operations as a result of appropriation transfers that have been or are estimated to be made under s. ~~20.165 (1)~~ 20.142 (3) (i) during the fiscal biennium in progress at the time of the deadline for an adjustment under this subdivision or during the fiscal biennium beginning on the July 1 immediately following the deadline for an adjustment under this subdivision.

SECTION 454. 440.03 (11m) (c) of the statutes is amended to read:

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

department of workforce development for the purpose of requesting certifications under s. 108.227.

SECTION 455. 440.03 (12m) of the statutes is amended to read:

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

SECTION 456. 440.03 (13) (b) 73. of the statutes is repealed.

SECTION 457. 440.03 (13) (b) 74. of the statutes is repealed.

SECTION 458. 440.08 (2) (a) (intro.) of the statutes, as affected by 2013 Wisconsin Act 240, is amended to read:

440.08 **(2)** (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04, 444.03, 444.11, 447.04 (2) (c) 2., 449.17 (1m) (d), ~~and~~ 449.18 (2) (d)<u>, 463.10, 463.12, and 463.25</u> and subch. II of ch. 448, the renewal dates for credentials are as follows:

SECTION 459. 440.08 (2) (a) 70. of the statutes is repealed.

SECTION 460. 440.08 (2) (a) 71. of the statutes is repealed.

SECTION 461. 440.13 (1) (b) of the statutes is amended to read:

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

SECTION 462. 440.22 (2) of the statutes is amended to read:

440.22 **(2)** In any disciplinary proceeding against a holder of a credential in which the department or an examining board, affiliated credentialing board or board

in the department orders suspension, limitation or revocation of the credential or reprimands the holder, the department, examining board, affiliated credentialing board or board may, in addition to imposing discipline, assess all or part of the costs of the proceeding against the holder. Costs assessed under this subsection are payable to the department. Interest shall accrue on costs assessed under this subsection at a rate of 12% per year beginning on the date that payment of the costs are due as ordered by the department, examining board, affiliated credentialing board or board. Upon the request of the department ~~of safety and professional services~~, the department of justice may commence an action to recover costs assessed under this subsection and any accrued interest.

SECTION 463. 440.25 of the statutes is amended to read:

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

SECTION 464. Subchapter V (title) of chapter 440 [precedes 440.51] of the statutes is amended to read:

CHAPTER 440

SUBCHAPTER V

PEDDLERS; PRIVATE SCHOOLS

SECTION 465. 440.52 (title) of the statutes is created to read:

440.52 (title) **Private trade, business, technical, and other schools.**

SECTION 466. 440.52 (7m) of the statutes is created to read:

440.52 **(7m)** AUTHORIZATION OF SCHOOLS. (a) In this subsection, "proprietary school" means a private trade, correspondence, business, or technical school or any other private school seeking funding under 20 USC 1070 to 1099d.

(b) Upon application, the department shall issue written authorization to a proprietary school doing business within this state if the requirements established by rule under par. (c) are satisfied.

(c) The rules required under sub. (3) shall include rules related to providing authorization under this subsection and revoking authorization previously provided. The rules shall include all of the following:

1. Criteria or standards for providing authorization, which must include a requirement that the school has accreditation recognized by the U.S. secretary of education or recognized by the Council for Higher Education Accreditation.

2. The period for which the department's authorization is valid, which period may be no longer than 4 years.

3. Criteria or standards, and a procedure, for revoking authorization previously provided, which must allow revocation if the school has lost the accreditation specified in subd. 1.

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

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

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

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

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

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

SECTION 467. 440.52 (11) (bm) of the statutes is created to read:

440.52 **(11)** (bm) If a school operating in this state proposes to discontinue its operations or is in imminent danger of discontinuing its operations, the school shall give notice to the department. Upon receiving this notice, if the department determines that the student records of the school are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the persons who are the subjects of those student records or the authorized representatives of those persons, the department may take possession of those student records if those student records have not already been taken into possession under par. (b) 2.

