

2003 DRAFTING REQUEST

Bill

Received: **12/30/2003**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **John Gard (608) 266-3387**

By/Representing: **Bryon Wornson**

This file may be shown to any legislator: **NO**

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - prof lic**

Extra Copies: **CMH, PJH**

Submit via email: **YES**

Requester's email: **Rep.Gard@legis.state.wi.us**

Carbon copy (CC:) to: **laura.rose@legis.state.wi.us**
daryl.hinz@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

Reciprocal agreements for real estate licenses

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 12/30/2003	kgilfoy 12/30/2003		_____			State
/1			chaugen 01/05/2004	_____	sbasford 01/05/2004	Inorthro 01/05/2004	

LRB-3952

01/05/2004 03:53:31 PM
Page 2

FE Sent For:

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<END>

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/?	mkunkel	11-12/30 Kmg	ch 1-5	ch 1-5 pt			

FE Sent For:

<END>

2003

Date (time) needed

TUES
1/6 pm

LRB - 395211

MDH: kmg

PM NOT RAN

BILL

Use the appropriate components and routines developed for bills.

AN ACT ... [generate catalog] *to repeal ... ; to renumber ... ; to consolidate and renumber ... ; to renumber and amend ... ; to consolidate, renumber and amend ... ; to amend ... ; to repeal and recreate ... ; and to create ...* of the statutes; relating to: *reciprocal agreements for real estate licenses.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

INSERT A ✓

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

FE-5 ✓

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

SECTION #.

INSERT B ✓

(END)

ASSEMBLY BILL 655

INSERT A ✓

retain such a portion, the utility must contribute 1.75 percent of the portion to the PSC, which the PSC must deposit in the fund for DOA to use for programs for research and development for energy conservation and efficiency. In addition, the utility must contribute 4.5 percent of the portion to the PSC for deposit in the fund for DOA to use for renewable resource programs. The bill also prohibits a utility from paying for expenses related to administration, marketing, or delivery of services for the utility's energy conservation programs from the portion of a contribution the utility is allowed to retain.

The bill also requires the PSC to promulgate rules for the grants made by DOA from the fund for energy conservation and other programs. Under the bill, an applicant is not eligible for such a grant unless the applicant's proposal for the grant complies with rules promulgated by the PSC. The rules must require an applicant to demonstrate that, within a reasonable period of time determined by the PSC, the economic benefits resulting from the proposal will be equal to the amount of the grant. The rules must also specify annual energy savings targets that a such proposal must be designed to achieve.

RECIPROCAL AGREEMENTS FOR REAL ESTATE LICENSES

Under current law, the Department of Regulation and Licensing (DRL) grants licenses that allow persons to practice as real estate brokers or salespersons. Current law specifies the requirements a person must satisfy to obtain such a license. The Real Estate Board (board) advises DRL on rules regarding licensing and other matters.

This bill allows DRL to grant licenses to persons licensed as real estate brokers or salespersons in other states and territories, in addition to persons who satisfy the requirements specified under current law. Under the bill, DRL may, after consulting with the board, enter into reciprocal agreements with officials of other states or territories for granting licenses to persons licensed in those states or territories.

→ that

who are

and grant licenses

COMPREHENSIVE PLANNING BY LOCAL GOVERNMENTAL UNITS

Under the current law popularly known as the "Smart Growth" statute, if a local governmental unit (city, village, town, county, or regional planning commission) creates a comprehensive plan (a zoning development plan or a zoning master plan) or amends an existing comprehensive plan, the plan must contain certain planning elements. The required planning elements include the following: housing; transportation; utilities and community facilities; agricultural, natural, and cultural resources; economic development; and land use.

