



1999 ASSEMBLY BILL 360

May 24, 1999 - Introduced by Representative FREESE, cosponsored by Senators ROBSON and SCHULTZ. Referred to Committee on Public Health.

1 **AN ACT to amend** 254.47 (6); **to repeal and recreate** 254.47 (6); and **to create**
2 254.47 (6) and 254.475 of the statutes; **relating to:** certification of pool
3 operators and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, the department of health and family services (DHFS) issues permits to and regulates public swimming pools. Currently, no person or state or local government may operate, manage or maintain a public swimming pool without a valid permit.

This bill creates a swimming pool operator certification program. Under the bill, DHFS must certify an individual as a swimming pool operator if the person meets certain requirements. Beginning 24 months after the date on which this bill becomes law, DHFS may not issue a permit to a public swimming pool that is 2,000 square feet or larger unless the public swimming pool employs or contracts with a person who holds a valid swimming pool operator certificate. Beginning 36 months after the date on which this bill becomes law, the requirement applies to public swimming pools that are 1,000 square feet or larger. Finally, under the bill, beginning 48 months after the date on which the bill becomes law, the requirement applies to all public swimming pools.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 254.47 (6) of the statutes is created to read:

2 254.47 (6) No permit may be issued under this section for a public swimming
3 pool that is 2,000 square feet or larger unless the public swimming pool employs or
4 contracts with a person who holds a valid certificate granted by the department
5 under s. 254.475.

6 **SECTION 2.** 254.47 (6) of the statutes, as created by 1999 Wisconsin Act (this
7 act), section 1, is amended to read:

8 254.47 (6) No permit may be issued under this section for a public swimming
9 pool that is ~~2,000~~ 1,000 square feet or larger unless the public swimming pool
10 employs or contracts with a person who holds a valid certificate granted by the
11 department under s. 254.475.

12 **SECTION 3.** 254.47 (6) of the statutes, as affected by 1999 Wisconsin Act (this
13 act), sections 1 and 2, is repealed and recreated to read:

14 254.47 (6) No permit may be issued under this section for any public swimming
15 pool unless the public swimming pool employs or contracts with a person who holds
16 a valid certificate granted by the department under s. 254.475.

17 **SECTION 4.** 254.475 of the statutes is created to read:

18 **254.475 Certification of swimming pool operators.** (1) The department
19 shall grant a certificate as a swimming pool operator to any individual who does all
20 of the following:

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1 (a) Submits an application for the certificate to the department on a form
2 provided by the department.

3 (b) Completes a training course and written examination approved by the
4 department under sub. (3).

5 (c) Pays to the department the certification fee established by the department
6 by rule.

7 (d) Meets any other requirements for certification established by the
8 department by rule.

9 **(2)** A certificate granted under sub. (1) is valid for a period established by the
10 department by rule and may be renewed in the manner established by the
11 department by rule. The department may revoke, or refuse to renew, the certificate
12 because of the substantial and intentional violation of this section or of rules
13 promulgated by the department under this section or because of failure to meet the
14 minimum requirements for certification under sub. (1).

15 **(3)** The department shall establish by rule criteria to be used by the
16 department to approve and evaluate swimming pool operation training courses and
17 written examinations for the purpose of certifying an individual under this section.
18 The department shall approve a training course or written examination that meets
19 the criteria established by the department under this subsection.

20 **SECTION 5. Effective dates.** This act takes effect on the day after publication,
21 except as follows:

22 (1) PUBLIC SWIMMING POOLS OF 2,000 FEET OR MORE. The creation of section 254.47
23 (6) of the statutes takes effect on the first day of the 24th month beginning after
24 publication.