SECTION 468. 440.905 (1) of the statutes is amended to read:

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

SECTION 469. 440.92 (2) (d) of the statutes is amended to read:

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

SECTION 470. 440.945 (5) (b) of the statutes is amended to read:

440.945 **(5)** (b) The department of justice or any district attorney, upon informing the department of justice, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this section. The court may, prior to entry of final judgment, make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, if proof of such loss is submitted to the satisfaction of the court. The department of justice may subpoena persons and require the production of books and other documents, and may request the

department ~~of safety and professional services~~ to exercise its authority under par. (a) to aid in the investigation of alleged violations of this section.

SECTION 471. 441.01 (7) (a) 2. of the statutes is amended to read:

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

SECTION 472. 443.10 (6) of the statutes is amended to read:

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

SECTION 473. 444.04 of the statutes is amended to read:

444.04 Promoter and club reports. Within 2 business days after a promoter or club holds a professional contest or amateur mixed martial arts fighting contest, the club shall furnish to the department a written report, verified by the promoter or by one of the club's officers under penalty of perjury, showing the number of tickets sold for the contest, the amount of gross proceeds, and all other information the department requires by rule to be included in the report. The department may limit, suspend, revoke, or assess a forfeiture to the promoter or club for failure to comply with this section or failure to provide accurate information to the department. Any forfeiture collected under this section shall be deposited in the appropriation account under s. ~~20.165 (1)~~ 20.142 (3) (jm).

SECTION 474. 444.14 of the statutes is amended to read:

444.14 Sham contests; contestants penalized; forfeitures; hearing. The department shall ban a contestant who participates in any sham or fake professional

contest or amateur mixed martial arts fighting contest or violates any rule promulgated by the department, and may require the contestant, the contestant's manager, or the promoter of the contest to forfeit an amount determined by the department, but not more than $500. Fifty percent of all forfeitures collected under this section shall be deposited in the appropriation account under s. ~~20.165 (1)~~ 20.142 (3) (im).

SECTION 475. 450.03 (1) (e) of the statutes, as affected by 2015 Wisconsin Act 3, is amended to read:

450.03 **(1)** (e) Any person lawfully practicing within the scope of a license, permit, registration, certificate, or certification granted to provide home medical oxygen under s. 450.076, to practice professional or practical nursing or nurse–midwifery under ch. 441, to practice dentistry or dental hygiene under ch. 447, to practice medicine and surgery under ch. 448, to practice optometry under ch. 449 or to practice veterinary medicine under ch. ~~453~~ 89, or as otherwise provided by statute.

SECTION 476. 450.10 (3) (a) 8. of the statutes is amended to read:

450.10 **(3)** (a) 8. A veterinarian licensed under ch. ~~453~~ 89.

SECTION 477. 450.11 (1m) of the statutes is amended to read:

450.11 **(1m)** ELECTRONIC TRANSMISSION. Except as provided in s. ~~453.068~~ 89.068 (1) (c) 4., a practitioner may transmit a prescription order electronically only if the patient approves the transmission and the prescription order is transmitted to a pharmacy designated by the patient.

SECTION 478. 450.125 of the statutes is amended to read:

450.125 Drugs for animal use. In addition to complying with the other requirements in this chapter for distributing and dispensing, a pharmacist who distributes or dispenses a drug for animal use shall comply with s. ~~453.068~~ 89.068.

SECTION 479. 450.19 (1) (ar) of the statutes is amended to read:

450.19 **(1)** (ar) "Practitioner" has the meaning given in s. 450.01 (17) but does not include a veterinarian licensed under ch. ~~453~~ 89.

SECTION 480. 452.13 (2) (b) 1. of the statutes is amended to read:

452.13 **(2)** (b) 1. Register with the department ~~of safety and professional services~~ the name and address of the depository institution and the number of the interest–bearing common trust account.

SECTION 481. 452.13 (2) (b) 2. of the statutes is amended to read:

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

SECTION 482. 452.13 (2) (b) 3. of the statutes is amended to read:

452.13 **(2)** (b) 3. Furnish the department ~~of safety and professional services~~ with a letter authorizing the department ~~of safety and professional services~~ and the department of administration to examine and audit the interest–bearing common trust account whenever the department ~~of safety and professional services~~ or the department of administration considers it necessary.

