

2001 DRAFTING REQUEST

Bill

Received: 10/02/2001

Received By: rmarchan

Wanted: As time permits

Identical to LRB:

For: Lee Meyerhofer (608) 266-2418

By/Representing:

This file may be shown to any legislator: NO

Drafter: rmarchan

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Subject: Buildings/Safety - bldg codes

Extra Copies:

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Pre Topic:

No specific pre topic given

Topic:

Licensing of electricians

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketcd</u>	<u>Required</u>
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/2	rmarchan 01/09/2002	csicilia 01/16/2002 csicilia 01/24/2002	haugeca 11/15/2001		lrb_docadmin 11/15/2001		S&L

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An Act to rewrite Subchapter IV of State Statutes 101 from s. 101.80 through s.101.88 relating to licensure of any person doing electrical construction work.

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Inspection of Electrical Construction and Certification Licensing of Master Electricians, Contractors, Journeymen and Beginning Electricians

Section s. 101.80 through 101.87 is amended and recreated to read as follows:

101.80 **Definitions.** In this subchapter:

101.80(1)

(1) "Beginning electrician" means a person having minimal or no qualifications, training, experience or technical knowledge to install, alter, or repair electrical wiring, apparatus, or equipment for light, heat, power, and other purposes.

[See s. 101.87(1)]

101.80(2)

(2) "Electrical apprenticeship" means an electrical apprenticeship program recognized under ch. 106, Stats., and the federal department of labor.

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101.80(3)

(3) "Department" means the department of commerce.

[See s. 145.01(4) plumbers]

101.80(4)

(4) "Electrical construction" means the installing, altering, repairing, planning, or laying out of electrical wiring, apparatus, or equipment for light, heat, power, or other purposes. Electrical construction includes, but is not limited to, the performance of any work governed by the Wisconsin Administrative Code, Department of Commerce, Chapter Comm 16, Electrical, Volume 2.

[MN & WI w/reference to COMM 16]

101.80(5)

(5) "Electrical contractor" means a person, partnership, or corporation operating a business that undertakes or offers to undertake any electrical work identified as electrical construction in s. 101.80(4)

Draft Copy Only [MN p.3]

101.80(6)

(6) "Journeyman electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to install, alter, repair, and supervise any electrical work identified as electrical construction in s. 101.80(4). To obtain licensure as a journeyman electrician, a person shall (1) have completed an electrical apprenticeship or (2) take and pass the journeyman electrician licensure exam.

[MN p.3, then s. 101.87 and COMM 5.44 for certification]

101.80(7)

(7) Master electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to supervise the installing, altering, and repairing of any electrical work identified as electrical construction in s. 101.80(4). A person applying for licensure as a master electrician shall have a minimum of 1,000 hours per year experience for at least 7 years in electrical construction work.

[MN p.3, then COMM 5.43(2)(a) as qualifications]

101.80(8)

(8) Municipality" means city, town, village and county. *This was s. 101.80(1).*

101.80(9)

(9) "Personal supervision" means a licensed journeyman electrician oversees and directs the electrical work being performed by any apprentices or beginning electricians such that:

[MN, p.5-6, & include reference to Appr., JW, & Beginner]

101.80(9)(a)

(A) The licensed journeyman electrician is present on the job and provides personal supervision for the entire working day.

[MN p.38]

101.80(9)(b)

(B) The licensed journeyman electrician is immediately available to the apprentice or beginning electrician at all times for assistance and direction.

[MN p.5]

101.80(9)(c)

(C) The licensed journeyman electrician actually reviews the electrical work performed by the apprentice or beginning electrician.

101.80(9)(d)

(D) The licensed journeyman electrician is able to and does determine that all electrical work performed by the apprentice or beginning electrician is performed in compliance with Chapter COMM 16, Electrical, Volume 2 of the Wisconsin Administrative Code.

[MN p.3 w/reference to COMM 16]

101.80(10)

(10) "Residential property owner" means a natural person who physically performs electrical work on premises the person owns and actually occupies as a residence or owns and will occupy as a residence upon completion of construction.

