

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

LRB-1446/P4dn

RNK:cjs:rs

July 13, 2011

This redraft clarifies the allowable size of a pier platform both before and after the effective date of this proposal. It also includes provisions that require the Department of Natural Resources to promulgate rules establishing deadlines for acting on certain applications for licenses, permits, and other determinations. Under this draft, if DNR does not meet the deadline with regard to certain approval applications, DNR must refund the application fees and the applicant may request an administrative hearing as if the application had been disapproved. For certain other approval applications, DNR's failure to meet the deadline for acting on an application constitutes an approval. These provisions are based upon provisions contained in 2003 Senate Bill 246. Please note the following:

1. The requirement for DNR to promulgate rules establishing deadlines for the specified ch. 30 approvals does not apply, under this draft, to general permits under s. 30.206, stats. I did not include general permits because s. 30.206, stats., already establishes time periods under which DNR must take action with regard to general permits. If you intended to change the time periods in current law under s. 30.206, stats., please let me know.
2. This draft includes provisions that specify conditions under which DNR may extend a deadline because an application is incomplete. Those provisions are inconsistent with the provisions in current law under s. 30.208, stats., with regard to determinations of complete applications for individual ch. 30 permits. Consequently, the provisions in the draft that specify conditions under which DNR may extend a deadline because an application is not complete (see s. 299.06 (5), as created in the draft), do not apply to applications for an individual ch. 30 permit. If you wish to make the provisions in current law with regard to ch. 30 permits consistent with the provisions in the draft as they concern determinations of completeness for other approvals, please let me know and I will redraft accordingly.
3. As with the previous version of this draft, this version contains embedded notes that raise issues that must be resolved before the draft can be put in final form.

Please feel free to contact me if you have questions with regard to this draft.

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