

*1999 DRAFTING REQUEST***Bill**Received: **11/05/1998**Received By: **kunkemd**Wanted: **As time permits**

Identical to LRB:

For: **Suzanne Jeskewitz (608) 266-3796**By/Representing: **Russ Whitesel**

This file may be shown to any legislator: NO

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Occupational Reg. - prof lic**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Continuing education and good standing certificates for funeral directors.

Instructions:

See Attached

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>
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/1	kunkemd 01/07/1999	chanaman 01/07/1999	ismith 11/23/1998	_____	lrb_docadmin 11/23/1998		State
/2	kunkemd 12/29/1999	chanaman 12/29/1999	lpaasch 01/08/1999	_____	lrb-docadmin 01/08/1999	lrb_docadminState 03/31/1999	
/3			martykr 12/30/1999 lrb-docadmin	_____	lrb-docadmin 12/30/1999	lrb_docadminState 12/30/1999	

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FE Sent For:

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3/9/00

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/2	kunkemd 12/29/1999	chanaman 12/29/1999	lpaasch 01/08/1999	_____	lrb-docadmin 01/08/1999	lrb-docadmin S tate 03/31/1999	
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please
jacket

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FE Sent For:

<END>

1999 DRAFTING REQUEST**Bill**Received: 1 **1/5/98**Received By: **kunkemd**Wanted: **As time permits**

Identical to LRB:

For: **Regulation and Licensing**By/Representing: **Myra Shelton**

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Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Occupational Reg. - prof lic**

Extra Copies:

Pre Topic:

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Topic:

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Instructions:

See Attached

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FE Sent For:

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1/8/99 11:35:33 AM

Page 1

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FE Sent For:		12/7 JLG	1/8 L.P.	1/8 L.P. JF			

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FE Sent For:

<END>

99-0736

Department of Regulation & Licensing

State of Wisconsin

P.O. Box 893.5, Madison, WI 53708

10-5-98

Please Hand Deliver on
MAIL Run today to:

MARK Kunkel
LRB - 100 N. HAMILTON, 5TH FLOOR.



THANKS - ENJOY YOUR DAY
Myra

Committed to Equal Opportunity in Employment and Licensing



State of Wisconsin
DEPARTMENT OF REGULATION AND LICENSING
CORRESPONDENCE / MEMORANDUM



DATE: October 2, 1998 **FILE REF:** 1999-2000 Legislative Session- LRB Drafting Requests

TO: Mark D. Kunkel, Legislative Attorney
 Legislative Reference Bureau

FROM: Myra L. Shelton, Executive Assistant
Myra
 Office of the Secretary (6-8608)

SUBJECT: 1999-2000 Legislature-Boards/Department Legislative Drafting Requests

Hi Mark,

Well, we are back at it again (SMILE)! I have summarized for you all of the legislative drafting requests that we need to have redrafted/ jacketed for the upcoming session. If you have any questions please give me a call. Thanks again for all your help in the past and looking forward to working with you again in the upcoming legislative session. Enjoy your day! **Myra**

Board/Dept	97-98 LRB #	Jacket	Subject
Accounting	1997 AB 9 15-Remedial		Elim Pub Acc
Arch.,LSA,PE,etc	1997 AB 655-0451/2		Qualifi. for Regis.
Bar/Cos	0418/1	Assembly	Out of State Equiv
Fun Dir	4788/2		Lic In Good Standing
Hearing & Speech	1997 AB 9 15-Remedial		Ref.-Hearing Aid/Inst
<i>high</i> Medical	3718/1	Assem/Sen	CE Requirement
<i>high</i> Medical-OT	AB 9 15-Remedial		Occup. Therapists
<i>high</i> Medical	Proposal-7/30/98		Computer-USMLE
<i>high</i> Nur Home Admin	0496/3	Assem/Sen	Educ. Requirement
Optometry	1997 AB 9 15-Remedial		TOD/TPA
<i>high</i> Psychology	3491/1	Assem/Sen	Mental Competency

Page 2
 1999-2000 Legislature
 Drafting Requests

Board/Dept	97-98 LRB #	Jacket	Subject
<i>high</i> Psychology	Proposals-7122198		Suspend License Computerized Exams ASPPB Agreement
<i>high</i> SWMFTPC	Proposals-914198		Repeal SW Tmg Cert, Temp. Tmg Cert
<i>high</i> SWMFTPC	1997 AB 509		MFT Tmg Cert/ PC/MFT E x a m s
Veterinary	349011	Assem/Sen	Forfeitures
DORL	3582/1		Busi. Entities
DORL	0455/1		72 Hr License
DORL	1997 AB 915-Remedial		Interior Design Firms
<i>high</i> DORL	Proposal-9/1 9/97		Charitable Org/Fund Raising
<i>high</i> DORL	A13 617-4124/2		Exemp.Regis. (Under 18 years)

MLS/mls

Kunkel, Mark

From: MSHELTON@mail.state.wi.us
Sent: Thursday, October 29, 1998 11:32 AM
To: Kunkel, Mark
Subject: 1999-2000 Legislative Drafting Requests

Greetings Mark,

Hope all is well with you. Did you get a chance to "take a break" before we start back up (SMILE)?