[Hybrid-MN p.5 and WI plumbers]

101.80(11)

(11) "Public buildings" and "places of employment" include all exterior wiring except wiring owned, leased, operated, or maintained by a public utility, including any electrical cooperative, in the exercise of its utility function. This was s. 101.80(2).

101.82 Departmental duties. The department shall:

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101.82(1)

(1) Adopt rules for the construction and inspection of electrical construction of public buildings and places of employment and for the inspection of electrical construction of places where farming, as defined in s. 101.01(11), is conducted. Where feasible, the standards used shall be those nationally recognized. No rule may be adopted which does not take into account the conservation of energy in construction and maintenance of buildings.

[Existing]

101.82(2)

(2) Adopt rules for the certification, including provisions for suspension and revocation thereof, of electrical inspectors for the purpose of inspecting the electrical wiring of public buildings and places of employment. Persons certified as inspectors may be employees of the department, a municipality, or private inspection agency.

[Existing]

101.82(3)

(3) Contract to provide inspection services, at municipal expense, to any municipality which requests such service under s. 101.86.

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101.82(3m)

(3m) Provide inspection services in those municipalities which have not adopted and enforced ordinances providing for inspection of electrical construction under s. 101.86 and defray the cost of this inspection through fees charged to the owner of the inspected building.

[Existing]

101.82(4)

(4) Establish by rule a schedule of fees sufficient to defray the costs incurred under this subchapter.

[Existing]

101.84 Departmental powers. The department may:

[Existing]

101.84(1)

(1) Hold hearings on any matter relating to this subchapter and issue subpoenas to compel the attendance of witnesses and the production of evidence at the hearings.

[Existing]

101.84(2)

(2) At the request of the owner or tenant, enter, inspect and examine the exterior and interior wiring of a public building or place of employment necessary to ascertain compliance with the rules promulgated under this subchapter.

[Existing]

101.86 Municipal authority.

101.86(1)

(1) Municipalities may:

[Existing]

101.86(1)(a)

(a) Exercise jurisdiction over electrical construction and inspection of electrical construction in public buildings and places of employment by passage of ordinances, providing such ordinances meet the minimum requirements of the department's rules adopted under this subchapter. A county ordinance shall apply in any city, village, or town which has not enacted such an ordinance.

[Existing]

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101.86(1)(b)

(b) Under s. 66.0301, jointly exercise the jurisdiction granted under par. (a).

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[Existing]

101.86(1)(c)

(c) By ordinance, establish and collect fees to defray the cost of jurisdiction exercised under par. (a) or (b) or under a contract under sub. (2).

[Existing]

101.86(1)(d)

(d) By ordinance, provide remedies and penalties for violation of the jurisdiction exercised under par. (a) or (b).

[Existing]

101.86(2)

(2) A municipality may contract with the department for those inspection services which the municipality does not perform under sub. (1)(a) or (b) and reimburse the department for its reasonable and necessary expenses incurred in the performance of such services under s. 101.82(4).

[Existing]

101.86(3)

(3) The cost of inspection services provided by any county which has enacted an ordinance under sub. (1) or contracted under sub. (2) if not defrayed by fees shall be charged to or taxed upon the property within those cities, villages and towns in the county which have not enacted a local construction and inspection ordinance under sub. (1) or contracted under sub. (2), and no part of the cost of inspection services may be charged to or taxed against the property within any city, village or town which has enacted such an ordinance or contracted under sub. (2).

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[Existing]

[Existing]

101.865 Regulation of electric wiring.

[Existing]

101.865(1)

(1) It is hereby the duty of every contractor and other person who does electric wiring in this state to comply with the Wisconsin state electrical code, and the company furnishing the electric current shall obtain proof of such compliance before furnishing such service; provided, that nothing therein contained shall be construed as prohibiting any municipality from making more stringent regulations than those contained in the Wisconsin state electrical

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code. Proof of such compliance shall consist of a certificate furnished by a municipal or other recognized inspection department or officer, or if there is no such inspection department or officer it shall consist of a written statement furnished by the contractor or other person doing the wiring, indicating that there has been such compliance.

[Existing]

101.865(2)

(2) Any person who violates the provisions of this section is guilty of a misdemeanor and shall be fined not less than \$25 nor more than \$100 or imprisoned in the county jail for not less than 30 days nor more than 6 months.

