Bill

Received: 10/7/98 Received By: mlief

Wanted: As time permits Identical to LRB:

For: Administration-Budget By/Representing: Justus

This file may be shown to any legislator: **NO**Drafter: **mlief** 

May Contact: Alt. Drafters:

Subject: Buildings/Safety - misc. Extra Copies: RCT

Topic:

DOA:.....Justus - Denials, suspensions and revocations of plumbing licenses

**Instructions:** 

See Attached

Drafting	History.
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Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
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/2	mlief 10/20/98	gilfokm 10/20/98	martykr 10/20/98		lrb_docadmin 10/20/98		
/3	mlief 11/19/98	gilfokm 11/19/98	ismith 11/19/98		lrb_docadmin 11/19/98		
/4	mlief 11/20/98	gilfokm 11/20/98	lpaasch 11/20/98		lrb_docadmin 11/20/98		

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Topic:	Justus - Susj	pension and revo	ocations of pl	umbing licer	nses			
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DOA:.....Justus - Suspension and revocations of plumbing licenses

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Extra Copies:

RCT, Bob DuPont (Dept of Cennerce)

Topic:

DOA:.....Justus - Suspension and revocations of plumbing licenses

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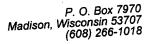
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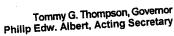
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# <u>MEMORANDUM</u>

DATE:

October 1, 1998

TO:

Sarah Justus, Executive Budget and Policy Analyst

State Budget Office

Department of Administration

FROM:

Louis Cornelius, Director Bureau of Budget and Policy

SUBJECT: STATUTORY LANGUAGE REQUEST FOR 1999-2001 BIENNIAL BUDGET

As I noted when we submitted the 1999-2001 biennial budget request, we are submitting our statutory language requests to you to send to the Legislative Reference Bureau. Because many budget decisions were made in the latter stages of the budget development process, it appeared more efficient to have the drafts sent by and returned to you.

You will notice that one statutory change we proposed with our budget submittal, the "Transfer of Hospital, Nursing Home and Community-Based Residential Facilities (CBRF) Plan Review and Construction Inspection Responsibilities from the Department of Health and Family Services to the Department of Commerce, is not included. At this point, there are discussions taking place between the two agencies regarding the scope and details. When these discussions are concluded, I will send you the final resolution. In the interim, I will keep you informed on the progress of the discussions.

Finally, if you or the drafter have any specific questions on the proposed statutory changes, please contact Bob DuPont on items relating to the Division of Safety and Buildings (266-8984), Julie Keal on items relating to the Divisions of Community Development, International, and Environmental and Regulatory Services (266-6748) and me on items relating to the Divisions of Economic Development, Marketing, Advocacy and Technology Development, and Administrative Services. I can be reached at 266-8629.

We are continuing to work on the background papers and on responses to your questions.

groundwater fee of \$25 for each sanitary permit. The governmental unit shall forward this fee to the department together with the copy of the sanitary permit and the fee under sub. (5). The proneys collected under this subsection shall be credited to the environmental fand for environmental management.

#### Note:

If the changes are implemented allowing the department to issue sanitary permits, local governmental units may be concerned about systems installed within their jurisdictions. To alleviate concerns that governmental units would be uninformed as to the installation of systems to be installed within their jurisdiction or a loss of review source, the department could:

- Recaire an individual to file a copy of santary permit with the
  governmental unit having jurisdiction before initiating the installation when
  the permit has been issued by the department; and
- Recognize a governmental unit's ability to require a "permit", not another sanitary permit, or "registration fee" before installing the system.

#### I. Plumbing License Suspension and Revocations.

Intent. The Department proposes to repeal and recreates s. 145.10 Stats., to read:

"The department shall adopt rules prescribing the procedures for the denial, suspension or revocation licenses, certifications and registrations under this chapter."

