

2003 DRAFTING REQUEST

Bill

Received: **11/19/2002**

Received By: **rmarchan**

Wanted: **As time permits**

Identical to LRB:

For: **Robert Cowles (608) 266-0484**

By/Representing:

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - bldg codes**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Cowles@legis.state.wi.us**

Carbon copy (CC:) to: **robert.marchant@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Regulation of lighting systems

Instructions:

Redraft SB-449.

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>
/?	rmarchan 11/19/2002	jdyer 11/20/2002		_____			
/1	rmarchan 02/24/2003	jdyer 02/24/2003 jdyer 02/24/2003	pgreensl 11/20/2002	_____	lemery 11/20/2002	amentkow 01/06/2003	State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/2			pgreensl _____ 02/24/2003 _____		amentkow _____ 02/24/2003	amentkow _____ 02/24/2003	State
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FE Sent For:

<END>

↳ Art intro

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Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/2

pgreensl _____
02/24/2003 _____

amentkow
02/24/2003

State

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/?	rmarchan 11/19/2002	jdyer 11/20/2002					
/1		1/2 3/24 jld	pgreensl 11/20/2002	2/24	lemery 11/20/2002	amentkow 01/06/2003	State

2/24 pg/RS
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1?	rmarchan	11/20 jcd	11/20 pg	11/20 p8/cph			

FE Sent For:

<END>

0786/1
LRB-4250/3
RJM: [unclear] [unclear]:ch
Stays [unclear] [unclear]

2003 BILL
2001 SENATE BILL 449

February 20, 2002 - Introduced by Senators COWLES, BAUMGART, BURKE and HANSEN, cosponsored by Representatives MILLER and BLACK. Referred to Committee on Universities, Housing, and Government Operations.

Regen

1 AN ACT *to amend* 101.027 (2), 101.12 (1) (a), 101.63 (1) (intro.), 101.63 (2), 101.73
2 (1) and 101.73 (2); and *to create* 101.026 and 101.027 (2) (c) of the statutes;
3 **relating to:** the regulation of commercial and residential lighting systems and
4 granting rule-making authority. ✓

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 consider the standards of the Illuminating Engineering Society of North America in promulgating rules relating to lighting in commercial buildings and, with certain exceptions, requires exit lighting fixtures in commercial buildings to operate at five watts or less. *

Current law also generally requires the department to promulgate rules regulating the construction of one-family and two-family dwellings and certain manufactured buildings designed to be used as dwellings. These rules include standards for such things as a dwelling's heating, ventilation, air conditioning, and

SENATE BILL 449

plumbing systems. This bill requires these rules to also include standards for a dwelling's lighting systems.

* In addition, current law 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.

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:

1 SECTION 1. 101.026^X 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 consider incorporating } into the
5 standards } the procedures for determining required lighting levels that are specified
6 in the most current standards of the Illuminating Engineering Society of North
7 America.

8 (2) Exit lighting fixtures installed in public buildings and places of
9 employment on or after the effective date of this subsection[✓].... [revisor inserts date],
10 shall be designed to operate at 5[✓] watts or less per face, except that an exit lighting
11 fixture that is designed to operate at a higher wattage may be used, consistent with
12 the rules promulgated under s. 101.02 (15), if it also provides egress lighting.

13 SECTION 2. 101.027 (2)^X of the statutes is ^{→ renumbered 101.027 (2)(a) and} amended to read:

14 101.027 (2) (a) The department shall review the ~~energy conservation code~~ and
15 shall promulgate rules that change the requirements of the ~~energy conservation code~~
16 to improve energy conservation. No rule may be promulgated that has not taken into
17 account the cost of the ~~energy conservation code~~ requirement, as changed by the rule,
18 in relationship to the benefits derived from that requirement, including the

Energy Conservation Code

Fix component
PWK

plain

SENATE BILL 449

1 reasonably foreseeable economic and environmental benefits to the state from any
2 reduction in the use of imported fossil fuel. The proposed rules changing the ~~energy~~
3 ~~conservation code~~ shall be submitted to the legislature in the manner provided under
4 s. 227.19. Energy Conservation Code

5 (b) In conducting a review under this subsection, the department shall consider
6 incorporating, into the ~~energy conservation code~~, design requirements from the most
7 current national energy efficiency design standards, including standard 90.1 - 1989
8 or an ~~energy efficiency code~~ other than standard 90.1 - 1989 if that ~~energy efficiency~~
9 ~~code~~ is used to prescribe design requirements for the purpose of conserving energy
10 in buildings and is generally accepted and used by engineers and the construction
11 industry.