[Existing]

101.866 Licensure or registration required; exemptions.

101.866(1)

[MN p.11]

(1) Except as otherwise provided by law, no person other than an employee, partner, or officer of a licensed electrical contractor, as defined in s. 101.80(5), shall undertake or offer to undertake to plan for, lay out, supervise, or install or to make additions, alterations, or repairs in the installation of electrical wiring, apparatus, or equipment for light, heat, power, and other purposes with or without compensation unless the person obtains an electrical contractor's license. An electrical contractor's license does not of itself qualify its holder to perform or supervise the electrical work authorized by holding any class of electrician's license.

[MN p.11]

101.866(2)

(2) Except as provided in s. 101.87(3), no electrical contractor shall engage in the business of electrical contracting unless the electrical contractor employs a licensed master electrician who shall be responsible for the performance of all electrical construction work as identified in s. 101.80(4).

[MN p.12]

101.866(3)

(3) When an electrical contractor's license is held by an individual, partnership, or corporation and the individual, one of the partners, or an officer of the corporation, respectively, is not the responsible master electrician of record, all requests for permits and inspection shall be signed by the responsible master electrician of record. The designated master electrician of record shall be employed by the individual, partnership, or corporation which is applying for an electrical contractor's license and shall not be employed in any capacity as a licensed

electrician by any other electrical contractor or employer exempted under s. 101.866(7)(a) through (e).

[MN p.12]

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101.866(4)

(4) No person may engage in or work at electrical construction unless licensed to do so by the department. A master electrician may work as a journeyman. No person may act as a construction electrician apprentice unless participating in an electrical apprenticeship as defined in s. 101.80(2). [Entire Rule—see s. 145.06(1)(a) plumbers] [COMM 5.90(1)(a) plumbers, COMM 5.90(3) plumbers, COMM 5.44(5)(b)2 for electrical & definitions]

101.866(5)

(5) No person shall perform electrical construction work unless at all times a minimum of one licensed master or journeyman electrician is providing personal supervision at the work site.

[See s. 145.06(2) plumbers & add “personal supervision”]

101.866(6)

(6) Electrical apprentices and beginning electricians shall not act as supervisors of electrical construction work. [MN p.10 referencing unlicensed persons]

101.866(7)

(7) This section shall not apply to

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101.866(7)(a)

(a) Electrical construction work performed by a residential property owner in a one-family building owned and occupied by him or her as a home or farm building, if such work is permissible in accordance with the ordinances of the local municipality.

[MN p.20 & s. 145.06(4)(a) plumbers]

101.866(7)(b)

(b) Electrical maintenance work when performed by a maintenance electrician as an employee of a single employer, when engaged in maintaining and repairing electrical wiring, apparatus, and equipment owned or leased by the employer and located within the limits of property owned or leased by the employer.

[MN p.19]

101.866(7)(c)

(c) Elevator constructors when planning, installing, maintaining or repairing wiring, apparatus, and equipment for elevators and escalators. [Added]

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101.866(7)(d)

(d) Employees of electrical utilities, including any electrical cooperative, when engaged in electrical construction on all wiring owned, leased, operated, or maintained by the utility or electrical cooperative in the exercise of its utility function.

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[MN p.20 & WI Utility Workers Coalition]

101.866(7)(e)

(e) Employees of companies engaged in the installation, maintenance, servicing, or repair of sound, data, telecommunications, CATV, CCTV, antenna distribution, music, intercom, audio/visual, or alarm equipment and systems operating at 50 volts or less.

[MN p.20 & MN licensing system—they license alarm/communication]

101.87 Certification and licensure.

101.87(1)

(1) The department shall adopt rules establishing a uniform examination for the statewide certification licensure of master electricians and establish licensure requirements for electrical contractors, journeyman electricians, and beginning electricians. The rules shall specify that:

[Existing]

101.87(1)(a)

(a) Except as provided for in s. 101.87(3), only master electricians and persons who employ at least one master electrician may be licensed as electrical contractors.

