

1-3, pt. 3

ETH Bcl

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT to amend 632.68 (2) (b) (intro.), 632.68 (4) (b), 633.14 (1) (intro.) and
2 633.14 (2) (intro.); to repeal and recreate 299.05; and to create 93.125, 93.13,
3 299.06, 601.58 and 628.093 of the statutes; relating to: periods in which state
4 agencies will act on certain applications and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

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

5 SECTION 1. ^{13.63(3)} ~~93.125~~ of the statutes is created to read:

6 ^{13.63(3) ALL CAPS} ~~93.125~~ Deadlines for action on occupational applications. (1) (a)

7 (1) DEADLINES. The ^{board} department, by rule, shall establish periods within which the
8 ^{board} department intends to approve or disapprove an application for any of the following:

9 *granting of licenses to lobbyists under s. 13.63(1).*
(a) A food inspector license under s. 93.11

10 (b) A professional weather modification license under s. 93.35 (4).

- (c) An individual commercial pesticide applicator license under s. 94.704.
- (d) A pesticide applicator certification under s. 94.705.
- (f) A buttermaker or cheesemaker license under s. 97.17.
- (g) A butter grader or cheese grader license under s. 97.175.
- (h) A milk producer license under s. 97.22 (2).
- (i) A grade A dairy farm permit under s. 97.22 (3).
- (j) A milk and cream tester license under s. 98.145.
- (k) ~~A milk weigher and sampler license under s. 98.146.~~

(b) (2) FAILURE TO MEET DEADLINE. ^{par. (d)} Subject to ~~sub. (4)~~, ^{board} the department shall refund fees paid by the applicant for a license ~~or other approval~~ specified in ^{par. (a)} sub. (1) if the ^{board} department fails to provide the applicant with written notice that the ^{board} department has approved or disapproved the application for the license ~~or other approval~~, including the specific facts upon which any disapproval is based, before the expiration of the period established under ^{par. (a)} sub. (1) for the license ~~or other approval~~.

(b) The ^{board} department may not disapprove an application for a license ~~or other approval~~ solely because the ^{board} department is unable to complete its review of the application within the period established under ^{par. (a)} sub. (1).

(c) (3) NOTICE OF DEADLINE. Upon receiving an application for a license ~~or other approval~~ specified in ^{par. (a)} sub. (1), the ^{board} department shall inform the applicant of the period established under ^{par. (a)} sub. (1) for the license ~~or other approval~~.

(d) (4) PERMITTED EXTENSION OF DEADLINE. The ^{board} department may extend the period established under ^{par. (a)} sub. (1) because an application is incomplete if, within 30 days after receiving the application, the ^{board} department provides written notice to the applicant describing specifically the information that must be provided to complete the application.

1-3, p 4

D&A

16.07
SECTION 2. ~~93-13~~ of the statutes is created to read:

16.07
~~93-13~~ Automatic approval of certain applications. (1) DEADLINES. The department, by rule, shall establish periods within which the department intends to approve or disapprove an application for any of the following:

- 5 (a) ~~A weather modification permit under s. 93.35 (6).~~ *Approval of subcontractors for state building projects under s. 16.855 (13)(b)*
- 6 ~~(am) A nursery dealer license under s. 94.10 (2).~~
- 7 ~~(b) A nursery grower license under s. 94.10 (3).~~ *Approval of state construction contracts under s. 16.87(3)*

8 ~~(c) A Christmas tree grower license under s. 94.10 (3g).~~

9 ~~(cm) A seed labeler's license under s. 94.43.~~

10 ~~(d) A ginseng grower or dealer registration under s. 94.50 (2).~~

11 ~~(e) A fertilizer manufacturer or distributor license under s. 94.64 (3).~~

12 ~~(em) A nonagricultural or special-use fertilizer permit under s. 94.64 (3m).~~

13 ~~(f) A soil or plant additive manufacturer or distributor license under s. 94.65~~

14 ~~(2).~~

15 ~~(g) A soil or plant additive permit under s. 94.65 (3).~~

16 ~~(gm) A license for the sale or distribution of liming material under s. 94.66 (2).~~

17 ~~(h) A pesticide manufacturer or labeler license under s. 94.68 (1).~~

18 ~~(i) A restricted use pesticide dealer or distributor license under s. 94.685.~~

19 ~~(im) A veterinary clinic pesticide use and repackaging permit under s. 94.702.~~

20 ~~(j) A commercial pesticide application business license under s. 94.703.~~

21 ~~(k) A commercial feed manufacturer or distributor license under s. 94.72 (5).~~

22 ~~(km) A farm-raised deer registration under s. 95.55.~~

23 ~~(L) A fish farm registration under s. 95.60 (3m).~~

24 ~~(m) An animal market license under s. 95.68 (2).~~

25 ~~(mm) An animal dealer license under s. 95.69 (2).~~

- 1 (n) An animal trucker license under s. 95.71 (2).
- 2 (p) A license for collecting or processing dead animals under s. 95.72 (2).
- 3 (pm) A license for transporting dead animals under s. 95.72 (7).
- 4 (q) A dairy plant license under s. 97.20 (2).
- 5 (r) A bulk milk tanker license under s. 97.21 (2).
- 6 (rm) A milk distributor license under s. 97.21 (3).
- 7 (s) A food warehouse license under s. 97.27 (2).
- 8 (t) A food processing plant license under s. 97.29 (2).
- 9 (tm) A retail food establishment license under s. 97.30 (2).
- 10 (u) A meat or poultry commercial slaughtering or processing license or a meat
- 11 or poultry custom slaughtering or processing registration certificate under s. 97.42
- 12 (2).
- 13 (v) A vehicle scale license under s. 98.16.
- 14 (vm) A weights and measures servicing license under s. 98.18 (1) (a).
- 15 (w) A liquid petroleum gas meter registration under s. 98.245 (7).
- 16 (wm) A public warehouse keeper license under s. 99.02 (1).
- 17 (x) A mobile air conditioner servicing registration certificate under s. 100.45
- 18 (5) (c).
- 19 (xm) A grain dealer license under s. 126.11.
- 20 (y) A grain warehouse keeper license under s. 126.26.
- 21 (ym) A milk contractor license under s. 126.41.
- 22 (z) A vegetable contractor license under s. 126.56.

23 (2) FAILURE TO MEET DEADLINE. (a) Subject to subs. (4) (c) and (d) and (5), failure
24 by the department to provide the applicant for a license, permit, or other approval
25 specified in sub. (1) with written notice that the department has approved or

1 disapproved the application ~~for the license, permit, or other approval~~, including the
2 specific facts upon which any disapproval is based, before the expiration of the period
3 established under sub. (1) for the ~~license, permit, or other approval~~, constitutes
4 approval of the application. ~~A license, permit, or other approval~~ ^{An application} approved under this
5 paragraph is subject to any terms or conditions specified by statute or rule for the
6 ~~license, permit, or other approval~~ and the department may suspend, limit, revoke,
7 or withdraw the ~~license, permit, or other approval~~ for substantial failure to comply
8 with those terms or conditions. Within 30 days after the expiration of the period
9 established under sub. (1) for the ~~license, permit, or other approval~~, the department
10 shall provide the applicant with a statement showing that the ~~license, permit, or~~
11 ~~other approval~~ ^{application} is approved and specifying any terms and conditions that apply to
12 that ~~license, permit, or other approval~~.

