



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1928/1
ALL:all

2017 ASSEMBLY BILL 64

February 8, 2017 - Introduced by JOINT COMMITTEE ON FINANCE, by request of Governor Scott Walker. Referred to Joint Committee on Finance. Referred to Joint Survey Committee on Tax Exemptions.

1 **AN ACT relating to:** state finances and appropriations, constituting the
2 executive budget act of the 2017 legislature.

Analysis by the Legislative Reference Bureau

INTRODUCTION

This bill is the “executive budget bill” under section 16.47 (1) of the statutes. It contains the governor’s recommendations for appropriations for the 2017-2019 fiscal biennium.

The bill repeals and recreates the appropriation schedule in chapter 20 of the statutes, thereby setting the appropriation levels for the 2017-2019 fiscal biennium. The descriptions that follow relate to the most significant changes in the law that are proposed in the bill. In most cases, changes in the amounts of existing spending authority and changes in the amounts of bonding authority under existing bonding programs are not discussed.

For additional information concerning this bill, see the Department of Administration’s publication *Budget in Brief* and the executive budget books, the Legislative Fiscal Bureau’s summary document, and the Legislative Reference Bureau’s drafting files, which contain separate drafts on each policy item.

GUIDE TO THE BILL

As is the case for all other bills, the sections of the budget bill that affect statutes are organized in ascending numerical order of the statutes affected.

Treatments of prior session laws (styled “laws of [year], chapter ...” from 1848 to 1981, and “[year] Wisconsin Act ...” beginning with 1983) are displayed next by year of original enactment and by act number.

ASSEMBLY BILL 64

The remaining sections of the budget bill are organized by type of provision and, within each type, alphabetically by state agency. The first two digits of the four-digit section number indicate the type of provision:

- 91XX Nonstatutory provisions.**
- 92XX Fiscal changes.**
- 93XX Initial applicability.**
- 94XX Effective dates.**

The remaining two digits indicate the state agency or subject area to which the provision relates:

- XX01 Administration.**
- XX02 Agriculture, Trade and Consumer Protection.**
- XX03 Arts Board.**
- XX04 Building Commission.**
- XX05 Child Abuse and Neglect Prevention Board.**
- XX06 Children and Families.**
- XX07 Circuit Courts.**
- XX08 Corrections.**
- XX09 Court of Appeals.**
- XX10 District Attorneys.**
- XX11 Educational Approval Board.**
- XX12 Educational Communications Board.**
- XX13 Elections Commission.**
- XX14 Employee Trust Funds.**
- XX15 Employment Relations Commission.**
- XX16 Ethics Commission.**
- XX17 Financial Institutions.**
- XX18 Governor.**
- XX19 Health and Educational Facilities Authority.**
- XX20 Health Services.**
- XX21 Higher Educational Aids Board.**
- XX22 Historical Society.**
- XX23 Housing and Economic Development Authority.**
- XX24 Insurance.**
- XX25 Investment Board.**
- XX26 Joint Committee on Finance.**
- XX27 Judicial Commission.**
- XX28 Justice.**
- XX29 Legislature.**
- XX30 Lieutenant Governor.**
- XX31 Local Government.**
- XX32 Military Affairs.**
- XX33 Natural Resources.**

ASSEMBLY BILL 64

- XX34 Public Defender Board.**
- XX35 Public Instruction.**
- XX36 Public Lands, Board of Commissioners of.**
- XX37 Public Service Commission.**
- XX38 Revenue.**
- XX39 Safety and Professional Services.**
- XX40 Secretary of State.**
- XX41 State Fair Park Board.**
- XX42 Supreme Court.**
- XX43 Technical College System.**
- XX44 Tourism.**
- XX45 Transportation.**
- XX46 Treasurer.**
- XX47 University of Wisconsin Hospitals and Clinics Authority;
Medical College of Wisconsin.**
- XX48 University of Wisconsin System.**
- XX49 Veterans Affairs.**
- XX50 Wisconsin Economic Development Corporation.**
- XX51 Workforce Development.**
- XX52 Other.**

For example, for general nonstatutory provisions relating to the State Historical Society, see SECTION 9122. For any agency that is not assigned a two-digit identification number and that is attached to another agency, see the number of the latter agency. For any other agency not assigned a two-digit identification number or any provision that does not relate to the functions of a particular agency, see number "52" (**Other**) within each type of provision.

