

**2001 DRAFTING REQUEST**

**Bill**

Received: 11/01/2000

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Dombrowski**

This file may be shown to any legislator: **NO**

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

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

Extra Copies:

**Pre Topic:**

DOA:.....Dombrowski -

**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>
/?	kunkemd 11/02/2000	chanaman 11/02/2000		_____			State
/1	kunkemd 02/07/2001	jdye 02/07/2001	kfollet 11/03/2000	_____	lrb_docadmin 11/03/2000		State
/2			kfollet 02/07/2001	_____	lrb_docadmin 02/07/2001		

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/1		1/2 <i>2/1 jld</i>	kfollet 11/03/2000	<i>cm H</i> <i>WVS</i>	lrb_docadmin 11/03/2000		

FE Sent For:

*cm H*  
*1/2*  
*1/2*

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**2001 DRAFTING REQUEST**

CANCEL  
REPLACE  
W/  
900

**Bill**

Received: 10/25/2000

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Dombrowski**

This file may be shown to any legislator: **NO**

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

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DOA:.....Dombrowski -

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**Topic:**

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**Instructions:**

See Attached

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See Attached

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1/1	kunkemd	10/26 jcd	PG 10/26	PG/KST 10/26			

FE Sent For:

<END>

STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION  
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON  
GOVERNOR

GEORGE LIGHTBOURN  
SECRETARY



Division of Executive Budget and Finance  
Post Office Box 7864  
Madison, WI 53707-7864  
Voice (608) 266-1736  
Fax (608) 267-0372  
TTY (608) 267-9629

**Date:** October 18, 2000  
**To:** Steve Miller, LRB  
**From:** Cynthia Dombrowski, DOA  
267-5878  
**Subject:** Regulation and Licensing Statutory Language

Please convert the following drafts to Budget Drafts and note that I should be the primary contact:

- ✓1. LRB-2559/1 Continuing Education Rules - 01-0100/1
- ✓2. LRB-0026/1 Continuing Education and Good Standing Certificates for Funeral Directors
- ✓3. LRB-0154/1 Notice of Credential Renewal by Mail or Electronic Transmission
- ✓4. LRB-0155/1 Examination Fee Revenue
- ✓5. LRB-0064/1 Temporary Permits for Private Security Persons
- ✓6. LRB-0157/1 Renewal Dates for Private Detective Agency Licenses
- ✓7. LRB-0159/1 Private Security Person Agency License
- ✓8. LRB-2558/1 Draft of Changes to Make Disciplinary Process Enhancements

Your help is appreciated. Please let me know if you have any questions. *- 01-0153 (with changes based on DOAL instructions)*

Thanks.

Cc: Dan Caucutt

**2001 DRAFTING REQUEST**

**Bill**

Received: 09/05/2000

Received By: kunkemd

Wanted: As time permits

Identical to LRB:

For: Regulation and Licensing 266-0011

By/Representing: Bill Dusso

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:**

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**Instructions:**

See Attached

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/?	kunkemd 09/05/2000	jdyer 09/06/2000					State
/1			martykr 09/07/2000		barmamj 09/07/2000		

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1/1	kunkemd	1 9/10 jld	km 9/7	js 9/7 km 9/7			

FE Sent For:

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State of Wisconsin  
DEPARTMENT OF REGULATION AND LICENSING  
CORRESPONDENCE/MEMORANDUM

---

Date: August 31, 2000  
Memo to: Mark Kunkel  
From: William Dusso  
Subject: Budget Draft ID#s from last session

I believe the following are the drafts from last session that correspond to some of the requests for this budget:

Department Item	LRB DRAFT No.
A. Renewal Fee Changes Required by Statute	Last budget = LRB-0635
B. Disciplinary Process Enhancements	You may have - I could not find
C. Uniform Procedures for Administration of Continuing Education Programs	You may have - I could not find
<b>D.</b> Streamline Funeral Director Renewal and Eliminate Good Standing Certificate	1999 Assembly Bill 869 LRB-0736/4
E. Tailor Statutes to Accommodate Internet and E-Commerce Initiatives	new
F. Define the Term Revenue for the Purpose of Administering Revenue and Appropriation Provisions for the Department	new
G. Wall Certificate Fee	new
H. Revise Temporary Permits for Private Security Persons	LRB-0643
I. Revise Renewal Requirements For Private Detectives And Private Security Personnel	LRB-0644
J. Revise renewal dates - private security personnel and private detective agencies	You may have - I could not find

