

1999 DRAFTING REQUEST

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 - Repealing the reporting requirement relating to violations of plumbing regulations

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mlief 10/19/98	gilfokm 10/19/98	martykr 10/19/98	_____	lrb_docadmin 10/19/98		

FE Sent For:

<END>

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MEMORANDUM

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 moneys collected under this subsection shall be credited to the environmental fund 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:

- Require an individual to file a copy of sanitary 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.

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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.

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J. Local Water and Sewerage Systems.

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 willful violation of any plumbing regulation. It is

difficult for the Department to determine whether local governments are complying with s. 145.04 (3). To determine the level of compliance, the Department will need an additional plumbing consultant to audit local government programs. A preferred solution to this request is the deletion of s. 145.04 (3) of the statutes. This action will eliminate a statute that is difficult to enforce and save local governments and the agency the expenses of implementing a reporting scheme needed to comply with this law.

PSK II. **Division of Marketing, Advocacy and Technology Development**

A. Economic Development Promotion Expenditures.

Intent. The Department proposes to amend s. 20.143 (1) (b), Stats., and s. 560.07, Stats., to permit the Department to use not more than \$15,000 of the economic development promotion funds (s. 20.143 (1) (b)) to match funds allocated by local economic development organizations to promote local economic development promotion. The local economic development organizations must provide at least a 50% project match to be eligible for funding.

Under s. 20.143 (1) (b), the Department has an appropriation to fund economic activities under Chapter 560, Stats. Nonetheless, it is not clear whether the Department can use this appropriation to provide matching grants to local economic development organizations, which in turn, will use the monies for local economic development promotion activities.

B. Change Annual and Biennial Reporting Requirements

Intent. The Department proposes to permit the Business Development Assistance Center to consolidate two reports, the annual report under s. 560.42 (5), Stats., and the biennial report on the activities and effectiveness of the entrepreneurial assistance programs under s. 560.55 (2), Stats., into the Department's biennial report. The Department also proposes to change the reporting dates for these two reports to make them consistent with the deadline for the biennial report, which is October 15 in the odd-numbered year. Finally, the Department proposes that the detailed reporting requirements under s. 560.42 (5) (am), (b) and (6), Stats., as well as the requirement for an evaluation of the effectiveness of the entrepreneurial assistance programs and intermediary assistance programs under 560.55 (1), Stats., be eliminated. The report on the activities on these two programs should be consistent with the types of reports required for programs and activities in the biennial reports.

C. Pre-1995 Recycling Loan Repayments



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0524/1

MJL: King

DOA:.....Justus - Repealing the reporting requirement relating to violations of plumbing regulations *re*

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

SDN

to editing 10/19

1 *Don't Gen Cat.*
AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT

BUILDINGS AND SAFETY

Current law requires cities and metropolitan sewerage districts to report to the department of commerce each failure of a state licensed plumber to qualify as a journeyman or master plumber and each wilful violation of any plumbing regulation. This bill repeals this reporting requirement.

X 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:

2 SECTION 1. 145.04 (3) of the statutes is repealed.

3 (END)