Separate section numbers and headings appear for each type of provision and for each state agency, even if there are no provisions included in that section number and heading. Section numbers and headings for which there are no provisions will be deleted in enrolling and will not appear in the published act.

Following is a list of the most commonly used abbreviations appearing in the analysis.

- DATCP . . . Department of Agriculture, Trade and Consumer Protection
- DCF Department of Children and Families
- DETF Department of Employee Trust Funds
- DFI Department of Financial Institutions
- DHS Department of Health Services
- DMA Department of Military Affairs
- DNR Department of Natural Resources
- DOA Department of Administration
- DOC Department of Corrections
- DOJ Department of Justice
- DOR Department of Revenue

ASSEMBLY BILL 64

This bill eliminates the Wisconsin Natural Resources Magazine, which is currently published six times a year by DNR. The bill directs DNR to publish the final issue in February 2018 and, by June 30, 2018, to refund to each subscriber a prorated amount of the subscription cost for all issues after February 2018 for which the subscriber subscribed but that the subscriber will not receive.

SAFETY AND PROFESSIONAL SERVICES**BUILDINGS AND SAFETY**

This bill eliminates rental unit energy efficiency standards and certification requirements and certain powers of DSPS related to those standards and requirements. The bill allows DSPS to take enforcement action related to violations of those standards that occur before the effective date of the bill. The bill also eliminates the requirement that an owner of a rental unit, before transferring an ownership interest in the unit, must do one of the following:

1. Have the unit inspected by a certified inspector who issues a certificate stating that the unit meets the minimum energy efficiency standards.
2. If the unit is scheduled for demolition within two years, obtain a waiver of the certification requirement from DSPS or a certified inspector.
3. Obtain a stipulation between the transferee of the unit and DSPS or the city, village, or town in which the unit is located stating that the transferee will bring the unit into compliance with the minimum energy efficiency standards no later than one year after the date of the transfer.

Under current law, the register of deeds may not record a document that transfers real estate that contains a rental unit unless the document is accompanied by that certificate, waiver, or stipulation. This bill eliminates that restriction.

This bill also exempts individuals who complete specified apprenticeship programs from an examination required for the following trade profession licenses: journeyman electrician, journeyman plumber, journeyman automatic fire sprinkler system fitter, and automatic fire sprinkler contractor.

PROFESSIONAL LICENSURE

Under current law, various professions are regulated by DSPS and various examining boards and affiliated credentialing boards are created under DSPS. Affiliated credentialing boards are each attached to a specific examining board. This bill makes numerous changes to the laws governing DSPS and the examining boards, affiliated credentialing boards, and councils under DSPS, including all of the following:

1. Under current law, the Radiography Examining Board regulates the practice of radiographers and limited X-ray machine operators in Wisconsin, the Podiatry Affiliated Credentialing Board, which is attached to the Medical Examining Board, regulates the practice of podiatrists, and the Optometry Examining Board regulates the practice of optometrists. This bill eliminates each of those boards and transfers their functions to the Medical Examining Board.
2. Under current law, physical therapists and physical therapist assistants are regulated by the Physical Therapy Examining Board, occupational therapists and occupational therapy assistants are regulated by the Occupational Therapists Affiliated Credentialing Board, athletic trainers are regulated by the Athletic

ASSEMBLY BILL 64

Trainers Affiliated Credentialing Board, and massage therapists and bodywork therapists are regulated by the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board. This bill eliminates the aforementioned boards and transfers their functions to a newly created Medical Therapy Examining Board.

3. Under current law, a license is generally required to perform sign language interpretation services, and a license to act as a sign language interpreter is issued by DSPS. However, also under current law, there is a Sign Language Interpreter Council that is required to perform certain duties, including advising DSPS on rule making regarding sign language interpreting and promulgating certain rules for sign language interpreters. This bill eliminates the Sign Language Interpreter Council and transfers the duties of both DSPS and the Sign Language Interpreter Council regarding sign language interpreters to the Hearing and Speech Examining Board. In addition, the bill eliminates one of the hearing instrument specialist members on the Hearing and Speech Examining Board and adds to that board two sign language interpreters and one additional public member.

