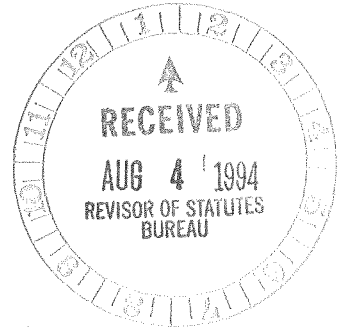


94-61

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 plumbing license renewal and continuing education
(Subject)

were duly approved and adopted by this department on August 4, 1994
(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.

IN TESTIMONY WHEREOF, I have hereunto set
my hand and affixed the official seal of the
department at 8:30 a.m.
in the city of Madison, this 4th
day of August A.D. 19 94.

Carol Skornicka
Secretary

ORDER OF ADOPTION

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

101.02 (1) and 145.02 (3)

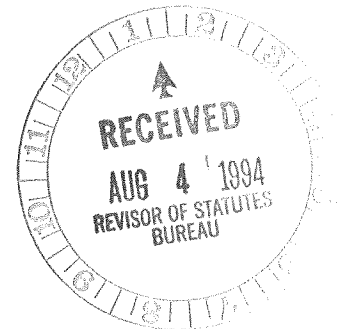
Stats., the Department of Industry, Labor and Human Relations creates; amends;

repeals and recreates; repeals and adopts rules of Wisconsin Administrative Code chapter(s):
ILHR 2 Fee Schedule
ILHR 81-87 Plumbing Code

(Number)

(Title)

The attached rules shall take effect on the first day of the month following publication
in the Wisconsin Administrative Register pursuant to section 227.22, Stats.

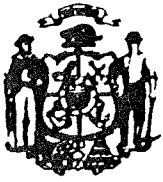


Adopted at Madison, Wisconsin this

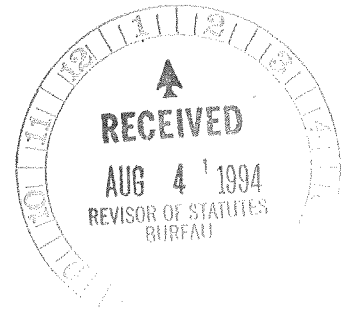
date: August 4, 1994

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN
RELATIONS

Carol Egan
Secretary



RULES in FINAL DRAFT FORM



Rule No.: Chapters ILHR 2 and 81

Relating to: Plumbing License Renewal & Continuing Education

Clearinghouse Rule No.: 94-61

The Wisconsin Department of Industry, Labor and Human Relations proposes an order to amend ILHR 2.62 (1) (a) 2, (b) 2, (d) 2, (e) 2, (h), (i), (j) 2, (k) 2, (m) 2, and (n), ILHR 81.12 (Intro.), 81.12 (2), 81.135 (2), and 81.135 (3); to repeal and recreate ILHR 81.13 (2) and (title); and to create ILHR 81.12 (4), 81.135 (2) Note, and 81.135 (4) (e) 4, relating to the renewal of plumbing licenses and continuing educational requirements.

ANALYSIS OF RULES

Statutory authority: ss. 101.02 (1), 145.02 (3) and (4), Stats.
Statutes interpreted: s. 145.02 (4), Stats.

Beginning in 1992 the Department by rule mandated that plumbers obtain continuing educational credit in order to renew their plumbing licenses. The enactment of the state budget, 1993 Wisconsin Act 16, changed the terms of plumbing and fire sprinkler licenses from one year to 2 years. The proposed rules are intended to coordinate the department's administration of the processes involved with continuing education and license/registration renewal.

The proposed rules shift the beginning of the plumbing and fire sprinkler license/registration periods from January 1st to April 1st. Under the proposed rules plumbing and fire sprinkler licenses and registrations that are to expire on December 31, 1994 and December 31, 1995 and are in good standing would be automatically renewed for a term of 3 months without an application and a renewal fee. The automatically renewed licenses would expire on March 31, 1995 and March 31, 1996, respectively. The licenses and registrations may be renewed in the same manner as currently delineated under existing rules.

Continuing educational credits for plumbers would not be increased, but would have to be obtained over a 2 calendar-year period. The time frame between when continuing education credit must be obtained and the start of the license renewal process will allow the department time to audit compliance with continuing educational requirements before renewing a plumber's license. An individual who has not fulfilled their continuing education obligation will be required to take and pass the appropriate license examination to obtain the plumbing license again.

SECTION 1. ILHR 2.62 (1) (a) 2, (b) 2, (d) 2, (e) 2, (h), (i), (j) 2, (k) 2, (m) 2, and (n) are amended to read:

ILHR 2.62 (1) (a) 2. Master plumber license, \$250.00 and \$250.00 for each renewal of license, if application is made prior to ~~January~~ April 1; after that date an additional fee of \$20.00

(b) 2. Journeyman plumber license, \$90.00 and \$90.00 for each renewal of license, if application is made prior to ~~January~~ April 1; after that date an additional fee of \$10.00.

(d) 2. Master plumber-restricted license, \$250.00 and \$250.00 for each renewal of license, if application is made prior to ~~January~~ April 1; after that date an additional fee of \$20.00.

(e) 2. Journeyman plumber-restricted, \$90.00 and \$90.00 for each renewal of license, if application is made prior to ~~January~~ April 1; after that date an additional fee of \$10.00.

(h) The fees for the utility contractor shall be \$250.00 and \$250.00 for each renewal of license, if application is made prior to ~~January~~ April 1; after that date an additional fee of \$10.00.