SECTION 483. 452.13 (2) (bm) of the statutes is amended to read:

452.13 **(2)** (bm) The department ~~of safety and professional services~~ shall forward to the department of administration the information and documents furnished under par. (b).

SECTION 484. 452.13 (5) of the statutes is amended to read:

452.13 **(5)** RULES. In consultation with the department ~~of safety and professional services~~, the department of administration shall promulgate rules necessary to administer this section.

SECTION 485. 452.14 (5) of the statutes is amended to read:

452.14 **(5)** The department may seek judicial review under ch. 227 of any final decision of the board. The department shall be represented in such review proceedings by an attorney within the department. Upon request of the board, the attorney general may represent the board. If the attorney general does not represent the board, the board may retain special counsel which shall be paid for out of the appropriation under s. ~~20.165 (1)~~ 20.142 (3) (g).

SECTION 486. Chapter 453 (title) of the statutes is renumbered chapter 89 (title).

SECTION 487. 453.02 of the statutes is renumbered 89.02.

SECTION 488. 453.03 of the statutes is renumbered 89.03, and 89.03 (1), as renumbered, is amended to read:

89.03 **(1)** The examining board shall promulgate rules, within the limits of the definition under s. ~~453.02~~ 89.02 (6), establishing the scope of practice permitted for veterinarians and veterinary technicians and shall review the rules at least once every 5 years to determine whether they are consistent with current practice. The examining board may promulgate rules relating to licensure qualifications, denial of a license, ~~certificate~~ certification, or temporary permit, unprofessional conduct, and disciplinary proceedings.

SECTION 489. 453.04 of the statutes is renumbered 89.04.

SECTION 490. 453.05 of the statutes is renumbered 89.05, and 89.05 (2) (g), as renumbered, is amended to read:

89.05 **(2)** (g) Employees of a school of veterinary medicine in this state who practice veterinary medicine on privately owned animals only as a part of their employment and who are licensed under s. ~~453.06~~ 89.06 (2m).

SECTION 491. 453.06 of the statutes is renumbered 89.06, and 89.06 (1), as renumbered, is amended to read:

89.06 **(1)** Except as provided under s. ~~453.072~~ 89.072, veterinary licenses shall be issued only to persons who successfully pass an examination conducted by the examining board and pay the fee ~~specified in~~ established under s. ~~440.05 (1)~~ 89.063. An applicant for an initial license shall be a graduate of a veterinary college that has been approved by the examining board or have successfully completed either the educational commission for foreign veterinary graduates certification program of the American Veterinary Medical Association or the program for the assessment of veterinary education equivalence offered by the American Association of Veterinary State Boards. Persons who qualify for examination may be granted temporary permits to engage in the practice of veterinary medicine in the employment and under the supervision of a veterinarian until the results of the next examination conducted by the examining board are available. In case of failure at any examination, the applicant shall have the privilege of taking subsequent examinations, upon the payment of another fee for each examination.

SECTION 492. 453.062 of the statutes is renumbered 89.062, and 89.062 (1), as renumbered, is amended to read:

89.062 **(1)** RENEWAL. The renewal ~~dates~~ date for veterinary licenses and veterinary technician certifications ~~are specified under s. 440.08 (2) (a)~~ is December 15 of each odd–numbered year, and the renewal fees for such licenses and certifications are determined by the department under s. ~~440.03 (9) (a)~~ 89.063.

SECTION 493. 453.065 of the statutes is renumbered 89.065.

SECTION 494. 453.068 of the statutes is renumbered 89.068.

SECTION 495. 453.07 of the statutes is renumbered 89.07, and 89.07 (1) (b), (2) (intro.) and (3), as renumbered, are amended to read:

89.07 **(1)** (b) Violating this chapter ~~or ch. 440~~ or any federal or state statute or rule ~~which~~ that substantially relates to the practice of veterinary medicine.

(2) (intro.) Subject to subch. II of ch. 111 ~~and the rules adopted under s. 440.03 (1)~~, the examining board may, by order, reprimand any person holding a license, certificate, or permit under this chapter or deny, revoke, suspend, limit, or any combination thereof, the person's license, ~~certificate~~ certification, or permit if the person has:

(3) In addition to or in lieu of a reprimand or denial, limitation, suspension, or revocation of a license, ~~certificate~~ certification, or permit under sub. (2), the examining board may assess against the applicant for or the holder of the license, ~~certificate~~ certification, or permit a forfeiture of not more than $5,000 for each violation of s. ~~453.068~~ 89.068.