4. Under current law, there are four councils created to serve the Medical Examining Board in an advisory capacity regarding certain professions for which licenses or certificates are issued by the Medical Examining Board: 1) the Perfusionists Examining Council; 2) the Council on Physician Assistants; 3) the Council on Anesthesiologist Assistants; and 4) the Respiratory Care Practitioners Examining Council. This bill eliminates these four councils and transfers their duties to a newly created council called the Medical Assistants Council. Under the bill, the Medical Assistants Council includes two licensed anesthesiologist assistants; two certified respiratory care practitioners; two licensed perfusionists; one physician; two physician assistants; and one public member.

This bill creates the Occupational License Review Council. The council is created in DSPS and consists of the following members:

1. Eight members appointed by the governor to serve at the pleasure of the governor.

2. One majority party member and one minority party member from each house of the legislature, appointed as are the members of standing committees in their respective houses.

3. The secretary of safety and professional services or his or her designee, who serves as the council's chair. The secretary or designee is a nonvoting member, except that he or she may vote in the case of a tie.

The council is required to submit a report by December 31, 2018, to the governor, the chief of the LRB, and the legislature that includes the council's recommendations for the elimination of occupational licenses in this state and the reduction or elimination of occupational license continuing education requirements. The council's recommendations for the elimination of occupational licenses must take into account a number of considerations, including an evaluation of whether the unregulated practice of the profession, occupation, or trade can clearly harm or endanger the health, safety, or welfare of the public.

The LRB is required to prepare legislation based on the council's recommendations, and the proposed legislation is required to be introduced without

ASSEMBLY BILL 64

change. The proposed legislation may not be amended, and the legislature must take final action on the proposed legislation no later than June 30, 2019.

For purposes of this bill, the term “occupational license” means not only any license, permit, certification, registration, or other approval granted by DSPS or a board under DSPS but also any other license, permit, certification, registration, or approval granted to a person by this state in order that the person may engage in a profession, occupation, or trade or use a title in association with his or her profession, occupation, or trade.

The council and the bill’s requirements sunset effective July 1, 2019.

This bill also requires DOA to prepare a report containing certain information on any bill that is introduced in the legislature that requires an individual to obtain a license in order to engage in a particular profession or occupation or that requires that a license be obtained in order for a particular type of business to be owned or operated. The LRB must submit any bill to which the requirement applies to DOA, and the report must be distributed before certain actions are taken on the bill in the legislature.

Under current law, DSPS and various credentialing boards in DSPS have the authority to discipline credential holders that are credentialed by DSPS or a credentialing board. This bill allows DSPS and various credentialing boards in DSPS that do not otherwise currently have the authority to assess administrative forfeitures against credential holders to, in addition to or in lieu of any disciplinary action imposed against a credential holder, assess a forfeiture of not more than \$1,000 for each separate offense against a person who commits a violation that is grounds for professional discipline if the violation presents a serious risk to public health or public safety. The bill provides that each day of continued violation constitutes a separate offense.

Also under current law, DSPS, which regulates barbers, and the Cosmetology Examining Board, which regulates cosmetologists and other related professionals, may assess such forfeitures, in addition to or in lieu of certain disciplinary actions, for violations of the laws relating to barbering or cosmetology. This bill limits the circumstances under which such forfeitures may be assessed to when the violation presents a serious risk to public health or public safety.

In addition, this bill exempts an individual who has completed an apprenticeship program that satisfies certain requirements from an examination required for licensure as a cosmetologist or barber.

This bill eliminates mandatory annual and semiannual meeting requirements for examining boards, affiliated credentialing boards, and other boards and councils under DSPS, except for the Medical Examining Board, which is required to meet 12 times each year. Under the bill, those boards and councils are instead generally required to meet on the call of the chairperson or a majority of the members of the board or council.

