

State of Wisconsin



April 1998 Special Session
Assembly Bill 4

Date of enactment: **June 16, 1998**
Date of publication*: **June 30, 1998**

1997 WISCONSIN ACT 301

AN ACT to amend 299.05 (1) (intro.) and 299.05 (2) (intro.); and to create 299.05 (2) (a), (c) and (d) of the statutes; relating to: the permit guarantee program of the department of natural resources and requiring the exercise of rule-making authority.

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

SECTION 1. 299.05 (1) (intro.) of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

299.05 (1) (intro.) The department shall promulgate rules under which the department refunds fees paid by an applicant for a license or approval that is issued under ss. 30.10 to 30.205 or 30.21 to 30.27, chs. 280 to 292 or subch. II of ch. 295 and that is of a type specified in sub. (2) the rule if the department fails to make a determination on the application within the time limit specified in the rule for that type of license or approval. The rules under this subsection do not apply to an applicant for a license or other approval related to mining, as defined in s. 293.01 (9), prospecting, as defined in s. 293.01 (18), or nonmetallic mining, as defined in s. 295.11 (3).

SECTION 2. 299.05 (2) (intro.) of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

299.05 (2) (intro.) The department shall specify time limits for at least the following types of licenses and approvals in the rules under sub. (1):

SECTION 3. 299.05 (2) (a), (c) and (d) of the statutes are created to read:

299.05 (2) (a) Permits and other approvals under ss. 30.10 to 30.205 and 30.21 to 30.27.

(c) Permits under subch. IV of ch. 283.

(d) Permits under subch. VII of ch. 285.

SECTION 4. Nonstatutory provisions.

(1) The department of natural resources shall submit proposed rules required under section 299.05 of the statutes, as affected by this act, to the legislative council staff for review under section 227.15 (1) of the statutes no later than the first day of the 13th month beginning after the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].