SECTION 496. 453.072 of the statutes is renumbered 89.072 and amended to read:

89.072 Licensees of other jurisdictions. (1) Upon application and payment of the fee ~~specified in~~ established under s. ~~440.05 (2)~~ 89.063, the examining board may issue a license to practice veterinary medicine to any person licensed to practice veterinary medicine in another state or territory of the United States or in another country if the applicant is not currently under investigation and has never been disciplined by the licensing authority in the other state, territory or country, has not been found guilty of a crime the circumstances of which are substantially related to

the practice of veterinary medicine, is not currently a party in pending litigation in which it is alleged that the applicant is liable for damages for acts committed in the course of practice and has never been found liable for damages for acts committed in the course of practice which evidenced a lack of ability or fitness to practice.

(2) Upon application and payment of the fee ~~specified in~~ established under s. ~~440.05 (6)~~ 89.063, the examining board may issue a temporary consulting permit to practice veterinary medicine in this state for up to 60 days per year to any nonresident licensed to practice veterinary medicine in another state or territory of the United States or in another country.

SECTION 497. 453.075 of the statutes is renumbered 89.075.

SECTION 498. 453.08 of the statutes is renumbered 89.08.

SECTION 499. 460.05 (1) (e) 1. of the statutes is amended to read:

460.05 **(1)** (e) 1. Graduated from a school of massage therapy or bodywork therapy ~~approved by the educational approval board under s. 38.50~~ that meets the requirements under s. 460.095 or completed a training program approved by the affiliated credentialing board under the rules promulgated under s. 460.04 (2) (b).

SECTION 500. 462.01 (3) of the statutes is repealed.

SECTION 501. Chapter 463 (title) of the statutes is created to read:

CHAPTER 463

BODY ART AND TANNING FACILITIES

SECTION 502. 463.18 of the statutes is created to read:

463.18 Violation of law relating to body art. Any person who willfully violates or obstructs the execution of any state statute or rule, county, city, or village ordinance or departmental order under this chapter and relating to the public

health, for which no other penalty is prescribed, shall be fined not more than $500 or imprisoned for not more than 30 days or both.

SECTION 503. 551.102 (1m) of the statutes is amended to read:

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

SECTION 504. 551.102 (4t) of the statutes is created to read:

551.102 **(4t)** "Department" means the department of financial institutions and professional standards.

SECTION 505. 551.102 (5m) of the statutes is repealed.

SECTION 506. 551.202 (26) (f) (intro.) of the statutes is amended to read:

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

SECTION 507. 551.202 (27) (h) (intro.) of the statutes is amended to read:

551.202 **(27)** (h) (intro.) Before the 101st offer of the security, the issuer provides a notice to the administrator in writing or in electronic form, accompanied by the filing fee specified in s. 551.614 (1m). The administrator shall prescribe the form required for the notice and make the form available as an electronic document on the ~~department of financial institutions~~ department's Internet site.

Notwithstanding s. 551.204 (1) and (3), the notice shall be limited to all of the following:

SECTION 508. 551.205 (1) (b) 1. (intro.) of the statutes is amended to read:

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

SECTION 509. 551.205 (3) of the statutes is amended to read:

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

SECTION 510. 551.206 of the statutes is amended to read:

551.206 Adjustments. At 5–year intervals after January 1, 2014, the department ~~of financial institutions~~ shall adjust the monetary amounts specified in s. 551.202 (26) (c) 1. a. and b. and (27) (c) 1. a. and b. to reflect changes since January

1, 2014, in the consumer price index for all urban consumers, Milwaukee–Racine area average, as determined by the U.S. department of labor. Each adjustment shall be rounded to the nearest multiple of $50,000. Each adjustment under this section shall be published on the ~~department of financial institutions~~ department's Internet site.