Believe it or not I have not been able to take a break-purging legislative files from past, setting up permanent legislative files and general files for department and State Historical Society, implementing new laws passed in past legislative session and getting things in shape for the upcoming session. Well enough of all the idle chit-chat (SMILE).

Need to know when the following legislative drafting requests (my memo to you of October 2) will be ready for pick up. I will need the legislative drafts for Nursing Home Administrators, Psychology, SWMFTPC, DORL- Charitable Organizations, DORL- Auctioneers, and Medical by December.

Let me know your priority timeframe. I know budget drafting takes precedent but we really need you to squeeze in our drafting requests .

Thanks again for all your help-Enjoy your day/weekend. Myra

1999-2000

1997 - 1998 LEGISLATURE

~~NOTE~~

~~1997 BILL~~

LRB-4768/2

MDKjlg:lp

cmj*

-0736/2

RM NOT RUN

refer cat.

1 AN ACT ^{to amend} 445.06 of the statutes; relating to: eliminating certificates in
2 good standing for funeral director licensees.

^{two} **Analysis by the Legislative Reference Bureau** ²⁵

Under current law, a person who has been granted a funeral director license by the funeral directors examining board (board) must apply to renew the license after the expiration of a ~~2~~-year licensure period. The application must include proof that the applicant has completed certain continuing education requirements and is doing business at a recognized funeral establishment. However, if a person is not doing business at a recognized funeral establishment, he or she may be granted a certificate in good standing as a funeral director by the board. A person who has been granted such a certificate may renew his or her license at any time during the subsequent ~~2~~-year licensure period if he or she is able to submit proof that he or she is doing business at a recognized funeral establishment.

two

This bill eliminates certificates in good standing as a funeral director. The bill also provides for a ~~6~~-month transitional period during which the board is required to renew the funeral director licenses of certain persons who hold valid certificates in good standing under current law. If a person holds a valid certificate that was granted before July 1, 1995, the board must renew his or her license if he or she passes an examination. If a person holds a valid certificate that was granted on or after July 1, 1995, the board must renew his or her license if he or she submits proof that he or she has completed at least 15 hours of continuing education during the past

six

two → 2 years.

1995 1995

BILL

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

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

directors' director's

1

SECTION 1. 445.06^x of the statutes is amended to read:

2

445.06 Renewal of licenses. The renewal date and renewal fee for a funeral

3

~~director's~~ license are specified under s. 440.08 (2) (a). ~~Before any renewal~~ ~~license is~~

4

~~delivered to any licensed funeral director, proof must be furnished by the applicant,~~

5

~~to the satisfaction of the examining board, that the applicant is doing business at a~~

6

~~recognized funeral establishment, except that if such applicant is not doing business~~

7

~~at a recognized funeral establishment at the time of application for a license, the~~

8

~~applicant shall be given a certificate, without additional cost, to the effect that the~~

9

~~applicant is in good standing as a funeral director, and shall be entitled to a renewal~~

10

~~license at any time during that license period, when located at a recognized funeral~~

11

~~establishment, without payment of any additional renewal fee. The An applicant for~~

12

renewal of a funeral director's license must also furnish proof of completion of at least

13

15 hours of continuing education during the ~~previous~~ 2-year ~~licensure~~ period

14

immediately preceding the date of the annlication for renewal, except that new

15

licensees are exempt from this requirement during the time between initial licensure

16

and commencement of a full 2-year licensure period.

17

SECTION 2. Nonstatutory provisions.

18

(1) In this section:

CS

19

(a) "Board" means the funeral directors examining board.

20

(b) "Department" means the department of regulation and licensing.

proof w/ state

BILL

1 (2) Notwithstanding section 445.06[✓] of the statutes, as affected by this act, the
2 board shall renew the funeral director's license of a person who holds a valid
3 certificate in good standing as a funeral director that was granted before July 1, ~~1996~~¹⁹⁹⁵,
4 under section 445.06, ~~1996~~¹⁹⁹⁷ stats., and who does each of the following:

5 (a) No later than the first day of the 6th month beginning after the effective date
6 of this paragraph, applies for renewal of the license on a form provided by the
7 department and pays the fee specified in section 440.05[✓] (1) (b)[✓] of the statutes.