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[See s. 101.87(1) in existing certification requirements]

101.87(1)(b)

(b) Only persons who have a minimum of 7 years experience in electrical construction work and successfully pass a master electrician examination administered by the department may be licensed as master electricians.

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[Combine s. 101.87(1) & COMM 5.43(2)(a)]

101.87(1)(c)

(c) Only persons who have successfully completed an apprenticeship program lasting for at least 3 years and approved by the U. S. department of labor and by the department, or pass a journeyman wireman examination administered by the department, have a minimum of 48 months experience in electrical construction shall be licensed as journeyman electricians.

[3 year apprenticeship vs. 4 year—4 years total experience = 48 months; present COMM 5.44(3)(a) is 2½ years experience (1000 hrs/yr for 5 years)]

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101.87(1)(d)

(d) All persons performing electrical construction work with limited or no experience installing and repairing electrical wiring and not enrolled in a construction electrician apprenticeship shall be licensed as beginning electricians.

[Clarified from s. 101.87(1)]

101.87(1)(e)

(e) The department shall provide for the periodic administration of the examinations, shall specify the licensure period, examination fees, and any hours of experience that may be claimed for successful completion of school semesters in electrical-related courses at any accredited college, university, or vocational school, and shall establish criteria for the suspension of the license by the department for violations of a municipality's electrical code upon notification of such violation by the municipality.

[Clarified from s. 101.87(1)]

101.87(1)(f)

(f) Applicants for licensure as electrical contractors shall provide the department with their social security number, their worker's compensation number, their unemployment insurance account number, their state and federal tax identification numbers and the name and address of each partner or member if they are partnerships or limited liability companies, of the owner if they are individual proprietorships, and of their officers if they are corporations.

[From s. 101.87(1)]

101.87(2)

(2) Any municipality which by ordinance requires the licensure of electrical contractors shall issue a license to any electrical contractor who wishes to perform electrical construction work in the municipality upon the submission by the electrical contractor of evidence that at least one of his or her full-time employees has been certified licensed by the state as a master electrician under sub. (1), and upon payment of the municipality's licensure fee and the posting of any required bond. The municipality's licensure fee may not exceed the amount required to cover the administrative costs of issuing the license.

[Existing]

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101.87(3)

(3) If a municipality that requires the licensure of electrical contractors on March 28, 1984, thereafter ceases to require such licensure but requires state certification licensure under sub. (1), a person licensed by the municipality may continue to perform electrical construction work in that municipality upon application to the department for restricted certification limited to that municipality. The department may charge a fee for such certification licensure.

[Existing]

101.87(4)

(4) No municipality may, before January 1, 1995, require the licensure of electrical contractors unless that municipality requires that licensure on May 11, 1990.

[Existing]

101.87(5)

(5)

Any municipality which by ordinance requires the licensure of journeyman electricians or beginning electricians as defined in this subsection shall issue a license to any journeyman electrician or beginning electrician who, in the course of his or her employment wishes to perform electrical construction work in the municipality, upon submission by the journeyman or beginning electrician of evidence of licensure by the state as a journeyman or beginning electrician under sub. (1), and upon payment of the municipality's licensure fee. The municipality's licensure fee may not exceed the amount required to cover the administrative costs of issuing the license.

[From existing s. 101.87(2)]

101.875 Fees; expiration of license; renewals.

101.875(1)

(1) The department shall fix, by rule, the amount of fees, process for renewal, continuing education requirements, and conditions for denial, suspension and revocation for the examinations, licenses, and registrations specified in this section, such that:

[See s. 145.02(4)(a) plumbers]

101.875(1)(a)

(a) The terms of licenses for electrical contractors, master electricians, journeyman electricians, and beginning electricians shall not exceed 3 years.

[See COMM 5.06(1), terms]

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101.875(1)(b)

(b) The renewal of a master electrician's license shall be contingent on the master electrician obtaining a minimum of 18 hours of continuing education acceptable to and within a time frame established by the department.

[COMM 5.43(5)(b)1]

101.875(1)(c)

(c) The renewal of a journeyman electrician's license shall be contingent on the journeyman electrician obtaining a minimum of 18 hours of continuing education acceptable to and within a time frame established by the department.