Bill Dusso - 9/11

(1) private security persons  
- initial's renewal is too  
agency

(2) want license for private security persons.  
- check JEO dept 95-0656/2  
(so - similar to private detective agency)

(4) revenue  
issue

Same as private detective  
agency etc. - for initial  
- but renewal is too

**Kunkel, Mark**

---

**From:** Dusso, William  
**Sent:** Tuesday, August 15, 2000 7:30 PM  
**To:** Kunkel, Mark  
**Subject:** Budget request

Mark: Here is our initial draft of the budget language request. Would you look it over and call me. Item F. will need some discussion. Little else is new. Thanks. WLD



REGST01\_.doc

**Draft of  
August 14, 2000**

# **2001-03 BIENNIAL BUDGET**

## **REQUESTS FOR STATUTORY CHANGES**

**September 15, 2000**

**DEPARTMENT OF REGULATION AND LICENSING**

**Marlene A. Cummings, Secretary**

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Continuing education cases are pursued through formal and informal disciplinary proceedings. Continuing education cases reduce staff time that would otherwise be used to investigate consumer complaints.

The Secretary of the Department of Regulation and Licensing has authority to appoint persons or advisory committees to advise the department and the boards, examining boards and affiliated credentialing boards in the department on matters relating to the regulation of credential holders. The current Council on Real Estate Curriculum and Examinations specified in the statutes is unnecessary and these statutes should be modified to eliminate reference to the council.

#### **Proposed Statutory Language**

440.03 (14) of the statutes is created to read:

#### **440.03 (14) Enforcement of mandatory continuing education requirements.**

(a) The department shall establish rules to be used by the department, the real estate board, the real estate appraisers board, and all examining boards and affiliated credentialing boards attached to the department in the administration of mandatory continuing education requirements. Rules shall describe the method for reporting compliance with mandatory continuing education requirements, the procedure for approval of continuing education courses, programs and other activities, the procedure for approval of program and course providers, and the procedure for investigating, auditing or assuring compliance with continuing education requirements. Rules established under this section shall not specify the content or the number of hours of required continuing education. The rule may include fees for approval of courses and course providers.

(b) The rules under sub. (a) shall establish penalties for noncompliance with mandatory continuing education requirements, including a penalty fee of not more than \$50 for the late filing of required continuing education reports.

15.407 (5) of the statutes is repealed. [Also delete references to the Council on Real Estate Curriculum and Examinations in secs. 452.05 (1) (c) through (g), and 452.06 (2) and (b).]

**Initial applicability of this proposal:** Rules are to be submitted to the legislative standing committees by March 1, 2000.

### **D. STREAMLINE FUNERAL DIRECTOR RENEWAL AND ELIMINATE "GOOD STANDING" CERTIFICATE**

#### **Summary and Justification**

Eliminate an antiquated law requiring that a special certificate of good standing be issued at renewal time to a funeral director who is inactive, that is, not working as a funeral director at a licensed funeral establishment. Incorporate the changes that were proposed in 199 AB 869.

Under current law, the state issues licenses to funeral directors funeral directors in good standing and funeral establishments . A certificate as a funeral director in good standing is issued at renewal time to a person who is licensed as a funeral director, but not employed by a funeral establishment. A certificate in good standing can be considered as an "inactive" license.

A person who has been given a certificate in good standing may obtain a regular license as a funeral director when he or she begins doing business at a funeral establishment. The requirements for going back to a regular license are different depending on the length of time that the funeral director has held the certificate in good standing. The chart below shows the requirements under current law.