8 (b) Successfully passes the written examination specified in section 445.04^{✓✓} (3)
9 of the statutes.

10 (3) Notwithstanding section 445.06 of the statutes, as affected by this act, the
11 board shall renew the funeral director's license of a person who holds a valid
12 certificate in good standing as a funeral director that was granted on or after July
13 1, ~~1996~~¹⁹⁹⁵, under section 445.06, ~~1996~~¹⁹⁹⁷ stats., and who does each of the following:

14 (a) No later than the first day of the 6th month beginning after the effective date
15 of this paragraph, applies for renewal of the license on a form provided by the
16 [✓] department.

17 (b) Provides evidence satisfactory to the board that he or she has completed at
18 least 15 hours of continuing education in courses approved by the board during the
19 2-year period immediately preceding the date of his or her application under
20 paragraph (a).

21 **SECTION 3. Effective dates.** This act takes effect on July 1, ~~1998~~²⁰⁰⁰, or on the day
22 after publication, whichever is later, except as follows:

?
Fix component / style

BILL

1 (1) The treatment of section 445.06 of the statutes takes effect on January 1,
2 ~~1999~~ ²⁰⁰¹, or on the first day of the 6th month beginning after publication, whichever is
3 later.

4

(END) ✓

D-NOTE

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0736/1dn

MDK:.....

cmf & jlg

Myra Shelton:

Please review this bill, which is based on 1997 LRB-4788/2[✓], very carefully to make sure that it achieves your intent. Note that the bill increases the years referenced in the nonstatutory provision_^ by 2 years.

Mark D. Kunkel
Legislative Attorney
266-0131

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0736/1dn
MDK:cmh&jlg:ijs

November 23, 1998

Myra Shelton:

Please review this bill, which is based on 1997 LRB-478812, very carefully to make sure that it achieves your intent. Note that the bill increases the years referenced in the nonstatutory provisions by 2 years.

Mark D. Kunkel
Legislative Attorney
266-0131

Kunkel, Mark

From: WDUSSO@mail.state.wi.us
Sent: Wednesday, January 06, 1999 10:32 AM
To: Kunkel, Mark
CC: - (052)WISDRL01/WIDRLPO1/MSHELTON; - (052)
Subject: WISDRL01/WIDRLPO1/CHANSEN
RE: 99-0736



FDCERT2.DOC

[[FDCERT2.DOC : 2584 in FDCERT2.DOC]] This is the change I mentioned for 1736/1. I left a message with Dan Caucutt about this also, but have not talked with him. Thanks.

(Myra and Clete: This is the change that Clete proposed for the transition part of this bill, which Marlene approved.)

From: MarkKunkel
To: WDUSSO; 'wdusso@mail.state.wi.us'
Subject: 99-0736
Date: December 14, 1998 3:00 PM

<<File Attachment: 9907361 .PDF>> <<File Attachment: X.TXT>>



State of Wisconsin
DEPARTMENT OF REGULATION AND LICENSING
CORRESPONDENCE/MEMORANDUM

Date: January 6, 1999
Memo to: Mark Kunkel
From: William Dusso
Subject: LRB - 0736/1 Funeral Director Certificate in Good Standing

On page 3, replace lines 8 and 9 with the following:

(b) Demonstrates competence by various methods, including, but not limited to, successfully passing a written or oral examination, providing documentation satisfactory to the board of funeral director work in other jurisdictions, or providing documentation of current education or experience in the field. Any examination or education required under this subsection shall not be more extensive than the educational examination requirements for an initial credential from the board.

NOTE

unoff

2

1999 BILL

RM NOT RUN

regen cert.

1
2

AN ACT to amend 445.06 of the statutes; **relating to:** eliminating certificates in good standing for funeral director licensees.

Analysis by the Legislative Reference Bureau

Under current law, a person who has been granted a funeral director's license by the funeral directors examining board (board) must apply to renew the license after the expiration of a two-year licensure period. The application must include proof that the applicant has completed certain continuing education requirements and is doing business at a recognized funeral establishment. However, if a person is not doing business at a recognized funeral establishment, he or she may be granted a certificate in good standing as a funeral director by the board. A person who has been granted such a certificate may renew his or her license at any time during the subsequent two-year licensure period if he or she is able to submit proof that he or she is doing business at a recognized funeral establishment.

This bill eliminates certificates in good standing as a funeral director. The bill also provides for a six-month transitional period during which the board is required to renew the funeral director licenses of certain persons who hold valid certificates in good standing under current law. If a person holds a valid certificate that was granted before July 1, 1995, the board must renew his or her license if he or she passes an examination. If a person holds a valid certificate that was granted on or after July 1, 1995, the board must renew his or her license if he or she submits proof that he or she has completed at least 15 hours of continuing education during the past two years.