(i) The registration fees for pipe layer shall be \$90.00 and \$90.00 for each renewal of registration, if application is made prior to ~~January~~ April 1; after that date an additional fee of \$10.

(j) 2. Automatic fire sprinkler contractor license, \$1,000.00 and \$1,000.00 for each renewal of license, if application is made prior to ~~January~~ April 1; after that date an additional fee of \$25.00.

(k) 2. 'License fee'. Journeyman automatic fire sprinkler fitter license, \$90.00 and \$90.00 for each renewal of license, if application is made prior to ~~January~~ April 1; after that date an additional fee of \$10.00.

(m) 2. 'License fee'. Automatic fire sprinkler maintenance registration certificate, \$200.00 and \$200.00 for each renewal of registration, if application is made prior to ~~January~~ April 1; after that date an additional fee of \$25.00.

(n) Automatic fire sprinkler fitter maintenance. The registration certificate fees for an automatic fire sprinkler fitter maintenance shall be \$30.00 and \$30.00 for each renewal of registration, if application is made prior to ~~January~~ April 1; after that date an additional fee of \$10.00.

SECTION 2. ILHR 81.12 (Intro.) is amended to read:

ILHR 81.12 EXPIRATION OF LICENSES AND REGISTRATIONS. Except as provided in s. ILHR 81.08 (2), no license or registration issued under this subchapter shall be valid for longer than 2 years. Except as provided in sub. (4) and s. ILHR 81.08 (2), licenses or registrations issued under this subchapter shall expire on ~~December 31~~ March 31 of the second year of the license or registration.

SECTION 3. ILHR 81.12 (2) is amended to read:

ILHR 81.12 (2) A Except as provided in sub. (4), a license or a registration may be renewed upon application and payment of a renewal fee received by the department prior to the date of expiration.

SECTION 4. ILHR 81.12 (4) is created to read:

ILHR 81.12 (4) (a) Licenses and registrations which expire on December 31, 1994 and December 31, 1995, shall be automatically renewed by the department without applications and renewal fees provided the license or registration has not been revoked or suspended under s. ILHR 81.14 or 81.15.

(b) A license or registration which has been renewed under par. (a) shall expire on March 31 of the following year and may be renewed in accordance with s. ILHR 81.13.

SECTION 5. ILHR 81.13 (2) is repealed and recreated to read:

ILHR 81.13 (2) RENEWAL QUALIFICATIONS. (a) The renewal of a license or a registration by the department shall be dependent upon the applicant completing the appropriate renewal application and fee.

(b) The renewal of a license for a master plumber, master plumber-restricted, journeyman plumber or journeyman plumber-restricted shall be dependent upon the applicant completing the appropriate continuing education requirements under s. ILHR 81.135.

(c) An individual who fails to comply with the appropriate continuing education requirements under s. ILHR 81.135 shall take and pass the appropriate license examination in accordance with s. ILHR 81.05 in order to renew his or her license.

SECTION 6. ILHR 81.135 (2) is amended to read:

ILHR 81.135 (2) (a) Full-licensed plumbers. The license renewal of each master plumber and journeyman plumber shall be contingent upon the plumber obtaining at least 12 hours of acceptable continuing education ~~in~~ during the 2-year-period 2 calendar years immediately preceding the license expiration date, except as provided in sub. (3).

(b) Restricted-licensed plumbers. The license renewal of each master plumber-restricted and journeyman plumber-restricted shall be contingent upon the plumber obtaining at least 6 hours of acceptable continuing education ~~in~~ during the 2-year-period 2 calendar years immediately preceding the license expiration date, except as provided in sub. (3).

SECTION 7. ILHR 81.135 (2) Note is created to read:

ILHR 81.135 (2) Note: See s. ILHR 81.13 (2) as to the process for license renewal when continuing education requirements have not been fulfilled.

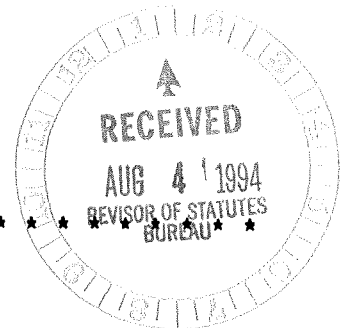
SECTION 8. ILHR 81.135 (3) is amended to read:

ILHR 81.135 (3) A plumber may apply to the department for waiver of the continuing education requirements ~~for a specific license renewal year under sub. (2)~~ on the grounds of prolonged illness or disability or similar circumstances. Each application for waiver shall be considered individually on its merits by the department.

SECTION 9. ILHR 81.135 (4) (e) 4 is created to read:

ILHR 81.135. (4) (e) 4. The individual or organization that holds an approved continuing education course shall provide to each person in attendance written documentation of his or her participation within 10 days of completion of the course or program.

(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.

Tommy G. Thompson
Governor
Carol Skornicka
Secretary



Mailing Address:
201 E. Washington Avenue
Post Office Box 7946
Madison, WI 53707-7946
Telephone (608) 266-7552

State of Wisconsin
Department of Industry, Labor and Human Relations

August 4, 1994

Gary Poulson
Assistant Revisor of Statutes
Suite 800
131 W. Wilson St.
Madison, Wisconsin 53703-3233

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

Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO. 94-61
RULE NO. Chapters ILHR 2 and 81
RELATING TO: Plumbing License Renewal and Continuing Education

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,


Carol Skornicka
Secretary