<b>Current Requirements for Obtaining a Regular Funeral Director's License by a Funeral Director Holding a Certificate in Good Standing</b>	
<b>Period of time that applicant has held a certificate in good standing</b>	<b>Current Law</b>
Less than 2 years (within biennium)	<ol style="list-style-type: none"> <li>1. Must be located at a recognized funeral establishment;</li> <li>2. No fee required;</li> <li>3. Proof of completion of at least 15 hours of continuing education during the previous 2-year licensure period. (sec. 445.06, Stats.)</li> </ol>
2 – 5 years	<ol style="list-style-type: none"> <li>1. An application form for renewal.</li> <li>2. Evidence that the licensee has completed at least 15 hours of continuing education during the previous 2 year licensure period (Secs. 445.06, Stats., and s. FD 4.03, Code).</li> <li>3. A fee of \$140 plus \$25 if late.</li> </ol>
More than 5 years - reinstatement	<ol style="list-style-type: none"> <li>1. An application form for renewal.</li> <li>2. A fee of \$140 plus \$25 if late.</li> <li>3. The board may also require demonstration of competence by various methods, including, written or oral examination, documentation of funeral directing work in other jurisdictions, or documentation of current education or experience in the field.</li> </ol> <p>(Examination or education required may not be more extensive than the educational or examination requirements for initial license.)</p>

The law revisions and the transition provisions are those that are included in 1999 AB 869 as summarized below:

<b>Transition Requirements for Obtaining a Regular Funeral Director's License by a Funeral Director Holding a Certificate in Good Standing Under AB 869</b>	
<b>Period of time that applicant has held a certificate in good standing</b>	<b>Assembly Bill 869</b>
RESTORATION OF LICENSES GRANTED OR LAST RENEWED ON OR AFTER JULY 1, 1995.	<ul style="list-style-type: none"> <li>(a) Applies for restoration of a regular license within 12 months of enactment of AB 869.</li> <li>(b) Submits evidence of at least 15 hours of continuing education in the last 2 years.</li> <li>(c) No fee.</li> </ul>
Funeral Directors license last renewed before July 1, 1995	<ul style="list-style-type: none"> <li>(a) Applies for restoration of a regular license within 12 months of enactment of AB 869.</li> <li>(d) (b) Submits evidence of at completing 15 hours of continuing education in the last 2 years.</li> <li>(b) Passes a written or oral examination or provides documentation satisfactory to the board of professional experience in other jurisdictions or of educational or other professional experience. No examination required under this paragraph 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.</li> <li>(c) No fee.</li> </ul>

Only one type of license is issued. The "Certificate in Good Standing" is eliminated.

- The requirement that an applicant for a funeral directors license furnish proof that the applicant is doing business at a regular licensed establishment is eliminated.
- The statutory language describing the time for obtaining CE is changed to be the language that the department has proposed for other professions: "during the 2-year period immediately preceding the date of the application for renewal."
- Transition provisions are included in nonstatutory provisions to permit certificate in good standing holders to obtain funeral director certificates.
  - ◊ Certificate in Good Standing Holders who have not had a regular license for more than 5 years have six months to apply for renewal of a regular license and take an examination.

- ◇ Certificate in Good Standing Holders who have had a regular license within the last 5 years have six months to apply for renewal of a regular license and provide evidence of having completed 15 hours of continuing education within 2 years of applying.
- ◇ Certificate in Good Standing Holders who have not had a regular license for more than 5 years have six months to apply for renewal of a regular license and take an examination.

Certificate in Good Standing Holders who have had a regular license within the last 5 years have six months to apply for renewal of a regular license and provide evidence of having completed 15 hours of continuing education within 2 years of applying.

**Proposed Statutory Language**

See Appendix E: ~~1999 Assembly Bill 869~~

~~LRB-073674~~

~~MDK:cmh&jlg:ch~~

**E. TAILOR STATUTES TO ACCOMMODATE INTERNET AND E-COMMERCE INITIATIVES.**

**Summary and Justification**

(A) Authorize use of fax and e-mail as a means of notifying credential holders of renewal as addition to regular mail.

(B)

**Proposed Statutory Language**

(A) Notice of renewal by mail and electronic transmission.

440.08(1) of the statutes is amended to read:

(1) Notice of renewal. The department shall ~~mail~~ give notice of renewal to the last address provided to the department by each holder of a credential at least 30 days prior to the renewal date of the credential. Notice may be given by mail to the last address provided to the department by the credential holder or by electronic transmission. Failure to receive a notice of renewal is not a defense in any disciplinary proceeding against the holder or in any proceeding against the holder for practicing without a credential. Failure to receive a notice of renewal does not relieve the holder from the obligation to pay a penalty for late renewal under sub. (3).