13 (b) The department may not disapprove an application for a ~~license, permit, or~~
14 ~~other approval~~ ^{an} solely because the department is unable to complete its review of the
15 application within the period established under sub. (1).

16 (3) NOTICE OF DEADLINE. Upon receiving an application for a ~~license, permit, or~~
17 ~~other approval~~ ^{an} specified in sub. (1), the department shall inform the applicant of the
18 period established under sub. (1) for the ~~license, permit, or other approval~~.

19 (4) OPTIONAL PROVISIONS OF RULES. The department may include any of the
20 following in the rules required under sub. (1):

21 (a) Methods for determining the commencement of the period established
22 under sub. (1) and for determining when the application for a ~~license, permit, or other~~
23 ^{an} approval is complete.

1 (b) A longer period under sub. (1) for an application for ^{an} ~~a permit, approval, or~~
2 ~~other determination~~ for which an environmental impact statement is required under
3 s. 1.11 than for other applications.

4 (c) Extensions of the period established under sub. (1) because the applicant
5 makes a material modification to the application if the department notifies the
6 applicant in writing of the extension within 30 days after the applicant makes the
7 modification.

8 (d) Extensions of the period established under sub. (1) because information
9 needed by the department to complete its review of an application for ~~a license,~~
10 ~~permit, or other~~ ^{an} approval is unknown or cannot be determined with certainty when
11 the department receives the application if the department notifies the applicant in
12 writing of the need for an extension within 30 days after the applicant submits the
13 application.

14 (e) Deadlines for the department to complete intermediate steps in the process
15 of completing its review of an application.

16 (5) EXTENSIONS AUTHORIZED. (a) During the period established under sub. (1),
17 the department and the applicant may jointly agree to a different period for acting
18 on an application ~~for a license, permit, or other approval~~ than that specified under
19 sub. (1).

20 (b) The department may extend the period established under sub. (1) because
21 an application is incomplete if, within 30 days after receiving the application, the
22 department provides written notice to the applicant describing specifically the
23 information that must be provided to complete the application.

1 (c) The department may extend the period established under sub. (1) for an
2 application by not more than 60 days if the department provides written notice of the
3 extension to the applicant within the period established under sub. (1).

4 (d) The department may extend the period established under sub. (1) for an
5 application by more than 60 days if, within the period established under sub. (1), the
6 department finds that there is a substantial likelihood that the activity proposed to
7 be conducted under the application would result in substantial harm to public health
8 or safety or the environment and that the department cannot adequately review the
9 application within the period established under sub. (1) and provides written notice
10 to the applicant that states with particularity the facts on which those findings are
11 based.

12 **SECTION 3. 299.05 of the statutes is repealed and recreated to read:**

13 **299.05 Deadlines for action on occupational applications. (1)**

14 **DEADLINES.** The department, by rule, shall establish periods within which the
15 department intends to approve or disapprove an application for any of the following:

16 (a) A well driller or pump installer registration under s. 280.15.

17 (b) A water system, wastewater treatment plant, or septage servicing vehicle
18 operator certification under s. 281.17 (3).

19 (c) A license for servicing septic tanks and similar facilities under s. 281.48 (3).

20 (d) A solid waste incinerator operator certification under s. 285.51 (2).

21 (e) An ozone-depleting refrigerant removal approval under s. 285.59.

22 (f) A solid waste disposal facility operator certification under s. 289.42 (1).

23 (g) A hazardous waste transportation service license under s. 291.23.

24 (h) A metallic mining exploration license under s. 293.21.

25 (i) An oil or gas exploration license under s. 295.33 (1).

1 = 3, pt. 5
- 3 -

PNB

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Handwritten: X-refs.

SECTION 2. ^{16.61(14)} ~~93.13~~ of the statutes is created to read:

^{16.61(14) ALL CAPS} ~~93.13~~ Automatic approval of certain applications. ^{(a) (ca) (i)} DEADLINES. The ^{board} department, by rule, shall establish periods within which the ^{board} department intends to approve or disapprove an application for any of the following:

1. ~~(a) A weather modification permit under s. 93.35 (6).~~ ^{Disposition of public records under s. 16.61 (4) (a).}
 2. ~~(b) A nursery grower license under s. 94.10 (3).~~ ^{Approval of public records retention schedules under s. 16.61 (4) (b).}
 3. ~~(c) A Christmas tree grower license under s. 94.10 (3g).~~ ^{Approval to microfilm public records under s. 16.61 (6).}
 4. ~~(d) A ginseng grower or dealer registration under s. 94.50 (2).~~ ^{Approval for release of confidential public records under s. 16.61 (13) (d) 1.}
- (e) A fertilizer manufacturer or distributor license under s. 94.64 (3).
 - (em) A nonagricultural or special-use fertilizer permit under s. 94.64 (3m).
 - (f) A soil or plant additive manufacturer or distributor license under s. 94.65
 - (2).
 - (g) A soil or plant additive permit under s. 94.65 (3).
 - (gm) A license for the sale or distribution of liming material under s. 94.66 (2).
 - (h) A pesticide manufacturer or labeler license under s. 94.68 (1).
 - (i) A restricted use pesticide dealer or distributor license under s. 94.685.
 - (im) A veterinary clinic pesticide use and repackaging permit under s. 94.702.
 - (j) A commercial pesticide application business license under s. 94.703.
 - (k) A commercial feed manufacturer or distributor license under s. 94.72 (5).
 - (km) A farm-raised deer registration under s. 95.55
 - (L) A fish farm registration under s. 95.60 (3m).
 - (m) An animal market license under s. 95.68 (2).
 - (mm) An animal dealer license under s. 95.69 (2).

1 (n) An animal trucker license under s. 95.71 (2).

2 (p) A license for collecting or processing dead animals under s. 95.72 (2).

3 (pm) A license for transporting dead animals under s. 95.72 (7).

4 (q) A dairy plant license under s. 97.20 (2).

5 (r) A bulk milk tanker license under s. 97.21 (2).

6 (rm) A milk distributor license under s. 97.21 (3).

7 (s) A food warehouse license under s. 97.27 (2).

8 (t) A food processing plant license under s. 97.29 (2).

9 (tm) A retail food establishment license under s. 97.30 (2).

10 (u) A meat or poultry commercial slaughtering or processing license or a meat
11 or poultry custom slaughtering or processing registration certificate under s. 97.42
12 (2).

13 (v) A vehicle scale license under s. 98.16.

14 (vm) A weights and measures servicing license under s. 98.18 (1) (a).