This bill provides that, except as otherwise permitted by law, DSPS and various credentialing boards in DSPS may require a credential holder to submit proof of completion of continuing education programs or courses only if a complaint is made against the credential holder.

ASSEMBLY BILL 64

facility that costs more than \$900,00 only if the project is enumerated in the state building program. Under current law, each of those thresholds is set at \$760,000.

Subject to limited exceptions, this bill also prohibits the state from entering into a contract for the construction of or addition to any building in connection with a building project involving a cost that exceeds \$250,000 without the approval of the Building Commission. Current law sets that threshold at \$185,000.

Also, under this bill, the secretary of administration is required to establish a committee for each construction project under the department's supervision, except certain emergency projects, for the purpose of selecting a project architect or engineer. If the estimated cost of a project is \$6,800,000 or more, the selection committee must use a request-for-proposal process established by the department to select the architect or engineer.

This bill requires that DOA adjust on an annual basis all of the above and other project cost thresholds based on the increase or decrease in construction costs over time.

This bill eliminates a number of state entities based on the 2017-19 budget request of DSPS. Current law requires DSPS to include in its agency budget request a proposal to eliminate any council, board, or commission that has not held a meeting since the preceding September 15, unless the council, board, or commission is required to exist under federal law. The entities eliminated under the bill include the Bioenergy Council; the Automatic Fire Sprinkler System Contractors and Journeymen Council; and the Plumbers Council.

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

This bill eliminates the Building Inspector Review Board and transfers its powers and duties to the Uniform Dwelling Code Council. Under the bill, the Uniform Dwelling Code Council, rather than the board, receives and reviews complaints regarding building inspectors, may revoke a building inspector's certification under certain circumstances, and may modify or reverse erroneous decisions of a building inspector. The bill also eliminates the Contractor Certification Council and the Manufactured Housing Code Council and transfers their duties to the Uniform Dwelling Code Council.

This bill authorizes DOA to replace vehicles in the state fleet using certain settlement proceeds specified in the bill. DOA may expend no more than \$16,000,000 in the 2017-19 fiscal biennium for that purpose. The bill also requires, subject to certain conditions, DOA to transfer \$26,000,000 of the settlement proceeds to a county having a population of 750,000 or more for the replacement of vehicles owned by the county.

This bill requires DOA, beginning on July 1, 2018, to administer human resources and payroll services for all executive branch agencies except DPI and DOJ and for all independent agencies except the UW Board of Regents and the TCS board. The bill also requires that DOA administer all printing and mailing services for all agencies, except the Board of Regents of the UW System, unless the agency

ASSEMBLY BILL 64**OTHER TRANSPORTATION**

Under this bill, beginning on June 30, 2020, the secretary of administration must annually transfer from the petroleum inspection fund to the transportation fund the unencumbered balance of the petroleum inspection fund, less a reserve amount.

This bill also transfers \$24,000,000 from the petroleum inspection fund to the transportation fund in each year of the fiscal biennium.

This bill also allows general obligation bonding in an amount not exceeding \$120,000,000 for DOT to provide grants for harbor improvements.

VETERANS

This bill increases the maximum that a federally recognized state veterans organization may receive under a certain grant program administered by DVA from \$70,000 to \$100,000. The bill also removes the current law requirement that grants that are provided by DVA to counties to improve services for veterans are provided solely on a reimbursable basis.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

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

1 **SECTION 1.** 13.0963 of the statutes is created to read:

2 **13.0963 Review of bills creating occupational licenses. (1) DEFINITION.**

3 **In this section, "license" includes any permit, certificate, approval, registration,**
4 **charter or similar form of permission.**

5 **(2) REPORT ON BILLS CREATING OCCUPATIONAL LICENSES.** (a) If any bill that is
6 introduced in either house of the legislature creates a requirement that an individual
7 obtain a license in order to engage in a particular profession or occupation or a
8 requirement that a license be obtained in order for a particular type of business to
9 be owned or operated, the department of administration shall prepare and issue an
10 occupational license report on the bill within 30 business days after it is introduced.
11 The department shall request information from any individual or business that the
12 department considers likely to be affected by the proposed licensure requirement

ASSEMBLY BILL 64**SECTION 1**

1 and shall request a statement or analysis from the agency that would be required to
2 administer the licensure requirement. Individuals, businesses, and agencies shall
3 comply with requests by the department for information that is reasonably
4 necessary for the department to prepare the report. To the greatest extent possible,
5 reports under this section shall be based on the information obtained by the
6 department from individuals, businesses, and agencies under this paragraph.