. BILL

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

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

1 **SECTION 1. 445.06** of the statutes is amended to read:

2 **445.06 Renewal of licenses.** The renewal date and renewal fee for a funeral
3 ~~directors' director's~~ license are specified under s. 440.08 (2) (a). ~~Before any renewal~~
4 ~~license is delivered to any licensed funeral director, proof must be furnished by the~~
5 ~~applicant, to the satisfaction of the examining board, that the applicant is doing~~
6 ~~business at a recognized funeral establishment, except that if such applicant is not~~
7 ~~doing business at a recognized funeral establishment at the time of application for~~
8 ~~a license, the applicant shall be given a certificate, without additional cost, to the~~
9 ~~effect that the applicant is in good standing as a funeral director, and shall be entitled~~
10 ~~to a renewal license at any time during that license period, when located at a~~
11 ~~recognized funeral establishment, without payment of any additional renewal fee.~~
12 The An applicant for renewal of a funeral director's license must ~~also~~ furnish proof
13 of completion of at least 15 hours of continuing education during the ~~previous 2-year~~
14 ~~licensure~~ period immediately preceding the date of the application for renewal,
15 except that new licensees are exempt from this requirement during the time between
16 initial licensure and commencement of a full 2-year licensure period.

17 **SECTION 2. Nonstatutory provisions.**

18 (1) In this **SECTION**:

19 (a) "Board" means the funeral directors examining board.

1 (b) "Department" means the department of regulation and licensing.

BILL

INSERT 3-8

2 (2) Notwiths andng section 445.06 of the statutes, as affected by this act, the
3 board shall renew the funeral director's license of a person who holds a valid
4 certificate in good standing as a funeral director that was granted before July 1, 1995,
5 under section 445.06, 1997 stats., and who does each of the following:

6 (a) No later than the first day of the 6th month beginning after the effective date
7 of this paragraph, applies for renewal of the license on a form provided by the
8 department and pays the fee specified in section 440.05 (1) (b) of the statutes.

9 (b) Successfully passes the written examination specified in section 445.04 (3)
10 of the statutes.

11 (3) Notwithstandng section 445.06 of the statutes, as affected by this act, the
12 board shall renew the funeral director's license of a person who holds a valid
13 certificate in good standing as a funeral director that was granted on or after July
14 1, 1995, under section 445.06, 1997 stats., and who does each of the following:

15 (a) No later than the first day of the 6th month beginning after the effective date
16 of this paragraph, applies for renewal of the license on a form provided by the
17 department.

18 (b) Provides evidence satisfactory to the board that he or she has completed at
19 least 15 hours of continuing education in courses approved by the board during the
20 2-year period immediately preceding the date of his or her application under
21 paragraph (a).

22 **SECTION 3. Effective dates.** This act takes effect on July 1, 2000, or on the day
23 after publication, whichever is later, except as follows:

BILL

1 (1) The treatment of section 445.06 of the statutes takes effect on January 1,
2 2001, or on the first day of the 6th month beginning **after** publication, whichever is
3 later.

4 **(END)**

1

INSERT 3-8:

2

nonstats

(b) Demonstrates competence as a funeral director by a method satisfactory to
the board, including by successfully passing a written or oral examination or
providing documentation satisfactory to the board of professional experience in other
jurisdictions or of educational or *other* professional experience. No examination or
education requirement under this paragraph may be more stringent than an
examination or education requirement for an initial license under chapter 445 of the
statutes.

3

4

5

6

7

8

(END OF INSERT)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0736/2dn

MDK:.....

*cmh
+
jg*

Bill Dusso:

This version includes the change you requested, but the language is slightly different. Please contact me if you have any questions.

Mark D. Kunkel
Legislative Attorney
266-0131

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0736/2dn
MDK:cmh&jlg:lp

January 8, 1999

Bill Dusso:

This version includes the change you requested, but the language is slightly different. Please contact me if you have any questions.

Mark D. Kunkel
Legislative Attorney
266-0131

**SUBMITTAL
FORM**

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 1/8/99

To: Regulation and Licensing (Myra Shelton)

Relating to LRB drafting number: LRB-0736

Topic

Continuing education and good standing certificates for funeral directors.

Subject(s)

Occupational Reg. - prof lic

1. **JACKET** the draft for introduction

Myra L. Shelton

Done

in the **Senate** or the **Assembly** /(check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

Told MDK

2. **REDRAFT.** See the changes indicated or attached

Redraft for Senate & Jacket 3/29/99

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-356 1. If you have any questions relating to the attached draft, please feel free to call me.

