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Details:

(FORM UPDATED: 07/12/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2005-06

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on ... Public Health
(AC-PH)**

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

Vote Record Committee on Public Health

Date: 11/30/05

Moved by: Wasserman Seconded by: McCormick

AB 750 SB _____ Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A/S Amdt _____
 A/S Amdt _____ to A/S Amdt _____
 A/S Sub Amdt _____
 A/S Amdt _____ to A/S Sub Amdt _____
 A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:
 Passage Adoption Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrency

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative J.A. Hines, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Gregg Underheim	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative John Townsend	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Stephen Freese	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Terri McCormick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Sheldon Wasserman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Tamara Grigsby	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Charles Benedict	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>6</u>	<u>1</u>	<u>1</u>	_____

Motion Carried

Motion Failed

Vote Record Committee on Public Health

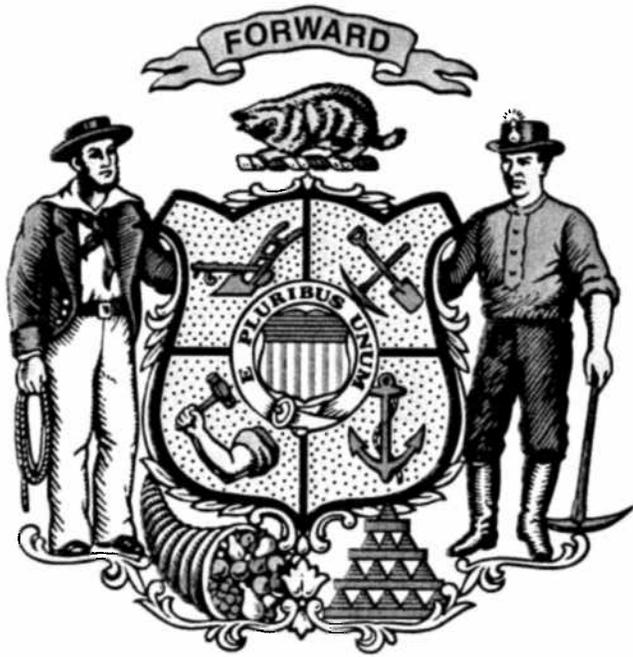
Date: 11/30/05
 Moved by: McCormick Seconded by: Wasserman

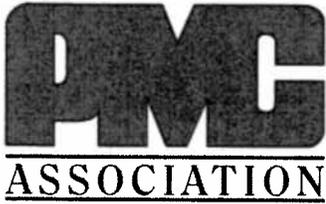
AB 750 SB _____ Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A/S Amdt _____
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- Be recommended for:
- | | | | | |
|---------------------------------------|--|---------------------------------------|---|--|
| <input type="checkbox"/> Passage | <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Confirmation | <input type="checkbox"/> Concurrence | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction | <input type="checkbox"/> Rejection | <input type="checkbox"/> Tabling | <input type="checkbox"/> Nonconcurrency | |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative J.A. Hines, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Gregg Underheim	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative John Townsend	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Stephen Freese	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Terri McCormick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Sheldon Wasserman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Tamara Grigsby	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Charles Benedict	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>7</u>	<u>0</u>	<u>1</u>	<u> </u>





**Plumbing and Mechanical Contractors Association
of Milwaukee and Southeastern Wisconsin**
10427 W. Lincoln Avenue • Suite 1600
Milwaukee, Wisconsin 53227-1201
Phone (414) 543-PMCA (7622) • Fax (414) 543-7626
e-mail: mail@pmsmca.com

Testimony on Assembly Bill 750

November 29, 2005

Good Morning. I am here today to support AB750, regarding the assessment of forfeitures by the Department of Commerce for violating certain licensing requirements and granting rule-making authority.

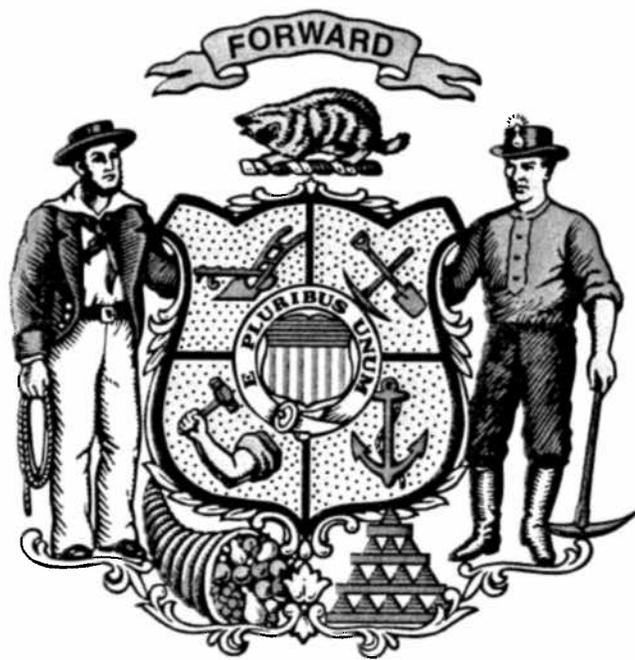
My name is Dajen Bohacek and I am the Associate Director of the Plumbing and Mechanical Contractors Association of Milwaukee. PMC represents over 100 firms that strictly comply with plumbing licensing law. Our organization firmly supports AB 750.