15 (w) A liquid petroleum gas meter registration under s. 98.245 (7).

16 (wm) A public warehouse keeper license under s. 99.02 (1).

17 (x) A mobile air conditioner servicing registration certificate under s. 100.45

18 (5) (c).

19 (xm) A grain dealer license under s. 126.11.

20 (y) A grain warehouse keeper license under s. 126.26.

21 (ym) A milk contractor license under s. 126.41.

22 (z) A vegetable contractor license under s. 126.56.

23 (b) (2) FAILURE TO MEET DEADLINE. (a) Subject to ^{1. Par. (d) 3, and 4, and (e)} ~~subs. (4) (c) and (d) and (5)~~, failure
24 by the ^{Board} department to provide the applicant for a license, permit, or other approval
25 specified in ^{Par. (a)} ~~sub. (1)~~ with written notice that the ^{board} ~~department~~ has approved or

1 disapproved the application for ~~the license, permit, or other approval~~, including the
 2 specific facts upon which any disapproval is based, before the expiration of the period
 3 established under ^{par. (a)} ~~sub. (1)~~ for the ~~license, permit, or other approval~~, constitutes
 4 approval of the application. ~~A license, permit, or other approval~~ ^{An application} approved under this
 5 paragraph is subject to any terms or conditions specified by statute or rule for the
 6 license, permit, or other approval and the ^{board} ~~department~~ may suspend, limit, revoke,
 7 or withdraw the ~~license, permit, or other approval~~ for substantial failure to comply
 8 with those terms or conditions. Within 30 days after the expiration of the period
 9 established under ^{par. (a)} ~~sub. (1)~~ for the ~~license, permit, or other approval~~, the ^{board} ~~department~~
 10 shall provide the applicant with a statement showing that the ~~license, permit, or~~
 11 ~~other approval~~ ^{application} is approved and specifying any terms and conditions that apply to
 12 that ~~license, permit, or other approval~~.

13 ^{2. The board} ~~(b)~~ The ~~department~~ may not disapprove an application for a ~~license, permit, or~~
 14 ~~other approval~~ solely because the ^{board} ~~department~~ is unable to complete its review of the
 15 application within the period established under ^{par. (a)} ~~sub. (1)~~.

16 ^{(1) (1)} ~~(3)~~ NOTICE OF DEADLINE. Upon receiving an application for a ~~license, permit, or~~
 17 ~~other approval~~ specified in ~~sub. (1)~~, the ^{par. (a)} ~~department~~ shall inform the applicant of the
 18 period established under ^{par. (a)} ~~sub. (1)~~ for the ~~license, permit, or other approval~~.

19 ^{(1) (1)} ~~(4)~~ OPTIONAL PROVISIONS OF RULES. The ^{board} ~~department~~ may include any of the
 20 following in the rules required under ^{par. (a)} ~~sub. (1)~~:

21 ^{(1) (1)} ~~(a)~~ Methods for determining the commencement of the period established
 22 under ^{par. (a)} ~~sub. (1)~~ and for determining when the application for a ~~license, permit, or other~~

^{(1) (1)} ~~(23)~~ approval is complete.

1 2. ^{par. (a)} ~~(b)~~ A longer period under ~~sub. (1)~~ ^{an} for an application for a ~~permit, approval, or~~
2 ~~other determination~~ for which an environmental impact statement is required under
3 s. 1.11 than for other applications.

4 3. ^{par. (a)} ~~(b)~~ Extensions of the period established under ~~sub. (1)~~ because the applicant
5 makes a material modification to the application if the ~~department~~ ^{board} notifies the
6 applicant in writing of the extension within 30 days after the applicant makes the
7 modification.

8 4. ^{par. (a)} ~~(b)~~ Extensions of the period established under ~~sub. (1)~~ because information
9 needed by the ~~department~~ ^{board} to complete its review of an application for a ~~license,~~
10 ~~permit, or other approval~~ is unknown or cannot be determined with certainty when
11 the ~~department~~ ^{board} receives the application if the department notifies the applicant in
12 writing of the need for an extension within 30 days after the applicant submits the
13 application.

14 5. ^{board} ~~(c)~~ Deadlines for the ~~department~~ to complete intermediate steps in the process
15 of completing its review of an application.

16 ^(e) ~~(c)~~ EXTENSIONS AUTHORIZED. ^(a) ~~(a)~~ During the period established under ~~sub. (1)~~ ^{par. (a)},
17 the ~~department~~ ^{board} and the applicant may jointly agree to a different period for acting
18 on an application ~~for a license, permit, or other approval~~ than that specified under
19 ~~sub. (1)~~ ^{par. (a)}.

20 ^{2.} ~~(b)~~ The ~~department~~ ^{board} may extend the period established under ~~sub. (1)~~ ^{par. (a)} because
21 an application is incomplete if, within 30 days after receiving the application, the
22 ~~department~~ ^{board} provides written notice to the applicant describing specifically the
23 information that must be provided to complete the application.

1 ~~3.~~ ^{board} (c) The ~~department~~ may extend the period established under ~~sub. (1)~~ ^{par. (a)} for an
 2 application by not more than 60 days if the ~~department~~ ^{board} provides written notice of the
 3 extension to the applicant within the period established under ~~sub. (1)~~ ^{par. (a)}.
 4 ~~4.~~ ^{board} (d) The ~~department~~ may extend the period established under ~~sub. (1)~~ ^{par. (a)} for an
 5 application by more than 60 days if, within the period established under ~~sub. (1)~~ ^{par. (a)}, the
 6 ~~department~~ ^{board} finds that there is a substantial likelihood that the activity proposed to
 7 be conducted under the application would result in substantial harm to public health
 8 or safety or the environment and that the ~~department~~ ^{board} cannot adequately review the
 9 application within the period established under ~~sub. (1)~~ ^{par. (a)} and provides written notice
 10 to the applicant that states with particularity the facts on which those findings are
 11 based.