7 (b) A bill that requires a report by the department of administration under this
8 section shall have that requirement noted on its jacket when the jacket is prepared.
9 When a bill that requires a report under this section is introduced, the legislative
10 reference bureau shall submit a copy of the bill to the department of administration.

11 (c) The report prepared under this section shall be printed as an appendix to
12 the applicable bill and shall be distributed in the same manner as amendments. The
13 report shall be distributed before any vote is taken on the bill by either house of the
14 legislature if the bill is not referred to a standing committee, or before any public
15 hearing is held before any standing committee or, if no public hearing is held, before
16 any vote is taken by the committee. The department of administration shall also
17 publish the report on its Internet site.

18 **(3) FINDINGS TO BE CONTAINED IN THE REPORT.** The department of administration
19 shall include all of the following in a report prepared under sub. (2):

20 (a) An evaluation of whether the unregulated practice of the profession,
21 occupation, or business can clearly harm or endanger the health, safety, or welfare
22 of the public, and whether the potential for the harm is recognizable and not remote
23 or speculative.

24 (b) An evaluation of whether the public can reasonably be expected to benefit
25 from the requirement for the license.

ASSEMBLY BILL 64**SECTION 1**

1 (c) An evaluation of whether the public can be effectively protected by any
2 means other than requiring a license.

3 (d) **An analysis of whether licensure requirements for that profession,**
4 **occupation, or business exist in other states.**

5 (e) An estimate of the number of individuals or businesses that would be
6 affected by the requirement.

7 (f) An estimate of the total additional financial burden that will be imposed on
8 an individual or business as a result of the licensure requirement, including
9 education or training costs, examination fees, private credential fees, credential fees
10 imposed by the agency, and other costs that the individual or business will have to
11 incur in order to obtain the license.

12 (g) Any statement or analysis from the agency that would administer the
13 licensure requirement.

14 **SECTION 2.** 13.101 (6) (a) of the statutes is amended to read:

15 13.101 **(6)** (a) As an emergency measure necessitated by decreased state
16 revenues and to prevent the necessity for a state tax on general property, the
17 committee may reduce any appropriation made to any board, commission,
18 department, or the University of Wisconsin System, or to any other state agency or
19 activity, by such amount as it deems feasible, not exceeding 25 percent of the
20 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
21 (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (af),
22 (aq), (ar), and (au), 20.435 (4) (a) and (5) (da), and 20.437 (2) (a) and (dz) or for forestry
23 purposes under s. 20.370 ~~(1)~~ (2), or any other moneys distributed to any county, city,
24 village, town, or school district. Appropriations of receipts and of a sum sufficient
25 shall for the purposes of this section be regarded as equivalent to the amounts

ASSEMBLY BILL 64

1 ~~council shall meet at least twice a year.~~ Seven members of the uniform dwelling code
2 council shall constitute a quorum. For the purpose of conducting business a majority
3 vote of the uniform dwelling code council is required.

4 **SECTION 60.** 15.407 (11) of the statutes is repealed.

5 **SECTION 61.** 15.407 (13) of the statutes is repealed.

6 **SECTION 62.** 15.407 (14) (b) of the statutes is amended to read:

7 15.407 (14) (b) ~~The council shall meet at least twice a year.~~ The employee of
8 the department of safety and professional services designated by the secretary of
9 safety and professional services under par. (a) 10. shall serve as nonvoting secretary
10 of the conveyance safety code council.

11 **SECTION 63.** 15.407 (16) of the statutes is repealed.

12 **SECTION 64.** 15.407 (17) of the statutes is repealed.

13 **SECTION 65.** 15.407 (18) (c) of the statutes is repealed.