The bill is necessary because there is currently a lack of enforcement mechanisms in place to ensure that work requiring licensed professionals are, in fact, completed by such persons. This bill empowers the Department of Commerce to enforce the policy and will eliminate the current loophole that has allowed unlicensed operators to perform work without concern for consequences.

Such work completed by unlicensed persons puts the general public at risk. Licensed personnel have completed required training and continuing education to ensure the safety and well being of the general public through their work.

This bill is a step towards protecting the community by outlining and empowering a clear enforcement policy. The members of the Plumbers and Mechanical Contractors Association urge you to vote in support of AB 750.

Thank You.



Assembly Committee on Public Health
Public Hearing on AB 750
November 30, 2005

Chairman Hines and members of the committee, I support the passage of AB 750. It is important to protect the health and safety of the citizens of this state and a strong enforcement tool is imperative to address the current situation. The prevalence of individuals installing plumbing without a license or proper supervision is very alarming. I have worked as an inspector and have seen the results of persons who have portrayed themselves as licensed plumbers and left a dwelling in an unsafe and unhealthy state. The unwary consumer is left to pay for the results of the damage caused. Since enforcement action is unlikely the unscrupulous contractor doesn't even add the cost of enforcement into the price of the job. It is difficult for a legitimate contractor to compete against an unscrupulous one. Knowing that enforcement is not an issue keeps these people cheating the taxpayers of this state.

We have budget difficulties in the State as you know, and every municipality is trying to do more with less. If an inspector does find a violation the time spent to follow the proper procedures for a court appearance takes away from a busy schedule and work that must be made up. A plumbing license violation does not take precedence in a court schedule. The court date could be postponed for several years. As a former inspector I know this does happen.

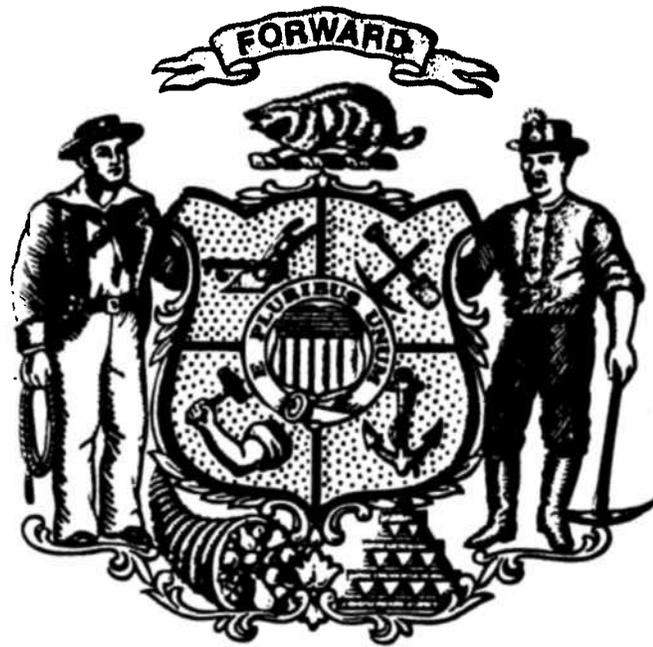
The Department of Commerce needs a tool to help with the enforcement of the statutes that will not be a burden to the taxpayers. The imposition of a penalty in a timely manner will help solve the problem of non-licensed individuals cheating the consumers of the State. The procedures for enforcement must be concise and easy to apply by the proper authorities. Since a home is one of the largest investments that a consumer makes, they should get what they pay for. We need AB 750 to re-establish the enforcement of the State Plumbing Code to protect the health and safety of Wisconsin citizens.

Sincerely,



Louie Pody

Master Plumber-224597
UDC Plumbing Inspector
Commercial Plumbing Inspector



November 30, 2005

To: Chairman Hines and the Assembly
Committee on Public Health

From: Marty Tirado, CAE,
Executive Director, PHCC Wisconsin Association

On behalf of the Plumbing-Heating-Cooling Contractors
Wisconsin Association (PHCC), I am asking for your support of
Assembly Bill 750.