SECTION 511. 551.601 (5) of the statutes is amended to read:

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

SECTION 512. 551.605 (3) (bm) 1. of the statutes is amended to read:

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

SECTION 513. 551.614 (5) of the statutes is amended to read:

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

SECTION 514. 552.01 (1) of the statutes is repealed.

SECTION 515. 552.01 (1m) of the statutes is created to read:

552.01 **(1m)** "Department" means the department of financial institutions and professional standards.

SECTION 516. 552.23 (1) of the statutes is amended to read:

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

SECTION 517. 553.03 (2m) of the statutes is created to read:

553.03 **(2m)** "Department" means the department of financial institutions and professional standards.

SECTION 518. 553.03 (3) of the statutes is repealed.

SECTION 519. 553.605 (2) of the statutes is amended to read:

553.605 **(2)** INVESTOR EDUCATION. All moneys collected from the administrative assessment under sub. (1) shall be credited to the appropriation under s. ~~20.144 (1)~~ 20.142 (2) (i). Subject to s. ~~20.144 (1)~~ 20.142 (2) (i), the ~~division~~ department shall use moneys credited to that appropriation to provide information to residents of this state about franchise investments to help investors and potential investors evaluate their investment decisions, protect themselves from false, fraudulent or deceptive

practices in connection with the offer, sale or purchase of a franchise, be alert for false or misleading advertising or other harmful practices, and know their rights as investors.

SECTION 520. 553.73 of the statutes is amended to read:

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

SECTION 521. 565.01 (4d) of the statutes is amended to read:

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

SECTION 522. 565.01 (4e) of the statutes is amended to read:

565.01 **(4e)** "Minority group member" has the meaning given in s. ~~16.287~~ 203.07 (1) (f).

SECTION 523. 601.415 (9) of the statutes is amended to read:

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

SECTION 524. 601.72 (1) (intro.) of the statutes is amended to read:

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

SECTION 525. 601.72 (2) of the statutes is amended to read:

601.72 **(2)** APPOINTMENT OF ATTORNEY. Except as provided in sub. (2m), every licensed insurer by applying for and receiving a certificate of authority, every surplus lines insurer by entering into a contract subject to the surplus lines law, and every unauthorized insurer by doing an insurance business in this state, is deemed to have

irrevocably appointed the commissioner and department of financial institutions and professional standards as the insurer's attorneys in accordance with sub. (1).

SECTION 526. 601.72 (3) of the statutes is amended to read:

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

SECTION 527. 601.73 (1) (intro.) of the statutes is amended to read:

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

SECTION 528. 601.73 (1) (a) of the statutes is amended to read:

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

SECTION 529. 601.73 (1) (b) of the statutes is amended to read:

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

SECTION 530. 601.73 (2) (a) of the statutes is amended to read:

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

SECTION 531. 601.73 (2) (b) of the statutes is amended to read:

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

SECTION 532. 601.73 (3) of the statutes is amended to read:

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

SECTION 533. 601.93 (2) of the statutes is amended to read:

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

SECTION 534. 610.70 (1) (a) of the statutes is amended to read:

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

SECTION 535. 611.29 (1) of the statutes is amended to read:

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

SECTION 536. 611.72 (1) of the statutes is amended to read:

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

SECTION 537. 611.73 (1) (a) of the statutes is amended to read:

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

SECTION 538. 611.74 (1) of the statutes is amended to read:

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

SECTION 539. 611.76 (11) of the statutes is amended to read:

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

SECTION 540. 613.01 (8) (title) of the statutes is amended to read:

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

SECTION 541. 616.09 (1) (c) 2. of the statutes is amended to read:

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

SECTION 542. 616.09 (1) (c) 3. of the statutes is created to read:

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

SECTION 543. 616.74 (1) (c) of the statutes is amended to read:

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

SECTION 544. 632.10 (1) of the statutes is amended to read:

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

SECTION 545. 644.09 (2) of the statutes is amended to read:

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

SECTION 546. 766.565 (7) of the statutes is amended to read:

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

SECTION 547. 813.16 (7) of the statutes is amended to read:

813.16 **(7)** If the person seeking the appointment of a receiver under sub. (1) is a savings and loan association or savings bank supervised by the ~~division of~~

~~banking~~ department of financial institutions and professional standards or a corporation supervised by the home loan bank board, federal office of thrift supervision, federal deposit insurance corporation, or resolution trust corporation, the court, unless the opposing party objects, shall appoint an officer of such corporation as receiver to act without compensation and to give such bond as the court requires.

