

**WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS**

2007-08

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on
Economic
Development
(SC-ED)**

(Form Updated: 08/11/2009)

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Wisconsin Builders Association

May 21, 2007

Senator Julie Lassa
Chair

Committee on Economic Development, Job Creation, Family Prosperity and Housing
Room 323 South
State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Senator Lassa,

I wanted to bring something to your attention regarding Clearinghouse Rule 07-007 that is before your committee. This rule package implements the provisions set forth in 2005 Wisconsin Act 200 relating to contractor education and certification.

2005 Wisconsin Act 200 states that the Department of Commerce shall *“Adopt rules for the certification, including provisions for suspension and revocation thereof, of inspectors...”* and that *“The rules shall specify that the department may suspend or revoke the certification of an inspector under this subsection for knowingly authorizing the issuance of a building permit to a contractor who is not in compliance with s. 101.654.”*

Clearinghouse Rule 07-007 that is before your committee does not include such language regarding the suspension or revocation of an inspector's certification. I brought this to the attention of the Department at its February 27, 2007 public hearing and their response was “The potential suspension or revocation of an inspector's certification is addressed under the existing rules of s. Comm 5.10 (1) (a) 3. and 8.”

At the same time, Clearinghouse Rule 07-007 adds Comm 5.10 (1)(a)13 which states that the Department may suspend or revoke a contractor's credential if, *“registered under s. Comm 5.31 as a dwelling contractor, is responsible for any of the following:*

- a. Failed to hold or to engage, as an employee, a person who holds a dwelling contractor qualifier certification under s. Comm 5.315 in obtaining a building permit.*
- b. Engaged in the construction of a dwelling without a uniform building permit when required under s. Comm 20.08.*
- c. Convicted of a crime related to the construction of a dwelling.*
- d. Adjudged bankrupt on 2 or more occasions.”*



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The above language [Comm 5.10 (1)(a) 13] is not required to be added per 2005 Wisconsin Act 200.

For the purpose of consistent and uniform treatment of credential holders under the purview of the Department of Commerce, I am respectfully asking that that your Committee either strike Comm 5.10 (1)(a)13 from Clearinghouse Rule 07-007 or add language to Comm 5.10 (1)(a) which states that *the department may suspend or revoke the certification of an inspector under this subsection for knowingly authorizing the issuance of a building permit to a contractor who is not in compliance with s. 101.654.* pursuant to 2005 Wisconsin Act 200.

I would be happy to further discuss this matter if you have any questions. Thank you for your consideration.

Warm regards,

Tim Semmann
Director of Safety and Education

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