**Initial applicability of this proposal:** effective date of budget act.

**F. DEFINE THE TERM REVENUE FOR THE PURPOSE OF ADMINISTERING REVENUE AND APPROPRIATION PROVISIONS FOR THE DEPARTMENT.**

**G. Wall Certificate Fee.**



D-NOTE

1999 - 2000 LEGISLATURE

2001-2002

LRB-~~113514~~

MDK:cmh&jlg:ch

0026/1

BY MONDAY  
9/11

2001 BILL  
1999 ASSEMBLY BILL 869

IPS - check auto refs

March 9, 2000 - Introduced by Representative JESKEWITZ, cosponsored by Senator GEORGE, by request of Secretary Marlene A. Cummings and the Department of Regulation and Licensing. Referred to Committee on Consumer Affairs.

Regen

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. 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 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. If the board requires an examination, it may not be more stringent than the examination on Wisconsin law that is required for persons with licenses granted by other jurisdictions who apply

**ASSEMBLY BILL 869**

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.

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:*

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

~~445.06 Renewal of licenses. The renewal date and renewal fee for a funeral directors' director's license are specified under s. 440.08 (2) (a). Before any renewal license is delivered to any licensed funeral director, proof must be furnished by the applicant, to the satisfaction of the examining board, that the applicant is doing business at a recognized funeral establishment, except that if such applicant is not doing business at a recognized funeral establishment at the time of application for a license, the applicant shall be given a certificate, without additional cost, to the effect that the applicant is in good standing as a funeral director, and shall be entitled to a renewal license at any time during that license period, when located at a recognized funeral establishment, without payment of any additional renewal fee.~~

The An applicant for renewal of a funeral director's license must also furnish proof of completion of at least 15 hours of continuing education during the previous 2-year licensure period immediately preceding the date of the application for renewal,

PROOF W/FOLIO

ASSEMBLY BILL 869

PROOF  
w/FOLD 3

1 except that new licensees are exempt from this requirement during the time between  
2 initial licensure and commencement of a full 2-year licensure period.

3 SECTION 2. Nonstatutory provisions.

4 (1) DEFINITIONS. In this SECTION:

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

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

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

8 Notwithstanding section 440.08 (3) (b) of the statutes and section 445.06 of the  
9 statutes, as affected by this act, the board shall restore the funeral director's license  
10 of a person who holds a valid certificate in good standing as a funeral director that  
11 was granted under section 445.06, ~~1997~~ <sup>1999</sup> stats., if the funeral director's license was  
12 granted or last renewed before July 1, 1995, and the person does each of the  
13 following:

14 (a) No later than the first day of the 12th month beginning after the effective  
15 date of this paragraph, applies for restoration of the license on a form provided by  
16 the 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 ↪ a.s.

22 (c) Demonstrates competence as a funeral director by a method satisfactory to  
23 the board, including by successfully passing a written or oral examination or  
24 providing documentation satisfactory to the board of professional experience in other  
25 jurisdictions or of educational or other professional experience. No examination  
required under this paragraph may be more stringent than the examination on

ASSEMBLY BILL 869

1 Wisconsin law that is used to test applicants for licensure by reciprocity under  
2 section <sup>✓</sup>445.08 of the statutes.

3 (3) RESTORATION OF LICENSES GRANTED OR LAST RENEWED ON OR AFTER JULY 1, 1995.  
4 Notwithstanding section <sup>✓</sup>440.08 (3) (b) of the statutes and section <sup>✓</sup>445.06 of the  
5 statutes, as affected by this act, the board shall restore the funeral director's license  
6 of a person who holds a valid certificate in good standing as a funeral director that  
7 was granted under section <sup>✓</sup>445.06, ~~1997~~<sup>1999</sup> stats., if the funeral director's license was  
8 granted or last renewed on or after July 1, 1995, and the person does each of the  
9 following:

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

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

*↪ a.s.*

17 (4) WAIVER OF FEES. Notwithstanding sections <sup>✓</sup>440.05 (1) (b) and <sup>✓</sup>440.08 (3) (a)  
18 of the statutes, no fee may be charged for an examination or restoration of a license  
19 under this section.

20 (END)

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

LRB-0026/1dn

MDK:.....

U jld

Bill Dusso:

Note that, as with 1999 Assembly Bill 869, there is a <sup>✓</sup>12-month period during which a holder of a certificate in good standing may apply for a license. Is this okay? I'm asking because some of the language in Section D of your request refers to a 6-month period.