Beginning on January 1, 2010, under Smart Growth, any program or action of a local governmental unit that affects land use must be consistent with that local governmental unit's comprehensive plan. The actions to which this requirement applies include zoning ordinances, municipal incorporation procedures, annexation procedures, agricultural preservation plans, and impact fee ordinances. Also beginning on January 1, 2010, under Smart Growth, if a local governmental unit engages in any program or action that affects land use, the comprehensive plan must contain at least all of the required planning elements.

according to the terms of the agreements

END of INSERT A

INSEAT B

1 of negligence in treatment was made. The board shall render a decision within 90
2 days after the date on which the hearing is held or, if subsequent proceedings are
3 conducted under s. 227.46 (2), within 90 days after the date on which those
4 proceedings are completed.

5 SECTION 285. 448.675 (1) (b) of the statutes is amended to read:

6 448.675 (1) (b) After an investigation, if the affiliated credentialing board finds
7 that there is probable cause to believe that the person is guilty of unprofessional
8 conduct or negligence in treatment, the affiliated credentialing board shall hold a
9 hearing on such conduct. The affiliated credentialing board may require a licensee
10 to undergo and may consider the results of a physical, mental or professional
11 competency examination if the affiliated credentialing board believes that the
12 results of the examination may be useful to the affiliated credentialing board in
13 conducting its hearing. A finding by a court that a podiatrist has acted negligently
14 in treating a patient is conclusive evidence that the podiatrist is guilty of negligence
15 in treatment. A certified copy of the order of a court is presumptive evidence that the
16 finding of negligence in treatment was made. The affiliated credentialing board
17 shall render a decision within 90 days after the date on which the hearing is held or,
18 if subsequent proceedings are conducted under s. 227.46 (2), within 90 days after the
19 date on which those proceedings are completed.

20 SECTION 286. 452.05 (3) of the statutes is created to read:

21 452.05 (3) The department may, after consultation with the board, enter into
22 reciprocal agreements with officials of other states or territories of the United States
23 for licensing brokers and salespersons and grant licenses to applicants who are
24 licensed as brokers or salespersons in those states or territories according to the
25 terms of the reciprocal agreements.

ASSEMBLY BILL 655

INSERT B
(continued)

1 SECTION 287. 452.09 (2) (a) of the statutes is amended to read:

2 452.09 (2) (a) Each Except as provided in a reciprocal agreement under s.
3 452.05 (3), each applicant for a salesperson's license shall submit to the department
4 evidence satisfactory to the department of successful completion of educational
5 programs approved for this purpose under s. 452.05 (1) (c). The department may
6 waive the requirement under this paragraph upon proof that the applicant has
7 received 10 academic credits in real estate or real estate related law courses from an
8 accredited institution of higher education.

9 SECTION 288. 452.09 (2) (c) (intro.) of the statutes is amended to read:

10 452.09 (2) (c) (intro.) Except as provided in par. (d) or a reciprocal agreement
11 under s. 452.05 (3), each applicant for a broker's license shall do all of the following:

12 SECTION 289. 452.09 (3) (d) of the statutes is amended to read:

13 452.09 (3) (d) The Except as provided in a reciprocal agreement under s. 452.05
14 (3), the department may not grant a broker's license to an applicant who does not
15 hold a salesperson's license unless the applicant passes the salesperson's
16 examination and the broker's examination.

17 SECTION 290. **Nonstatutory provisions.**

18 (1) ENERGY CONSERVATION AND EFFICIENCY GRANTS; EMERGENCY RULES. Using the
19 procedure under section 227.24 of the statutes, the public service commission shall
20 promulgate as emergency rules the rules required under section 16.957 (2m) of the
21 statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the
22 statutes, the emergency rules promulgated under this subsection may remain in
23 effect until the date on which the permanent rules required under section 16.957
24 (2m) of the statutes, as created by this act, take effect. Notwithstanding section
25 227.24 (1) (a), (2) (b), and (3) of the statutes, the public service commission is not

END of INSERT B

Northrop, Lori

From: Nowak, Ellen
Sent: Monday, January 05, 2004 2:39 PM
To: LRB.Legal
Subject: Draft review: LRB 03-3952/1 Topic: Reciprocal agreements for real estate licenses

It has been requested by <Nowak, Ellen> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-3952/1 Topic: Reciprocal agreements for real estate licenses