Mark D. Kunkel, Legislative Attorney
Telephone: (608) 266-013 1

Russ: please consider this language to replace Section 2, the nonstatutory provision, in LRB-0736. I am not sure a delayed effective date is needed for sec. 445.06, as is proposed in Section 3 of the bill draft. (This proposal is based on the last discussions I had with Marlene and Clete about what the department would support.) Based on the Board's last discussion of this issue, the Board would not support this proposal. However, since views change, would you send me a copy of the revised draft so that I can discuss it one more time with interested parties here.

SECTION 2. Nonstatutory provisions.

(1) In this **SECTION**:

(a) "Board" means the funeral directors examining board.

(b) "Department" ~~means the department of regulation and licensing.~~

(2) **Restoration of licenses granted or last renewed before July 1, 1995.**

Notwithstanding section 445.06 of the statutes, as affected by this act, the board shall restore the funeral director's license of a person who holds a valid certificate in good standing issued under section 445.06, 1997 stats. if the funeral director's license was granted or last renewed before July 1, 1995 and the person does each of the following:

(a) Requests restoration of the funeral director's license on a form provided by the department no later than the first day of the 12th month beginning after the effective date of this paragraph.

(b) Provides evidence satisfactory to the board that he or she has completed at least 15 hours of continuing education in courses approved by the board during the 2-year period immediately preceding the date of his or her request for restoration under paragraph (2) (a).

(c) Demonstrates competence by a method satisfactory to the board, including by successfully passing a written or oral examination, providing documentation satisfactory to the board of professional experience in other jurisdictions, or of educational or other professional experience. + language

(3) **Restoration of licenses granted or last renewed on or after July 1, 1995.** Notwithstanding section 445.06 of the statutes, as affected by this act, the board shall restore the funeral director's license of a person who holds a valid certificate in good standing issued under section 445.06, 1997 stats. if the funeral director's license was granted or last renewed on or after July 1, 1995 and the person does each of the following:

(a) Requests restoration of the funeral director's license on a form provided by the department no later than the first day of the 12th month beginning after the effective date of this paragraph.

(b) Provides evidence satisfactory to the board that he or she has completed at least 15 hours of continuing education in courses approved by the board during the 2-year period immediately preceding the date of his or her request for restoration under paragraph (3) (a).

(4) No fee may be charged for restoration or for an examination under this section and no examination required under this section may be more stringent than the examination on Wisconsin law that is used to test applicants for licensure by reciprocity under section 445.08 of the statutes.

add to non stat. ✓

SECTION 2. Nonstatutory provisions.

(1) In this **SECTION**:

(a) "Board" means the funeral directors examining board.

(b) "Department" means the department of regulation and licensing.

(2) Notwithstanding section 445.06 of the statutes, as affected by this act, the board shall renew the funeral director's license of a person who holds a valid certificate in good standing as a funeral director that was granted before July 1, 1995, under section 445.06, 1997 stats., and who does each of the following:

(a) No later than the first day of the 6th-12th month beginning after the effective date of this paragraph, applies for renewal of the license on a form provided by the department and pays the fee specified in section 440.05 (1) (b) of the statutes.

(b) Demonstrates competence by a method satisfactory to the board, including by successfully passing a written or oral examination, providing documentation satisfactory to the board of professional experience in other jurisdictions, or of educational or other professional experience. No examination ~~or education requirement required~~ under this paragraph may be more stringent than the examination or education requirement for an initial license under chapter 445 of the statutes on Wisconsin law that is used to test applicants for licensure by reciprocity under section 445.08 of the statutes. ,

(3) Notwithstanding section 445.06 of the statutes, as affected by **this** act, the board shall renew the funeral director's license of a person who holds a valid certificate in good standing as a funeral director that was granted on or after July 1, 1995, under section 445.06, 1997 stats., and who does each of the following:

(a) No later than the first day of the 6th-12th month beginning after the effective date of this paragraph, applies for renewal of the license on a form provided by the department.

(b) Provides evidence satisfactory to the board that he or she has completed at least 15 hours of continuing education in courses approved by the board during the ~~2-year~~ period immediately preceding the date of his or her application under paragraph (a).

change to
0736/2

D-NOTE

3

By
Thurs.
12/30
by 4:00pm

1999 BILL

PM NOT
RUN

regen
cat

restore

1 **AN ACT** to amend 445.06 of the statutes; relating to: eliminating certificates in
2 good standing for funeral director licensees.