[See COMM 5.44(6)(b)1]

101.875(1)(d)

(d) The renewal of a beginning electrician's license shall be contingent on the beginning electrician obtaining a minimum of 50 hours of continuing education acceptable to and within a time frame established by the department.

[New addition]

101.875(1)(e)

(e) The department may establish a waiver process for the continuing education requirements of this section in cases of illness, disability, or similar circumstances.

[See COMM 5.43(5)(b)2]

101.88 Compliance and penalties.

101.88(1)

(1) Every contractor, designer and owner shall use building materials, methods and equipment which are in conformance with the rules adopted by the department under this subchapter.

[Existing]

101.88(2)

(2) All inspections shall be made by persons certified by this department.

[Existing]

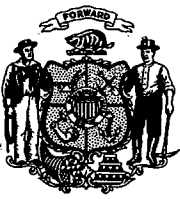
101.88(3)

(3) Except as provided under s. 101.865(2), whoever violates this subchapter or any rule promulgated under this subchapter shall forfeit to the state not less than \$25 nor more than \$500 for each violation. Each day of violation constitutes a separate offense.

[Existing]

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*Need to Am
101.02 (20) + (21)
+ address
to app!*



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3932/2 1

RJM/.....

Friday, 11-2

is RMR

DUOTE

PRELIMINARY DRAFT NOT READY FOR INTRODUCTION

Gen
Cox

and specifies ~~the~~ requirements with regard to supervision at work sites, qualifications for licensure, and other matters

and granting rule-making authority

1 AN ACT ...; relating to: licensing of electricians and electrical contractors.

Analysis by the Legislative Reference Bureau

Under current law, the department of commerce (department) must administer a program for certifying master, journeyman, and beginning electricians. However, current law does not require a person who works as an electrician or electrical contractor to be certified by the department. A city, village, town, or county, though, may enact an ordinance requiring this certification or requiring the electrician or contractor to obtain a license from the municipality.

With certain ~~exceptions~~ exceptions, this bill requires every person who performs electrical construction in this state to be licensed by the department as a master, journeyman, or beginning electrician. This bill also requires electrical contractors to be licensed by the department. The bill requires the department to promulgate rules to administer the licensing program. The bill ~~maintains~~ ^{retains} municipal authority to regulate electrical construction, provided the municipal ordinance is not less restrictive than the statutes and meets the minimum requirements of the department's rules.

For further information see the *state* 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. Subchapter IV (title) of chapter 101 [precedes 101.80] of the
3 statutes is amended to read:

CHAPTER 101

SUBCHAPTER IV

INSPECTION OF ELECTRICAL CONSTRUCTION AND CERTIFICATION OF
MASTER ELECTRICIANS, ELECTRICAL CONTRACTORS, AND
JOURNEYMEN AND BEGINNING ELECTRICIANS

SECTION 2. 101.80 (1) of the statutes is renumbered 101.80 (5).

SECTION 3. 101.80 (2) of the statutes is renumbered 101.80 (8).

SECTION 4. 101.80 (2), (3) and (4) of the statutes are created to read:

101.80 (2) "Apprentice electrician" means an apprentice under an electrician apprenticeship program that is operated in compliance with ch. 106 and recognized by the U.S. department of labor.

(3) "Electrical construction" means the installing, altering, repairing, planning, or laying out of electrical wiring, apparatus, or equipment.

(4) "Electrical contractor" means a person who undertakes or offers to undertake work that constitutes electrical construction or the supervision of electrical construction.

SECTION 5. 101.80 (6) of the statutes is created to read:

101.80 (6) "Personal supervision" means oversight, by a master or journeyman electrician licensed by the department, of electrical construction being performed, such that the master or journeyman electrician:

(a) Is present at the work site and provides personal supervision for the entire working day;

(b) Is immediately available to the person performing the electrical construction at all times for assistance and direction;

(c) Reviews the electrical construction performed; and

1 (d) Is able to and does determine whether the electrical construction is
2 performed in compliance with this subchapter and any applicable rules promulgated
3 under this subchapter.

4 SECTION 6. 101.80 (7) of the statutes is created to read:

5 101.80 (7) "Residential property owner" means an individual who physically
6 performs electrical construction on premises that the individual owns and occupies
7 as a residence or owns and will occupy as a residence upon completion of the electrical
8 construction or the construction of the residence.

