

## 2003 SENATE BILL 112

April 9, 2003 – Introduced by Senators COWLES, SCHULTZ, WIRCH and HANSEN, cosponsored by Representatives LADWIG, BLACK, MILLER, OTT, HAHN, HINES and POCAN. Referred to Committee on Energy and Utilities.

1     **AN ACT** *to renumber and amend* 101.027 (2); *to amend* 101.12 (1) (a); and *to*  
2             *create* 101.026 and 101.027 (2) (c) of the statutes; **relating to:** the regulation  
3             of commercial lighting systems and granting rule-making authority.

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### ***Analysis by the Legislative Reference Bureau***

Current law generally requires the Department of Commerce (department) to promulgate rules regulating the construction of commercial buildings in this state. With certain exceptions, current law requires the department to review plans for the construction of commercial buildings to ensure that the proposed construction complies with the department's rules. This review currently covers such things as the building's proposed heating, ventilation, and air conditioning systems, fire detection systems, and elevator systems. This bill requires the review to also include the building's proposed lighting systems. In addition, this bill requires the department to use the standards of the Illuminating Engineering Society of North America in promulgating rules relating to lighting in commercial buildings and requires exit lighting fixtures in commercial buildings to be consistent with standards imposed under the federal Energy Star Program.

Current law also requires the department to promulgate an Energy Conservation Code. This bill requires the department, the next time it reviews the Energy Conservation Code, to incorporate into the code design requirements that, to the extent practical, reduce energy needs for lighting by utilizing natural daylight and that are consistent with the standards of the Illuminating Engineering Society of North America.

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

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

1           **SECTION 1.** 101.026 of the statutes is created to read:

2           **101.026 Lighting requirements for public buildings and places of**  
3 **employment. (1)** In promulgating rules under s. 101.02 (15) that establish  
4 standards for lighting, the department shall use the most current standards of the  
5 Illuminating Engineering Society of North America for determining required  
6 lighting levels.

7           **(2)** Exit lighting fixtures installed in public buildings and places of  
8 employment on or after the effective date of this subsection .... [revisor inserts date],  
9 shall be consistent with the federal energy management program under 42 USC  
10 8251.

11           **SECTION 2.** 101.027 (2) of the statutes is renumbered 101.027 (2) (a) and  
12 amended to read:

13           101.027 **(2)** (a) The department shall review the ~~energy conservation code~~  
14 Energy Conservation Code and shall promulgate rules that change the requirements  
15 of the ~~energy conservation code~~ Energy Conservation Code to improve energy  
16 conservation. No rule may be promulgated that has not taken into account the cost  
17 of the ~~energy conservation code~~ Energy Conservation Code requirement, as changed  
18 by the rule, in relationship to the benefits derived from that requirement, including  
19 the reasonably foreseeable economic and environmental benefits to the state from  
20 any reduction in the use of imported fossil fuel. The proposed rules changing the

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1 ~~energy conservation code~~ Energy Conservation Code shall be submitted to the  
2 legislature in the manner provided under s. 227.19.

3 (b) In conducting a review under this subsection, the department shall consider  
4 incorporating, into the ~~energy conservation code~~ Energy Conservation Code, design  
5 requirements from the most current national energy efficiency design standards,  
6 including standard 90.1 – 1989 or an ~~energy efficiency code~~ Energy Efficiency Code  
7 other than standard 90.1 – 1989 if that ~~energy efficiency code~~ Energy Efficiency Code  
8 is used to prescribe design requirements for the purpose of conserving energy in  
9 buildings and is generally accepted and used by engineers and the construction  
10 industry. In incorporating requirements into the Energy Conservation Code under  
11 this paragraph, the department shall use the most current standards of the  
12 Illuminating Engineering Society of North America for determining required  
13 lighting levels.

14 **SECTION 3.** 101.027 (2) (c) of the statutes is created to read:

15 101.027 (2) (c) In conducting a review under this subsection, the department  
16 shall incorporate into the Energy Conservation Code design requirements that, to  
17 the extent practical, reduce energy needs for lighting by utilizing natural daylight  
18 without increasing energy needs for cooling. In incorporating requirements into the  
19 Energy Conservation Code under this paragraph, the department shall use the most  
20 current standards of the Illuminating Engineering Society of North America for  
21 determining required lighting levels.

22 **SECTION 4.** 101.12 (1) (a) of the statutes is amended to read:

23 101.12 (1) (a) Heating, ventilation, air conditioning, lighting, and fire  
24 detection, prevention or suppression systems.

