

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3119/P1dn
MDK:wlj:km

July 30, 1999

Representative Wieckert:

Please review this preliminary draft very carefully to make sure that it achieves your intent. In particular, please note the following:

1. The registration renewal fee of \$47 is DORL's base renewal fee for all credentials. In its next budget proposal, DORL will recalculate the fee based on DORL's cost of regulating athletic agents.

2. The draft requires an athletic agent to provide certain notices to either the athletic director or a student athlete's head coach. The model legislation upon which the draft is based requires notice to only the athletic director.

3. The draft requires an applicant for registration to describe each crime for which he or she has been convicted. The model legislation has an exception for minor traffic offenses. If you want to include this exception, it will be necessary to clarify what constitutes a minor traffic offense. On a related point, note that the draft is consistent with other licensing requirements under current law in that a registration may be denied only for convictions the circumstances of which substantially relate to the business of athletic agent. This is accomplished by the references to ss. 111.321, 111.322 and 111.335, stats.

4. The draft allows, but does not require, DORL to promulgate rules regarding the notice that is required under proposed s. 440.995. Is this okay?

5. The draft has three-month delayed effective date in order to give individuals the opportunity to comply with the draft. Is three-months okay?

6. The severability section of the model legislation is not necessary because s. 990.001 (11), stats., provides that the unconstitutionality of any provision of the statutes does not affect other provisions that can be given effect independently of the unconstitutional provision.

7. The application and construction section of the model legislation is not included because it is our policy to generally not include statements of legislative intent in the statutes.

8. The draft makes other changes to the model legislation to make the draft consistent with our drafting style.

If you have any questions or redraft instructions, please contact me. I will prepare an analysis for the next version of this draft after you have had the opportunity to review this version.

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