14 **SECTION 66.** 15.407 (19) of the statutes is created to read:

15 **15.407 (19) OCCUPATIONAL LICENSE REVIEW COUNCIL.** There is created in the
16 department of safety and professional services an occupational license review
17 council. The council shall consist of the following members:

18 (a) Eight members appointed by the governor to serve at the pleasure of the
19 governor.

20 (b) One majority party member and one minority party member from each
21 house of the legislature, appointed as are the members of standing committees in
22 their respective houses.

23 (c) The secretary of safety and professional services or his or her designee, who
24 shall serve as chair of the council. The secretary or the secretary's designee shall
25 serve as a nonvoting member, except that he or she may vote in the case of a tie.

ASSEMBLY BILL 64**SECTION 67**

1 **SECTION 67.** 15.407 (19) of the statutes, as created by 2017 Wisconsin Act ...
2 (this act), is repealed.

3 **SECTION 68.** 15.675 (1) (d) of the statutes is repealed and recreated to read:

4 15.675 (1) (d) The secretary of the department of safety and professional
5 services or his or her designee.

6 **SECTION 69.** 15.945 of the statutes is repealed.

7 **SECTION 70.** 16.004 (15) (b) 1. of the statutes is amended to read:

8 16.004 (15) (b) 1. ~~At its own discretion, the~~ The department may provide legal
9 services to any state agency that has a secretary who serves at the pleasure of the
10 ~~governor~~ and shall assess the state agency for legal services provided by the division
11 of legal services.

12 **SECTION 71.** 16.004 (15) (b) 2. of the statutes is repealed.

13 **SECTION 72.** 16.004 (16) of the statutes is created to read:

14 16.004 (16) PRINTING AND MAILING SERVICES. The department shall administer
15 all printing and mailing services for each agency, as defined in s. 16.70 (1e), excluding
16 the Board of Regents of the University of Wisconsin System. The secretary may
17 grant an agency a partial or total exemption if the agency demonstrates to the
18 satisfaction of the secretary that a valid business reason exists for the exemption.

19 **SECTION 73.** 16.004 (20) of the statutes is created to read:

20 16.004 (20) SHARED SERVICES AGENCIES. (a) In this subsection, “shared services
21 agency” means any of the following:

22 1. A department created in subch. II of ch. 15 except the department of justice
23 and the department of public instruction.

ASSEMBLY BILL 64**SECTION 1391**

1 in a random testing program during the 90 days preceding the date on which the
2 employee commenced work on the project.

3 **SECTION 1392.** 103.545 (6) of the statutes is amended to read:

4 103.545 (6) Upon complaint of an affected employer, labor organization, or
5 employee, the department may investigate violations and issue orders to enforce this
6 section. The investigations and orders shall be made as provided under s. 103.005.
7 Orders are subject to review as provided in ch. 227. The department of justice may,
8 upon request of the ~~commission~~ department, prosecute violations of this section in
9 any court of competent jurisdiction.

10 **SECTION 1393.** 106.005 of the statutes is created to read:

11 **106.005 Apprenticeship coordinator.** The department shall designate an
12 employee of the department to serve as an apprenticeship coordinator to expand and
13 streamline apprenticeship program offerings for inmates in correctional facilities in
14 this state.

15 **SECTION 1394.** 106.025 (3) of the statutes is amended to read:

16 **106.025 (3)** After the expiration of an apprenticeship term, no apprentice may
17 engage in the business of plumbing either as an apprentice or as a journeyman
18 plumber unless the apprentice secures a journeyman plumber's license. ~~In case of~~
19 ~~failure to pass the examination for the license, he or she may continue to serve as an~~
20 ~~apprentice but not beyond the time for reexamination for a journeyman plumber's~~
21 ~~license, as prescribed by the rules of the department.~~

22 **SECTION 1395.** 106.04 of the statutes is repealed.

23 **SECTION 1396.** 106.125 of the statutes is created to read:

24 **106.125 Early college credit program.** On behalf of the school board of a
25 school district, the department of workforce development shall pay to the

ASSEMBLY BILL 64**SECTION 1645**

1 the taxpayer shall have the burden of establishing the incorrectness or invalidity of
2 any final assessment made by the department.