The PHCC and its affiliate, the Master Plumbers Association of Wisconsin, represents over 100 plumbing, heating, cooling contractor companies who collectively employ over 1,000 licensed plumbers and apprentices. We have a proportionate distribution of members throughout the state, with a mix of both union and non-union companies. Our mission is to promote the professionalism and integrity of the Plumbing-Heating-Cooling industry through education, training and legislative action for the health, safety and well-being of our members and the public.

In my 4+ years of experience serving as Executive Director, what I have consistently noticed is the pride a journeyman or master plumber has in the license they have worked and studied hard to achieve. I appreciate this pride of accomplishment as often times their license is the professional equivalent of a white-collar worker earning a bachelor's degree. Licensed plumbers have taken the time to demonstrate and earn a higher level of learning than other laborers, and they appreciate the state plumbing license laws which confirms their skills as more advanced than other laborers.

The problem of unlicensed plumbers performing plumbing services has been an issue our Board of Directors has discussed extensively. The Plumbing Code Council, an advisory council of the Department of Commerce – Safety & Buildings Division, has also discussed this problem. The problem is not new, but AB750 is a bill supported amongst a wide array of organizations in our industry. Over the last year, the PHCC has asked our members to attempt to document cases of unlicensed work or plumbing work that is not in compliance with code. I have a folder full of this documentation and will share it with the Committee at your request, but here are a few examples:

Area: Milwaukee County

Violation: "Basement sewer illegally and improperly installed. Wrong pipe sizes, missing vents, improper fittings."

Approximate cost to repair: \$500

Area: Racine County

Violation: “Improper venting and waste pipe installation. Main plumbing stack stubbed into attic – bad sewer smell. Almost all other fixtures in the house have no vents, slow drains and gurgling.”

Approximate cost to repair: \$1500

Area: Eau Claire County

Violation: “Water piping not sized correctly in the bathroom and laundry subjecting the owners to scalding in the shower. Vent piping for bath and laundry no installed correctly subjecting the home to gas.”

Approximate cost to repair: \$500

Last winter, the PHCC held an educational seminar where a state plumbing inspector did a seminar titled ‘The Top 10 Plumbing Code Violations’. Listening to this seminar, I thought it would give a quick list of common misconceptions of the plumbing code. After the first in-depth description of a code violation, I noticed the audience partly laughing but mostly shaking their heads because the violations being described were egregious to the point that anyone trained properly in plumbing installation could easily recognize the flagrant mistakes made in these examples. It is these types of mistakes that need to stop, as they threaten the safety of Wisconsin citizens.

The PHCC and our members regularly make state plumbing inspectors aware of plumbing code violations. But the state inspectors hands are tied in what they can do to enforce the code and stop unlicensed plumbers.

Our members have worked hard to earn their plumbing license and are proud to protect the integrity of the plumbing code in Wisconsin. Help us give state inspectors more power to enforce violations of the code which will protect the citizens and businesses in Wisconsin by supporting AB750.

Thank you for your consideration.

**E
C
G****Edwin C. Garot Co., Inc.**

Plumbing — Heating — Bathroom Remodeling

November 18, 2005

Mr. Marty Tirado, Executive Director
PHCC Wisconsin Association

Dear Mr. Tirado:

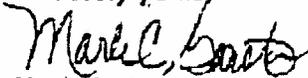
This letter is in regards to Assembly Bill 750 which would give plumbing inspectors the ability to levy fines for plumbing code violations INCLUDING plumbing done by unlicensed individuals or individuals doing more than the scope of the license they hold allows. I am strongly in favor of this bill and hope it passes.

I am a service/remodeling contractor in the Green Bay area. I can give many instances of handymen, carpenters, apartment owners, etc. doing work that needs to be done by licensed professionals. I have, on several occasions, gone into recently sold properties in my area where the homeowner and/or a handyman/carpenter remodeled the kitchen and/or bathroom. As you can suspect, we find the plumbing to be completely in violation of code. My normal procedure for dealing with this is to call in an inspector. The only thing an inspector can do now is give an order for compliance and set a time frame for the corrections required. In most cases, this letter, as well as a proposal from a licensed plumbing contractor, is enough for the new homeowner to take the previous owner to court for damages. Although it is a somewhat time consuming process, it typically works as stated above.

This is only one example of plumbing being done by unlicensed individuals. Many institutions, commercial facilities, municipalities, etc. have their maintenance people doing plumbing work for which they would need a license. In the instance of municipalities, they don't realize the liability they may incur ordering their maintenance people to do these jobs. A problem with me as a contractor reporting these violations is that I would never do work for any of them again. I imagine many of my fellow contractors probably feel the same way. So it can force us to look away when we see it happening.