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

Soon

D-NOTE

LPS - check auto refs 2001 BILL

jd  
0789/1  
-0900/1

✓ OCCUPATIONAL REGULATION ahead

Do not ~~regen~~

✓ the budget

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 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. 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 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. If the board requires an examination, it may not be more stringent than the examination on Wisconsin law that is required for persons with licenses granted by other jurisdictions who apply

**BILL**

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.

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,

**BILL**

9143 ✓

1 except that new licensees are exempt from this requirement during the time between  
2 initial licensure and commencement of a full 2-year licensure period.

3 **SECTION 2. Nonstatutory provisions.** *regulation and licensing* ✓

4 (1) DEFINITIONS. In this SECTION:

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

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

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

8 Notwithstanding section 440.08 (3) (b) of the statutes and section 445.06 of the  
9 statutes, as affected by this act, the board shall restore the funeral director's license  
10 of a person who holds a valid certificate in good standing as a funeral director that  
11 was granted under section 445.06, 1999 stats., if the funeral director's license was  
12 granted or last renewed before July 1, 1995, and the person does each of the  
13 following:

14 (a) No later than the first day of the 12th month beginning after the effective  
15 date of this paragraph, applies for restoration of the license on a form provided by  
16 the 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). *a.r.*

21 (c) Demonstrates competence as a funeral director by a method satisfactory to  
22 the board, including by successfully passing a written or oral examination or  
23 providing documentation satisfactory to the board of professional experience in other  
24 jurisdictions or of educational or other professional experience. No examination  
25 required under this paragraph may be more stringent than the examination on



**BILL**

1 Wisconsin law that is used to test applicants for licensure by reciprocity under  
2 section 445.08 of the statutes.

3 (3) RESTORATION OF LICENSES GRANTED OR LAST RENEWED ON OR AFTER JULY 1, 1995.  
4 Notwithstanding section 440.08 (3) (b) of the statutes and section 445.06 of the  
5 statutes, as affected by this act, the board shall restore the funeral director's license  
6 of a person who holds a valid certificate in good standing as a funeral director that  
7 was granted under section 445.06, 1999 stats., if the funeral director's license was  
8 granted or last renewed on or after July 1, 1995, and the person does each of the  
9 following:

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

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

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

20

(END)

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

LRB-0789/1dn

MDK.....

JLD

Cynthia Dombrowski:

This bill is based on LRB-0026/1.

Mark D. Kunkel  
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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0900/?dn

.....

MDK / JLD

November 2, 2000

This bill, LRB-0900, replaces LRB-0789. A computer system error irreparably damaged LRB-0789. As a result we ask that you please destroy LRB-0789. We apologize for any inconvenience this computer system error may have caused.

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-0900/1dn  
MDK:jld:kjf

November 3, 2000

This bill, LRB-0900, replaces LRB-0789. A computer system error irreparably damaged LRB-0789. As a result we ask that you please destroy LRB-0789. We apologize for any inconvenience this computer system error may have caused.

Mark D. Kunkel  
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NOTE

2

DOA:.....Dombrowski – Continuing education and good standing certificates  
for funeral directors

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

DO not gen

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

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*Analysis by the Legislative Reference Bureau*

**OCCUPATIONAL REGULATION**

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. 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 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. If the board requires

an examination, it 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.

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,

CSS 3-

# (1)

RESTORATION OF FUNERAL DIRECTOR'S LICENSES.

except that new licensees are exempt from this requirement during the time between initial licensure and commencement of a full 2-year licensure period.

NO CSS § it'd

**SECTION 9143. Nonstatutory provisions; regulation and licensing.**

nonstat par

<sup>#a</sup> (1) DEFINITIONS. In this ~~section~~ subsection ✓

~~1.~~ "Board" means the funeral directors examining board.

NO CSS (ital)

~~2.~~ "Department" means the department of regulation and licensing.

~~3.~~ RESTORATION OF LICENSES GRANTED OR LAST RENEWED BEFORE JULY 1, 1995.

Notwithstanding section 440.08 (3) (b) of the statutes and 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 as a funeral director that was granted under section 445.06, 1999 stats., if the funeral director's license was granted or last renewed before July 1, 1995, and the person does each of the following:

1. auto ref A

~~1.~~ No later than the first day of the 12th month beginning after the effective date of this ~~paragraph~~ <sup>subdivision</sup>, applies for restoration of the license on a form provided by the department.