~~SECTION 3. 299.05 of the statutes is repealed and recreated to read:~~

~~**299.05. Deadlines for action on occupational applications. (1)**~~

~~DEADLINES. The department, by rule, shall establish periods within which the department intends to approve or disapprove an application for any of the following:~~

- ~~(a) A well driller or pump installer registration under s. 280.15.~~
- ~~(b) A water system, wastewater treatment plant, or septage servicing vehicle operator certification under s. 281.17 (3).~~
- ~~(c) A license for servicing septic tanks and similar facilities under s. 281.48 (3).~~
- ~~(d) A solid waste incinerator operator certification under s. 285.51 (2).~~
- ~~(e) An ozone-depleting refrigerant removal approval under s. 285.59.~~
- ~~(f) A solid waste disposal facility operator certification under s. 289.42 (1).~~
- ~~(g) A hazardous waste transportation service license under s. 291.23.~~
- ~~(h) A metallic mining exploration license under s. 293.21.~~
- ~~(i) An oil or gas exploration license under s. 295.33 (1).~~

1-3 pt. 6

16.83(5)

SECTION 2. ~~93.13~~ of the statutes is created to read:

(a) (i)

~~93.13~~ Automatic approval of certain applications. ~~(a)~~ DEADLINES. The

~~department~~, by rule, shall establish periods within which the department intends to approve or disapprove an application for ~~any of the following:~~ *approval of proposed alterations to the state capital or executive residence.*

- (a) A weather modification permit under s. 93.35 (6).
- (am) A nursery dealer license under s. 94.10 (2).
- (b) A nursery grower license under s. 94.10 (3).
- (c) A Christmas tree grower license under s. 94.10 (3g).
- (cm) A seed labeler's license under s. 94.43.
- (d) A ginseng grower or dealer registration under s. 94.50 (2).
- (e) A fertilizer manufacturer or distributor license under s. 94.64 (3).
- (em) A nonagricultural or special-use fertilizer permit under s. 94.64 (3m).
- (f) A soil or plant additive manufacturer or distributor license under s. 94.65 (2).
- (g) A soil or plant additive permit under s. 94.65 (3).
- (gm) A license for the sale or distribution of liming material under s. 94.66 (2).
- (h) A pesticide manufacturer or labeler license under s. 94.68 (1).
- (i) A restricted use pesticide dealer or distributor license under s. 94.685.
- (im) A veterinary clinic pesticide use and repackaging permit under s. 94.702.
- (j) A commercial pesticide application business license under s. 94.703.
- (k) A commercial feed manufacturer or distributor license under s. 94.72 (5).
- (km) A farm-raised deer registration under s. 95.55.
- (L) A fish farm registration under s. 95.60 (3m).
- (m) An animal market license under s. 95.68 (2).
- (mm) An animal dealer license under s. 95.69 (2).

- (n) An animal trucker license under s. 95.71 (2).
- (p) A license for collecting or processing dead animals under s. 95.72 (2).
- (pm) A license for transporting dead animals under s. 95.72 (7).
- (q) A dairy plant license under s. 97.20 (2).
- (r) A bulk milk tanker license under s. 97.21 (2).
- (rm) A milk distributor license under s. 97.21 (3).
- (s) A food warehouse license under s. 97.27 (2).
- (t) A food processing plant license under s. 97.29 (2).
- (tm) A retail food establishment license under s. 97.30 (2).
- (u) A meat or poultry commercial slaughtering or processing license or a meat or poultry custom slaughtering or processing registration certificate under s. 97.42 (2).
- (v) A vehicle scale license under s. 98.16.
- (vm) A weights and measures servicing license under s. 98.18 (1) (a).
- (w) A liquid petroleum gas meter registration under s. 98.245 (7).
- (wm) A public warehouse keeper license under s. 99.02 (1).
- (x) A mobile air conditioner servicing registration certificate under s. 100.45
- (5) (c).
- (xm) A grain dealer license under s. 126.11.
- (y) A grain warehouse keeper license under s. 126.26.
- (ym) A milk contractor license under s. 126.41.
- ~~(z) A vegetable contractor license under s. 126.56.~~

(b) (i)
 (2) FAILURE TO MEET DEADLINE. ⁽ⁱ⁾ Subject to ^{parts (d) 3. and 4. and (e) /} subs. (4) (c) and (d) and (5), failure ^{an} by the ^{board} department to provide the applicant for a license, permit, or other approval specified in ^{par. (a)} sub. (1) with written notice that the ^{board} department has approved or

1 disapproved the application for ~~the license, permit, or other approval~~, including the
 2 specific facts upon which any disapproval is based, before the expiration of the period
 3 established under ^{par.(a)} ~~sub. (1)~~ for the ~~license, permit, or other~~ approval, constitutes
 4 approval of the application. A ~~license, permit, or other approval~~ ^{An application} approved under this
 5 paragraph is subject to any terms or conditions specified by statute or rule for the
 6 license, permit, or other approval and the ~~department~~ ^{board} may suspend, limit, revoke,
 7 or withdraw the ~~license, permit, or other~~ approval for substantial failure to comply
 8 with those terms or conditions. Within 30 days after the expiration of the period
 9 established under ^{par.(a)} ~~sub. (1)~~ for the license, permit, or other approval, the ~~department~~ ^{board}
 10 shall provide the applicant with a statement showing that the ~~license, permit, or~~
 11 ~~other approval~~ ^{application} is approved and specifying any terms and conditions that apply to
 12 that license, permit, or other approval.

13 ^{2.} ~~(b)~~ ^{board} The ~~department~~ may not disapprove an application for a ~~license, permit, or~~
 14 ~~other~~ ^{an} approval solely because the ~~department~~ ^{board} is unable to complete its review of the
 15 application within the period established under ^{par.(a)} ~~sub. (1)~~.

16 ^{(c) (i)} ~~(3)~~ ^{an} NOTICE OF DEADLINE. Upon receiving an application for a ~~license, permit, or~~
 17 ~~other~~ ^{an} approval specified in sub. (1), the ~~department~~ ^{board} shall inform the applicant of the
 18 period established under ^{par.(a)} ~~sub. (1)~~ for the ~~license, permit, or other~~ approval.

19 ^{(d) (i)} ~~(4)~~ ^{board} OPTIONAL PROVISIONS OF RULES. The ~~department~~ may include any of the
 20 following in the rules required under ^{par.(a)} ~~sub. (1)~~:

21 ^{1.} ~~(a)~~ ^{par.(a)} Methods for determining the commencement of the period established
 22 under ~~sub. (1)~~ and for determining when the application for a ~~license, permit, or other~~
 23 ~~an~~ approval is complete.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

2. ~~(b)~~ ^{Par. (a)} A longer period under ~~sub. (1)~~ ^{an} for an application for ~~a permit, approval, or~~
~~other determination~~ for which an environmental impact statement is required under
s. 1.11 than for other applications.

3. ~~(c)~~ ^{Par. (a)} Extensions of the period established under ~~sub. (1)~~ ^{board} because the applicant
makes a material modification to the application if the ~~department~~ ^{board} notifies the
applicant in writing of the extension within 30 days after the applicant makes the
modification.

4. ~~(d)~~ ^{Par. (a)} Extensions of the period established under ~~sub. (1)~~ ^{board} because information
needed by the ~~department~~ ^{board} to complete its review of an application for ~~a license,~~
~~permit, or other approval~~ ^{an} is unknown or cannot be determined with certainty when
the ~~department~~ ^{board} receives the application if the department notifies the applicant in
writing of the need for an extension within 30 days after the applicant submits the
application.

5. ~~(e)~~ ^{board} Deadlines for the ~~department~~ to complete intermediate steps in the process
of completing its review of an application.

(e) ^{board} EXTENSIONS AUTHORIZED. ^{Par. (a)} ~~(a)~~ During the period established under ~~sub. (1)~~,
the ~~department~~ ^{board} and the applicant may jointly agree to a different period for acting
on an application for ~~a license, permit, or other approval~~ than that specified under
~~sub. (1)~~.