Licensed plumbers protect the health and welfare of the people they serve by bringing them safe potable water and disposing of sanitary wastes appropriately. This requires very rigorous training to accomplish. Because we do it well, there is a low incidence of disease and sickness associated with properly installed plumbing systems. We need to keep it that way. I strongly support Assembly Bill 750 and would encourage my fellow contractors to do the same. Thank you for your time.

Sincerely yours,



Mark C. Garot, President
EDWIN C. GAROT CO., INC.

CC: Ms. Lois Dennee, Associated Master Plumbers of Green Bay

A TO Z PLUMBING & HEATING, INC.

916 6TH AVE. WEST

ASHLAND, WI 54806

PHONE: 715-682-8520 FAX: 715-682-8521

Email - AtoZ @ ncis.net

November 25, 2005

PHCC Wisconsin
1123 N. Water St.
Milwaukee, WI 53202

Attn: Marty Tirado

RE: Assembly Bill 750

Dear Sir,

In July of this year a Commercial establishment located in Ashland, WI the "Latte Da Internet Cafe" was being refinished. It was brought to my attention by my employee (Licenced People) that so called carpenters were doing the plumbing work. I contacted the local building inspector and nothing was done. Due to the locals lack of enforcement I contacted the State Inspector Don Hough and he came to the site. Mr Hough red tagged the site.

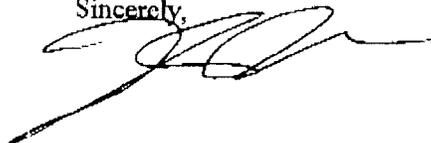
The result of this was that the owner incurred major expenses to have the plumbing done correctly. The owner expressed his displeasure with me since I was the one who informed the State of unlicenced individuals doing plumbing illegally. The owner told me that the local officials told him that the only time he needed a licenced Plumber was for the exterior sewer.

The persons that were wrong here were the people doing the work, not my employees or myself who were just upholding State of Wisconsin Codes.

Non licenced individuals doing plumbing work is rampant in Northern Wisconsin. Why have laws on the books, licences, codes and apprenticeships when there is no teeth to enforce blatant violations of laws already on the books.

Bill 750 will not change the codes or add inspectors. All it will do is provide teeth in enforcement that is truly needed.

Sincerely,



Zygmund Jablonski Jr.
Master Plumber #6302

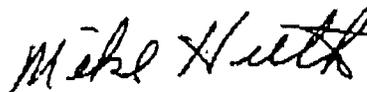
Ashwauber on Plumbing Ltd.
3090 Mark st St.
Green Bay, WI 54304
339-2851 339-2871 FAX
Mike Huth MP224990

11-28-2005

Dear Lois Dennee,

The building inspector for the Town of Lawrence, Bob Gerbers, contacted me to meet him at Hudson's Classic Grill 1632 Mid Valley Dr. De Pere to look at that plumbing that was installed by an unlicensed / non-qualified person. The plumbing that was installed was under sized and did not meet Wisconsin Plumbing Code. The unlicensed / non-qualified person performing the work was from Escanaba, Michigan, and was hired by the owner of the building. This person was also doing electrical work without a license.

Mike Huth MP:224990

A handwritten signature in black ink that reads "Mike Huth". The signature is written in a cursive style with a large, stylized "M" and "H".

Vern
KUMMERS
PLUMBING

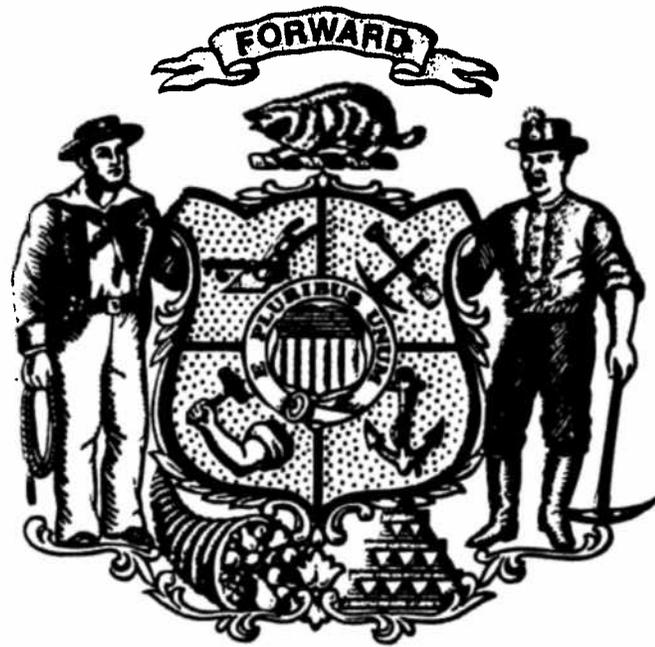
1666 Main Street
Green Bay, WI 54302
phone: (920) 468-8756
email: rkummers@tds.net