Analysis by the Legislative Reference Bureau

Under current law, a person who has been granted a funeral director's license by the funeral directors examining board (board) must apply to renew the license after the expiration of a two-year period. The application must include proof that the applicant has completed continuing education requirements and is doing business at a recognized establishment. However, if a person is not doing business at a recognized establishment, he or she may be granted a certificate in good standing by the board. A person who has been granted such a certificate may apply for a license at any time during the subsequent two-year licensure period. If a person is unable to submit proof that he or she is doing business at a recognized establishment, the board may grant a certificate in good standing as a funeral director. The bill also provides for a six-month transitional period during which the board is required to renew the funeral director license for certain persons who hold valid certificates in good standing under current law. If a person holds a valid certificate that was granted before July 1, 1995, the board must renew his or her license if he or she passes an examination. If a person holds a valid certificate that was granted on or after July 1, 1995, the board must renew his or her license if he or she submits proof that he or she has completed at least 15 hours of continuing education during the past two years.

This bill eliminates certificates in good standing as a funeral director. The bill also provides for a six-month transitional period during which the board is required to renew the funeral director license for certain persons who hold valid certificates in good standing under current law. If a person holds a valid certificate that was granted before July 1, 1995, the board must renew his or her license if he or she passes an examination. If a person holds a valid certificate that was granted on or after July 1, 1995, the board must renew his or her license if he or she submits proof that he or she has completed at least 15 hours of continuing education during the past two years.

12
license

restore

INSERT
A1

INSERT A2

INSERT A4

restore

INSERT
A3

9) Under this bill, if

BILL

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

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

1 **SECTION 1.** 445.06 of the statutes is amended to read:

2 **445.06 Renewal of licenses.** The renewal date and renewal fee for a funeral
3 ~~directors' director's license are specified under s. 440.08 (2) (a). Before any renewal~~
4 ~~license is delivered to any licensed funeral director, proof must be furnished by the~~
5 ~~applicant, to the satisfaction of the examining board, that the applicant is doing~~
6 ~~business at a recognized funeral establishment, except that if such applicant is not~~
7 ~~doing business at a recognized funeral establishment at the time of application for~~
8 ~~a license, the applicant shall be given a certificate, without additional cost, to the~~
9 ~~effect that the applicant is in good standing as a funeral director, and shall be entitled~~
10 ~~to a renewal license at any time during that license period, when located at a~~
11 ~~recognized funeral establishment, without payment of any additional renewal fee.~~
12 The An applicant for renewal of a funeral director's license must also furnish proof
13 of completion of at least 15 hours of continuing education during the previous 2-year
14 licensure period ^{plain space} immediately preceding the date of the annlication for renewal,
15 except that new licensees are exempt from this requirement during the time **between**
16 initial licensure and commencement of a full 2-year licensure period.

17 **SECTION 2. Nonstatutory provisions.**

18 (1) In this SECTION:

INSERT 2-18

19 (a) "Board" means the funeral directors examining board.

20 (b) "Department" means the department of regulation and licensing.

BILL

440.08(3)(b)

INSERT 3-1

- 1
- 2
- 3
- 4
- 5
- 6

(2) Notwithstanding section 445.06 of the statutes, as affected by this act, the board shall ~~renew~~ ^{restore} the funeral director's license of a person who holds a valid certificate in good standing as a funeral director that was granted ~~before July 1, 1995~~

INSERT 3-4

under section 445.06, 1997 stats., ~~and who~~ does each of the following:

^{create auto-reference "a" (use insert 3-7)}

- 7
- 8

(a) No later than the first day of the ^{12th} ~~1st~~ month beginning after the effective date of this paragraph, applies for ~~renewal~~ ^{restoration} of the license on a form provided by the department and pays the fee specified in section 440.05(1)(b) of the statutes.

INSERT 3-7

- 9
- 10

(b) Demonstrates competence as a funeral director by a method satisfactory to the board, including by successfully passing a written or oral examination or providing documentation satisfactory to the board of professional experience in other

- 11
- 12

jurisdictions or of educational or other professional experience. No examination ^{required}

- 13
- 14

education requirement ~~(under this paragraph may be more stringent than an examination or education requirement for an initial license under chapter 445 of the statutes)~~

INSERT 3-14

440.08(3)(k) of the statutes and section

- 15
- 16

(3) Notwithstanding section 445.06 of the statutes, as affected by this act, the board shall ~~renew~~ ^{restore} the funeral director's license of a person who holds a valid certificate in good standing as a funeral director that was granted ~~before July 1, 1995~~

INSERT 3-15

INSERT 3-18

- 17
- 18

under section 445.06, 1997 stats., ~~and who~~ does each of the following:

- 19
- 20
- 21

(a) No later than the first day of the ^{12th} ~~1st~~ month beginning after the effective date of this paragraph, applies for ~~renewal~~ of the license on a form provided by the department.

