

2011 DRAFTING REQUEST

Bill

Received: 07/07/2011

Received By: mglass

Wanted: As time permits

Companion to LRB:

For: Evan Wynn (608) 266-9650

By/Representing: Brandon Vervelde

May Contact:

Drafter: mglass

Subject: Occupational Reg. - prof lic
Veterans - miscellaneous

Adl. Drafters: tkuczens
agary
btradewe
emueller
fknepp
gmalaise
jkuesel
pgrant
phurley
pkahler

Extra Copies:

Submit via email: YES

Requester's email: Rep.wynn@legis.wi.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Waiver of professional and occupational license fees for veterans

Instructions:

Waive the fee for the "first" professional license (not renewals) for veterans

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens						

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	07/19/2011			_____			
/P1	mglass 09/09/2011	kfollett 09/19/2011	jfrantze 09/19/2011	_____	lparisi 09/19/2011		State
/1	mglass 10/19/2011	kfollett 10/19/2011	phenry 10/19/2011	_____	sbasford 10/19/2011		State
/2	pkahler 10/19/2011	kfollett 10/19/2011	jfrantze 10/20/2011	_____	lparisi 10/20/2011	ggodwin 11/22/2011	

FE Sent For: 11/08/2011.

↳ ("1/2")

<END>

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Brandon Vervelde from
Wynn's office

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12 kf
10/19 10/19 <END>

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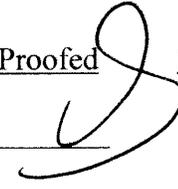
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1/?	tkuczens	1P/1S 9/11/11	9/11/11				

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

07/19/2011
mglass

FE Sent For:

<END>

Gibson-Glass, Mary

From: Gibson-Glass, Mary
Sent: Friday, July 22, 2011 3:19 PM
To: Kreye, Joseph; Kuesel, Jeffery; Champagne, Rick; Malaise, Gordon; Dodge, Tamara; Knepp, Fern; Kahler, Pam; Shovers, Marc; Tradewell, Becky; Grant, Peter; Kuczynski, Tracy; Gary, Aaron; Mueller, Eric; Kite, Robin; Gallagher, Michael; Kunkel, Mark; Hanaman, Cathlene; Hurley, Peggy
Cc: Miller, Steve
Subject: FW: Professional licenses and veterans

Folks,

The e mail below relates to a drafting request for Representative Wynn. The idea is that state agencies waive the fees for the initial license (not renewals) for a veteran. The language in italics you can ignore for now. Hopefully I'll be able to draft that in one place in the veterans chapter. I have sent this e mail to all drafting attorneys, but I did do a folio search for the licenses and other approvals under current law that are denied for failure to pay state income taxes. See s.73.0301. I found the cites by searching for 73.0301 throughout the statutes. The chapters listed below are the ones came up (the cites would be too tedious to list here and I might have missed some). There may be some other licenses, etc., outside these chapters that need to be included. The license must be "professional" in nature, but need not be one that requires a lot of training. Based on my conversation with Brandon, licensees such as nail technicians and plumbers, for example, are to be included. The license must also be one that is issued to an individual as opposed to a business.

In drafting, you should define or otherwise pin down what is a "veteran". I will be creating a definition or other provision that includes the veterans they wish to be eligible for this waiver. For now you can use the following as a definition or as a modifier for "veteran": an individual who is eligible for the veteran fee waiver program under s. 45.44.

I did not think it made sense to try to come up with "boiler plate" language for the concept of waiving the initial fee because I don't think "one size" would fit in each chapter.

Here are the chapters, by attorney, which I think contain provisions that will need to be treated in the bill. For shared chapters, please figure out who is going to do the drafting. **Mike**, Tracy is already doing the reg and licensing stuff. **Robin**, I have assigned myself our chapters. The LRB # for this draft 2357. Do your work as inserts, check them in, and give me a hard copy; for those who do it off line, give me the inserts. Please indicate on the inserts who is the drafter.

