



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 01/30/2007 (Per: MGG)



Appendix A ... Part 01 of 06

The 2005 drafting file for LRB 05-3429

has been transferred to the drafting file for

2007 LRB 07-0475

This cover sheet, the final request sheet, and the final version of the 2005 draft were copied on yellow paper, and returned to the original 2005 drafting file.

The attached 2005 draft was incorporated into the new 2007 draft listed above. For research purposes, this cover sheet and the complete drafting file were transferred, as a separate appendix, to the 2007 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2005 DRAFTING REQUEST

Bill

Received: **07/28/2005**

Received By: **mglass**

Wanted: **As time permits**

Identical to LRB:

For: **Alvin Ott (608) 266-5831**

By/Representing: **Erin Ruby**

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

Drafter: **mglass**

May Contact:

Addl. Drafters: **mkunkel**

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

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Ott@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Electrical code and regulation of electricians

Instructions:

See Attached

Drafting History:

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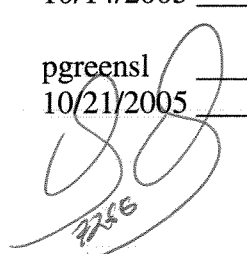
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Bill Request Form

Legislative Reference Bureau

100 N. Hamilton Street

Legal Section 266-3561

You may use this form or talk directly with the LRB attorney who will draft the bill.

Date 4/27/05

Legislator, agency, or other person requesting this draft Rep. Al Ott

Person submitting request (name and phone number) Erin Napralla (6-5831)

Persons to contact for questions about this draft (names and phone numbers) Erin (6-5831)

Beata Kalies - WI Federation of Cooperatives (258-2406)

Describe the problem, including any helpful examples. How do you want to solve the problem?

** Please See Attached Documents*

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 2001 LRB-2345/1 or 1999AB-67).

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? ☒ YES ☐ NO

If yes:

Anyone who asks? YES ☒ NO

Any legislator? YES ☒ NO

Only the following persons Beata Kalies - WI Federation of Co-ops

Do you consider this request urgent? YES ☒ NO ☐ If yes, please indicate why _____

Should we give this request priority over any pending request of this legislator, agency, or person?

YES ☒ NO ☐

Licensing of Electricians

Issue: Most people are unaware that the electricians who wire their homes do not have to meet any state qualifications. Wisconsin has a voluntary certification program and some municipalities require electrician and contractors to be licensed in order to work in that municipality. A state certification program would provide a well-trained workforce, by requiring testing and licensing of electricians as well as give legitimacy to the profession. When licensed, electricians would be able to earn continuing education credits to keep abreast of changes in the electrical code. Wisconsin has mandatory licenses for barbers, plumbers and numerous other professions.

The basic premise of the proposed bill draft is to license those who do electrical wiring - electricians. Utility employees as well as homeowners working on their own residence would be exempt. By establishing an electrician's council, those licensed would have input on the program along with the administration. This proposal is modeled after the plumbing licensing program.

Background: Several years ago, Rep. Meyerhofer and Sen. Baumgart passed a similar bill in the Senate but ran out of time for Assembly action. Last session, Rep. Pettis attempted to resurrect the proposal but the disagreements between the groups representing field level electricians and contractors stalled the final draft and no bill was introduced.

Status: Our current proposal is coordinated with the International Brotherhood of Electrical Workers (IBEW labor union), WECA along with other interested parties and the Department of Commerce. The Safety & Buildings Division of Commerce will oversee the examining and licensing; thus their input is vital to the success of the program. As soon as the final document is ready, legislative authors will be sought with State Representative Al Ott most likely taking the lead.

Position: WECA supports licensing of field level electricians.

Action: Please support our proposal for state certification.

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SECTION 1. 15.157 (5) is created to read:

15.157 (5) ELECTRICIANS COUNCIL. There is created in the department of commerce an electricians council consisting of 5 members. One member shall be an employee of the Department of Commerce, selected by the Secretary of Commerce, to serve as secretary of the council. Two members shall be licensed master electricians and two members shall be licensed journeyman electricians, all appointed by the secretary of commerce for staggered 4-year terms.

SECTION 2. Chapter 101 Subchapter IV is repealed and recreated to read:

**CHAPTER 101
SUBCHAPTER IV
ELECTRICAL CONSTRUCTION
AND ELECTRICIANS**

101.80 Definitions. In this subchapter:

(1) "Electrical wiring" means all equipment, wiring material, fittings, devices, appliances, fixtures and apparatus used for the production, modification, regulation, control, distribution, utilization or safeguarding of electrical energy for mechanical, chemical, cosmetic, heating, lighting or similar purposes as covered under the Wisconsin State Electrical Code. "Electrical wiring" does not include the equipment, wiring material, fittings, devices, appliances, fixtures and apparatus utilized by public utilities under ch. 196 and cooperatives under ch. 185 to produce, transmit or distribute electricity.

(2) "Municipality" means city, town, village and county.

(3) "Wisconsin State Electrical Code" means the rules promulgated by the department under this subchapter for electrical construction.