~~2.~~ 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~~ <sup>subdivision</sup> 1. auto ref A

~~3.~~ 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 required under this ~~paragraph~~

subdivision ✓

#  
(c)

1 Wisconsin law that is used to test applicants for licensure by reciprocity under  
2 section 445.08 of the statutes. *(NO C'SS) (ital)*

nonstat  
par

3 ~~(a)~~ RESTORATION OF LICENSES GRANTED OR LAST RENEWED ON OR AFTER JULY 1, 1995.

4 Notwithstanding section 440.08 (3) (b) of the statutes and section 445.06 of the  
5 statutes, as affected by this act, the board shall restore the funeral director's license  
6 of a person who holds a valid certificate in good standing as a funeral director that  
7 was granted under section 445.06, 1999 stats., if the funeral director's license was  
8 granted or last renewed on or after July 1, 1995, and the person does each of the  
9 following:

*1. auto ref B subdivision*

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

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

~~paragraph (a)~~ *subdivision 1. auto ref B (NO C'SS) (ital)*

nonstat  
par

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

(END)



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

LRB-0900/2dn

MDK:..^:...

jld

Cynthia Dombrowski:

This version is identical to the previous version, except it corrects the numbering of the provisions in the nonstatutory section.

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

LRB-0900/2dn  
MDK;jld:cmh

February 7, 2001

Cynthia Dombrowski:

This version is identical to the previous version, except it corrects the numbering of the provisions in the nonstatutory section.

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State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-0900/2

MDK:jld:cmh

DOA:.....Dombrowski – Continuing education and good standing certificates  
for funeral directors

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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

---

*Analysis by the Legislative Reference Bureau*

**OCCUPATIONAL REGULATION**

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. 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 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. If the board requires

an examination, it 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.

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,

1 except that new licensees are exempt from this requirement during the time between  
2 initial licensure and commencement of a full 2-year licensure period.

3 **SECTION 9143. Nonstatutory provisions; regulation and licensing.**

4 (1) RESTORATION OF FUNERAL DIRECTOR'S LICENSES.

5 (a) *Definitions.* In this subsection:

6 1. "Board" means the funeral directors examining board.

7 2. "Department" means the department of regulation and licensing.

8 (b) *Licenses granted or last renewed before July 1, 1995.* Notwithstanding  
9 section 440.08 (3) (b) of the statutes and section 445.06 of the statutes, as affected  
10 by this act, the board shall restore the funeral director's license of a person who holds  
11 a valid certificate in good standing as a funeral director that was granted under  
12 section 445.06, 1999 stats., if the funeral director's license was granted or last  
13 renewed before July 1, 1995, and the person does each of the following:

14 1. No later than the first day of the 12th month beginning after the effective  
15 date of this subdivision, applies for restoration of the license on a form provided by  
16 the department.

17 2. 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 subdivision 1.

21 3. Demonstrates competence as a funeral director by a method satisfactory to  
22 the board, including by successfully passing a written or oral examination or  
23 providing documentation satisfactory to the board of professional experience in other  
24 jurisdictions or of educational or other professional experience. No examination  
25 required under this subdivision may be more stringent than the examination on

1 Wisconsin law that is used to test applicants for licensure by reciprocity under  
2 section 445.08 of the statutes.

3 (c) *Licenses granted or last renewed on or after July 1, 1995.* Notwithstanding  
4 section 440.08 (3) (b) of the statutes and section 445.06 of the statutes, as affected  
5 by this act, the board shall restore the funeral director's license of a person who holds  
6 a valid certificate in good standing as a funeral director that was granted under  
7 section 445.06, 1999 stats., if the funeral director's license was granted or last  
8 renewed on or after July 1, 1995, and the person does each of the following:

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

12 2. Provides evidence satisfactory to the board that he or she has completed at  
13 least 15 hours of continuing education in courses approved by the board during the  
14 2-year period immediately preceding the date of his or her application under  
15 subdivision 1.

16 (d) *Waiver of fees.* Notwithstanding sections 440.05 (1) (b) and 440.08 (3) (a)  
17 of the statutes, no fee may be charged for an examination or restoration of a license  
18 under this subsection.

19 (END)