9 SECTION 7. 101.86 (1) (a) of the statutes is amended to read:

10 101.86 (1) (a) Exercise jurisdiction over electrical construction and inspection
11 of electrical construction in public buildings and places of employment by passage
12 of ordinances, ~~providing such ordinances.~~ Ordinances enacted under this paragraph
13 may not be less restrictive than this subchapter and shall meet the minimum
14 requirements of the department's rules adopted promulgated under this subchapter.
15 A county ordinance shall apply in any city, village or town within the county which
16 has not enacted such an ordinance.

History: 1979 c. 309; 1999 a. 150 s. 672.

17 SECTION 8. 101.866 of the statutes is created to read:

18 *Except as provided under sub. (3)*

18 **101.866 Regulation of electricians and electrical contractors. (1) (a)**

19 No person may act as an electrical contractor without an electrical contractor's
20 license issued by the department. An electrical contractor's license does not
21 authorize the licensee to physically perform electrical construction.

22 (b) Except as provided under s. 101.87 (3), no person may act as an electrical
23 contractor unless the person is a master electrician licensed by the department or
24 employs a master electrician licensed by the department who is responsible, under

in this state

1 the terms of employment, for the performance and supervision of all electrical
2 construction undertaken by the electrical contractor. If the electrical contractor
3 employs a licensed master electrician, the licensed master electrician may not be
4 employed as an electrician by any other electrical contractor or by any person who
5 ~~qualifies for an exemption~~ under sub. (3). *described*

6 (c) All written requests for permits and inspection made by an electrical
7 contractor shall be signed by a master electrician who satisfies par. (b). *in this state*

8 (2) No person may perform electrical construction unless the person is licensed
9 by the department as a master, journeyman, or beginning electrician or is an
10 apprentice electrician. The department, by rule, may specify the type of electrical
11 construction that a master, journeyman, or beginning electrician or apprentice
12 electrician is authorized to perform, except as follows:

13 (a) A master electrician may perform any work that a journeyman electrician
14 may perform.

15 (b) An apprentice electrician may perform any work that a beginning
16 electrician may perform.

17 (c) No apprentice electrician or beginning electrician may perform electrical
18 construction unless, at all times during which the electrical construction is
19 performed, at least one master or journeyman electrician licensed by the department
20 provides personal supervision at the work site.

21 (d) No apprentice electrician or beginning electrician may supervise electrical
22 construction.

23 (3) This section does not apply to any of the following:

24 (a) A residential property owner.

1 (b) A person who is employed as a maintenance electrician by a single employer
2 and who, within the scope of employment, is engaged in maintaining or repairing
3 electrical wiring, apparatus, or equipment owned or leased by the employer and
4 located on premises owned or leased by the employer.

5 (c) A person engaged in planning, installing, maintaining, or repairing wiring,
6 apparatus, or equipment for elevators or elscalators.

7 (d) A person who is employed by or a subcontractor of a public utility, as defined
8 under s. 196.01 (5), a cooperative association organized under ch. 185 for the purpose
9 of producing or furnishing heat, light, power, or water to its members only, a
10 telecommunications carrier, as defined in s. 196.01 (8m), a commercial mobile radio
11 service provider, as defined in s. 196.01 (2g), or an alternative telecommunications
12 utility under s. 196.01 (1d) ~~(2)~~ and who is engaged in electrical construction within
13 the scope of the person's employment or contract.

14 **SECTION 9.** 101.87 (title) of the statutes is repealed and recreated to read:

15 **101.87(title) Licensing of electricians and electrical contractors.**

16 **SECTION 10.** 101.87 (1) of the statutes is renumbered 101.87 (1) (a) and
17 amended to read:

18 101.87 (1) (a) The department shall ~~adopt~~ promulgate rules establishing a
19 ~~uniform examination providing~~ for the statewide certification licensing of ~~master~~
20 ~~electricians and establishing certification requirements for~~ electrical contractors,
21 master electricians, journeymen electricians, and beginning electricians. ~~The rules~~
22 ~~shall specify that only~~

23 (b) Except as provided under sub. (3), only licensed master electricians and
24 persons who employ at least one licensed master electrician may be ~~certified~~ licensed
25 as electrical contractors; ~~that~~.