JK: Chs. 13, 71, 73, 139,
RAC: Ch. 13
JTK: Ch. 13
GMM: Chs. 48, 50, 102, 103, 104, 105
TJD: Chs. 50, 51, 146, 252, 254, 256, 628, 632, 633
FFK: Chs. 50, 146, 252, 254, 256
PJK: Chs. 50, 146, 628, 632, 633
MES: Ch. 71, 73
PG: Chs. 115, 118
TKK: Chs. 115, 118, 170, 440, 751
ARG: Chs. 138, 217, 218, 224, 341, 343, 551
RCT: Chs. 170, 299
EVM: Chs. 218, 341, 343
RNK: Ch. 299
PJH: Ch. 751

Any questions? Just ask.

Thanks so much,

Mary

From: VerVelde, Brandon
Sent: Thursday, July 14, 2011 9:58 AM

To: Gibson-Glass, Mary
Cc: Kuczenski, Tracy
Subject: RE: Professional licenses and veterans

Mary and Tracy,

There are some additional points which I do not know if I brought up to you in regards to the licensing for veterans:

1. The intent is for this to be recruiting tool for veterans to come back to Wisconsin pursuant to a "jobs agenda"
2. The intent is also for this to be a one-time waiver or reimbursement for just a license (not license renewal nor test reimbursement/waiver)
 - a. The State Approving Agency (SAA) helps veterans to apply for test reimbursement of up to \$2K from MGIB, MGIB-SR, REAP, VEAP or DEA – so the reality is that there will not be a need to make special legislation to require someone to utilize the SAA program first
3. *One agency (likely Veterans Affairs) will need to be charged with keeping track of all the recipients of this one-time waiver/reimbursement so people cannot "game" the system*
4. *It is also suggested that the legislation require one agency (likely Veterans Affairs) to administer a webpage showcasing the benefit and identifying which agency to contact for a one-time waiver/reimbursement based on the profession*
 - a. *Each agency that administers a profession should be required to house that same webpage on their sites*

Please feel free to contact me with any questions.

Brandon

From: Gibson-Glass, Mary
Sent: Thursday, July 07, 2011 4:08 PM
To: VerVelde, Brandon
Cc: Kuczenski, Tracy
Subject: Professional licenses and veterans

Brandon,

Tracy Kuczenzki will be the main drafter on this draft. She or I may be calling you if we have questions.

Mary Gibson-Glass
Senior Legislative Attorney
Legislative Reference Bureau
608 267 3215

Gibson-Glass, Mary

From: VerVelde, Brandon
Sent: Monday, July 25, 2011 11:31 AM
To: Gibson-Glass, Mary
Subject: RE: Professional licenses and veterans

I believe that is Rep. Wynn's intent that the veteran receive only one free waiver regardless of how many licenses he/she apply for.

Brandon

From: Gibson-Glass, Mary
Sent: Friday, July 22, 2011 1:48 PM
To: VerVelde, Brandon
Subject: RE: Professional licenses and veterans

Brandon,

Regarding 3. below. Is the idea that each veteran may receive only one fee waiver regardless of how many different types licenses he or she initially applies for? Or is it that an individual who might need 2 building trade licenses, for example, get an initial fee waiver for each license? If it is the latter, it seems to make more sense that the agency who issues the license keeps track of the individuals who have enjoyed the fee waiver.

Let me know,

Mary

From: VerVelde, Brandon
Sent: Thursday, July 14, 2011 9:58 AM
To: Gibson-Glass, Mary
Cc: Kuczenski, Tracy
Subject: RE: Professional licenses and veterans

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Gibson-Glass, Mary

From: Kunkel, Mark
Sent: Wednesday, August 24, 2011 2:55 PM
To: Gibson-Glass, Mary
Subject: FW: Professional licenses and veterans

Mary,

I reviewed the DATCP licensing requirements that pertain to consumer protection, and have concluded that I don't have anything to add to the draft. (Note that I don't draft food safety, animal health, or agriculture, which may encompass DATCP licenses that could be relevant to the request. I think Becky or Tracy does those drafting areas.)

Below are my notes regarding my review of licenses listed on DATCP's website. You should include this email in the drafting file in case questions arise and I need to refresh my recollection on why I don't think I have anything for the draft.

Notes:

Chapter 126 licenses are outside my drafting areas.