SECTION 548. 940.207 (title) of the statutes is amended to read:

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

SECTION 549. 940.207 (2) (intro.) of the statutes is amended to read:

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

SECTION 550. 940.207 (2) (a) of the statutes is amended to read:

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

SECTION 551. 944.21 (8) (b) 3. a. of the statutes is amended to read:

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

SECTION 552. 948.11 (4) (b) 3. a. of the statutes is amended to read:

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

SECTION 553. 978.05 (6) (a) of the statutes is amended to read:

978.05 **(6)** (a) Institute, commence or appear in all civil actions or special proceedings under and perform the duties set forth for the district attorney under ch. 980 and ss. 17.14, 30.03 (2), 48.09 (5), 59.55 (1), 59.64 (1), 70.36, 89.08, 103.50 (8), 103.92 (4), 109.09, 343.305 (9) (a), ~~453.08,~~ 806.05, 938.09, 938.18, 938.355 (6) (b) and (6g) (a), 946.86, 946.87, 961.55 (5), 971.14 and 973.075 to 973.077, perform any duties in connection with court proceedings in a court assigned to exercise jurisdiction under chs. 48 and 938 as the judge may request and perform all appropriate duties and appear if the district attorney is designated in specific statutes, including matters within chs. 782, 976 and 979 and ss. 51.81 to 51.85. Nothing in this paragraph limits the authority of the county board to designate, under s. 48.09 (5), that the corporation counsel provide representation as specified in s. 48.09 (5) or to designate, under s. 48.09 (6) or 938.09 (6), the district attorney as an appropriate person to represent the interests of the public under s. 48.14 or 938.14.

SECTION 554. 995.55 (1) (b) of the statutes is amended to read:

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

SECTION 9101. Nonstatutory provisions; Administration.

(1) TRANSFER OF BUSINESS CERTIFICATION PROGRAMS.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of administration primarily related to disabled veteran–owned business certifications, woman–owned business certifications, and minority business certifications, as determined by the secretary of administration, become the assets and liabilities of the department of financial institutions and professional standards.

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

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under chapter 230 of the statutes in the department of financial institutions and professional standards that they enjoyed in the department of administration immediately before the transfer. Notwithstanding

section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

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

(e) *Pending matters.* Any matter pending with the department of administration on the effective date of this paragraph that is primarily related to disabled veteran–owned business certifications, woman–owned business certifications, and minority business certifications, as determined by the secretary of administration, is transferred to the department of financial institutions and professional standards. All materials submitted to or actions taken by the department of administration with respect to the pending matter are considered as having been submitted to or taken by the department of financial institutions and professional standards.

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

(g) *Rules and orders.* All rules promulgated by the department of administration primarily related to disabled veteran–owned business certifications, woman–owned business certifications, and minority business certifications, as determined by the secretary of administration, 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 financial institutions and professional standards. All orders issued by the department of administration primarily related to disabled veteran–owned business certifications, woman–owned business certifications, and minority business certifications, as determined by the secretary of administration, 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 financial institutions and professional standards.

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

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

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

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

(d) *Contracts.* All contracts entered into by the department of administration in effect on the effective date of this paragraph that are primarily related to the small business regulatory review board and the office of business development, as determined by the secretary of administration, remain in effect and are transferred to the department of financial institutions and professional standards. The department of financial institutions and professional standards shall carry out any obligations under those contracts unless modified or rescinded by that department to the extent allowed under the contract.

SECTION 9114. Nonstatutory provisions; Financial Institutions.

(1) MERGER WITH OTHER AGENCIES; NAME CHANGES.

(a) *Agency name change.*

1. Wherever the term "department of financial institutions" appears in the statutes, as affected by the acts of 2015, the term "department of financial institutions and professional standards" is substituted.

2. Wherever the term "secretary of financial institutions" appears in the statutes, as affected by the acts of 2015, the term "secretary of financial institutions and professional standards" is substituted.