2. ~~(b)~~ ^{board} The ~~department~~ ^{board} may extend the period established under ~~sub. (1)~~ ^{Par. (a)} because
an application is incomplete if, within 30 days after receiving the application, the
~~department~~ ^{board} provides written notice to the applicant describing specifically the
information that must be provided to complete the application.

1 3. ^{board} ~~(c) The department~~ may extend the period established under ~~sub. (1)~~ ^{par. (a)} for an
 2 application by not more than 60 days if the ~~department~~ ^{board} provides written notice of the
 3 extension to the applicant within the period established under ~~sub. (1)~~ ^{par. (a)}.

4 4. ^{board} ~~(d) The department~~ may extend the period established under ~~sub. (1)~~ ^{par. (a)} for an
 5 application by more than 60 days if, within the period established under ~~sub. (1)~~ ^{par. (a)}, the
 6 ~~department~~ ^{board} finds that there is a substantial likelihood that the activity proposed to
 7 be conducted under the application would result in substantial harm to public health
 8 or safety or the environment and that the ~~department~~ ^{board} cannot adequately review the
 9 application within the period established under ~~sub. (1)~~ ^{par. (a)} and provides written notice
 10 to the applicant that states with particularity the facts on which those findings are
 11 based.

12 **SECTION 3.** 299.05 of the statutes is repealed and recreated to read:

13 **299.05 Deadlines for action on occupational applications. (1)**

14 **DEADLINES.** The department, by rule, shall establish periods within which the
 15 department intends to approve or disapprove an application for any of the following:

- 16 (a) A well driller or pump installer registration under s. 280.15.
- 17 (b) A water system, wastewater treatment plant, or septage servicing vehicle
 18 operator certification under s. 281.17 (3).
- 19 (c) A license for servicing septic tanks and similar facilities under s. 281.48 (3).
- 20 (d) A solid waste incinerator operator certification under s. 285.51 (2).
- 21 (e) An ozone-depleting refrigerant removal approval under s. 285.59.
- 22 (f) A solid waste disposal facility operator certification under s. 289.42 (1).
- 23 (g) A hazardous waste transportation service license under s. 291.23.
- 24 (h) A metallic mining exploration license under s. 293.21.
- 25 (i) An oil or gas exploration license under s. 295.33 (1).

22.21

SECTION 2. ~~93.13~~ of the statutes is created to read:

~~93.13~~ **Automatic approval of certain applications.** (1) DEADLINES. The department, by rule, shall establish periods within which the department intends to approve or disapprove an application for any of the following:

- (a) ~~A weather modification permit under s. 93.35 (6).~~ *Licensing of computer programs under s. 22.03 (4)(a).*
- (am) ~~A nursery dealer license under s. 94.10 (2).~~
- (b) ~~A nursery grower license under s. 94.10 (3).~~ *Proposed purchasing contracts under s. 22.09(5)*
- (c) ~~A Christmas tree grower license under s. 94.10 (3g).~~ *Proposed strategic plans of executive branches agencies under s. 22.13(5).*
- (cm) ~~A seed labeler's license under s. 94.43.~~
- (d) A ginseng grower or dealer registration under s. 94.50 (2).
- (e) A fertilizer manufacturer or distributor license under s. 94.64 (3).
- (em) A nonagricultural or special-use fertilizer permit under s. 94.64 (3m).
- (f) A soil or plant additive manufacturer or distributor license under s. 94.65
- (2).
- (g) A soil or plant additive permit under s. 94.65 (3).
- (gm) A license for the sale or distribution of liming material under s. 94.66 (2).
- (h) A pesticide manufacturer or labeler license under s. 94.68 (1).
- (i) A restricted use pesticide dealer or distributor license under s. 94.685.
- (im) A veterinary clinic pesticide use and repackaging permit under s. 94.702.
- (j) A commercial pesticide application business license under s. 94.703.
- (k) A commercial feed manufacturer or distributor license under s. 94.72 (5).
- (km) A farm-raised deer registration under s. 95.55.
- (L) A fish farm registration under s. 95.60 (3m).
- (m) An animal market license under s. 95.68 (2).
- (mm) An animal dealer license under s. 95.69 (2).

- 1 (n) An animal trucker license under s. 95.71 (2).
- 2 (p) A license for collecting or processing dead animals under s. 95.72 (2).
- 3 (pm) A license for transporting dead animals under s. 95.72 (7).
- 4 (q) A dairy plant license under s. 97.20 (2).
- 5 (r) A bulk milk tanker license under s. 97.21 (2).
- 6 (rm) A milk distributor license under s. 97.21 (3).
- 7 (s) A food warehouse license under s. 97.27 (2).
- 8 (t) A food processing plant license under s. 97.29 (2).
- 9 (tm) A retail food establishment license under s. 97.30 (2).
- 10 (u) A meat or poultry commercial slaughtering or processing license or a meat
- 11 or poultry custom slaughtering or processing registration certificate under s. 97.42
- 12 (2).
- 13 (v) A vehicle scale license under s. 98.16.
- 14 (vm) A weights and measures servicing license under s. 98.18 (1) (a).
- 15 (w) A liquid petroleum gas meter registration under s. 98.245 (7).
- 16 (wm) A public warehouse keeper license under s. 99.02 (1).
- 17 (x) A mobile air conditioner servicing registration certificate under s. 100.45
- 18 (5) (c).
- 19 (xm) A grain dealer license under s. 126.11.
- 20 (y) A grain warehouse keeper license under s. 126.26.
- 21 (ym) A milk contractor license under s. 126.41.
- 22 (z) A vegetable contractor license under s. 126.56.

23 (2) FAILURE TO MEET DEADLINE. (a) Subject to subs. (4) (c) and (d) and (5), failure
24 by the department to provide the applicant for a license, permit, or other approval
25 specified in sub. (1) with written notice that the department has approved or

1 disapproved the application for ~~the license, permit, or other approval~~, including the
2 specific facts upon which any disapproval is based, before the expiration of the period
3 established under sub. (1) for the ~~license, permit, or other approval~~, constitutes
4 approval of the application. ~~A license, permit, or other approval~~ ^{An application} approved under this
5 paragraph is subject to any terms or conditions specified by statute or rule for the
6 ~~license, permit, or other approval~~ and the department may suspend, limit, revoke,
7 or withdraw the ~~license, permit, or other approval~~ for substantial failure to comply
8 with those terms or conditions. Within 30 days after the expiration of the period
9 established under sub. (1) for the ~~license, permit, or other approval~~, the department
10 shall provide the applicant with a statement showing that the ~~license, permit, or~~
11 ~~other approval~~ ^{application} is approved and specifying any terms and conditions that apply to
12 that ~~license, permit, or other approval~~.

