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Details: Correspondence (2007)

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on ... Housing (AC-Ho)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (Aug/2010)



WISCONSIN LEGISLATIVE COUNCIL

Terry C. Anderson, Director
Laura D. Rose, Deputy Director

TO: REPRESENTATIVE STEVE WIECKERT

FROM: Dan Schmidt, Senior Analyst

RE: Real Estate Agent Licensure Proposal

DATE: March 27, 2007

This memorandum, prepared at the request of your staff, discusses the Wisconsin REALTORS® Association proposal to increase licensure and continuing education requirements for real estate brokers and salespersons practicing in Wisconsin. Please note that the requirements modified by the proposal are primarily found in ch. RL 25, Wis. Adm. Code, as administrative rules promulgated by the Department of Regulation and Licensing under the authority of s. 452.05, Stats. Thus, it may not be necessary to modify the current requirements in statute. Modifications to the current Administrative Code relating to real estate licensure may be offered by the department at their discretion.

The proposal does the following:

- Establishes a requirement that all newly licensed agents take a post-license course within 12 months of licensure.
- Increases the pre-license education requirement for brokers to 72 hours from the current 36-hour requirement.
- Establishes an experience requirement prior to broker licensure of one year as approved by the Real Estate Board when confirmed by the broker-employer or two years as a licensed real estate salesperson.
- Increases the continuing education requirement for licensed salespersons and brokers to 18 hours every two years from the current 12-hour requirement.

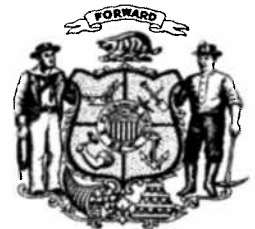
As a whole, the proposal will increase the requirements for receiving and maintaining a license as a real estate salesperson or broker. This may result in a decrease in individuals seeking employment as real estate salespersons and brokers.

If you have any questions, please feel free to contact me directly at the Legislative Council staff offices.

DWS:ty



WISCONSIN STATE LEGISLATURE



Field, Adam

From: Mike Mathy [mike@vhba.com]
Sent: Tuesday, April 03, 2007 3:36 PM
To: Field, Adam
Subject: VHBA Capitol Conference

Misc

Adam:

Here are a few topics VHBA members will touch on in tomorrow's meeting with Rep. Wieckert. If you have any questions, please contact me.

1. Taxes and Fees

- a. Real Estate Transfer Fee
- b. Local property tax limits, license plate fees, hospital revenues, oil company gross revenues, cigarette tax

2. Restore Builder and Consumer Education Funding

- a. Currently, a small portion of the building permit fee is dedicated to builder and consumer education. Under this program classes on building codes have been "sold out" all over the state for several years.
- b. In his budget proposal, Governor Doyle has proposed eliminating that program. No reason was given for the elimination, and the money funding the program was left intact.

3. Builder Education Bill

- a. When the Legislature passed Wisconsin Act 200 last year, it created continuing education requirements for builders. The intent of the legislation was to create a two-year builder credential. Builders (and remodelors) would have two years to meet a 12-hour continuing education requirement. The language of the bill, however, requires SIX hours of continuing education EACH year.
- b. The Wisconsin Department of Commerce and WBA have looked at the law, and it is clear that it will need to be changed to meet the intent of a two-year credential

4. Fire Sprinkler Mandate

- a. The Wisconsin department of Commerce is preparing a regulation that would require fire sprinklers to be installed in small apartment buildings and condominiums. Whereas current law requires only larger buildings (those with 20 living units or more) to have automatic fire sprinklers, Commerce would require any building with three or more living units to have the built-in systems.

Mike Mathy
Government Affairs Director
Valley Home Builders Association
920 W. Association Drive
Appleton, WI 54914

04/04/2007

Counties
1) \$4M
2)

Road Budget
1) Deer Park
2) EMT
3) School Busway

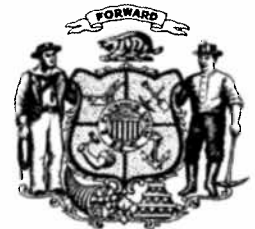
\$47M Cost
 - Juvall park

State Patrol = weight limit trucks monitor

\$5.5M - \$2.5M



WISCONSIN STATE LEGISLATURE



Misc

Becher, Scott

From: Jensen, Jodi
Sent: Tuesday, May 22, 2007 3:50 PM
To: Bruhn, Mike; Becher, Scott; Cady, Dean; Grothman, Jeffrey
Subject: FW: Committee Procedures

Didn't go through for some reason. Trying again.