(b) *Elimination of division of securities.*

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

2. Wherever the term "division's" appears in ch. 553 of the statutes, as affected by the acts of 2015, the term "department's" is substituted.

(c) *Elimination of division of banking.*

1. Wherever the term "division of banking" appears in chapters 34, 138, and 227, subchapter I of chapter 218, and sections 214.592 and 215.141 of the statutes, as affected by the acts of 2015, the term "department of financial institutions and professional standards" is substituted.

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

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

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

(2) ELIMINATION OF THE DEPARTMENT OF FINANCIAL INSTITUTIONS.

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

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

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

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

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

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

(g) *Rules and orders.* All rules promulgated by the department of financial institutions 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 financial institutions and professional standards. All orders issued by the department of financial institutions 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 financial institutions and professional standards.

SECTION 9118. Nonstatutory provisions; Health Services.

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

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

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of health services that are primarily related to the regulation of tattooing, body piercing, and tanning under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats., as

determined by the secretary of administration, is transferred to the department of financial institutions and professional standards.

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

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

(e) *Rules and orders.* All rules in chapters DHS 161 and DHS 173, Wisconsin Administrative Code, and any other rules promulgated by the department of health services that are primarily related to the regulation of tattooing, body piercing, and tanning under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats., 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 financial

institutions and professional standards. All orders issued by the department of health services that are primarily related to the regulation of tattooing, body piercing, and tanning under section 255.08, 2013 stats., and sections 252.23 to 252.25, 2013 stats., 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 financial institutions and professional standards.

(f) *Credential fees.* Notwithstanding ss. 463.10 (3), 463.12 (3), and 463.25 (2) (b), fees for the issuance and renewal of licenses and permits issued under ss. 463.10, 463.12, and 463.25 shall, for years 2015 and 2016, be according to the rules described under paragraph (e).

SECTION 9138. Nonstatutory provisions; Safety and Professional Services.

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

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

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

(b) *Positions and employees.* Except as provided in subsections (3) and (4), on the effective date of this paragraph, all positions and all incumbent employees in the classified service of the state civil service holding those positions in the department of safety and professional services, as determined by the secretary of administration,

are transferred to the department of financial institutions and professional standards.

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

(d) *Tangible personal property.* Except as provided in subsections (3) and (4), on the effective date of this paragraph, all tangible personal property, including records, of the department of safety and professional services is transferred to the department of financial institutions and professional standards.

(e) *Pending matters.* Except as provided in subsections (3) and (4), any matter pending with the department of safety and professional services on the effective date of this paragraph is transferred to the department of financial institutions and professional standards. Except as provided in subsections (3) and (4), all materials submitted to or actions taken by the department of safety and professional services are considered as having been submitted to or taken by the department of financial institutions and professional standards.

(f) *Contracts.* Except as provided in subsections (3) and (4), all contracts entered into by the department of safety and professional services in effect on the effective date of this paragraph remain in effect and are transferred to the department of financial institutions and professional standards. The department of financial institutions and professional standards shall carry out any obligations

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

(g) *Rules and orders.* Except as provided in subsections (3) and (4), all rules promulgated by the department of safety and professional services 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 financial institutions and professional standards. Except as provided in subsections (3) and (4), all orders issued by the department of safety and professional services 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 financial institutions and professional standards.

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

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

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

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under chapter 230 of the statutes in the department of

natural resources that they enjoyed in the department of safety and professional services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

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

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

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

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

(4) TRANSFER OF VETERINARY EXAMINING BOARD.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of safety and professional services primarily related to the functions of the veterinary examining board, as determined by the secretary of administration, shall become the assets and liabilities of the department of agriculture, trade and consumer protection.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of safety and professional services that is primarily related to the functions of the veterinary examining board, as determined by the secretary of administration, is transferred to the department of agriculture, trade, and consumer protection.

(c) *Contracts.* All contracts entered into by the department of safety and professional services in effect on the effective date of this paragraph that are primarily related to the functions of the veterinary examining board, as determined by the secretary of administration, 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 any obligations under such a contract until the contract is modified or rescinded by the department of agriculture, trade and consumer protection to the extent allowed under the contract.