Public warehouse keeper license is an annual license to operate a warehouse. Therefore, I assume the license is not relevant to the request as it is not a professional/occupational license.

Telephone solicitation registration applies to persons who employ solicitors, not the solicitors themselves. Therefore, the registration is not relevant to the request.

Weights and measures service technician license is a 5-year certificate for which a \$30 examination fee must be paid. The request does not cover waivers for examination fees.

The vehicle or livestock scale permit is a one-time permit for installing a scale. Therefore, the permit is not applicable as it is not a professional/occupational license.

As for the following licenses, they do not apply to an employee of a person who has the necessary operator's license. Therefore, I assume they are not relevant to the request.

-- Weights and Measures; Liquid Fuel Vehicle Tank Meter License DTCP See ATCP 92.50, Wis. Adm. Code.

(1) LICENSE REQUIRED. ATCP 92.50(1)(a) Except as provided in par. (b), no person may operate a vehicle tank meter without an annual license from the department. An annual license expires on October 31. A separate license is required for each vehicle tank meter. A license is not transferable between persons or vehicle tank meters.

ATCP 92.50(1)(b) Paragraph (a) does not apply to an individual who operates a vehicle tank meter only as an employee of a person who holds a license under par. (a) to operate that vehicle tank meter.

-- Weights and Measures; LP Gas Meter License DTCP See ATCP 92.43, Wis. Adm. Code.

(1) LICENSE REQUIRED. ATCP 92.43(1)(a) Except as provided in par. (b), no person may operate a liquefied petroleum gas meter without an annual license from the department. An annual license expires on November 30. A separate license is required for each liquefied petroleum gas meter. A license is not transferable between persons or meters.

ATCP 92.43(1)(b) Paragraph (a) does not apply to an individual who operates a liquefied petroleum gas meter only as an employee of a person who holds a license under par. (a) to operate that meter.

-- Weights and Measures; Vehicle Scale Operator License DTCP See ATCP 92.31, Wis. Adm. Code.

98.16(2)(am) Except as provided in par. (dm), no person may operate a vehicle scale without an annual license

from the department. A separate license is required for each scale. A license is not transferable between persons or scales. A license expires on March 31 annually.

98.16(2)(dm) Paragraph (am) does not apply to a person who operates a vehicle scale only as an employee of a person who is required to hold a license to operate the scale under this subsection.

From: Kunkel, Mark
Sent: Tuesday, August 23, 2011 11:46 AM
To: Kunkel, Mark
Subject: RE: Professional licenses and veterans

From DATCP website, list of potential relevant Div'n of Trade and Consumer Protection licenses (source: http://datcp.wi.gov/Licenses/A-Z_License_List/index.aspx)

Grain Dealer License DTCP See ch. 126, Wis. Stats., and ch. ATCP 99, Wis. Adm. Code, for license fee, security and insurance requirements.

Grain Warehouse Keeper License DTCP See ch. 126, Wis. Stats., and ch. ATCP 99, Wis. Adm. Code, for license fee, security and insurance requirements.

Mobile Air Conditioners; repair or Service Business; Registration DTCP \$120 annual fee per business location.

Mobile Air Conditioners; Technician Registration DTCP No fee.

Public Warehouse Keeper License DTCP \$90 - \$500 annually based on size. See ATCP 97.04 and 97.08. Wis. Adm. Code, for license fee and security requirements.

Telephone Solicitors Registration (Wisconsin "No Call" Program) DTCP See ch. ATCP 127 (subchapter V), Wis. Adm. Code.

Time-Share Seller; Security Requirement DTCP No license, but seller must establish escrow account or file security with DATCP to protect deposits made by purchasers.

Vegetable Contractor License DTCP See ch. 126, Wis. Stats., and ch. ATCP 101, Wis. Adm. Code, for requirements.

Weights and Measures; Liquid Fuel Vehicle Tank Meter License DTCP See ATCP 92.50, Wis. Adm. Code.

Weights and Measures; LP Gas Meter License DTCP See ATCP 92.43, Wis. Adm. Code.

Weights and Measures; Service Company License DTCP See ATCP 92.20, Wis. Adm. Code.