The current statutory provisions of s. 145.10, Stats., delineate specific grounds and procedures relating to suspension and revocation of plumbing licenses. These statutory provisions are more specific than the statutory provisions of Ch. 101, Stats., and are inconsistent with what has been determined to be the best practice suspension/revocation procedure reflected in Chapter Comm 5, Wisconsin Code, for all other individuals and businesses credentialed by the Department. The proposed changes would allow the Department to revise the rules under Comm 5.10 to enact efficient and effective procedures that will treat all credential categories consistently and fairly. Without the change, the Department will have to operate under two separate suspension/revocation procedures; one for plumbers and one for all other credential holders.

#### Local Water and Sowerage Systems.

J.

Intent. The Department proposes to delete s. 145.04 (3), Stats.

Section 145.04, Stats., requires local authorities to report to the Department on each failure on the part of a state licensed plumber to qualify as a journeyman or master plumber and each wilful violation of any plumbing regulation. It is



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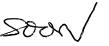
# State of Misconsin 1999 - 2000 LEGISLATURE

LRB-0523/1 MJL:./.:...

DOA:.....Justus – Suspension and revocations of plumbing licenses

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION





AN ACT G; relating to: the budget.

# Analysis by the Legislative Reference Bureau COMMERCE AND ECONOMIC DEVELOPMENT

BUILDINGS AND SAFETY

This bill repeals and recreates the statute that authorizes the department of commerce (department) to suspend or revoke licenses, permits or registrations of plumbers, cross—connection control testers equility contractors and that prescribes the procedures that the department must follow. Under the bill, the department is required to promulgate rules regarding the suspension and revocation of these licenses, permits and registrations.

or further information see the state fiscal estimate, which will be printed as an oppendix to this bill.

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

- SECTION 1. 145.10 of the statutes is repealed and recreated to read:
- 3 145.10 Suspensions and revocations. The department shall promulgate
  - rules for the suspension and revocation of master or journeyman plumber licenses,

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- cross-connection control tester registrations and utility contractor licenses or temporary permits.
  - Section 9410. Effective dates; commerce.
    - (1) The treatment of section 145.10 of the statutes takes effect on the day of the 13th month beginning after publication.

(END)

LRB-0523/1dn MJL:|..:...

#### Sarah:

Although the drafting request calls for the department to promulgate rules regarding the denial of licenses, the request proposes to repeal and recreate only s. 145.10, which deals with license suspension and revocation, not denial. I assumed that the intent was to require the department to promulgate rules regarding only suspension and revocation, but if I am mistaken, please let me know.

In addition, I delayed the effective date for a year to give the department time to promulgate rules.

LRB-0523/1dn MJL:kmg:hmh

Monday, October 19, 1998

#### Sarah:

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### State of Misconsin 1999 - 2000 LEGISLATURE

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LRB-0523/M MJL:kmg:hmh

DOA:....Justus - Suspension and revocations of plumbing licenses
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

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AN ACT C, relating to: the budget.

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Analysis by the Legislative Reference Bureau COMMERCE AND ECONOMIC DEVELOPMENT

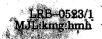
**BUILDINGS AND SAFETY** 

commerce (department) to suspend or revoke licenses, permits or registrations of plumbers, cross-connection control testers and utility contractors and prescribes the procedures that the department must follow. Under the bill, the department is required to promulgate rules regarding the suspension and control these licenses, permits and registrations,

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

SECTION 1. 145.10 of the statutes is repealed and recreated to read:

145.10 Suspensions and revocations. The department shall promulgate rules for the suspension and revocation of master or journeyman plumber licenses, cross-connection control tester registrations and utility contractor licenses or temporary permits.



1	SECTION	9410.	<b>Effective</b>	dates;	commerce.
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- (1) The treatment of section 145.10 of the statutes takes effect on the first day 2
- of the 13th month beginning after publication. 3

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LRB-0523/Idn MJL:kmg:hmh

Monday, October 19, 1998



Sarah:

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In addition, I delayed the effective date for a year to give the department time to promulgate rules.