- 22
- 23
- 24

(b) Provides evidence satisfactory to the board that he or she has completed at least 15 hours of continuing education in courses approved by the board during the 2-year period immediately preceding the date of his or her application under

- 25

paragraph (a). ^{use auto-reference "a" (created above)}

INSERT 3-25

BILL

SECTION 3

1 **SECTION 3. Effective dates.** This act takes effect on July 1, 2000, or on the day
2 after publication, whichever is later, except as follows:

3 (1) The treatment of section 445.06 of the statutes takes effect on January 1,
4 2001, or on the first day of the 6th month beginning after publication, whichever is
5 later.

6

(END)

1 **INSERT A1:**

2 for a license that was granted or last renewed

3 **INSERT AZ:**

4 *129* The examination may not be more stringent than the examination on Wisconsin law
5 that is required for persons with licenses granted by other jurisdictions who apply
6 for a reciprocal license from the board. In addition, the person must submit proof
7 that he or she has completed at least 15 hours of continuing education during the past
8 two years.

9 **INSERT A3:**

10 for a license that was granted or last renewed

11 **INSERT A4:**

12 *9* Finally, the bill specifies that no fee may be charged for a person who applies
for restoration of a license under the bill or who takes an examination that is required
for restoration of a license under the bill.

13 **INSERT 2-18:**

14 *129* DEFINITIONS.

15 **INSERT 3-1:**

16 *129* RESTORATION OF LICENSES GRANTED OR LAST RENEWED BEFORE JULY 1, 1995.

17 **INSERT 3-4:**

18 if the funeral director's license was granted or last renewed before July 1, 1995, and
19 the person

20 **INSERT 3-7:**

21 *monetary* *9* (b) Provides evidence satisfactory to the board that he or she has completed at
least 15 hours of continuing education in courses approved by the board during the

DRAFTER ' S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0736/3dn
MDK:.....

✓
Representative Jeskewitz:

At the request of Russ Whitesel, ✓ this version of the bill (which was originally requested by DORL) is being forwarded to you. Please review this version to make sure that it achieves your intent. In particular, please note the following: ✓

1. In the nonstatutory provisions, this version also notwithstanding s. 440.08 (3) (a) and (b), stats., which deal with the requirements for restoring a credential.
2. Under this version, *all* applicants for restoration must submit proof of compliance with the continuing education requirements. Is this okay?

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: Mark.Kunkel@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0736/3dn
MDK:cmh&jlg:km

December 30, 1999

Representative Jeskewitz:

At the request of Russ Whitesel, this version of the bill (which was originally requested by DORL) is being forwarded to you. Please review this version to make sure that it achieves your intent. In particular, please note the following:

1. In the nonstatutory provisions, this version also notwithstanding s. 440.08 (3) (a) and (b), stats., which deal with the requirements for restoring a credential.

2. Under this version, *all* applicants for restoration must submit proof of compliance with the continuing education requirements. Is this okay?

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: Mark.Kunkel@legis.state.wi.us

D-NOTE

4

1999 ASSEMBLY BILL

TODAY
RETRIEVE FROM ROW
REFER SCOT

If the board requires an examination, it

RM not run

1 AN ACT to amend 445.06 of the statutes; relating to: eliminating certificates in
2 good standing for funeral director licensees.

Analysis by the Legislative Reference Bureau

Under current law, a person who has been granted a funeral director's license by the funeral directors examining board (board) must apply to renew the license after the expiration of a two-year licensure period. The application must include proof that the applicant has completed certain continuing education requirements and is doing business at a recognized funeral establishment. However, if a person is not doing business at a recognized funeral establishment, he or she may be granted a certificate in good standing as a funeral director by the board. A person who has been granted such a certificate may renew his or her license at any time during the subsequent two-year licensure period if he or she is able to submit proof that he or she is doing business at a recognized funeral establishment.

This bill eliminates certificates in good standing as a funeral director. The bill also provides for a 12-month transitional period during which the board is required to restore the funeral director licenses of certain persons who hold valid certificates in good standing under current law.

no If a person holds a valid certificate that was granted for a license that was granted or last renewed before July 1, 1995, the board must restore his or her license if he or she passes an examination. The examination may not be more stringent than the examination on Wisconsin law that is required for persons with licenses granted by other jurisdictions who apply for a reciprocal license from the board. In addition, the person must submit proof that he or she has completed at least 15 hours of continuing education during the past two years.

demonstrates competence as a funeral director by a method satisfactory to the board, including by passing a written or oral examination or providing specified documentation to the board.

ASSEMBLY BILL

Under this bill, if a person holds a valid certificate that was granted for a license that was granted or last renewed on or after July 1, 1995, the board must restore his or her license if he or she submits proof that he or she has completed at least 15 hours of continuing education during the past two years.