1 (d) Only persons who pass a journeyman wireman examination administered
 2 by the department or are apprentice electricians successfully complete an engaged
 3 in their apprenticeship program lasting for at least 4³ years and approved by the ^{extend striking}
 4 U.S. department of labor and by the department or pass an inside journeyman
 5 wireman examination, and who have installed electrical wiring for at least 48
 6 months and have maintained and repaired electrical wiring for at least one month
 7 shall experience in electrical construction may be certified licensed as journeymen
 8 electricians; and that only persons who have some.

9 (e) Persons who have minimal or no qualifications, training, experience, or
 10 technical knowledge with regard to installing and, altering, or repairing electrical
 11 wiring, apparatus, or equipment may be certified licensed as beginning electricians
 12 or may be apprentice electricians.

13 (f) The rules promulgated under par. (a) shall provide for the all of the following:

14 1. The periodic administration of the licensing examination, shall specify the
 15 certification.

16 2. A licensure period and not to exceed 3 years examination fee and shall
 17 establish criteria for the suspension of the certificate by the department.

18 3. Examination fees.

19 4. Renewal of licenses, consistent with s. 101.875.

20 5. The denial, revocation, and suspension of licenses and the conditions under
 21 which a denial, revocation, or suspension may occur. The rules shall specify that a
 22 license may be suspended for violations of a municipality's electrical code upon
 23 notification of such violations by the municipality. Applicants.

24 (g) Each applicant for certification as an electrical contractors license shall
 25 provide the department with their social security number, their the applicant's

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to p. 7

1 worker's compensation number, their unemployment insurance account number,
 2 their and state and federal tax identification numbers and, as applicable. Each
 3 applicant for an electrical contractor's ³ license shall provide the name and address of
 4 each partner or member of its partners or members, if they are partnerships or
 5 limited liability companies the applicant is a partnership or limited liability
 6 company; of the its owner, if they are individual proprietorships and of their the
 7 applicant is a sole proprietorship; or its officers, if they are corporations the applicant
 8 is a corporation.

History: 1983 a. 164; 1989 a. 348; 1993 a. 112.

9 **SECTION 11.** 101.87 (1) (c) of the statutes is created to read:

10 101.87 (1) (c) Only persons who pass a master electrician examination
 11 administered by the department and who have at least 7 years experience in
 12 electrical construction may be licensed as master electricians.

13 **SECTION 12.** 101.87 (2) of the statutes is renumbered 101.87 (2) (intro.) and
 14 amended to read:

15 101.87 (2) (intro.) Any municipality which by ordinance requires the licensure
 16 of electrical contractors, journeyman electricians, or beginning electricians shall
 17 issue a license to as follows:

18 (a) To any electrical contractor who wishes to perform electrical construction
 19 work in the municipality upon the submission by the electrical contractor of evidence
 20 that at least one of his or her full-time employees has been ~~certified~~ licensed by the
 21 state department as a master electrician under sub. (1), and upon the payment of the
 22 municipality's licensure fee and the posting of any required bond. The municipality's
 23 licensure fee may not exceed the amount required to cover the administrative costs
 24 of issuing the license.

⌘ SEC# CR; 101.87(1)(F) 3. and 4.
 ⌘ 101.87(1)(F) ← INS A from p. 6

1 **SECTION 13.** 101.87 (2) (b) of the statutes is created to read:

2 101.87 (2) (b) To any journeyman electrician or beginning electrician who, in
3 the course of his or her employment, wishes to perform electrical construction in the
4 municipality, upon submission by the journeyman or beginning electrician of
5 evidence of licensure by the department under sub. (1) as a journeyman or beginning
6 electrician, respectively, and upon payment of the municipality's licensure fee. The
7 municipality's licensure fee may not exceed the amount required to cover the
8 administrative costs of issuing the license.