From: Jensen, Jodi
Sent: Tuesday, May 22, 2007 3:48 PM
To: Raschka, Adam; Nowlan, Andrew; August, Tyler; Austin, Michael; Bacher, Luke; Battles, Cale; Bauknecht, Jason; Blodgett, Tony; Buschman, Sara; 'Dean Cady'; Harmelink, Diane; Fiocchi, Tim; Vick, Jason; 'Jeffrey Grothman'; Junck, Linda; Kikkert, Becky; Knight, Eric; Knudson, Steve; Kussow, Matt; Lindstedt, Daniel; Reineking, Marlene; 'Mike Bruhn'; Mikalsen, Mike; Lawrence, Minette; Nelson, Scott - Legislature; Parrott, Douglas; Paulson, Darcy; Potts, Andrew; Ruby, Erin; Popp, Sarah; Savage, Bill; 'Scott Becher'; Seaholm, Matthew; Smith-Loomans, Sandra; Hein, Tanya; Griffiths, Terri; Gary, Tim; Williams, Vincent
Cc: Dake, Brian; Bender, Jim; Pleva, Brian; Solie, Denise
Subject: RE: Committee Procedures

Hi all - just two more quick reminders:

Scheduling an Assembly Republican Bill: Before placing an Assembly Republican bill on a hearing or exec notice, please notify the author. This allows the author and the chair to deal with scheduling conflicts and issues regarding the bill before the notice is published. Furthermore, the author should be provided advanced notice so that he or she has the opportunity to issue a press release, plan other types of outreach and/or personally notify constituents or others about the committee meeting.

WisconsinEye Now Filming Committees: Last week, WisconsinEye began filming committees ahead of schedule. Each Friday, WisconsinEye will provide the Chief Clerk, the Speaker and the Assembly Minority Leader a list of the committees it will film the following week. The Chief Clerk's office will forward this information to committee members. Chairs should make every effort to start committees on time and work to make sure Republican members are present during as much as the filming as possible (realizing that members often have to attend more than one committee meeting on the same day).

The WisconsinEye license agreement requires the appointment of an oversight committee to review filming protocols and recommend changes to the Assembly Organization Committee. If you have suggestions or concerns as filming continues, please pass them on to me, Jim Bender and/or Denise Solie. Also, if issues arise on the day of filming that need immediate attention, please contact Pat Fuller, Jim Bender, or I to help resolve them.

Thanks.

Jodi

From: Rep.Fitzgerald
Sent: Monday, May 21, 2007 12:36 PM
To: Adam Raschka; Andrew Nowlan; August, Tyler; Austin, Michael; Bacher, Luke; Battles, Cale; Bauknecht, Jason; Blodgett, Tony; Buschman, Sara; Dean Cady; Diane Harmelink; Fiocchi, Tim; Jason Vick; Jeffrey Grothman; Junck, Linda; Kikkert, Becky; Knight, Eric; Knudson, Steve; Kussow, Matt; Lindstedt, Daniel; Marlene Reineking; Mike Bruhn; Mike Mikalsen; Minette Lawrence; Nelson, Scott - Legislature; Parrott, Douglas; Paulson, Darcy; Potts, Andrew; Ruby, Erin; Sarah Popp; Savage, Bill; Scott Becher; Seaholm, Matthew; Smith-Loomans, Sandra; Tanya Hein; Terri Griffiths; Tim Gary; Williams, Vincent

Cc: Jensen, Jodi; Dake, Brian; Bender, Jim; Pleva, Brian
Subject: Committee Procedures

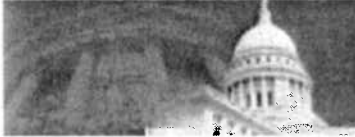
We would like to emphasize two points that we would like committee clerks and chairs to keep in mind as hearings and exec's. are held in the future.

