

# ☞ 07hr\_CRule\_08-047\_AC-Ho\_pt01



Details:

(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)

**Assembly**

**Record of Committee Proceedings**

**Committee on Housing**

**Clearinghouse Rule 08-047**

Relating to electrical construction.

Submitted by Department of Commerce.

September 8, 2008      Referred to Committee on Housing.

October 2, 2008        Meeting with Agency Requested

November 5, 2008      Germane Amendment Received

November 7, 2008      No action taken.

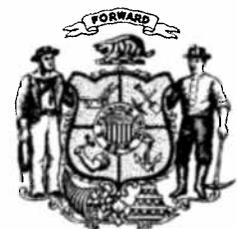


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Scott Becher  
Committee Clerk



# WISCONSIN STATE LEGISLATURE





# STEVE WIECKERT

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STATE REPRESENTATIVE • 57<sup>TH</sup> ASSEMBLY DISTRICT

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September 8, 2008

To: Members of the Assembly Housing Committee on Housing

From: Rep. Steve Wieckert

The following two clearinghouse rules have been referred to the Assembly Committee on Housing:

 **Clearinghouse Rule 08-047**

Submitted by the Department of Commerce

Relating to electrical construction

Received by Committee: September 8, 2008

**Jurisdiction ends: October 8, 2008**

**Clearinghouse Rule 08-043**

Submitted by the Department of Commerce

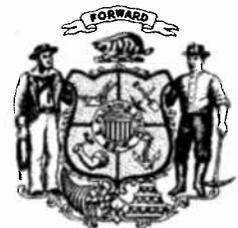
Relating to the uniform dwelling code

Received by Committee: September 8, 2008

**Jurisdiction ends: October 8, 2008**

If you would like a copy of this rule, submit comments or request a hearing, please contact Scott Becher in my office. The deadline for committee action is listed above. Thank you.

**IDEALS, PRINCIPLES, PATRIOTISM**



**Becher, Scott**

**From:** Ross Kinzler [ross@xmail.housingalliance.us]  
**Sent:** Wednesday, September 24, 2008 11:45 AM  
**To:** Becher, Scott  
**Cc:** robert.dupont@commerce.state.wi.us  
**Subject:** RE: Clearinghouse Rules 08-047 and 08-043 opinions



**To:** Scott Becher, Chief of Staff, Assembly Housing Committee

**From:** Ross Kinzler

The Wisconsin Housing Alliance supports both CL 08—043 (UDC revisions) and CL 08-047 (Electrical Code updates).

As to the changes in the Uniform Dwelling Code, this was a 5 year process that in our view took way too long. While we support the revisions, you should be alert to our concerns that the Insurance Services Organization now views the UDC as an inferior building code and is down grading their rating of local government building departments as a result. This could well have a negative impact on homeowner insurance rates across the state. We are urging the Department of Commerce to move Wisconsin toward the International Residential Code (IRC) with due speed. Wisconsin law already directs the Department to base the building code on nationally recognized codes and standards.

We urge one of two tracks toward adoption of the IRC.

Track one – Review the UDC and identify code differences between the IRC and UDC and then adopt IRC code language by passive review of the UDC Council on all non-substantive code differences. This would leave the UDC Council to review major issues and transition toward the IRC on a deliberate path. The building code would still be the UDC but would be a near image of the IRC.

Track two – Consider adoption of the IRC in its entirety with the exception of matters brought to the attention of the Department of issues which Wisconsin might want to adopt alternative language. The Wisconsin Housing Alliance would for instance want to be very certain to maintain the UDC's stair geometry provisions.

Thank you for the opportunity to comment.

-----Original Message-----

**From:** Becher, Scott [mailto:Scott.Becher@legis.wisconsin.gov]  
**Sent:** Wednesday, September 24, 2008 11:25 AM  
**To:** Ross Kinzler  
**Subject:** Clearinghouse Rules 08-047 and 08-043 opinions

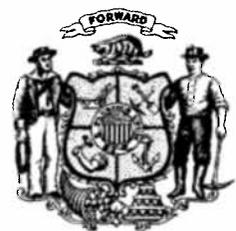
Here is a copy of the two Clearinghouse Rules 08-047 and 08-043. I am looking to get your opinions on each of these rules, which the Assembly Housing Committee has jurisdiction until on October 8.