Lois,

We are scheduled to go to Judy Hansens house this week. She hired a handyman to install new cabinets and countertops and install a kitchen sink, faucet, disposal and dishwasher. She paid him for the work and after installing the cabinets incorrectly, he took off with her money and she can't find him.

Thanks,

Jackie





J.A. HINES

STATE REPRESENTATIVE • 42ND ASSEMBLY DISTRICT

**Testimony Before the Assembly Committee on Public Health
In Support of Assembly Bill 750
November 30, 2005**

Good morning everyone. Before I go into the specifics of the bill, I would like to talk a little about the history of plumbing in Wisconsin. Many years ago, the State realized safe, sanitary water could only be assured if well-trained, knowledgeable people are installing the water supply and waste discharge systems in our state. In fact, they felt this was so important for the health of Wisconsinites that originally they housed all regulation of plumbing in the Department of Health and Family Services. Statutes were created that required that all plumbing shall be safe and sanitary to safeguard the public health and waters of the state. With that public purpose in mind, the state requires plumbers in the state to be licensed by the Department of Commerce (Sec. 145.06 of the statutes).

Time has passed and sanitary water coming from the faucets in our homes and workplaces is something that Wisconsinites take for granted. It is a credit to the State's efforts that this is possible. However, it is still important that the state be vigilant to ensure Wisconsinites can continue to take that for granted.

Unfortunately, the Department of Commerce, as well as contractors and workers in the plumbing industry, have encountered more and more *unlicensed* (and therefore, untrained) individuals installing plumbing systems in the state, thereby jeopardizing the health and safety of our citizens.

As a result, a work group within the Division of Safety & Buildings in the Department of Commerce was convened to address enforcement concerns. The workgroup came to the conclusion that this problem was growing basically for two reasons:

1. The potential penalty for violating the licensing requirement (a fine of between \$100 and \$500, or possible imprisonment for 30 days) is not viewed by violators as significant, and
2. The district attorneys in the state are overwhelmed with other cases to prosecute and therefore are choosing not to pursue these violators of the plumbing law.

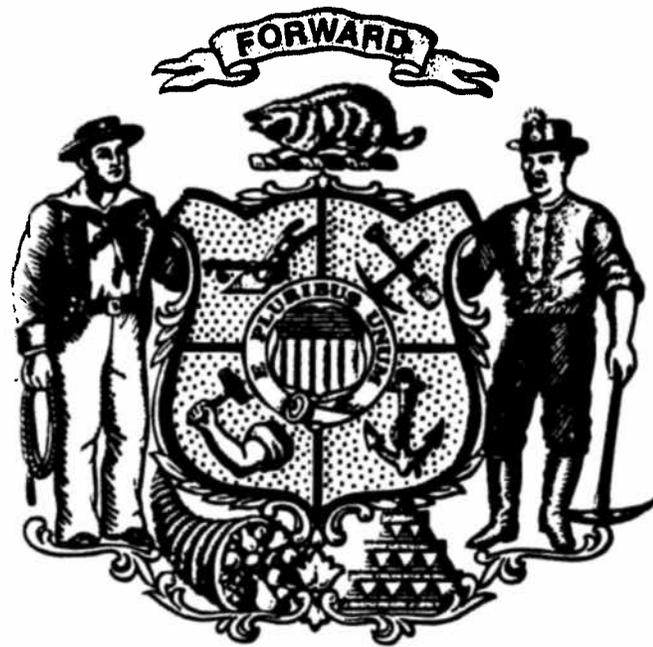
Assembly Bill 750 is the result of the Department of Commerce and the plumbers' efforts to continue assuring the public's safety. This legislation addresses this growing problem by providing stiffer penalties for violating the state's existing licensing requirements (up to \$2,000), and by allowing professional code consultants within the Department of Commerce (who are already charged with the responsibility for industry oversight) to bring action against violators.



The legislation does not change the nature of the work covered by the plumbing licensing requirements nor does it change the work/education requirements of those seeking plumbing licenses. In addition, it only affects non-licensed individuals.

I am honored to be working with the plumbers, contractors and the Department on this important issue concerning Wisconsin's public health. I would like to turn the floor over to these two gentlemen who have much more knowledge and experience with these issues.