13 (b) The department may not disapprove an application for a ~~license, permit, or~~
14 ~~other approval~~ ^{an} solely because the department is unable to complete its review of the
15 application within the period established under sub. (1).

16 (3) NOTICE OF DEADLINE. Upon receiving an application for a ~~license, permit, or~~
17 ~~other approval~~ ^{an} specified in sub. (1), the department shall inform the applicant of the
18 period established under sub. (1) for the ~~license, permit, or other approval~~.

19 (4) OPTIONAL PROVISIONS OF RULES. The department may include any of the
20 following in the rules required under sub. (1):

21 (a) Methods for determining the commencement of the period established
22 under sub. (1) and for determining when the application for a ~~license, permit, or other~~
23 ^{an} approval is complete.

1 (b) A longer period under sub. (1) for an application for ^{an} ~~a permit, approval, or~~
2 ~~other determination~~ for which an environmental impact statement is required under
3 s. 1.11 than for other applications.

4 (c) Extensions of the period established under sub. (1) because the applicant
5 makes a material modification to the application if the department notifies the
6 applicant in writing of the extension within 30 days after the applicant makes the
7 modification.

8 (d) Extensions of the period established under sub. (1) because information
9 needed by the department to complete its review of an application for ~~a license,~~
10 ~~permit, or other~~ ^{an} approval is unknown or cannot be determined with certainty when
11 the department receives the application if the department notifies the applicant in
12 writing of the need for an extension within 30 days after the applicant submits the
13 application.

14 (e) Deadlines for the department to complete intermediate steps in the process
15 of completing its review of an application.

16 (5) EXTENSIONS AUTHORIZED. (a) During the period established under sub. (1),
17 the department and the applicant may jointly agree to a different period for acting
18 on an application for ~~a license, permit, or other approval~~ than that specified under
19 sub. (1).

20 (b) The department may extend the period established under sub. (1) because
21 an application is incomplete if, within 30 days after receiving the application, the
22 department provides written notice to the applicant describing specifically the
23 information that must be provided to complete the application.

1 (c) The department may extend the period established under sub. (1) for an
2 application by not more than 60 days if the department provides written notice of the
3 extension to the applicant within the period established under sub. (1).

4 (d) The department may extend the period established under sub. (1) for an
5 application by more than 60 days if, within the period established under sub. (1), the
6 department finds that there is a substantial likelihood that the activity proposed to
7 be conducted under the application would result in substantial harm to public health
8 or safety or the environment and that the department cannot adequately review the
9 application within the period established under sub. (1) and provides written notice
10 to the applicant that states with particularity the facts on which those findings are
11 based.

12 ~~SECTION 3. 299.05 of the statutes is repealed and recreated to read:~~

13 ~~**299.05 Deadlines for action on occupational applications. (1)**~~

14 ~~DEADLINES. The department, by rule, shall establish periods within which the~~
15 ~~department intends to approve or disapprove an application for any of the following:~~

16 ~~(a) A well driller or pump installer registration under s. 280.15.~~

17 ~~(b) A water system, wastewater treatment plant, or septage servicing vehicle~~
18 ~~operator certification under s. 281.17 (3).~~

19 ~~(c) A license for servicing septic tanks and similar facilities under s. 281.48 (3).~~

20 ~~(d) A solid waste incinerator operator certification under s. 285.51 (2).~~

21 ~~(e) An ozone-depleting refrigerant removal approval under s. 285.59.~~

22 ~~(f) A solid waste disposal facility operator certification under s. 289.42 (1).~~

23 ~~(g) A hazardous waste transportation service license under s. 291.23.~~

24 ~~(h) A metallic mining exploration license under s. 293.21.~~

25 ~~(i) An oil or gas exploration license under s. 295.33 (1).~~

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1899/P3insMG
MGG:kjf:cph

contains insert 1-4-MG & Insert 9-6

Insert 1-4-MG

SECTION 1. 29.026 of the statutes is created to read:

29.026 Deadlines for action on certain approval applications. (1)

DEADLINES. The department, by rule, shall establish periods within which the department intends to approve or disapprove an application for any of the approvals specified in s. 29.024 (2r) 1. to 16.

(2) FAILURE TO MEET DEADLINE. (a) Subject to sub. (4), the department shall refund fees paid by the applicant for an approval subject sub. (1) if the department fails to provide the applicant with written notice that the department has approved or disapproved the application for the approval, including the specific facts upon which any disapproval is based, before the expiration of the period established under sub. (1) for the approval.

(b) The department may not disapprove an application for an approval solely because the department is unable to complete its review of the application within the period established under sub. (1).

(3) NOTICE OF DEADLINE. Upon receiving an application for an approval subject to sub. (1), the department shall inform the applicant of the period established under sub. (1) for the approval.

(4) PERMITTED EXTENSION OF DEADLINE The department may extend the period established under sub. (1) because an application is incomplete if, within 30 days after receiving the application, the department provides written notice to the applicant describing specifically the information that must be provided to complete the application.

Insert ~~8-25~~ 9-6

(i) ~~2~~ Permits and other determinations under ss. 30.10, 30.12, 30.123, 30.18, 30.19, and 30.20.

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1899/P3insRN
RCT&PJK:kjf:cph

1 insert 1-5 RN:

2 SECTION 1. 45.54 (11) of the statutes is created to read:

3 45.54 (11) DEADLINES FOR ACTION ON PERMITS AND APPROVALS. (a) The board, by
4 rule, shall establish periods within which the board intends to approve or disapprove
5 an application for any of the following:

6 1. A permit under sub. (8) (b)

7 2. An approval under sub. (10).

8 (b) Subject to par. (d), the board shall refund fees paid by the applicant for a
9 permit or approval specified in par. (a) if the board fails to provide the applicant with
10 written notice that the board has approved or disapproved the application for the
11 permit or approval, including the specific facts upon which any disapproval is based,
12 before the expiration of the period established under par. (a) for the permit or
13 approval.

14 ^e
per (b) The board may not disapprove an application solely because the board is
15 unable to complete its review of the application within the period established under
16 par. (a).

17 ^d
(c) Upon receiving an application for a permit or approval specified in par. (a),
18 the board shall inform the applicant of the period established under par. (a) for the
19 permit or approval.

20 ^e
(d) The board may extend the period established under par. (a) because an
21 application is incomplete if, within 30 days after receiving the application, the board

- 1 provides written notice to the applicant describing specifically the information that
- 2 must be provided to complete the application.

End of Insert

3

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1899/P3insDK
RCT&PJK:kjf:eph

Includes insert 1-4-DAK-1
1-4-DAK-2
7-11 DAK-1
7-11 DAK-2 & 11-19-DAK

INSERT 1-4 DAK-1

1 SECTION 1. 46.284 (3m) of the statutes is created to read:

2 46.284 (3m) DEADLINE FOR ACTION ON CERTIFICATION APPLICATION. (a) *Deadline.*

3 The department, by rule, shall establish a period within which the department
4 intends to approve or disapprove an application for certification under sub. (3).