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

13 101.027 (2) (c) In conducting a review under this subsection, the department
14 shall incorporate into the energy conservation code design requirements that, to the
15 extent practical, reduce energy needs for lighting by utilizing natural daylight
16 without increasing energy needs for cooling.

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

18 101.12 (1) (a) Heating, ventilation, air conditioning, lighting and fire
19 detection, prevention or suppression systems.

20 SECTION 5. 101.63 (1) (intro.) of the statutes is amended to read:

21 101.63 (1) (intro.) Adopt rules which establish standards for the construction
22 and inspection of ~~one~~ one-family and 2-family dwellings and components thereof.
23 Where feasible, the standards used shall be those nationally recognized and shall
24 apply to the dwelling and to its electrical, heating, ventilating, air conditioning, and
25 other systems, including plumbing, as defined in s. 145.01 (10), and lighting. No set

Energy
Efficiency Code
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SENATE BILL 449

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of rules may be adopted which has not taken into account the conservation of energy in construction and maintenance of dwellings and the costs of specific code provisions to home buyers in relationship to the benefits derived from the provisions. Rules promulgated under this subsection do not apply to a bed and breakfast establishment, as defined under s. 254.61 (1), except that the rules apply to all of the following:

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SECTION 6. 101.63 (2)^X of the statutes is amended to read:

101.63 (2) Adopt rules for the certification, including provisions for suspension and revocation thereof, of inspectors for the purpose of inspecting building construction, electrical wiring, heating, ventilating, air conditioning, and other systems, including plumbing, as defined in s. 145.01 (10), and lighting, of ~~one~~ ^{plaster} ~~one-family~~ and 2-family dwellings under sub. (1). Persons certified as inspectors may be employees of the department, a city, village, town, county, or an independent inspection agency. The department may not adopt any rule which prohibits any city, village, town, or county from licensing persons for performing work on a dwelling in which the licensed person has no legal or equitable interest.

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SECTION 7. 101.73 (1)^X of the statutes is amended to read:

101.73 (1) Adopt rules which establish standards for the use of building materials, methods, and equipment in the manufacture and installation of manufactured buildings for use as dwellings or dwelling units. Where feasible, the standards used shall be those nationally recognized and shall apply to the dwelling and to its electrical, heating, ventilating, air conditioning, lighting[✓] and other systems. Such rules shall take into account the conservation of energy in construction and maintenance of dwellings and the costs to home buyers of specific code provisions in relation to the benefits derived therefrom.

SENATE BILL 449

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[✓]
SECTION 8. 101.73 (2) of the statutes is amended to read:

101.73 (2) Adopt rules for the examination of plans and specifications and for periodic in-plant and on-site inspections of manufacturing facilities, processes, fabrication, assembly, and installation of manufactured buildings to ensure that examinations and inspections are made in compliance with the rules adopted for construction, electrical wiring, heating, ventilating, air conditioning, lighting and other systems under ss. 101.70 to 101.77 and with the rules for indoor plumbing adopted by the department under ch. 145.

SECTION 9. Nonstatutory provisions.

(1) RULES DEADLINE. The department of commerce shall submit in proposed form the rules relating to lighting required under sections 101.63 (1) (intro.) and (2) and 101.73 (1) and (2) of the statutes, as affected by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 7th month beginning after the effective date of this subsection.

SECTION 10. Effective dates. This act takes effect on the day after publication, except as follows:

(1) LIGHTING REQUIREMENTS FOR ONE-FAMILY AND TWO-FAMILY DWELLINGS AND MANUFACTURED BUILDINGS. The treatment of sections 101.63 (1) (intro.) and (2) and 101.73 (1) and (2) of the statutes takes effect on the first day of the 10th month beginning after publication.

(2) PLAN REVIEW REQUIREMENTS FOR PUBLIC BUILDINGS AND PLACES OF EMPLOYMENT. The treatment of section 101.12 (1) (a) of the statutes takes effect on the first day of the 7th month beginning after publication.

(END)

Ed note:
one- and 2-family
is left at
RJM's request

Barman, Mike

From: Marchant, Robert
Sent: Monday, January 06, 2003 10:03 AM
To: Barman, Mike
Subject: FW: LRB 0786/1

Mike, please jacket as requested below for introduction in the Senate.

Thanks.