Finally, the bill specifies that no fee may be charged for a person who applies for restoration of a license under the bill or who takes an examination that is required for restoration of a license under the bill.

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

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

1 **SECTION 1.** 445.06 of the statutes is amended to read:

2 **445.06 Renewal of licenses.** The renewal date and renewal fee for a funeral
3 ~~directors' director's license are specified under s. 440.08 (2) (a). Before any renewal~~
4 ~~license is delivered to any licensed funeral director, proof must be furnished by the~~
5 ~~applicant, to the satisfaction of the examining board, that the applicant is doing~~
6 ~~business at a recognized funeral establishment, except that if such applicant is not~~
7 ~~doing business at a recognized funeral establishment at the time of application for~~
8 ~~a license, the applicant shall be given a certificate, without additional cost, to the~~
9 ~~effect that the applicant is in good standing as a funeral director, and shall be entitled~~
10 ~~to a renewal license at any time during that license period, when located at a~~
11 ~~recognized funeral establishment, without payment of any additional renewal fee.~~
12 The An applicant for renewal of a funeral director's license must also furnish proof
13 of completion of at least 15 hours of continuing education during the ~~previous~~ 2-year
14 ~~licensure~~ period immediately preceding the date of the application for renewal,
15 except that new licensees are exempt from this requirement during the time between
16 initial licensure and commencement of a full 2-year licensure period.

17 **SECTION 2. Nonstatutory provisions.**

ASSEMBLY BILL

1 (1) **DEFINITIONS.** In this **SECTION**:

2 (a) "Board" means the funeral directors examining board.

3 (b) "Department" means the department of regulation and licensing.

4 (2) **RESTORATION OF LICENSES GRANTED OR LAST RENEWED BEFORE JULY 1, 1995.**

5 Notwithstanding section 440.08 (3) (b) of the statutes and section 445.06 of the
6 statutes, as affected by this act, the board shall restore the funeral director's license
7 of a person who holds a valid certificate in good standing as a funeral director that
8 was granted under section 445.06, 1997 stats., if the funeral director's license was
9 granted or last renewed before July 1, 1995, and the person does each of the
10 following:

create auto ref. "a"

11 (a) No later than the first day of the 12th month beginning after the effective
12 date of this paragraph, applies for restoration of the license on a form provided by
13 the department.

14 (b) Provides evidence satisfactory to the board that he or she has completed at
15 least 15 hours of continuing education in courses approved by the board during the
16 2-year period immediately preceding the date of his or her application under
17 paragraph (a).

use auto ref. "a"

18 (c) Demonstrates competence as a funeral director by a method satisfactory to
19 the board, including by successfully passing a written or oral examination or
20 providing documentation satisfactory to the board of professional experience in other
21 jurisdictions or of educational or other professional experience. No examination
22 required under this paragraph may be more stringent than the examination on
23 Wisconsin law that is used to test applicants for licensure by reciprocity under
24 section 445.08 of the statutes.

ASSEMBLY BILL

SECTION 2

1 (3) RESTORATION OF LICENSES GRANTED OR LAST RENEWED ON OR AFTER JULY 1, 1995.
 2 Notwithstanding section 440.08 (3) (b) of the statutes and section 445.06 of the
 3 statutes, as affected by this act, the board shall restore the funeral director's license
 4 of a person who holds a valid certificate in good standing as a funeral director that
 5 was granted under section 445.06, 1997 stats., if the funeral director's license was
 6 granted or last renewed on or after July 1, 1995, and the person does each of the
 7 following:

← create auto ref. "b"

8 (a) No later than the first day of the 12th month beginning after the effective
 9 date of this paragraph, applies for restoration of the license on a form provided by
 10 the department.

11 (b) Provides evidence satisfactory to the board that he or she has completed at
 12 least 15 hours of continuing education in courses approved by the board during the
 13 2-year period immediately preceding the date of his or her application under
 14 paragraph (a). *← use auto ref. "b"*

15 (4) WAIVER OF FEES. Notwithstanding sections 440.05 (1) (b) and 440.08 (3) (a)
 16 of the statutes, no fee may be charged for an examination or restoration of a license
 17 under this section.

18 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0736/4dn
MDK:.....

cmH

Representative Jeskewitz: ✓

✓

This version is identical to LRB-0736/3, except that it corrects an error in the analysis.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: Mark.Kunkel@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0736/4dn
MDK:cmh:ch

January 7, 2000

Representative Jeskewitz:

This version is identical to LRB-0736/3, except that it corrects an error in the analysis.

Mark D. Kunkel
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