Thank you.



WISCONSIN PIPE TRADES ASSOCIATION

11175 West Parkland Avenue • Milwaukee, WI 53224-3135 • OFC: (414) 359-1310 • FAX (414) 359-1323



Comments of Harry Kreuser
Secretary-Treasurer of the
Wisconsin Pipe Trades Association

Before the

Assembly Committee on Public Health
Public Hearing on AB 750
November 30, 2005

UA Affiliated
Unions:

Fox Valley
No. 400

Milwaukee-Madison
No. 75
No. 601

Milwaukee
No. 183

Northwest
No. 434

Racine-Kenosha
No. 118

Superior-Duluth
No. 11

Local 669
District 15
District 31

Toll Free
888-248-3392

Website
www.wipipetrades.org

Chairman Hines and other members of the Committee on Public Health. My name is Harry Kreuser and I am the Secretary-Treasurer of the Wisconsin Pipe Trades Association (WPTA). This statewide association, representing 3,100 licensed, union plumbers within the State of Wisconsin, has endorsed AB 750.

I am pleased to appear before you today and I want to thank the Committee for having this public hearing on this important piece of legislation. I particularly want to thank Chairman Hines for introducing this legislation, and I appreciate the other members of the Committee who have also signed onto the legislation as original cosponsors.

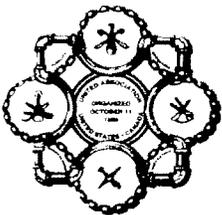
I appear before today on behalf of the Wisconsin Pipe Trades Association in support of this legislation because there has been a statewide need to address this important issue for too long. Unlicensed people, performing plumbing without the extensive five years of training that is required for licensed plumbers, jeopardize the health and safety of communities throughout the state. Licensed plumbers continue their training throughout their careers to ensure that the work that they perform is done according to state statutes that govern this work.

Our organization has always had public health and safety as our main concern. It has long been said that the "Plumber protects the health of the nation." We value the statutes and the license laws that the State of Wisconsin has had on record since 1914. The Wisconsin Pipe Trades Association believes the need to reinforce what has been in state statutes for years is long overdue. We urge you to pass AB 750.

Read into the record on behalf of:

Kevin LaMere
President, WPTA
Business Manager
Local 601, Milwaukee

Chris Schoenbeck
Vice President, WPTA
Business Manager
Local 183, Milwaukee



Harry Kreuser
Secretary-Treasurer WPTA
Business Manager
Local 75, Milwaukee

Kenneth Bastian
Business Manager
Local 118, Racine/Kenosha

Terry Hayden
Business Manager
Local 434, Mosinee

Mark Buss
Business Manager
Local 400, Fox Valley

Greg Sayles
Business Manager
Local 11, Superior





PLUMBERS LOCAL 75

11175 West Parkland Avenue
Milwaukee, Wisconsin 53224-3135
(414) 359-1310 FAX: 359-1323
(888) 248-3392

Comments of Harry Kreuser
Business Manager of Plumbers Local 75

Before the

Assembly Committee on Public Health
Public Hearing on AB750
November 30, 2005

Chairman Hines and other members of the Committee on Public Health, I am Harry Krueser, Business Manager for Plumbers Local 75, based in Milwaukee, but representing 1850 licensed professional plumbers in 14 counties in southern Wisconsin.

I am pleased to appear before you today in support of AB 750, and I want to thank the committee for having this public hearing on this important piece of legislation. I particularly want to thank Chairman Hines for introducing this legislation, and I appreciate the other members of the Committee who have also signed onto the legislation as original cosponsors.

I appear before you today in support of this legislation because it will help to protect the health and safety of Wisconsin citizens.

The rules and regulations governing the examination and licensing of plumbers were adopted by the State Board of Health on April 6, 1914. The State Plumbing Code was adopted on that same date. At that time, these rules and regulations were enforced by the State Attorney General. Even then, the State Plumbing Code stated: Lack of knowledge of the provisions of this code will not be accepted as an excuse for noncompliance with its requirements. Even at that time, an individual faced a fine of not less than \$10.00 nor exceeding \$50.00, or imprisonment in jail not exceeding thirty days for each and every violation thereof. Each day of such violation constituted a separate offense.

Even though the Division of Plumbing has been moved to several different Departments since that time, and is currently in the Department of Commerce, those same laws still exist in our current plumbing code statutes. The Department of Health knew then how important a roll the plumbing industry and the people who installed those systems had in protecting the public's health and safety. The bill before you, AB 750, will help bring back the safeguards that were established in 1914.

