SENATE BILL 524 (LRB -3976)

An Act to create 15.155 (6) and 101.596 of the statutes; relating to: creating a building inspector review board. (FE)

2006

02-21.	S.	Introduced by Senators **Stepp**, **A. Lasee**, **Olsen**, **Cowles** and **Reynolds**; cosponsored by Representatives **Pettis**, **Hundertmark**, **Petrowski**, **Zepnick**, **Bies**, **Jeskewitz**, **Musser**, **Albers** and **McCormick**.
01-25.	S.	Read first time and referred to committee on Housing and Financial Institutions 553
01-27.	S.	Representative Kerkman added as a cosponsor 562
02-09.	S.	Fiscal estimate received.
02-15.	S.	Public hearing held.
02-21.	S.	Executive action taken.
02-21.	S.	Report passage recommended by committee on Housing and Financial Institutions, Ayes 7, Noes 0 607
02-21.	S.	Available for scheduling.
03-08.	S.	Placed on calendar 3-9-2006 by committee on Senate Organization.
03-09.	S.	Read a second time 725
03-09.	S.	Ordered to a third reading 725
03-09.	S.	Rules suspended 725
03-09.	S.	Read a third time and **passed** 725
03-09.	S.	Ordered immediately messaged 725
03-21.	A.	Received from Senate 984
03-21.	A.	Read first time and referred to committee on Housing 985
04-06.	A.	Public hearing held.
04-25.	A.	Executive action taken.
04-25.	A.	Report concurrence recommended by committee on Housing, Ayes 4, Noes 0 1033
04-25.	A.	Referred to committee on Rules 1033
04-25.	A.	Placed on calendar 4-27-2006 by committee on Rules.
04-27.	A.	Read a second time.
04-27.	A.	Ordered to a third reading.
04-27.	A.	Rules suspended.
04-27.	A.	Read a third time and **concurred in**.
04-27.	A.	Ordered immediately messaged.
04-28.	S.	Received from Assembly concurred in.

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ENROLLED BILL

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ADOPTED DOCUMENTS:

☒ Orig ☐ Engr ___ SubAmdt ___ 05 - 3976 / 1

Amendments to above (if none, write "NONE"): None

Corrections – show date (if none, write "NONE"): None

Topic Rel

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2005 SENATE BILL 524

January 25, 2006 – Introduced by Senators STEPP, A. LASEE, OLSEN, COWLES and REYNOLDS, cosponsored by Representatives PETTIS, HUNDERTMARK, PETROWSKI, ZEPNICK, BIES, JESKEWITZ, MUSSER, ALBERS and MCCORMICK. Referred to Committee on Housing and Financial Institutions.

1 AN ACT ***to create*** 15.155 (6) and 101.596 of the statutes; **relating to:** creating
2 a building inspector review board.

Analysis by the Legislative Reference Bureau

This bill creates a building inspector review board under the Department of Commerce (Commerce). The bill requires the review board to review complaints made to the board concerning possible incompetent, negligent, or unethical conduct by building inspectors who inspect public buildings, places of employment, or one–family and two–family dwellings. The bill authorizes the review board to revoke the certification of a building inspector that it determines to have engaged in such conduct and also authorizes the board to reverse or modify decisions made by building inspectors that the board determines are in error. The bill also sets forth a process by which a holder of a building permit may make an anonymous complaint to the review board concerning a building inspector. The review board membership consists of a building inspector certified by Commerce, a representative of building contractors and building developers, the secretary of commerce, the senate majority leader, and the speaker of the assembly. The secretary, majority leader, and speaker may appoint designees to the review board. The other two members are appointed by the governor.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 15.155 (6) of the statutes is created to read:

2 15.155 **(6)** BUILDING INSPECTOR REVIEW BOARD. (a) There is created a building
3 inspector review board which is attached to the department of commerce under s.
4 15.03 that consists of the following members:

5 1. The senate majority leader or his or her designee.

6 2. The speaker of the assembly or his or her designee.

7 3. The secretary of commerce or his or her designee.

8 4. A member representing building contractors and building developers who
9 is actively engaged in the on–site construction of public buildings, places of
10 employment, or one–family and two–family dwellings.

11 5. A building inspector certified by the department of commerce, to inspect
12 public buildings, places of employment, or one–family and two–family dwellings.

13 (b) The members appointed under par. (a) 4. and 5. shall serve for 5–year terms.

14 **SECTION 2.** 101.596 of the statutes is created to read:

15 **101.596 Building inspector review board. (1)** DEFINITIONS. In this section:

16 (a) "Board" means the building inspector review board.

17 (b) " Building inspector" means any of the following:

18 1. A person who is certified under rules promulgated by the department to
19 make inspections of public buildings and places of employment.

20 2. A person who is certified under rules promulgated by the department to
21 make inspections under subch. II.

22 (c) "Permittee" means a person who is issued a building permit for a public
23 building or a place of employment or a person who is issued a building permit under
24 subch. II.

1 **(2)** RESPONSIBILITIES. (a) The review board shall review complaints received
2 from permittees concerning possible incompetent, negligent, or unethical conduct by
3 building inspectors.

4 (b) After reviewing a complaint received under par. (a), the review board may
5 revoke the certification of a building inspector if the board determines that the
6 building inspector has engaged in incompetent, negligent, or unethical conduct.

7 (c) The review board may modify or reverse decisions made by building
8 inspectors if the board finds that the decision by the building inspector was made in
9 error.

10 **(3)** PROCEDURES; CONFIDENTIALITY. (a) If a permittee makes a complaint to the
11 review board concerning a building inspector, the permittee may do one of the
12 following:

13 1. Request that the complaint remain anonymous, subject to par. (b).

14 2. Allow the complaint to be presented to the building inspector and not remain
15 anonymous.

16 (b) If the permittee chooses to request that the permittee's complaint remain
17 anonymous, the board may not review the complaint or modify or revoke the permit
18 unless the board receives 2 additional anonymous complaints regarding the
19 inspector. If 2 or more additional complaints are made, the review board shall
20 proceed with its review, and none of the complaints may continue to be anonymous.

21 (c) If the permittee allows his complaint to be presented to the inspector
22 without requesting anonymity, the review board shall proceed with the review.

23 **SECTION 3. Nonstatutory provisions.**

24 (1) Notwithstanding the length of terms specified for the members of the
25 building inspector review board under section 15.155 (6) (b) of the statutes, as

created by this act, the term of the member specified under section 15.155 (6) (a) 4. of the statutes, as created by this act, shall be for a term expiring on May 1, 2008, and the term for the member specified under section 15.155 (6) (a) 5. of the statutes, as created by this act, shall be for a term expiring on May 1, 2010.

(END)