

CR 93-52

RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPT. OF INDUSTRY,)
LABOR & HUMAN RELATIONS)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carol Skornicka, Secretary of the Department of Industry,
Labor and Human Relations, and custodian of the official records of said department, do hereby certify that
the annexed rule(s) relating to persons performing construction site soil erosion
control inspections at one- and two-family (Subject) dwellings.
were duly approved and adopted by this department on 7/1/93
(Date)

I further certify that said copy has been compared by me with the original on file in the department
and that the same is a true copy thereof, and of the whole of such original.

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2:50 pm
Revisor of Statutes
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IN TESTIMONY WHEREOF, I have hereunto set
my hand and affixed the official seal of the
department at 4:00 pm
in the city of Madison, this 1st
day of July A.D. 19 93

Pat Osborne
Secretary

ORDER OF ADOPTION

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s)

101.63

Stats., the Department of Industry, Labor and Human Relations creates; amends;

repeals and recreates; repeals and adopts rules of Wisconsin Administrative Code chapter(s):

ILHR 2 and 26

(Number)

Fee Schedule and Certification of Inspectors

(Title)

The attached rules shall take effect on publication in the Wisconsin Administrative

Register

pursuant to section 227.22, Stats.

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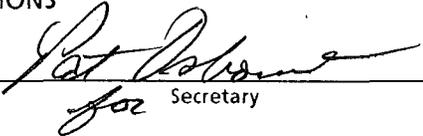
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Adopted at Madison, Wisconsin this

date: July 2, 1993

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN
RELATIONS


for Secretary



RULES in FINAL DRAFT FORM

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Rule No.: ILHR 2 and 26

Relating to: Persons performing construction site soil erosion inspections

Clearinghouse Rule No.: 93-52

The Wisconsin Department of Industry, Labor and Human Relations proposes an order to amend ILHR 26.06; and to create ILHR 2.05 (2) (b) 10., ILHR 26.05 (3) (f) and ILHR 26.08 (2) (c), relating to persons performing construction site soil erosion control inspections at one- and two-family dwellings.

Analysis of Proposed Rules

Statutory Authority: s. 101.63, Stats.
Statutes Interpreted: s. 101.63, Stats.

The Department of Industry, Labor and Human Relations administers and enforces rules relating to the certification of building inspectors. Persons qualified to perform inspections on one- and two-family dwellings are certified under the rules established in the Wisconsin Administrative Code chapter ILHR 26. The proposed rules consist of revisions to chapters ILHR 2 and 26, relating to certification of persons performing construction site soil erosion control inspections at one- and two-family dwellings.

The proposed rules will enable qualified persons with experience in construction site soil erosion to become certified without examination to perform only construction site soil erosion inspections at one- and two-family dwelling construction sites. The rules will allow the department to certify qualified persons to administer and enforce the construction site soil erosion control standards which took effect on December 1, 1992.

The proposed rules are currently in effect as an emergency rule. The department intends to promulgate the emergency rule as a permanent rule.

SECTION 1. ILHR 2.05 (2) (b) 10. is created to read:

ILHR 2.05 (2) (b) 10. Restricted dwelling construction site soil erosion inspector as defined in s. ILHR 26.05 (3) (f).

SECTION 2. ILHR 26.05 (3) (f) is created to read:

ILHR 26.05 (3) (f) "Restricted dwelling construction site soil erosion inspector" means a person certified by the department to administer and enforce only provisions in chs. ILHR 20 and 21 related to construction site soil erosion.

SECTION 3. ILHR 26.06 is amended to read:

ILHR 26.06 CATEGORIES OF CERTIFICATION AND PERSONS WHO MAY BE CERTIFIED. Persons performing inspections shall be certified in each category for which they conduct inspections. Persons performing inspections may be certified by the department in one or more of the following categories: dwelling construction; restricted dwelling construction site soil erosion; ~~dwelling energy-conservation~~; dwelling heating, ventilating and air conditioning; dwelling electrical; and plumbing and commercial building. Persons certified may be employes of the department, a municipality or an independent inspection agency.

SECTION 4. ILHR 26.08 (2) (c) is created to read:

ILHR 26.08 (2) (c) Restricted dwelling construction site soil erosion certification. Persons with the equivalent of one year of experience in construction site soil erosion control enforcement may be certified as a restricted dwelling construction site soil inspector by the department without examination provided the person attends an approved training course recognized by the department on the soil erosion control standards and the administration and enforcement provisions of chs. ILHR 20 to 25.

(END)

EFFECTIVE DATE

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

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CODES2:331

Tommy G. Thompson

Governor

Carol Skornicka

Secretary



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State of Wisconsin
Department of Industry, Labor and Human Relations

July 2, 1993

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Douglas LaFollette
Secretary of State
10th Floor
30 West Mifflin Street
Madison, Wisconsin 53703

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Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO. 93-52

RULE NO. Chapters ILHR 2 and 26

RELATING TO: Certification of soil erosion inspectors

Pursuant to section 227.20, Stats., agencies are required to file a certified copy of every rule adopted by the agency with the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you:

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.114, Stats., a summary of the final regulatory flexibility analysis is included for permanent rules. A fiscal estimate and fiscal estimate worksheet is included with an emergency rule.

Respectfully submitted,

Handwritten signature of Carol Skornicka in cursive script.

Carol Skornicka
Secretary