

CR 86-5

CERTIFICATE

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STATE OF WISCONSIN)
)
FUNERAL DIRECTORS EXAMINING BOARD) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Jan Bobholz, program assistant for the Funeral Directors Examining Board, and custodian of the official records of the Funeral Directors Examining Board, do hereby certify that the rules relating to the renewal of Wisconsin licenses of out-of-state directors were duly approved and adopted by this board on May 21, 1986.

I further certify that said copy has been compared by me with the original on file in this board and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin, this 28th day of May, A.D. 1986.



Jan Bobholz
Program Assistant

JB:DD:rjt
pc6469

8-1-86

STATE OF WISCONSIN
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

IN THE MATTER OF RULEMAKING : FINAL ORDER OF THE
PROCEEDINGS BEFORE THE FUNERAL : FUNERAL DIRECTORS EXAMINING BOARD
DIRECTORS EXAMINING BOARD : REPEALING, AMENDING OR ADOPTING RULE

AN ORDER to create FDE 2.18, relating to the renewal of Wisconsin licenses of out-of-state funeral directors.

ANALYSIS

In this order, the funeral directors examining board adopts s. FDE 2.18 which clarifies that for the purpose of renewal of a funeral director, a "recognized funeral establishment" means any funeral establishment meeting the requirements for legal operation in its jurisdiction and the definition of the term "funeral establishment" as specified in s. 445.01(6), Stats.

The rule proposed interprets ss. 445.01(6) and 445.06, Stats., relating to the definition of the term, "funeral establishment" and renewal of license.

The rule proposed in this Order was published as an emergency rule on December 27, 1985.

ORDER

Pursuant to the authority vested in the funeral directors examining board in ss. 15.08(5)(b), 227.014(2)(a), 227.027(1)(a), 445.01(6), 445.03(2)(a) and 445.06, Stats., the funeral directors examining board hereby adopts rules interpreting ss. 445.01(6) and 445.06, Stats., as follows:

SECTION 1. FDE 2.18 is created to read:

FDE 2.18. RENEWAL OF WISCONSIN LICENSES OF OUT-OF-STATE FUNERAL DIRECTORS. (1) INTENT. The intent of the board in adopting this section is to clarify the board's interpretation of s. 445.06, Stats. that a licensee seeking renewal of a funeral director's license who is doing business at a legally operating funeral establishment in a jurisdiction outside the state of Wisconsin and who meets all other requirements for license may obtain a funeral director's license.

(2) RECOGNIZED FUNERAL ESTABLISHMENT. For purposes of renewal of licenses under s. 445.06, Stats., "recognized funeral establishment" means any building or part of a building used and held out to the public as being used in the care and preparation for burial and transportation of dead human bodies or for holding or conducting of funeral services.

The rule adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.026(2)(intro.), Stats.

Dated May 21, 1986.

By:

Jo DeMars
Jo DeMars, Chairperson
Funeral Directors Examining Board

FISCAL ESTIMATE

There is no statewide or local fiscal effect.

REGULATORY FLEXIBILITY ANALYSIS

The rule proposed will have no significant economic impact on small businesses, as defined in s. 227.016(1)(a), Stats.

Questions on the proposed rule may be directed to Darl Drummond, telephone 266-8608.

WM:kcb
ADMCTR-L
3/19/86