<<08-043-0.pdf>> <<08-047-0.pdf>>

Scott Becher  
Chief of Staff  
Rep. Wieckert



# WISCONSIN STATE LEGISLATURE





# STEVE WIECKERT

## STATE REPRESENTATIVE

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October 2, 2008

Richard J. Leinenkugel, Secretary  
Department of Commerce  
201 West Washington Ave.  
PO Box 7970  
Madison, WI 53707-7970

Dear Secretary Leinenkugel:

As the Chair of the Assembly Committee on Housing, I hereby request that representatives of the Department of Commerce meet with the Committee to discuss Clearinghouse Rule 08-043, relating to the Uniform Dwelling Code, and Clearinghouse Rule 08-047, relating to electrical construction.

Under s. 227.19(4)(b), stats., submission of this request automatically extends the committee's review period for both of the rules by 30 days. Thus, the Committee will retain jurisdiction over both CHR 08-043 and CHR 08-047 until November 7, 2008.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Wieckert".

Representative Steve Wieckert  
Chair, Assembly Committee on Housing

**IDEALS, PRINCIPLES, PATRIOTISM**



**Becher, Scott**

**From:** Stewart, Helen S - COMMERCE [Helen.Stewart@wisconsin.gov]  
**Sent:** Tuesday, October 21, 2008 4:49 PM  
**To:** bboycks@wisbuild.org; Becher, Scott  
**Subject:** Meeting with the Department of Commerce

Good Afternoon,

As discussed, please find below the details of the upcoming meeting regarding Clearing House Rules 08-043 & 08-047:



Date: Thursday 30th October 2008  
Time: 2.00pm - 3.00pm  
Location: Level 6, 201 W Washington Ave Madison

If you have any further questions, please feel free to contact me directly.

Regards,

Helen Stewart  
Executive Staff Assistant

Wisconsin Department of Commerce  
201 W. Washington Ave., 6th Floor  
Madison, Wisconsin 53707

Phone: (608) 266-8976  
Fax: (608) 266-3447





P.O. Box 7970  
Madison, Wisconsin 53707  
(608) 266-1018  
TDD: Contact through relay

Jim Doyle, Governor  
Richard J. Leinenkugel, Secretary

November 5, 2008

The Honorable Jeffrey Plale, Chair  
Senate Committee on Commerce, Utilities  
and Rail  
Room 313 South, State Capitol  
Madison, Wisconsin 53702

The Honorable Steve Wieckert, Chair  
Assembly Committee on Housing  
Room 16 West, State Capitol  
Madison, Wisconsin 53702

Dear Senator Plale and Representative Wieckert:

The Department of Commerce is submitting a germane modification to Clearinghouse Rule Number 08-047 relating to the electrical construction. This modification is being submitted pursuant to section 227.19 (4) (b) 3. of the statutes.

In response to issues identified by Representative Steve Wieckert, chair of the Assembly Committee on Housing, the germane modification consists of three changes to the subchapter on changes, additions or omissions to the National Electrical Code (NEC). One change involves s. Comm 16.210 and provides a departmental exception that delays until January 1, 2010, the NEC requirements dealing with arc-fault circuit-interrupter protection. Another change is the addition of s. Comm 16.406 that deletes the requirement for tamper-resistant receptacles in dwelling units specified in NEC 406.11.

In addition, the modification changes the effective date of the rules from January 1, 2009, to the first day of the month following publication in the Wisconsin Administrative Register. This change was made due to the time required to get the code changes printed prior to the effective date.

If you have any questions about this modification, please contact Zach Brandon at 266-2125.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard J. Leinenkugel". The signature is written in a cursive style with large, sweeping loops.