Business Manager ¹
Harry Kreuser

AB 750 is not going to create new plumbing regulations or add to the State's budget. What this bill will do is better protect Wisconsin citizens who rely on the professional, licensed plumber doing his work, not the individuals who pass themselves off as those professionals.

Today, when violations are reported, our District Attorneys, who are burdened with other violations, do not view these violations as important enough to prosecute. Even though grave illness and deaths have been attributed to bad plumbing, we find no prosecutions. We need AB 750 to re-establish that enforcement when inspectors write their citations.

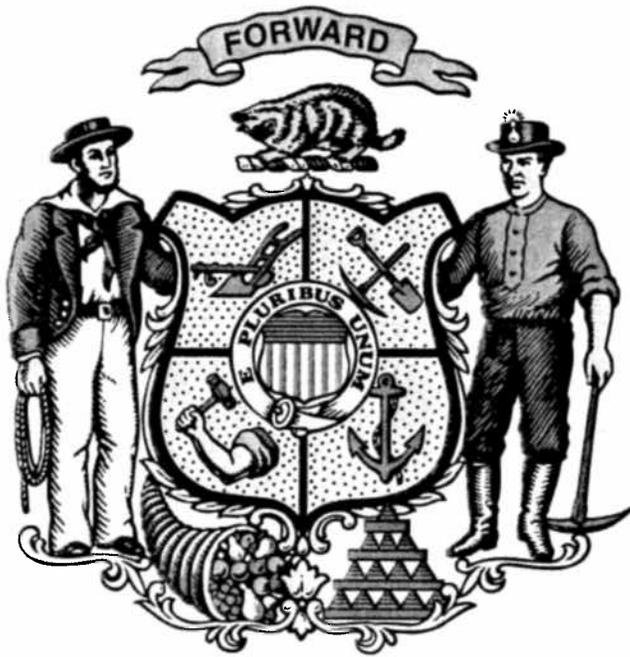
We need to remember that the Department of Health had a Board of Directors comprised of doctors. With that thought in mind, I hope you can see the importance of licensing and inspection. The public's health has been put in jeopardy by the lack of enforcement of good plumbing practices. With the advent of the Do-It-Yourself Plumbers, we find the public facing those same problems that were addressed in 1914 when these original laws were put into effect. We don't allow people to drive a vehicle without a license, or a doctor to practice medicine without a license. I hope you can view the plumbing profession in the same light.

I would like to close by saying thank you for allowing me to address this committee and listening to my view. I hope that it helps explain the importance of AB 750.

Thank you.

A handwritten signature in cursive script that reads "Harry Kreuser". The signature is written in black ink and is positioned above the typed name.

Harry Kreuser
Business Manager
Plumbers Local 75





Testimony on Substitute Amendment 1 to AB 750
Committee on Public Health
November 30, 2005
Representative J.A. Hines, Chair

I am skeptical of licensing in general. Calls for licensing and increased enforcement should be borne of the need to protect the life and health of the public.

In my opinion, the legislature is right to be suspect of licensing proposals. They should continue to evaluate proposals to ensure they are not simply a disguise for a monopoly on economic privilege.

It was Libertarian Milton Friedman who noted that the *“The pressure on the legislature to license an occupation rarely comes from the members of the public who have been harmed or in other ways abused by the members of the occupation. On the contrary, the pressure invariably comes from the members of the occupation itself”*.

There is no question that the business of plumbing in Wisconsin is highly regulated. For better or for worse, that decision was made long ago. There is little doubt that to engage in plumbing without a license is already illegal. So why should anyone support legislation? Simply put, the current system is ineffective in preventing unlicensed people from engaging in plumbing, leaving those contractors who follow the law at a disadvantage when competing with those who don't. More importantly unlicensed plumbers are more likely to be engaged in installations that are not inspected at least and un-safe at worst.

The current system relies on the District Attorney to prosecute individuals who are found to be engaged in plumbing without a license. But let's face it. When the DA is dealing with other larger social and criminal issues the desire to pursue “unlicensed plumbing contractors” is no doubt pushed to the bottom of the “Prosecute Today List”.