Rob

-----Original Message-----

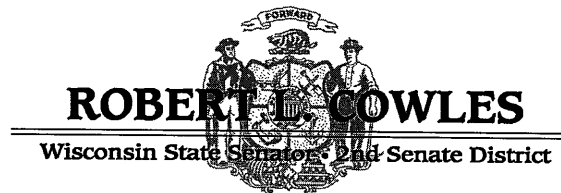
From: Halbur, Jennifer
Sent: Monday, January 06, 2003 9:36 AM
To: Marchant, Robert
Subject: LRB 0786/1

Robert,

Could you jacket LRB 0786/1 relating to the regulation of commercial and residential lighting systems?

Thank you,

Jennifer Halbur
Policy Advisor
Office of State Senator Robert Cowles
2nd Senate District
(608)266-0484
Jennifer.Halbur@legis.state.wi.us



MEMBER:
Environmental Resources Committee
Health, Utilities, Veterans and
Military Affairs Committee
Joint Committee for Review of
Administrative Rules

February 21, 2003

To: Robert Marchant

From: Jennifer Halbur

Re: LRB 0786/1 relating to the regulation of commercial and residential lighting systems.

After requesting the jacket for LRB 0786/1, Senator Cowles decided he would like further changes made to this draft. Please create a bill draft to include the language of LRB 0786/1, with the following modifications:

Section 1, page 2, lines 4-7

- Delete current language.

Replace with:

“standards for lighting, the department shall use the most current standards of the Illuminating Engineering Society of North America as guidelines for determining required lighting levels.”

Section 1, page 2, line 10

- Delete, “shall be designed to operate at 5 watts or less per face...”

Replace with:

“shall be consistent with the Energy Star Program (I believe Energy Star can be referenced as “the federal energy management program under 42 USC 8251. Jeff Kuesel used this reference in a different bill for the Senator.)

Section 3, page 3, line 19

- Add after “cooling” on line 19:

...The department shall use the most current standards of the Illuminating Engineering Society of North America as guidelines for determining required lighting levels.”

Sections 5-8, pages 3-5

- Delete sections 5-8.

Section 10, page 5, lines 20-23

➤ Delete.

Thank you for your help on this draft. Please let me know if further clarification is needed. I can be reached at 266-0484.



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0786A-2

RJM:jld:pg

SPW

PMX

2003 BILL

1 AN ACT *to renumber and amend* 101.027 (2); *to amend* 101.12 (1) (a), 101.63
2 (1) (intro.), 101.63 (2), 101.73 (1) and 101.73 (2); and *to create* 101.026 and
3 101.027 (2) (c) of the statutes; **relating to:** the regulation of commercial and
4 ~~residential~~ lighting systems and granting rule-making authority.

refer

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 ~~consider~~ ^{use} the standards of the Illuminating Engineering Society of North America in promulgating rules relating to lighting in commercial buildings and, with certain exceptions, requires exit lighting fixtures in commercial buildings to operate at five watts or less.

Current law also generally requires the department to promulgate rules regulating the construction of one-family and two-family dwellings and certain manufactured buildings designed to be used as dwellings. These rules include standards for such things as a dwelling's heating, ventilation, air conditioning, and

be consistent with standards imposed under the federal energy star program

BILL

*that - 2 -
and that are consistent with the standards
of the Illuminating Engineering Society of North America*

plumbing systems. This bill requires these rules to also include standards for a dwelling's lighting systems. *also*

In addition, current law 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.

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:

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 ~~consider incorporating into the~~

5 ~~standards the procedures for determining required lighting levels that are specified~~

6 ~~in the most current standards of the Illuminating Engineering Society of North~~

7 ~~America~~ *for determining required lighting levels*

8 (2) Exit lighting fixtures installed in public buildings and places of

9 employment on or after the effective date of this subsection [revisor inserts date],

10 shall be ~~designed to operate at 5 watts or less per face, except that an exit lighting~~

11 ~~fixture that is designed to operate at a higher wattage may be used, consistent with~~

12 ~~the rules promulgated under s. 101.02 (15), if it also provides egress lighting.~~

13 SECTION 2. 101.027 (2) of the statutes is renumbered 101.027 (2) (a) and

14 amended to read:

15 101.027 (2) (a) The department shall review the ~~energy conservation code~~

16 Energy Conservation Code and shall promulgate rules that change the requirements

17 of the ~~energy conservation code~~ Energy Conservation Code to improve energy

18 conservation. No rule may be promulgated that has not taken into account the cost

*Consistent with the federal
energy management program under
42 USC
8251*

BILL

1 of the ~~energy conservation code~~ Energy Conservation Code requirement, as changed
2 by the rule, in relationship to the benefits derived from that requirement, including
3 the reasonably foreseeable economic and environmental benefits to the state from
4 any reduction in the use of imported fossil fuel. The proposed rules changing the
5 ~~energy conservation code~~ Energy Conservation Code shall be submitted to the
6 legislature in the manner provided under s. 227.19.