Richard J. Leinenkugel  
Secretary

# GERMANE MODIFICATION

**Comm 16.210 Branch circuits. (4) ARC-FAULT CIRCUIT-INTERRUPTER PROTECTION.** (a) *Exception.* This is a department exception to the requirements in NEC 210.12.

Exception: The requirements regarding arc-fault circuit-interrupter protection shall take effect on January 1, 2010.

(b) *Dwelling units.* Substitute the following wording for NEC 210.12 (B) Exception No. 1: Where RMC, IMC, EMT or steel armored cable, Type AC or Type MC, meeting the requirements of 250.118 using metal outlet and junction boxes is installed for the portion of the branch circuit between the branch-circuit overcurrent device and the first outlet, a combination AFCI at the first outlet may be installed to provide protection for the remaining portion of the branch circuit.

**Comm 16.406 Tamper-Resistant Receptacles in Dwelling Units.** The requirement specified in NEC 406.11 is not included as part of this chapter.

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## EFFECTIVE DATE

Pursuant to s. 227.22 (2) (b), Stats., these rules shall take effect on the first day of the month following the publication in the Wisconsin Administrative Register.

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P.O. Box 7970  
Madison, Wisconsin 53707  
(608) 266-1018  
TDD: Contact through relay

Jim Doyle, Governor  
Richard J. Leinenkugel, Secretary

November 17, 2008

The Honorable Jeffrey Plale, Chair  
Senate Committee on Commerce, Utilities  
and Rail  
Room 313 South, State Capitol  
Madison, Wisconsin 53702

The Honorable Steve Wieckert, Chair  
Assembly Committee on Housing  
Room 16 West, State Capitol  
Madison, Wisconsin 53702

Dear Senator Plale and Representative Wieckert:

The Department of Commerce is submitting a germane modification to Clearinghouse Rule Number 08-047 relating to electrical construction. This submittal replaces the germane modification that was sent to you on November 5, 2008.

In response to issues identified by the chairs of both committees, the department and concerned interest groups, this germane modification consists of three changes to the subchapter on changes, additions or omissions to the National Electrical Code (NEC). The first change involves s. Comm 16.210 and provides a departmental exception that delays until January 1, 2010, the NEC requirements dealing with arc-fault circuit-interrupter protection. The second change is also a departmental exception that delays until January 1, 2010, the NEC requirements for tamper-resistant receptacles in dwelling units as specified in NEC 406.11. This exception is noted in s. Comm 16.406.

In addition, the modification changes the effective date of the rules from January 1, 2009, to the first day of the month following publication in the Wisconsin Administrative Register. This change was made because of the time required to get the code changes printed before the effective date.

This germane modification is being submitted pursuant to section 227.19 (4) (b) 3. of the statutes. If you have any questions about this modification, please contact Zach Brandon, Executive Assistant, at 266-2125.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard J. Leinenkugel". The signature is written in a cursive, flowing style.

for Richard J. Leinenkugel  
Secretary

# GERMANE MODIFICATION

**Comm 16.210 Branch circuits. (4) ARC-FAULT CIRCUIT-INTERRUPTER PROTECTION.** (a) *Exception.* This is a department exception to the requirements in NEC 210.12.

Exception: The requirements regarding arc-fault circuit-interrupter protection shall take effect on January 1, 2010.

(b) *Dwelling units.* Substitute the following wording for NEC 210.12 (B) Exception No. 1: Where RMC, IMC, EMT or steel armored cable, Type AC or Type MC, meeting the requirements of 250.118 using metal outlet and junction boxes is installed for the portion of the branch circuit between the branch-circuit overcurrent device and the first outlet, a combination AFCI at the first outlet may be installed to provide protection for the remaining portion of the branch circuit.

**Comm 16.406 Tamper-Resistant Receptacles in Dwelling Units.** This is a department exception to the requirements specified in NEC 406.11.

Exception: The requirements regarding tamper resistant receptacles in dwelling units shall take effect on January 1, 2010.

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## EFFECTIVE DATE

Pursuant to s. 227.22 (2) (b), Stats., these rules shall take effect on the first day of the month following the publication in the Wisconsin Administrative Register.

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