101.82 ~~101.81~~ Departmental duties. The department shall:

(1) Promulgate rules that establish standards for electrical wiring. Where feasible, the rules shall reflect nationally recognized standards. No rule may be adopted which does not take into account the conservation of energy in construction and maintenance of buildings. standards
1 → 1

~~(2) Adopt rules for the licensure of electrical contractors. An electrical contractor is anyone who accepts payment for performing electrical work from a customer.~~

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(1m) (3) (2) Adopt rules for the registration of beginning electricians and for the examination and licensure of master electricians and journeymen electricians. *registration of elect.*

(h) (4m) (3) Establish by rule provisions for the supervision of beginning electricians. *Supervision*

(1g) (4) Consult with the Electricians' Council regarding the rules for examination, licensure, and registration and supervision of electricians. *council*

(5) Adopt rules for the certification of electrical inspectors for the purpose of inspecting the electrical wiring. *certif. of inspectors*

(6) Adopt rules establishing a process and criteria for the suspension or revocation of licenses, registrations and certifications for electrical contractors, master electricians, journeyman electricians, beginning electricians and electrical inspectors. *revoc. here*

(7) Adopt rules establishing a process and standards for the inspection of electrical wiring, including the inspection of electrical construction where a municipality does not provide the inspection under s. 101.83 (1). *insp where no munic*

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

101.84 **101.82 Departmental powers.** The department may:

(1) Establish by rule licensure or registration categories for various installations of electrical wiring.

~~(2) Establish by rule provisions for the supervision of beginning electricians.~~

(3) (2) 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.

101.86 **101.83 Municipal authority.** (1) Municipalities may:

(a) Exercise jurisdiction over electrical wiring and inspection of electrical wiring by passage of ordinances. Ordinances enacted under this paragraph may not be less restrictive than this subchapter and shall meet the minimum requirements of the Wisconsin State Electrical Code. A county ordinance shall apply in any city, village or town within the county that has not enacted such an ordinance.

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

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

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

(2) The cost of inspection services provided by any county that has enacted an ordinance under sub. (1) 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), 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.

101.8
(3) Except as provided in s. 101.84 (2), no municipality may require the licensing of any person licensed or registered under this subchapter or prohibit the person from installing electrical wiring within the scope of the person's license or registration.

101.87 **101.84 License or registration required.** (1) (a) Except as provided under sub. (2), no person may install electrical wiring unless the person is licensed or registered by the department.

(b) Except as provided under sub. (2), no person may install electrical wiring unless at all times a master electrician ~~or journeyman electrician is on site, they are licensed or registered with the department and a master electrician is responsible for the work. Residential construction sites may have a residential journeyman on site for compliance with this section.~~

(2) This section shall not apply to any of the following:

(a) A residential property owner who installs electrical wiring on premises that the individual owns and occupies as a residence, unless where a license or registration issued by the department is required by local ordinance.

(b) A person or entity engaged in maintaining or repairing existing electrical wiring within facilities or premises owned or leased by the person or entity.

(c) A person engaged in installing, maintaining, or repairing wiring apparatus, or equipment for elevators or escalators.

(d) A person engaged in the installation, maintenance, or repair of equipment and systems operating at 50 volts or less.

(e) A person engaged in installing, maintaining, or repairing an electronic system designed to monitor a premises for the presence of, detect and summon aid for, or issue an alarm as a result of, an emergency, such as fire, burglary or intrusion.

(f) A person engaged in installing, maintaining, or repairing communication circuits or communications cabling.

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(g) A person engaged in installing, maintaining, or repairing manufactured systems or equipment designed to provide a function that is not primarily electrical in nature. This paragraph does not apply to person engaged in installing, maintaining, or repairing wiring that delivers electric current to manufactured systems or equipment.

(h) A person engaged in installing electrical wiring for components of a manufactured home or manufactured building while at or within the manufacturing facility for the home or building.

101875 **101.85 License and registration qualifications.** (1) (a) Any person not previously certified or licensed by the department as an electrician under this subchapter and who has installed electrical wiring, except as provided under sub. (2), for at least 7 years shall be certified by the department as a journeyman electrician without having to pass any written, oral or practical examination upon application and payment of the appropriate fees. This subsection shall not apply after . . . [one year from the effective date of this act].

(b) Any person not previously certified or licensed by the department as an electrician under this subchapter and who has installed electrical wiring, except as provided under sub. (2), for at least 5 years shall be certified by the department as a journeyman residential electrician without having to pass any written, oral or practical examination upon application and payment of the appropriate fees. This subsection shall not apply after . . . [one year from the effective date of this act].

(2) The electrical wiring installations delineated under ~~s-Comm~~ 101,84 (2) (c) to (g) shall not be considered acceptable experience under sub. (1). 10187

* Delete
Renumber
Subsequent
Subsections
(3) Applicants for certification as electrical contractors shall either be master electricians or utilize one or more master electricians to be responsible for electrical construction work performed by the electrical contractor.

(4) The department rules for the licensure of a journeyman electrician shall require least one of the following qualifications.

(a) Completion of an electrical wiring apprenticeship program lasting at least 4 years that is approved by the U.S. department of labor and the department of workforce development.

(b) At least 48 months of experience installing electrical wiring and passage of a department electrical examination.

(4) (5) The department rules for the licensure of a journeyman residential electrician shall require least one of the following qualifications.

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(a) Completion of an electrical residential wiring apprenticeship program lasting at least 3 years that is approved by the U.S. department of labor and the department of workforce development.

(b) At least 36 months of experience installing in electrical wiring and passage of a department electrical examination.

~~101.88~~ **101.86 Compliance and penalties.** (1) Every person installing electrical wiring shall use materials, methods and equipment which are in conformance with the Wisconsin State Electrical Code. ~~The electrical contractor is responsible for providing materials and equipment that are in conformance with the Wisconsin State Electrical Code.~~

(2) All inspections of electrical wiring shall be made by persons certified by the department.

(3) 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.

SECTION 3. Nonstatutory provisions. No later than the first day of the 8th month beginning after the effective date of this act, the department of commerce shall submit in proposed form the rules under s. 101.81 (2) of the statutes, as affected by this act, to the legislative council staff under section 227.15 (1) of the statutes.

SECTION 4. Effective dates. This act takes effect on the first day of the month after publication, except s. 101.84 of this act takes effect on the first day of the 25th month beginning after publication.

(END)