(d) *Pending matters.* Any matter pending with the department of safety and professional services on the effective date of this paragraph that is primarily related to the functions of the veterinary examining board, as determined by the secretary of administration, is transferred to the department of agriculture, trade and consumer protection and all materials submitted to or actions taken by the department of safety and professional services with respect to the pending matters are considered as having been submitted to or taken by the department of agriculture, trade and consumer protection.

(e) *Fees.* All fees for initial licenses, certifications, and other credentials, and for renewals of those licenses, certifications, and other credentials, under chapter 453 of the statutes that are in effect on the day before the effective date of this paragraph shall remain in effect until modified by the department of agriculture, trade and consumer protection under section 89.063 of the statutes, as created by this act.

SECTION 9143. Nonstatutory provisions; Technical College System.

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

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

consumer protection functions become the assets and liabilities of the department of agriculture, trade and consumer protection.

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

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

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

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

(e) *Rules and orders.*

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

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

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

(g) *Emergency rule–making exemptions.*

1. Using the procedure under section 227.24 of the statutes, the department of financial institutions and professional standards may promulgate rules required under section 440.52 (3) of the statutes, as affected by this act, and section 440.52 (7m) (c) of the statutes, as created by this act, for the period before the effective date of a permanent rule promulgated under section 440.52 (3) of the statutes, as affected by this act, and section 440.52 (7m) (c) of the statutes, as created by this act, but not to exceed the period authorized under section 227.24 (1) (c) of the statutes, subject to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subdivision as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subdivision.

2. Using the procedure under section 227.24 of the statutes, the department of agriculture, trade and consumer protection may promulgate rules authorized under section 100.67 (3) of the statutes, as affected by this act, for the period before the effective date of a permanent rule promulgated under section 100.67 (3) of the statutes, as affected by this act, but not to exceed the period authorized under section 227.24 (1) (c) of the statutes, subject to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subdivision as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subdivision.

SECTION 9152. Nonstatutory provisions; Other.

(1) CONSOLIDATION TRANSITION. Once the secretary of administration determines that all of the preparations have been made that are necessary for the creation of the department of financial institutions and professional standards and that are necessary to implement all of the other changes to the laws contained in this act, the secretary of administration may provide a notice stating that determination to the president of the senate and the speaker of the assembly. The secretary of administration shall provide a copy of the notice to the legislative reference bureau, and the legislative reference bureau shall promptly publish the notice in the Wisconsin Administrative Register.

SECTION 9214. Fiscal changes; Financial Institutions.

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

SECTION 9238. Fiscal changes; Safety and Professional Services.

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

(2) TRANSFER OF CREDENTIALING FEES. The unencumbered balance in the appropriation account under section 20.165 (1) (g) of the statutes that is primarily related to the functions of the veterinary examining board, as determined by the secretary of administration, is transferred to the appropriation account under section 20.115 (2) (jm) of the statutes, as created by this act.

SECTION 9243. Fiscal changes; Technical College System.

(1) TRANSFERS FROM EDUCATIONAL APPROVAL BOARD.

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

(b) After the effective date of this paragraph but no later than January 31, 2016, the secretary of administration shall transfer the unencumbered balance in the appropriation account under section 20.142 (3) (g) of the statutes, as affected by this act, related to consumer protection functions under section 100.67 of the statutes, as created by this act, as determined by the secretary of administration, to the appropriation account under section 20.115 (8) (ks) of the statutes.

SECTION 9338. Initial applicability; Safety and Professional Services.

(1) The treatment of section 440.92 (2) (d) of the statutes first applies to a preneed sales contract entered into on the effective date of this subsection.

SECTION 9400. Effective dates; General.

(1) Except as provided in SECTION 9452 of this act, this act takes effect on the 30th day after the date of publication of the notice under SECTION 9152 (1) of this act or on January 1, 2016, whichever is earlier.

SECTION 9452. Effective dates; Other.

(1) Except as provided in subsection (2), if the date of publication of this act is on or after January 1, 2016, this act takes effect on the day after publication.

(2) SECTION 9152 (1) of this act takes effect on the day after publication.

(END)