

1999 DRAFTING REQUEST

Bill

Received: 10/24/1999

Received By: kunkemd

Wanted: As time permits

Identical to LRB:

For: Alice Clausing (608) 266-7745

By/Representing: Julia Sherman

This file may be shown to any legislator: NO

Drafter: kunkemd

May Contact:

Alt. Drafters:

Subject: Occupational Reg. - misc

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

DORL rule making regarding supervision of real estate brokers

Instructions:

Prepare companion to LRB-3708

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Required</u>
/?	kunkemd 10/24/1999	jgeller 10/25/1999		_____		
/1			martykr 10/25/1999	_____	lrb_docadmin 10/25/1999	lrb_docadmin 10/26/1999
			martykr 10/25/1999	_____	lrb_docadmin 10/25/1999	

FE Sent For:

<END>

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FE Sent For:

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- 3804

Kunkel, Mark

From: Sherman, Julia
Sent: Friday, October 22, 1999 3:18 PM
To: Kunkel, Mark
Subject: Draft Request

Senator Clausing would like to introduce a Senate companion to LRB 99-3708/1, but in the version with the Rick Staff changes. Would you prepare that for us? Thank you.

Julia Sherman

SOON

D-NOTE

stays

3804/1

1999 ASSEMBLY BILL

RM NOT
RUN

Regen

1 AN ACT *to repeal* 452.12 (3) (b); *to renumber and amend* 452.12 (3) (a); *to*

2 *amend* 452.139 (2) (c); and *to create* 452.07 (1m) of the statutes; **relating to:**

3 employe supervision by real estate brokers and requiring the exercise of

4 rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, an individual may not act as a real estate broker unless he or she is licensed as a broker by the department of regulation and licensing (DORL). A licensed broker is responsible for the acts of any other broker or real estate or time-share salesperson employed by him or her. In addition, if a licensed broker maintains any branch office in this state, each such branch office must be under the direct, full-time supervision of a licensed broker.

This bill eliminates the requirement regarding direct, full-time supervision of branch office employes and requires instead that a real estate broker must supervise any broker or real estate or real estate time-share salesperson employed by the broker. In addition, the bill requires DORL to promulgate rules that specify the supervisory duties of brokers regarding such employes.

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

5 SECTION 1. 452.07 (1m) of the statutes is created to read:

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3804/1dn

MDK: A:...

JLg

Senator Clausing:

3708

This bill is identical to LRB-~~3804~~/2, which incorporates the changes I discussed with Rick Staff.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: Mark.Kunkel@legis.state.wi.us

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

LRB-3804/1dn
MDK:jlg:km

October 25, 1999

Senator Clausing:

This bill is identical to LRB-3708/2, which incorporates the changes I discussed with Rick Staff.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: Mark.Kunkel@legis.state.wi.us

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 10/25/1999

To: Senator Clausing

Relating to LRB drafting number: LRB-3804

Topic

DORL rule making regarding supervision of real estate brokers

Subject(s)

Occupational Reg. - misc

1. **JACKET** the draft for introduction

Dee Clausing

in the **Senate** or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Mark D. Kunkel, Legislative Attorney
Telephone: (608) 266-0131