5 (b) *Failure to meet deadline.* 1. Subject to par. (d), the department shall refund
6 fees paid by the application for certification specified in par. (a) if the department
7 fails to provide the applicant with written notice that the department has approved
8 or disapproved the application for the certification, including the specific facts upon
9 which any disapproval is based, before the expiration of the period established under
10 par. (a) for the certification.

11 2. The department may not disapprove an application for certification solely
12 because the department is unable to complete its review of the application within the
13 period established under par. (a).

14 (c) *Notice of deadline.* Upon receiving an application for certification specified
15 in par. (a), the department shall inform the applicant of the period established under
16 par. (a) for the certification.

17 (d) *Permitted extension of deadline.* The department may extend the period
18 established under par. (a) because an application is incomplete if, within 30 days
19 after receiving the application, the department provides written notice to the
20 applicant describing specifically the information that must be provided to complete
21 the application.

22 SECTION 2. 49.481 of the statutes is created to read:

Ins 1-4 DAK-2

1 **49.481 Deadline for action on certification application. (1) DEADLINE.**

2 The department, by rule, shall establish periods within which the department
3 intends to approve or disapprove an application for certification under s. 49.45 (2) (a)
4 11.

5 **(2) FAILURE TO MEET DEADLINE.** (a) Subject to sub. (4), the department shall
6 refund fees paid by the applicant for a certification specified in sub. (1) if the
7 department fails to provide the applicant with written notice that the department
8 has approved or disapproved the application for the certification, including the
9 specific facts upon which any disapproval is based, before the expiration of the period
10 established under sub. (1) for the certification approval.

11 **(3) NOTICE OF DEADLINE.** Upon receiving an application for a certification
12 specified in sub. (1), the department shall inform the applicant of the period
13 established under sub. (1) for the certification approval.

14 **(4) PERMITTED EXTENSION OF DEADLINE.** The department may extend the period
15 established under sub. (1) because an application is incomplete if, within 30 days
16 after receiving the application, the department provides written notice to the
17 applicant describing specifically the information that must be provided to complete
18 the application.

19 **SECTION 3.** 50.02 (4m) of the statutes is created to read:

20 **50.02 (4m) DEADLINES FOR ACTION ON APPLICATIONS.** (a) *Deadlines.* The
21 department, by rule, shall establish periods within which the department intends to
22 approve or disapprove an application for any of the following:

- 23 1. A license for an institution for mental diseases under s. 50.03 (1m).
24 2. A license for a nursing home under s. 50.03 (4) (a) 1. a.

- 1 3. A license for a community-based residential facility under s. 50.03 (4) (a) 1.
- 2 b.
- 3 4. A certification for an adult family home under s. 50.032 (1m) (a).
- 4 5. A license for an adult family home under s. 50.033 (1m) (a).
- 5 6. A certification for a residential care apartment complex under s. 50.034 (1)
- 6 (a).
- 7 7. A registration for a residential care apartment complex under s. 50.034 (1)
- 8 (b).
- 9 8. A certificate of approval for a hospital under s. 50.35.
- 10 9. A license for a home health agency under s. 50.49 (6) (a).
- 11 10. A provisional license for a home health agency under s. 50.49 (10).
- 12 11. A license or provisional license for a rural medical center under s. 50.52 (2).
- 13 12. A license for a hospice under s. 50.92 (2).
- 14 13. A provisional license for a hospice under s. 50.93 (3).
- 15 (b) *Failure to meet deadlines.* 1. Subject to par. (d), the department shall refund
- 16 fees paid by the applicant for a license, provisional license, certificate of approval,
- 17 registration, or certification specified in par. (a) if the department fails to provide the
- 18 applicant with written notice that the department has approved or disapproved the
- 19 application for the license, provisional license, certificate of approval, registration,
- 20 or certification, including the specific facts upon which any disapproval is based,
- 21 before the expiration of the period established under par. (a) for the license,
- 22 provisional license, certificate of approval, registration, or certification.
- 23 2. The department may not disapprove an application for a license, provisional
- 24 license, certificate of approval, registration, or certification solely because the

1 department is unable to complete its review of the application within the period
2 established under par. 9a).

3 (c) *Notice of deadline.* Upon receiving an application for a license, provisional
4 license, certificate of approval, registration, or certification specified in par. (a), the
5 department shall inform the applicant of the period established under par. (a) for the
6 license, provisional license, certificate of approval, registration, or certification.

7 (d) *Permitted extension of deadline.* The department may extend the period
8 established under par. (a) because an application is incomplete if, within 30 days
9 after receiving the application, the department provides written notice to the
10 applicant describing specifically the information that must be provided to complete
11 the application.

12 **SECTION 4.** 51.031 of the statutes is created to read:

13 **51.031 Deadlines for action on applications.** (1) **DEADLINES.** The
14 department, by rule, shall establish periods within which the department intends to
15 approve or disapprove an application for any of the following:

16 (a) Certification for an outpatient mental health clinic under s. 51.038.

17 (b) Certification for a treatment facility under s. 51.04.

18 (c) Certification of community mental health programs under rules required
19 under s. 51.42 (7) (b) 11.

20 (d) Certification of providers of community support programs under rule
21 required under s. 51.421 (3) (a).

22 (e) Approval for a treatment facility under s. 51.45 (8).

23 (2) **FAILURE TO MEET DEADLINES.** (a) Subject to sub. (4), the department shall
24 refund fees paid by the applicant for a certification or approval specified in sub. (1)
25 if the department fails to provide the applicant with written notice that the

1 department has approved or disapproved the application for the certification or
2 approval, including the specific facts upon which any disapproval is based, before the
3 expiration of the period established under sub. (1) for the certification or approval.

4 (b) The department may not disapprove an application for a certification or
5 approval solely because the department is unable to complete its review of the
6 application within the period established under sub. (1)

7 (3) NOTICE OF DEADLINE. Upon receiving an application for a certification or
8 approval specified in sub. (1), the department shall inform the applicant of the period
9 established under sub. (1) for the certification or approval.

10 (4) PERMITTED EXTENSION OF DEADLINE. The department may extend the period
11 established under sub. (1) because an application is incomplete if, within 30 days
12 after receiving the application, the department provides written notice to the
13 applicant describing specifically the information that must be provided to complete
14 the application.

INSERT 7-11 DAK I

15 **SECTION 5.** 146.525 of the statutes is created to read:

16 **146.525 Deadlines for action on applications.** (1) DEADLINES. The
17 department, by rule, shall establish ^a ~~a~~ ³ period~~s~~ within which the department intends
18 to approve or disapprove an application for any of the following:

19 (a) Certification of an instructional and competency evaluation program under
20 s. 146.40 (3).

21 (b) Approval of a competency evaluation program under s. 146.40 (3m).

22 (c) An ambulance service provider license under s. 146.50 (5) (a).

23 (d) An emergency medical technician license under s. 146.50 (5) (a) and (7).