Weights and Measures; Service Technician Registration DTCP See ATCP 92.21, Wis. Adm. Code.

Weights and Measures; Vehicle or Livestock Scale Permit DTCP See ATCP 92.30, Wis. Adm. Code.

Weights and Measures; Vehicle Scale Operator License DTCP See ATCP 92.31, Wis. Adm. Code.

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Sent: Friday, July 22, 2011 3:19 PM
To: Kreye, Joseph; Kuesel, Jeffery; Champagne, Rick; Malaise, Gordon; Dodge, Tamara; Knepp, Fern; Kahler, Pam; Shovers, Marc; Tradewell, Becky; Grant, Peter; Kuczenski, Tracy; Gary, Aaron; Mueller, Eric; Kite, Robin; Gallagher, Michael; Kunkel, Mark; Hanaman, Cathlene; Hurley, Peggy
Cc: Miller, Steve
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RCT: Chs. 170, 299
EVM; Chs. 218, 341, 343
RNK: Ch. 299
PJH: Ch. 751

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Legislative Reference Bureau
608 267 3215

Gibson-Glass, Mary

From: Gibson-Glass, Mary
Sent: Monday, September 05, 2011 4:57 PM
To: Kuesel, Jeffery; Malaise, Gordon; Tradewell, Becky; Grant, Peter; Gary, Aaron; Knepp, Fern; Dodge, Tamara; Mueller, Eric; Kuczenski, Tracy; Hurley, Peggy; Kahler, Pam
Subject: LRB 2357 fee waiver for veterans

Folks,

I have taken all of your inserts and put them into this draft. This will make it easier on the editors and typists. I have also incorporated your d/note inserts in the d note. Both of these documents have been checked in. In reviewing and making changes, I would appreciate your checking out the draft and/or dnote making changes and checking them back in. There is no need for a draft to be in your inbox to check it out. You just need to query for it. But please do not leave the documents on your desktop for long. Others will be waiting. If you want to do it by hand, you can mark up the hard copy of the page and give it to me.

In making your review, consider the following:

1. Some of you have notes in **bold** addressed to you that I have written. I think they are, for the most part, pretty straightforward, but let me know if you have any questions. Once resolved, you can delete the note.
2. I was hopeful that everything would dovetail nicely and that s. 73.0301's lists of "licenses" and "agencies" would be similar to what this draft would contain. Unfortunately, that was not the case so please review to make sure that the licenses included in s. 45.44 make sense, that you have not omitted any and that the correct "licensing agencies" are included. Also check the terminology to make sure it is correct (e.g. registration as opposed to license as opposed to certificate). I did my best on that. You may also want to review the lists found in s. 49.857 (suspension of licenses for child support delinquency) and s. 321.60 (extension of licenses for service members).
3. In some licensing structures there seemed to be local entities issuing licenses along with the state agency. Please consider that in your review. Only licenses issued by the state are being covered.
3. Because the draft did not dovetail nicely, I used broad cross references in the list of licenses. Please review and make changes.
4. The concept in this draft is that the veteran only gets one fee waiver. So a person who wants a captive wild animal farm license will get a waiver, but if he or she subsequently wants to renew it or get a barber's license he or she is out of luck. This concept is covered in s. 45.44. I took out the word "initial" in your provisions because there would be instances where one would not be eligible for a waiver for an initial license.
5. The concept is that there is no waiver for training or examination fees. So please also review for that.

Once you are finished, please let me know even if you did not make any changes.

Thanks,

Mary

Gibson-Glass, Mary

From: Gibson-Glass, Mary
Sent: Tuesday, September 06, 2011 9:30 AM
To: Kuesel, Jeffery; Malaise, Gordon; Tradewell, Becky; Grant, Peter; Gary, Aaron; Knepp, Fern; Dodge, Tamara; Mueller, Eric; Kuczenski, Tracy; Hurley, Peggy; Kahler, Pam
Subject: Addendum to e mail sent yesterday regarding veteran fee waiver program.

Folks,

I forgot to mention that I used the verb "issued" in the list of approvals in s. 45.44 to describe what the licensing agency does (as opposed to granted, etc.) Please check to see if that works for your provisions

Thanks,

Mary