

No. 391, A.]

[Published June 7, 1957.

CHAPTER 159

AN ACT to amend 136.02, 136.05 (1) (intro. par.) and (e); and to create 136.011, 136.05 (2) (c), 136.06 (5) and 136.065 of the statutes, relating to real estate brokers' and cemetery salesmen's licenses.

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

SECTION 1. 136.011 of the statutes is created to read:

136.011 CEMETERY REAL ESTATE BROKERS AND SALESMEN. Any cemetery association or corporation which pays any commission or other compensation to any person, including its officers, members or stockholders, for soliciting the sale of its lots or grave spaces on a commercially operated basis, and any salesman employed by it, shall be licensed under this chapter, and the cemetery association or corporation broker's license shall be issued in its name and be governed by all provisions of this chapter relating to corporate licensees.

SECTION 2. 136.02 of the statutes is amended to read:

136.02 No person shall engage in or follow the business or occupation of, or advertise or hold himself out as or act temporarily or otherwise

as a real estate broker or salesman *or cemetery salesman* or business opportunity broker or salesman without a license. Licenses shall be granted only to persons who are trustworthy and competent to transact such businesses in such manner as to safeguard the interests of the public, and only after satisfactory proof thereof has been presented to the board. *If a cemetery salesman engages in the sale of real estate other than cemetery lots or grave spaces, he shall first obtain a real estate salesman's license.*

SECTION 3. 136.05 (1) (intro. par.) and (e) of the statutes are amended to read:

136.05 (1) (intro. par.) Any person desiring to act as a real estate broker or salesman *or cemetery salesman* or business opportunity broker or salesman shall file with the board an application for a license. Said application shall be in such form as the board prescribes and shall set forth:

(e) Such further information as the board may reasonably require to enable it to determine the trustworthiness and competency of each applicant, including each member of the partnership, or each officer of the corporation, to transact the business of a real estate or business opportunity broker or salesman *or cemetery salesman* in such manner as to safeguard the interests of the public.

SECTION 4. 136.05 (2) (c) of the statutes is created to read:

136.05 (2) (c) That the applicant for a cemetery salesman's license has a fair knowledge of the English language, a fair understanding of the general purposes and general legal effect of cemetery deeds, contracts for the sale of lots or grave spaces, and of trust funds in connection with perpetual care trust fund agreements, and of the obligations between principal and agent, as well as of this chapter.

SECTION 5. 136.06 (5) of the statutes is created to read:

136.06 (5) Sections 136.06 to 136.18, as they apply to real estate salesmen, shall apply with equal effect to cemetery salesmen.

SECTION 6. 136.065 of the statutes is created to read:

136.065 LICENSE, OF WHOM NOT REQUIRED. No cemetery salesman's license shall be required of any person soliciting the sale of lots or grave spaces in a cemetery organized, maintained and operated by towns, villages and cities, by churches, by fraternal and benevolent societies, or by incorporated colleges of religious orders.

Approved June 4, 1957.