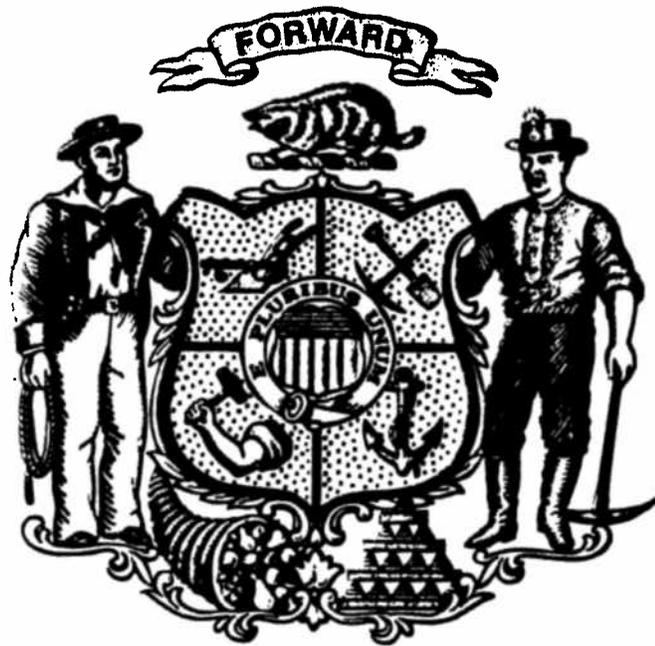
This legislation allows Commerce to *“directly assess a forfeiture by issuing an order against any person who engages in work at plumbing without a license”*. This means that state inspectors could issue an order assessing a “fine” of not more than \$2,000 to anyone caught plumbing without a license.

This bill would empower the Department of Commerce to take direct action and would eliminate the need to rely on the District Attorney. My experience with the department of Commerce has been positive. I find the department responsible and responsive to the industry. They would, no doubt, treat this new authority in the same manner.

In short this proposal does not further restrict the plumbing trade. It simply creates a more effective enforcement tool. I urge the Committee to support Substitute Amendment 1 to AB 750.

Associated Builders & Contractors of Wisconsin is a statewide association representing over 800 contractors, material suppliers, manufacturers and other construction-related firms in Wisconsin, primarily merit shop contractors.

*For More Information Contact:
John Mielke, Director of Government Relations
Phone: 608-244-5883
Fax: 608-244-2401
Cell: 608-332-5824
jmielke@abcwi.org*



Comments of Pat Casey
Education Staff, Plumbers Local 75

Before the

Assembly Committee on Public Health
Public Hearing on AB 750
November 30, 2005

Chairman Hines and other members of the Committee on Public Health, I am Pat Casey, a member of the Education Staff employed at Plumbers Local 75.

I am pleased to appear before you today in support of AB 750, and I want to thank the committee for having this public hearing on such an important piece of legislation. I particularly want to thank Chairman Hines for introducing this legislation, and I appreciate the other members of the Committee who have also signed onto the legislation as original cosponsors.

I maintain a current Master Plumber's License, Plumbing Designer License, Plumbing Inspector's Certification and a Cross Connection Control Tester Registration. I began teaching part-time in the plumbing apprentice program in 1989. From 1995 to the present I have been employed full time as a plumbing apprentice instructor in Milwaukee. Our goal has been to create a well trained and responsible work force.

I am in support of this legislation because a clearly defined and strictly enforced license law is important to the public in relation to health and sanitation. Statute 145.06(1) and (2) safeguards the public health by requiring a plumbing license to install plumbing.

Two major concerns regarding plumbing as it relates to the public's welfare are: 1) A safe potable water supply from the source(public water treatment system/or private well) to each plumbing fixture within the structure. 2) Safe and efficient disposal of the used wastewater from fixtures and appliances. Both of these concerns can be addressed by the enforcement of the Wisconsin plumbing license law.

To obtain a Wisconsin Plumbing license, an individual must complete a plumbing apprenticeship under s. 106.025. The plumbing apprenticeship is a five-year process that includes a minimum of 7500 hours of "on-the-job" training; 500 hours of (paid) class time instruction and an additional 260 hours of (unpaid) plumbing related class work. All class work must be completed with a 75% minimum grade. The subject content of all classes and "on the job" training experience are overseen by the Department of Workforce Development, Bureau of Apprenticeship Standards. Before becoming a

journeyman plumber, the apprentice must pass a written test conducted by the Department of Commerce.

To protect the health of the citizens of Wisconsin through a strict license law is consistent with Wisconsin's long history regarding plumbing. The Wisconsin State Plumbing Code went into effect on April 10, 1914. This required a licensed plumber to install plumbing systems in all cities of the 1st, 2nd, and 3rd class that had municipal water works and municipal sewage disposal. With a change in the population to a more suburban or rural type of development, the Legislature moved in 1963 to pass a statewide license law to require a plumbing license for the installation of all plumbing systems. The Home Safety Act (December 2003; although delayed the enforcement of the new UDC until January 1, 2005) requires all municipalities statewide to have an enforcement program of the UDC in all new homes. Each new home now requires a building permit and inspection of plumbing, electrical, HVAC, and construction. Assembly Bill 750 helps maintain and support the integrity of Wisconsin's past efforts.