LRB-0523/2dn MJL:kmg:km

October 20, 1998

Sarah:

This redraft simply revises the analysis; the bill is unchanged.



# State of Misconsin 1999 - 2000 LEGISLATURE

MJL:kmg:km

Suspension and revocations of plumbing licenses

FOR INTRODUCTIO

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

Cedust notes un Soon peditinger

relating to: the budget

Analysis by the Legislative Reference Bureau COMMERCE AND ECONOMIC DEVELOPMENT

BUILDINGS AND SAFETY

Current law authorizes the department of commerce (department), under certain circumstances, to suspend or revoke licenses, permits or registrations of plumbers, cross-connection control testers and utility contractors and prescribes the procedures that the department must follow. Under the bill, the department is required to promulgate rules regarding the circumstances under which the department may suspend and revoke these licenses, permits and registrations and the procedures the department must follow.

The people of the state of Wisconsin, represented in senate and assembly, do Denials, -13 enact as follows:

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1999 – 2000 Legislature 2-

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LRB=0523/2 MJL:kmg:km

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2	temporary permits.
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3	SECTION 9410. Effective dates; commerce.
4	(1) The treatment of section 145.10 of the statutes takes effect on the first day
5	of the 13th month beginning after publication.
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# State of Misconsin 1999 - 2000 LEGISLATURE

LRB-0523/3
MJL:kmg:ijs

DOA:.....Justus – Denials suspensions and revocations of plumbing licenses

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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AN ACT ( relating to: the budget.

# Analysis by the Legislative Reference Bureau COMMERCE AND ECONOMIC DEVELOPMENT

#### **BUILDINGS AND SAFETY**

Current law authorizes the department of commerce (department), under certain circumstances, to suspend or revoke licenses, permits or registrations of plumbers, cross-connection control testers and utility contractors and prescribes the procedures that the department must follow. Under the bill, the department is required to promulgate rules regarding the circumstances under which the department may deny, suspend and revoke these licenses, permits and registrations and the procedures the department must follow.

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

- SECTION 1. 145.10 of the statutes is repealed and recreated to read:
- 3 145.10 Denials, suspensions and revocations. The department shall
- 4 promulgate rules for the denial, suspension and revocation of master or journeyman

1 plumber licenses, cross-connection control tester registrations and utility contractor

2 licenses or temporary permits.

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SECTION 9410. Effective dates; commerce.

(1) The treatment of section 145.10 of the statutes takes effect on the first day of the 13th month beginning after publication.

(END)

LRB-0523/2dn MJL:kmg:km

October 20, 1998

Sarah:

This redraft simply revises the analysis; the bill is unchanged.

LRB-0523/4dn MJL:kmg:lp

November 20, 1998

Sarah:

This redraft simply makes a technical change; the bill is unchanged.



# State of Misconsin 1999 - 2000 LEGISLATURE

LRB-0523/4 MJL:kmg:lp

DOA:.....Justus - Denials, suspensions and revocations of plumbing licenses

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

# Analysis by the Legislative Reference Bureau COMMERCE AND ECONOMIC DEVELOPMENT

#### **BUILDINGS AND SAFETY**

Current law authorizes the department of commerce (department), under certain circumstances, to suspend or revoke licenses, permits or registrations of plumbers, cross—connection control testers and utility contractors and prescribes the procedures that the department must follow. Under the bill, the department is required to promulgate rules regarding the circumstances under which the department may deny, suspend and revoke these licenses, permits and registrations and the procedures the department must follow.

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- plumber licenses, cross-connection control tester registrations and utility contractor
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  - SECTION 9410. Effective dates; commerce.
- 4 (1) PLUMBING LICENSES. The treatment of section 145.10 of the statutes takes 5 effect on the first day of the 13th month beginning after publication.

(END)