24 (e) An emergency medical technician training permit under s. 146.50 (5) (b).

1 (f) Certification for the performance of defibrillation under s. 146.50 (6g) (a).

2 (g) Certification as a first responder under s. 146.50 (8) (a) and (f).

3 (h) Approval of training courses for the use of a semiautomatic defibrillator
4 under s. 146.50 (8g) (d).

5 (i) Approval of courses of emergency medical services instructional programs
6 under s. 146.50 (9).

7 (j) Approval of emergency medical services program plans under s. 146.55 (2)
8 (b).

9 (2) FAILURE TO MEET DEADLINES. (a) Subject to sub. (4), the department shall
10 refund fees paid by the applicant for a license, certification, permit, or approval
11 specified in sub. (1) if the department fails to provide the applicant with written
12 notice that the department has approved or disapproved the application for the
13 license, certification, permit, or approval, including the specific facts upon which any
14 disapproval is based, before the expiration of the period established under sub. (1)
15 for the license, certification, permit, or approval.

16 (3) NOTICE OF DEADLINE. Upon receiving an application for a license,
17 certification, permit, or approval specified in sub. (1), the department shall inform
18 the applicant of the period established under sub. (1) for the license, certification,
19 permit, or approval.

20 (4) PERMITTED EXTENSION OF DEADLINE. The department may extend the period
21 established under sub. (1) because an application is incomplete if, within 30 days
22 after receiving the application, the department provides written notice to the
23 applicant describing specifically the information that must be provided to complete
24 the application.

INSERT 7-11 DAK II

1 **SECTION 6.** 250.043 of the statutes is created to read:

2 **250.043 Deadlines for action on applications.** (1) DEADLINES. The
3 department, by rule, shall establish periods within which the department intends to
4 approve or disapprove an application for any of the following:

5 (a) A registration for a sanitarian under s. 250.05 (5).

6 (b) Certification for a public health dispensary under s. 252.10 (1).

7 (c) Approval for the sale of tests or test kits to detect the presence of HIV, an
8 antigen or nonantigenic products of HIV, or an antibody to HIV under s. 252.15 (5r).

9 (d) A license for a tattooist or a tattoo establishing under s. 252.23 (2).

10 (e) A license for a body piercer or a body-piercing establishment under s. 252.24
11 (2).

12 (f) Certification for performance or supervision of lead hazard reduction or a
13 lead management activity under rules promulgated under s. 254.176 (3).

14 (g) Approval of an instructor of a lead training course under rules promulgated
15 under s. 254.178 (2).

16 (h) Accreditation of a lead training course under rules promulgated under s.
17 254.178 (2).

18 (i) A certificate of lead-free status or a certificate of lead-safe status under
19 rules promulgated under s. 254.179 (1) (a).

20 (j) Certification for performance of asbestos abatement activity or asbestos
21 management activity under rules promulgated under s. 254.20 (3).

22 (k) Renewal of a certification for performance of asbestos abatement activity
23 or asbestos management activity under s. 254.20 (4).

1 (L) Registration and licensing of a source of ionizing radiation under rules
2 promulgated under s. 254.34 (1) (a).

3 (m) Approval of plans and specifications for radiation sources under s. 254.34
4 (1) (g).

5 (n) A registration of a site with an ionizing radiation installation under s.
6 254.35 (1).

7 (p) A license for radioactive material under s. 254.365 (1).

8 (q) A permit to operate a campground, camping resort, recreational or
9 educational camp, or public swimming pool under s. 254.47 (1) or (2m).

10 (r) A certification for a food sanitarian under rules promulgated under s. 254.62
11 (2).

12 (s) A permit to conduct, maintain, manage, or operate a hotel, restaurant,
13 temporary restaurant, tourist rooming house, vending machine commissary, or
14 vending machine under s. 254.64 (1) (a).

15 (t) A permit to maintain, manage, or operate a bed and breakfast establishment
16 under s. 254.64 (1) (b).

17 (u) A certificate for food protection practices under s. 254.71 (2).

18 (v) An approval of a training course for recertification of food protection
19 practices under rules promulgated under s. 254.71 (6).

20 (w) A certification of Grade A dairy operations under s. 254.89.

21 (x) A permit to operate a tanning facility under s. 255.08 (2) (a).

22 (y) An approval of a laboratory for performing chemical analyses of blood or
23 urine for alcohol, controlled substances, or controlled substance analogs under s.
24 343.305 (6) (a).

1 (2) FAILURE TO MEET DEADLINE. (a) Subject to sub. (4), the department shall
2 refund fees paid by the applicant for a license, certification, certificate, permit,
3 registration, or approval specified in sub. (1) if the department fails to provide the
4 applicant with written notice that the department has approved or disapproved the
5 application for the license, certification, certificate, permit, registration, or approval,
6 including the specific facts upon which any disapproval is based, before the
7 expiration of the period established under sub. (1) for approval of the license,
8 certification, certificate, permit, registration, or approval.

9 (3) Notice of deadline. Upon receiving an application for a license, certification,
10 certificate, permit, registration, or approval specified in sub. (1), the department
11 shall inform the applicant of the period established under sub. (1) for approval of the
12 license, certification, certificate, permit, registration, or approval.

13 (4) PERMITTED EXTENSION OF DEADLINE. The department may extend the period
14 established under sub. (1) because an application is incomplete if, within 30 days
15 after receiving the application, the department provides written notice to the
16 applicant describing specifically the information that must be provided to complete
17 the application.

INSERT 11-19 DAK

18 **SECTION 7.** 343.305 (6) (a) of the statutes is amended to read:

19 343.305 (6) (a) Chemical analyses of blood or urine to be considered valid under
20 this section shall have been performed substantially according to methods approved
21 by the laboratory of hygiene and by an individual possessing a valid permit to
22 perform the analyses issued by the department of health and family services. The
23 department of health and family services shall, subject to s. 250.043, approve
24 laboratories for the purpose of performing chemical analyses of blood or urine for

1 alcohol, controlled substances or controlled substance analogs and shall develop and
2 administer a program for regular monitoring of the laboratories. A list of approved
3 laboratories shall be provided to all law enforcement agencies in the state. Urine
4 specimens are to be collected by methods specified by the laboratory of hygiene. The
5 laboratory of hygiene shall furnish an ample supply of urine and blood specimen
6 containers to permit all law enforcement officers to comply with the requirements of
7 this section.

History: 1987 a. 3, 27, 399; 1989 a. 7, 31, 56, 105, 359; 1991 a. 39, 251, 277; 1993 a. 16, 105, 315, 317, 491; 1995 a. 27 ss. 6412cnL, 9126 (19); 1995 a. 113, 269, 425, 426, 436, 448; 1997 a. 35, 84, 107, 191, 237, 290; 1999 a. 9, 32, 109; 2001 a. 16 ss. 3421m to 3423j, 4060gk, 4060hw, 4060hy; 2001 a. 104.