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

NO
Ⓟ In incorporating requirements into the Energy Conservation Code under this paragraph, the department shall use the most current standards of the Illuminating Engineering Society of North America for determining required lighting levels.

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

16 101.027 (2) (c) In conducting a review under this subsection, the department
17 shall incorporate into the Energy Conservation Code design requirements that, to
18 the extent practical, reduce energy needs for lighting by utilizing natural daylight
19 without increasing energy needs for cooling.

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

21 101.12 (1) (a) Heating, ventilation, air conditioning, lighting, and fire
22 detection, prevention or suppression systems.

SECTION 5. 101.63 (1) (intro.) of the statutes is amended to read:

24 101.63 (1) (intro.) Adopt rules which establish standards for the construction
25 and inspection of one- and 2-family dwellings and components thereof. Where

BILL

1 feasible, the standards used shall be those nationally recognized and shall apply to
2 the dwelling and to its electrical, heating, ventilating, air conditioning, and other
3 systems, including plumbing, as defined in s. 145.01 (10), and lighting. No set of
4 rules may be adopted which has not taken into account the conservation of energy
5 in construction and maintenance of dwellings and the costs of specific code provisions
6 to home buyers in relationship to the benefits derived from the provisions. Rules
7 promulgated under this subsection do not apply to a bed and breakfast
8 establishment, as defined under s. 254.61 (1), except that the rules apply to all of the
9 following:

10 **SECTION 6.** 101.63 (2) of the statutes is amended to read:

11 101.63 (2) Adopt rules for the certification, including provisions for suspension
12 and revocation thereof, of inspectors for the purpose of inspecting building
13 construction, electrical wiring, heating, ventilating, air conditioning, and other
14 systems, including plumbing, as defined in s. 145.01 (10), and lighting, of one- and
15 2-family dwellings under sub. (1). Persons certified as inspectors may be employees
16 of the department, a city, village, town, county, or an independent inspection agency.
17 The department may not adopt any rule which prohibits any city, village, town, or
18 county from licensing persons for performing work on a dwelling in which the
19 licensed person has no legal or equitable interest.

20 **SECTION 7.** 101.73 (1) of the statutes is amended to read:

21 101.73 (1) Adopt rules which establish standards for the use of building
22 materials, methods, and equipment in the manufacture and installation of
23 manufactured buildings for use as dwellings or dwelling units. Where feasible, the
24 standards used shall be those nationally recognized and shall apply to the dwelling
25 and to its electrical, heating, ventilating, air conditioning, lighting, and other

BILL

1 systems. Such rules shall take into account the conservation of energy in
2 construction and maintenance of dwellings and the costs to home buyers of specific
3 code provisions in relation to the benefits derived therefrom.

4 **SECTION 8.** 101.73 (2) of the statutes is amended to read:

5 101.73 (2) Adopt rules for the examination of plans and specifications and for
6 periodic in-plant and on-site inspections of manufacturing facilities, processes,
7 fabrication, assembly, and installation of manufactured buildings to ensure that
8 examinations and inspections are made in compliance with the rules adopted for
9 construction, electrical wiring, heating, ventilating, air conditioning, lighting, and
10 other systems under ss. 101.70 to 101.77 and with the rules for indoor plumbing
11 adopted by the department under ch. 145.

12 **SECTION 9. Nonstatutory provisions.**

13 (1) **RULES DEADLINE.** The department of commerce shall submit in proposed
14 form the rules relating to lighting required under sections 101.63 (1) (intro.) and (2)
15 and 101.73 (1) and (2) of the statutes, as affected by this act, to the legislative council
16 staff under section 227.15 (1) of the statutes no later than the first day of the 7th
17 month beginning after the effective date of this subsection.

18 **SECTION 10. Effective dates.** This act takes effect on the day after publication,
19 except as follows:

20 (1) **LIGHTING REQUIREMENTS FOR ONE- AND 2-FAMILY DWELLINGS AND**
21 **MANUFACTURED BUILDINGS.** The treatment of sections 101.63 (1) (intro.) and (2) and
22 101.73 (1) and (2) of the statutes takes effect on the first day of the 10th month
23 beginning after publication.

delete

keep

keep