First, as was mentioned to members in caucus, when your committee is in possession of companion bills and you are holding an exec., please exec. both companions rather than just the Senate version. This will give us more options to work with rather than just a Senate bill.

Second, please make sure that when members of your committee are absent from a hearing or exec. that if properly excused, our members are actually marked as "excused" rather than just "absent" when reporting your record of attendance.

Thanks for you cooperation.

As always, if you have any questions or suggestions, please feel free to contact Bob Karius in my office.



WISCONSIN STATE LEGISLATURE



Field, Adam

Misc

From: Miller Fienen, Chandra - COMMERCE [Chandra.MillerFienen@wisconsin.gov]
Sent: Monday, June 11, 2007 6:02 PM
To: Rep.Wieckert
Subject: WLC 0110/2, relating to certification of Minority and Women Business Enterprises administered by the Department of Commerce
Attachments: Ltr to Joint Leg Committee_061107.pdf

Dear Representative wieckert:

On Tuesday, the Joint Legislative Council will hold a hearing on the recommendations of the Special Committee on Affirmative Action. Specifically, WLC 0110/2 proposes the following changes to the minority and women business certification program administered by the Department of Commerce:

1. limiting certification of women and minority businesses to owners with a net worth less than one million dollars;
2. requiring local units of government to apply the net worth limitation to local minority contracting or hiring programs; and
3. restricting certification to minority business owners who are U.S. citizens, rather than a U.S. citizen or permanent resident as is currently required.

The Department of Commerce objects to these recommendations and requests that the Joint Legislative Council reject WLC 0110/2 for the following reasons.

1. The proposed recommendations would reduce the number of certified minority businesses, contrary to the intent of the minority business certification program, which was to encourage the formation of minority businesses in Wisconsin. The State of Wisconsin should continue to encourage—not discourage—minority entrepreneurship.
2. A reduction in certified minority business will adversely affecting Wisconsin's ability to meet its stated goal of procuring 5% from minority businesses. As a practical matter, the changes would limit certification to smaller businesses with less capacity to fulfill the larger state contracts and projects, such as the Marquette Interchange.
3. The proposed net worth limitation is inconsistent with the majority of states with certification programs and national certifying agencies do not impose a net worth cap. The two states that do impose a net worth limitation, Maryland and Florida, have significantly higher cap, \$1.5 million and \$5 million respectively, than WLC 0112/2 would impose,
4. The proposed net worth limitation is unnecessary as financially disadvantaged minority businesses can qualify for Disadvantaged Business Enterprise certification. The DBE certification requires a net worth of less than \$750,000, excluding the value of home and business.
5. Passage of WLC 0110/2 would require the Department to re-evaluate and either re-certify or de-certify the approximately 1,100 currently certified minority businesses. This would have a significant fiscal impact.
6. The net worth limitation for women-owned business is unnecessary because women-owned business do not receive a preference in state procurement decisions.
7. Restricting minority certification to U.S. citizens will adversely affect the number of minority businesses certified. While the Department does not electronically track the number of certified minority business owners that are U.S. citizens versus lawful permanent residents, preventing certification of minority business owners who are legal permanent residents will further reduce the number of certified businesses. In addition, the MBE certification as it presently exists is consistent with the federal DBE program, which also permits certifications to be issued to U.S. citizens or permanent residents. Moreover, it is unfair to permit certification of women-owned businesses where the owner is either a citizen or a *permanent resident*, while requiring minority business owners to the citizens.

For the above reasons, the Department of Commerce respectfully requests that the Joint Legislative Committee not adopt the recommendations of the Special Committee on Affirmative Action.