9 History: 1983 a. 164; 1989 a. 348; 1993 a. 112.

9 **SECTION 14.** 101.87 (3) of the statutes is amended to read:

10 101.87 (3) If a municipality that requires the licensure of electrical contractors
11 on March 28, 1984, thereafter ceases to require such licensure but requires state
12 ~~certification~~ licensure under sub. (1), a person licensed by the municipality may
13 continue to ~~perform electrical construction work~~ act as an electrical contractor in
14 that municipality upon application to the department for a restricted certification
15 electrical contractor's license limited to that municipality. The department may
16 charge a fee for ~~such certification~~ the restricted license.

17 History: 1983 a. 164; 1989 a. 348; 1993 a. 112.

17 **SECTION 15.** 101.875 of the statutes is created to read:

18 **101.875 Renewal of licenses.** (1) Except as provided in sub. (3), a licensed
19 master electrician or licensed journeyman electrician shall successfully complete at
20 least 18 hours of educational coursework acceptable to and within the time period
21 established by the department as a condition of renewing the master electrician's or
22 journeyman electrician's license.

23 (2) Except as provided in sub. (3), a licensed beginning electrician shall
24 successfully complete at least 50 hours of educational coursework acceptable to and

1 within the time period established by the department as a condition of renewing the
2 beginning electrician's license.

3 (3) The department may permit an applicant for renewal of a master,
4 journeyman, or beginning electrician's license to substitute hours of work experience
5 for successful completion of educational coursework required under subs. (1) and (2).
6 The department may establish a process for waiving the requirements of subs. (1)
7 and (2) in cases of illness, disability, or similar circumstances.

8 SECTION 16. ^{create auto-ref "A"}Nonstatutory provisions.

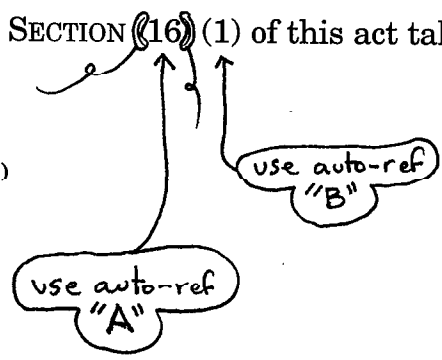
9 create auto-ref "B"

10 (1) SUBMISSION OF PROPOSED RULES. No later than the first day of the 8th month
11 beginning after the effective date of this subsection, the department of commerce
12 shall submit in proposed form the rules governing the licensing of electrical
13 contractors and master, journeyman, and beginning electricians under subchapter
14 IV of chapter 101 of the statutes, as affected by this act, to the legislative council staff
15 under section 227.15 (1) of the statutes.

16 SECTION 17. Effective dates. This act takes effect on the first day of the 12th
17 month ~~following~~ publication, except as follows: ^{beginning after}

18 (1) SUBMISSION OF PROPOSED RULES. SECTION (16) (1) of this act takes effect on
19 the day after publication.

(END)



DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3932/?dn

RJM:.....

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only one "P"
Representative Meyerhoffer: OM

I based this draft off of the proposed language provided to me at our meeting; however, this draft differs from the proposed language in the many cases where the proposed language was ambiguous, duplicative, or not consistent with our drafting standards. In addition, there were many instances where I tried to clarify the effect of the proposed language and use existing statutory terminology. I tried to remain faithful to your intent with regard to each of these differences. Please review the draft, though, to ensure that I have not misunderstood your intent. In particular, please note the following:

1. The amendment of s. 101.87 (3), stats., raises two issues. First, it appears as though this provision can be repealed because, under this bill, all contractors and electricians must be licensed by the state. It does not make sense to maintain this "restricted license" provision, since the contractor will already have a full license as required under the bill. Am I correct in thinking that this provision should be repealed?

Second, if the provision is not repealed, was I correct in amending it to apply only to electrical contractors or should it be amended to apply to electrical contractors and master, journeyman, and beginning electricians?

2. I have included a delayed effective date in order to allow time for the department of commerce to promulgate the necessary rules and for electrical contractors and electricians to obtain the required licenses. Please let me know if this delayed effective date is not consistent with your intent.

If you have any questions as you review the draft, please feel free to call.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3932/1dn
RJM:cjs:pg

November 1, 2001

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