

Report From Agency

STATE OF WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF RULE-MAKING	:	
PROCEEDINGS BEFORE THE	:	REPORT TO THE LEGISLATURE
DEPARTMENT OF SAFETY AND	:	CR 13-056
PROFESSIONAL SERVICES	:	
	:	

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

None.

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA are attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

The Auctioneer Board reviewed Wis. Admin. Code s. SPS 128.04 (6) and determined that the rule limited the number of eligible course instructors to auctioneers registered in this state, who have actively practiced auctioneering for the past five years, attorneys that practices in the area of auctioneering, or appraisers approved by the Appraiser Qualifications Board. This list excludes many other qualified professionals from sharing their knowledge with auctioneers. For example, auctioneers would benefit from licensed real estate salespersons that could provide continuing education on real estate matters.

After making this determination, the Auctioneer Board advised the Department to promulgate a rule that would broaden the scope of potential course instructors. Pursuant to s. 480.04, Stats., the Auctioneer Board does not have rule-making authority but acts as an advisor to the Department of Safety and Professional Services in rule-making matters. By promulgating these proposed rules, the Department and the Auctioneer Board seek to enlarge the pool of eligible course instructors to persons who are experts in their field, possess the required years of experience, and conduct courses that have been approved by the Department.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Department held a public hearing on October 15, 2013. No written comments or testimony were received from the public.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report have been accepted in whole.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

None.