

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3932/3dn
RJM:cjs:kjf

January 24, 2002

Representative Meyerhoffer:

Attached is the draft you requested regarding electricians and electrical construction. As you review the draft, please note the following:

1. I have cleaned up the statutory references to the electrical code so that each refers to the Wisconsin State Electrical Code. See, for example, proposed s. 101.80 (10).
2. Per your instructions, this draft includes a bonding requirement. See proposed s. 101.866 (1) (a) 3. I have also specified that, although a municipal ordinance may be more restrictive than the Wisconsin State Electrical Code, the ordinance may not require an electrical contractor who has filed a bond with the state to obtain another bond as a condition of working in the municipality. See proposed s. 101.86 (1) (a).
3. As we discussed, I have changed the exceptions under proposed s. 101.866 (3) in order to ensure that all entities and individuals you intend are exempt from the licensing and other requirements. See, for example, proposed s. 101.866 (3) (c) and (e) to (i). The exception in par. (g) covers alarm contractors and the exception in par. (h) covers data comm. technicians. Please review these exceptions to ensure that they are consistent with your intent. Also, I drafted par. (i) based on the initial language you proposed rather than the language regarding the scope of the national electrical code because, from a legal standpoint, the initial language is preferable because it avoids any delegation of legislative authority to a private body. Please review par. (i) and let me know if it satisfies your intent.
4. Please review the language regarding persons operating as electrical contractors under restricted certifications in proposed s. 101.87 (3m). Because this proposal would expand the scope of the restricted certifications, I have included a requirement that these electrical contractors obtain a new restricted certification from the department that accurately describes the locations where the contractors may work.

Please let me know if you have any questions or if you desire any additional changes.

Robert J. Marchant
Legislative Attorney
Phone: (608) 261-4454
E-mail: robert.marchant@legis.state.wi.us