



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2007 Assembly Bill 294**

**Assembly Amendments 1 and 2**

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### **ASSEMBLY BILL 294**

Major provisions of 2007 Assembly Bill 294 include the following:

#### **Electrical Codes**

Under **current law**, the Department of Commerce (Commerce) promulgates rules for electrical construction in public buildings, places of employment, and farm buildings. The **bill** directs Commerce to promulgate a state electrical wiring code that applies to all types of buildings.

Under **current law**, a municipality may adopt a local electrical code applicable to public buildings and places of employment, provided that the code is no less strict than the rules promulgated by Commerce. The **bill** expands this authority to apply to all types of buildings also.

#### **Regulation of Electricians and Electrical Contractors**

Under **current law**, Commerce administers a voluntary certification program for master electricians, journeymen electricians, beginning electricians, and electrical contractors. The **bill** replaces the voluntary certification program with a mandatory licensing, registration, and certification program. The bill provides a number of exemptions from the requirements of the mandatory program.

Under **current law**, a municipality may license electrical contractors. The **bill** prohibits a municipality from imposing any registration, licensing, or certification requirements on electricians, electrical contractors, or electrical inspectors.

### **Inspection of Electrical Construction**

Under **current law**, Commerce promulgates rules for the inspection of electrical construction in public buildings, places of employment, and farm buildings and for the certification of inspectors of public buildings and places of employment. The **bill** expands Commerce's rule-making authority regarding inspection and inspector certification to cover all types of buildings.

Under **current law**, a municipality or Commerce may conduct inspections of electrical construction. The **bill** expands the scope of municipal inspection authority to cover all types of buildings and eliminates Commerce's role as an inspector of electrical construction.

### **ASSEMBLY AMENDMENT 1**

Assembly Amendment 1 consists of the following provisions:

#### **Exemptions From Licensing Requirements**

##### ***Requirements From Which Exemptions are Made***

The **bill** creates the following specific requirements:

1. No person may engage in the business of installing, repairing, or maintaining electrical wiring unless the person is licensed as an electrical contractor by Commerce.
2. No person may install, repair, or maintain electrical wiring unless the person is licensed as an electrician or registered as a beginning electrician by Commerce.
3. No person who is not a master electrician may install, repair, or maintain electrical wiring unless a master electrician is at all times responsible for the person's work.

The **bill** provides exemptions from the second and third requirements only. **Item 7** of Assembly Amendment 1 expands the exemptions to apply to all three requirements.

##### ***Exemptions for Utility Line Workers and Subcontractors***

In the **bill**, "electrical wiring" does not include the equipment, wiring, material, fittings, devices, appliances, fixtures, and apparatus used by a public utility, an electric cooperative, or a wholesale merchant operator for the purpose of ***generating, transmitting, or distributing electricity*** to its customers or members.

**Items 1 and 2** expand the exclusions from "electrical wiring" to include such equipment used for the purpose of ***generating, transmitting, distributing, or controlling heat, light, power, or natural gas***. In practical terms, this excludes the wiring of all energy utility facilities, not just the utility-side wiring of electric utility facilities.

**Item 9** modifies the wording of an exemption from the licensing and registration requirements for employees or subcontractors of electricity providers who work on electrical wiring for equipment that is installed in the normal course of providing utility services by the electricity provider.

The **bill** exempts from the licensing and registration requirements persons working on electrical wiring on the utility side of substations and other distribution facilities. **Item 10** replaces “electrical wiring” in this exemption with “electrical lines.”

**Item 11** creates additional exemptions from the licensing and registration requirements for employees or subcontractors of electricity providers doing any of the following:

1. Working on certain high voltage facilities owned by the electricity provider’s customers or members.
2. Restoring service during an emergency.

***Exception for Low-Voltage Equipment or Systems***

The **bill** exempts from the licensing and registration requirements persons engaged in installing, repairing, or maintaining equipment or systems that operate at 50 volts or less. **Item 8** raises the 50 volts threshold to 100 volts.

**Municipal Ordinances**

The **bill** specifies that if, on the effective date of the bill, a municipality has in place an ordinance relating to the licensing or certification of electricians or electrical contractors, the municipality must keep the ordinance in effect for a period of five years, after which the ordinance is no longer in effect. **Items 4 to 6 and 12** clarify that the municipality may not amend or repeal its existing ordinance during the five-year period and that, after the five-year period, a municipality may not impose any registration, licensing, or certification requirements on electricians, electrical contractors, or electrical inspectors.

**Other**

**Item 3** revises a section title to more accurately reflect the subject of the section.

**ASSEMBLY AMENDMENT 2**

Assembly Amendment 2 modifies the wording of an exemption from the licensing and registration requirements for a person installing, maintaining, or repairing manufactured equipment or a manufactured system.

**LEGISLATIVE HISTORY**

Assembly Amendments 1 and 2 were offered by Representative Alvin Ott. On November 28, 2007, the Assembly Committee on Labor and Industry recommended adoption of both amendments and passage of the bill, as amended, on votes of Ayes, 8; Noes, 0; and Absent, 1.