3 **SECTION 1646.** 139.77 (4) of the statutes is amended to read:

4 139.77 (4) If any taxpayer required to file any return fails to do so within the
5 time prescribed, the taxpayer shall, on the written demand of the department, file
6 the return within 20 days after the mailing sending of it and at the same time pay
7 the tax due on its basis. If the taxpayer fails within that time to file the return, the
8 department shall prepare the return from its own knowledge and from the
9 information that it obtains and on that basis shall assess a tax, which shall be paid
10 within 10 days after the department has mailed sent to the taxpayer a written notice
11 of the amount and a demand for its payment. In any action or proceeding in respect
12 to the assessment, the taxpayer shall have the burden of establishing the
13 incorrectness or invalidity of any return or assessment made by the department
14 because of the failure of the taxpayer to make a return.

15 **SECTION 1647.** 145.02 (4) (a) of the statutes is amended to read:

16 145.02 (4) (a) The department shall prescribe promulgate rules as to the
17 qualifications, examination and licensing of master and journeyman plumbers and
18 the qualifications, examination, and licensing of master plumbers and restricted
19 plumber licensees, for the licensing of utility contractors, for the registration of
20 plumbing apprentices and pipe layers pipelayers, and for the registration and
21 training of registered learners. The plumbers council, created under s. 15.407 (16),
22 shall advise the department in formulating the rules. The department may not
23 require an applicant for journeyman plumber's license to pass an examination.

24 **SECTION 1648.** 145.035 of the statutes is amended to read:

ASSEMBLY BILL 64

SECTION 1648

1 **145.035 Temporary permits.** The department may issue temporary
2 revocable permits to master and journeyman plumbers pending examination, and
3 for such purpose may appoint agents without compensation or may authorize one of
4 its examiners or plumbing supervisors to hold a special permit examination, the
5 result of which to be reported to the department in writing. The department may
6 make rules and prescribe procedure governing the issuance of such permits.

7 **SECTION 1649.** 145.07 (2) of the statutes is amended to read:

8 145.07 (2) Application for a master or journeyman plumber's examination,
9 temporary permit or license or a master plumber's examination or temporary permit
10 shall be made to the department with fees. Unless the applicant is entitled to a
11 renewal of license, a master plumber's license shall be issued only after the applicant
12 passes a satisfactory examination showing fitness. No such license or permit
13 specified in this subsection shall be transferable.

14 **SECTION 1650.** 145.07 (4) of the statutes is amended to read:

15 145.07 (4) An applicant for examination for licensure as a journeyman plumber
16 shall submit evidence satisfactory to the department that he or she has completed
17 a plumbing apprenticeship under s. 106.025.

18 **SECTION 1651.** 145.08 (1) (c) of the statutes is repealed.

19 **SECTION 1652.** 145.08 (1) (e) of the statutes is amended to read:

20 145.08 (1) (e) Issuing a temporary permit pending examination and issuance
21 of a license for master plumber or journeyman plumber.

22 **SECTION 1653.** 145.17 (1) of the statutes is amended to read:

23 145.17 (1) The department may employ competent supervisors, who shall be
24 licensed automatic fire sprinkler contractors or journeymen journeyman automatic
25 fire sprinkler system fitters, and may employ other persons.

ASSEMBLY BILL 64**SECTION 9139**

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

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

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

13 **(6) ELIMINATION OF PLUMBERS COUNCIL.**

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

17 (b) *Contracts.* All contracts entered into by the plumbers council in effect on
18 the effective date of this paragraph remain in effect and are transferred to the
19 department of safety and professional services. The department of safety and
20 professional services shall carry out any obligations under such a contract unless
21 modified or rescinded by the department safety and professional services to the
22 extent allowed under the contract.

23 (7) **ORDERS RELATED TO RENTAL UNIT ENERGY EFFICIENCY REMAIN IN EFFECT.** All
24 orders issued by the department of safety and professional services under its
25 authority under section 101.122, 2015 stats., that are in effect on the effective date