Sincerely,

06/12/2007



Mary P. Burke
SECRETARY

Chandra Miller Fienen
Executive Assistant
Office of the Secretary
Department of Commerce
608.266.2125
chandra.millerfienen@wisconsin.gov

June 11, 2007

Re: WLC 0110/2, relating to certification of Minority and Women Business Enterprises administered by the Department of Commerce

Dear Joint Legislative Council member:

On Tuesday, the Joint Legislative Council will hold a hearing on the recommendations of the Special Committee on Affirmative Action. Specifically, WLC 0110/2 proposes the following changes to the minority and women business certification program administered by the Department of Commerce:

1. limiting certification of women and minority businesses to owners with a net worth less than one million dollars;
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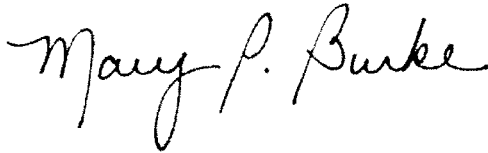
The Department of Commerce objects to these recommendations and requests that the Joint Legislative Council reject WLC 0110/2 for the following reasons.

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2. A reduction in certified minority business will adversely affecting Wisconsin's ability to meet its stated goal of procuring 5% from minority businesses. As a practical matter, the changes would limit certification to smaller businesses with less capacity to fulfill the larger state contracts and projects, such as the Marquette Interchange.
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number of certified minority business owners that are U.S. citizens versus lawful permanent residents, preventing certification of minority business owners who are legal permanent residents will further reduce the number of certified businesses. In addition, the MBE certification as it presently exists is consistent with the federal DBE program, which also permits certifications to be issued to U.S. citizens or permanent residents. Moreover, it is unfair to permit certification of women-owned businesses where the owner is either a citizen *or a permanent resident*, while requiring minority business owners to the citizens.

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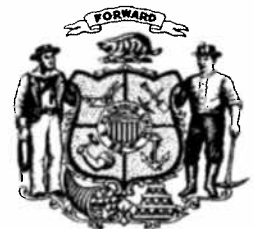
Sincerely,

A handwritten signature in cursive script that reads "Mary P. Burke". The signature is written in black ink and is positioned above the typed name and title.

Mary P. Burke
SECRETARY



WISCONSIN STATE LEGISLATURE



Becher, Scott

From: Annie Early [annie@martinschreiber.com]
Sent: Friday, June 15, 2007 3:59 PM
To: Becher, Scott
Subject: Appleton PC letter to editor Dec 18
Attachments: Appleton PC letter to editor Dec 18.doc

Scott;

Please also include this in your materials relating to the Dept of Commerce proposed rule to adopt the 2006 International Building Code (IBC).

Thanks, and have a great weekend!
Annie

Annie M. Early
Public Affairs Consultant
Martin Schreiber & Associates, Inc.
608.259.1212 x 3
www.martinschreiber.com

Posted December 18, 2006

Letters to the editor

Increase your chances of surviving a home fire

GREEN BAY — Regarding the letter, "Proposed rule will price people out of housing," referring to fire sprinkler systems in multifamily homes: The writer makes a good point about working smoke alarms in the home and their role in reducing fire deaths.

However, the National Fire Protection Association estimates that more than 77 million smoke alarms across the country are outdated. Households with nonworking smoke alarms now outnumber those with no smoke alarms — and roughly half of home fire deaths result from fires in homes with no smoke alarms.

Working smoke alarms cut the risk of dying in a home fire by 50 percent. So I ask: Why not make your chance of surviving a residential fire 100 percent with working smoke alarms and a working residential fire sprinkler?

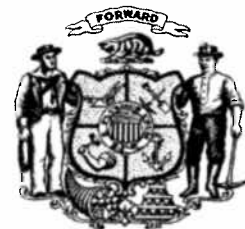
Fire sprinkler systems provide relatively simple, extremely reliable, affordable fire protection. Many building owners, architects and specifying engineers see them as an "extra" in construction, sometimes going to great lengths to avoid them.

The only true way to eliminate fire deaths is by installing a working residential fire sprinkler system. To reduce fire deaths is not enough. We must eliminate fire deaths — because one is too many.

- Lt. Chris Heil, Green Bay Fire Department



WISCONSIN STATE LEGISLATURE



Becher, Scott

From: Brad Boycks [bboycks@wisbuild.org]
Sent: Monday, August 20, 2007 3:33 PM
To: Becher, Scott
Subject: Line up

A handwritten note in a circle, containing the word "MISC" and a question mark below it.

Hi Scott-

We would ask that after Commerce does their testimony that myself and our attorney, Laurie Lubinsky of Axley come up next.

After that John Eagon will be available to testify on the most recent revisions to the code to improve fire safety.

Don Esposito is our GA Chair and probably would be good to go next (if he plans on testifying against, which I believe he is).

After that you can go in the order you receive slips.

Heather Robinson will be there a little last I believe, she will be talking specifically about costs matters.

Brad Boycks
Director of Government Affairs
Wisconsin Builders Association ®
bboycks@wisbuild.org
888-285-9066, x16

Visit our web site: www.wisbuild.org

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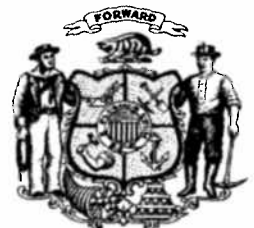
Aug 20
2007

Rule
06/12/07

LINE-UP AFTER
DEPT. OF
COMMERCE



WISCONSIN STATE LEGISLATURE





Wisconsin Builders Association

Tuesday, December 11, 2007

Ms. Donna Sorenson
Department of Administration
P.O. Box 7864
Madison, WI 53707-7864

RE: Plat Review Fee Proposal (Adm 49)

Dear Ms. Sorenson:

I am submitting these comments in regard to the above referenced administrative rule proposal on behalf of the Wisconsin Builders Association (WBA) and the WBA Development Council. WBA, which consists of 24 local associations, is an organization of more than 9000 members committed to preserving and promoting the American dream of home ownership by working for quality, safe and affordable housing in Wisconsin. The WBA Development Council focuses on issues and matters of interest to the development community. Our membership will be directly impacted by this fee proposal.

Initially, we would like to thank the Plat Review Program for the service that it provides to industry. We recognize the important role that you play in the development process, and appreciate the high level of service that is provided.

That being said, we do object to the fee that is being proposed. Under this proposal, fees are being significantly increased (final plat review fees are being doubled). Given the downturn with which the industry is faced this fee seems particularly burdensome. Given current market circumstances, the industry has had to go through some significant belt tightening measures, and would expect government to do so as well.

In that regard, there are a few other points are worth noting regarding this matter. While the Department's revenues have decreased recently due to decreased reviews, so has its workload. Based on the Department's data, for the period January 2006 through October 2006, there were 416 plats approved and 13,470 lots. In contrast, from January of 2007 through October of 2007, there were 304 plats approved and 7976 lots. Thus, plat reviews are down 27%, while lots were down 41%. While we recognize that the Department has reduced its expenditures somewhat (according to a chart provided by the Department, the FY 2006 expenditures \$532,542 were reduced to \$511,991 in FY 2007), we question whether it has reduced to a level to reflect current workload.



4868 High Crossing Boulevard • Madison, Wisconsin 53704-7403
(608) 242-5151 • (800) 362-9066 • Fax (608) 242-5150
www.wisbuild.org

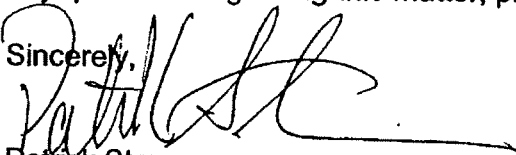
We also note that this fee increase is anticipated to generate \$240,000 per year. We question whether the amount of this fee increase is excessive, particularly when viewed in the context of when the market rebounds.

Moreover, we would note that a portion of these revenues (approximately \$20,700) were previously lapsed to the General Fund. While the amount lapsed was relatively small, we believe that fees should be used for the purposes for which they were collected. Obviously, using fees for other purposes increases the need for a fee increase, and decreases the support for any future increase.

In regard to payment methods, we note that this proposed rule change also would allow fees to be provided by credit card or electronic payment with each plat submittal. We support this change.

Thank you for the opportunity to comment on this important matter. If you have any questions regarding this matter, please contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Stevens', written over the word 'Sincerely,'.

Patrick Stevens
Director of Development Council