



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 03 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.



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-3429/P1/P2

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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1 **AN ACT to repeal** 101.80 (2), 101.82 (3), 101.82 (3m), 101.84 (2), 101.86 (2),
2 101.865, 101.87 (2), 101.87 (3) and 101.87 (4); **to renumber and amend** 101.80
3 (1), 101.82 (2), 101.86 (3) and 101.88 (2); **to amend** 59.79 (4), 86.16 (2), 101.02
4 (20) (a), 101.02 (21) (a), 101.62, 101.63 (1) (intro.), 101.63 (2), 101.651 (3) (b),
5 101.72, 101.73 (1), 101.73 (2), 101.73 (5), subchapter IV (title) of chapter 101
6 [precedes 101.80], 101.82 (1), 101.82 (4), 101.86 (1) (a), 101.86 (1) (c), 101.87 (1),
7 101.88 (1), 101.88 (3), 182.018 (3) and 234.49 (1) (e) 2.; **to repeal and recreate**
8 101.87 (title); and **to create** 15.157 (13), 101.01 (2s), 101.01 (14m), 101.80 (1m),
9 101.82 (2m), 101.84 (3), 101.862, 101.863, 101.87 (1) (b), 101.87 (5) (b), 101.873,
10 101.875 (title), 101.875 (1) (intro.), 101.875 (1) (b) and 101.875 (1) (c) of the
11 statutes; **relating to:** the state electrical wiring code; regulation of beginning,
12 journeymen, and master electricians; certification of electrical contractors;
13 certification of electrical inspectors; electrical inspection services performed by

1 the Department of Commerce; creation of an electricians council; and granting
2 rule-making authority.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

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

3 **SECTION 1.** 15.157 (13) of the statutes is created to read:

4 15.157 (13) ELECTRICIANS COUNCIL. There is created in the department of
5 commerce an electricians council consisting of 5 members. One member shall be an
6 employee of the department of commerce who is selected by the secretary of
7 commerce and who is to serve as secretary for the council. Two members shall be
8 master electricians licensed under s. 101.873, and 2 members shall be journeymen
9 electricians licensed under s. 101.87. The 4 members who are ^{licensed} electricians shall be
10 appointed by the secretary of commerce for 4-year terms.

11 **SECTION 2.** 59.79 (4) of the statutes is ^{repealed} amended to read:

12 59.79 (4) HEATING AND AIR CONDITIONING CONTRACTORS. For the purpose of
13 protecting and promoting the general health and welfare of county residents, provide
14 by ordinance for the regulation, control, prohibition and licensing of heating and air
15 conditioning contractors engaged in either soliciting work or any actual installation,
16 maintenance or repair work within the geographic limits of such a county. The board
17 may revoke any license after the filing of charges and notice of hearing thereon. Such
18 ordinance in addition may impose a forfeiture of not to exceed \$100 for any violation
19 or, in default of payment thereof, imprisonment for not to exceed 30 days and each
20 day's failure to comply with any provision of the ordinance shall constitute a separate

1 offense. In addition the county may institute injunctive proceedings to enforce any
2 provision of the ordinance. The board may also, within the ordinance, provide for the
3 creation of an advisory board and prescribe its powers. Such ordinance shall apply
4 within cities and villages which may have enacted ordinances regulating the same
5 subject matter but the county ordinance shall not have jurisdiction over any building
6 code matter in any municipality, nor shall the ordinance be applicable to licensed
7 electrical contractors engaged in the installation, maintenance or repair of electrical
8 heating and air conditioning systems or to a public utility which is subject to ch. 196.

9 **SECTION 3.** 86.16 (2) of the statutes is amended to read:

10 86.16 (2) All poles used in the construction of such lines shall be set in such
11 manner as not to interfere with the use of such highway by the public, nor with the
12 use of the adjoining land by the owner thereof; and all pole lines shall hereafter be
13 constructed so as to meet the requirements of the Wisconsin provisions of the state
14 electrical code promulgated by the public service commission.

15 **SECTION 4.** 101.01 (2s) of the statutes is created to read:

16 101.01 (2s) "Electrical wiring" means all equipment, wiring, material, fittings,
17 devices, appliances, fixtures, and apparatus used for the production, modification,
18 regulation, control, distribution, utilization, or safeguarding of electrical energy for
19 mechanical, chemical, cosmetic, heating, lighting, or similar purposes, as specified
20 under the state electrical wiring code. "Electrical wiring" does not include the
21 equipment, wiring, material, fittings, devices, appliances, fixtures, and apparatus
22 used by a public utility, as defined in s. 196.01 (5), or by an electric cooperative, as
23 defined in s. 196.025 (5) (ag), to generate, transmit, or distribute electricity to its
24 customers or members.

25 **SECTION 5.** 101.01 (14m) of the statutes is created to read:

1 101.01 (14m) "State electrical wiring code" means the rules promulgated under
2 s. 101.82 (1) for electrical wiring.

3 **SECTION 6.** 101.02 (20) (a) of the statutes is amended to read:

4 101.02 (20) (a) For purposes of this subsection, "license" means a license,
5 permit or certificate of certification or registration issued by the department under
6 ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a),
7 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), ~~101.82 (2), 101.863,~~
8 ~~101.87, 101.873, 101.875,~~ 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035,
9 145.045, 145.15, 145.16, 145.165, ~~145.17,~~ 145.175, 145.18 or 167.10 (6m).

10 **SECTION 7.** 101.02 (21) (a) of the statutes is amended to read:

11 101.02 (21) (a) In this subsection, "license" means a license, permit or
12 certificate of certification or registration issued by the department under s. 101.09
13 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178
14 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), ~~101.82 (2), 101.863,~~ 101.87,
15 ~~101.873, 101.875~~ 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045,
16 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

17 **SECTION 8.** 101.62 of the statutes is amended to read:

18 **101.62 Dwelling code council; power.** The dwelling code council shall
19 review the standards and rules for one- and 2-family dwelling construction and
20 recommend a uniform dwelling code for adoption by the department which shall
21 include rules providing for the conservation of energy in the construction and
22 maintenance of dwellings and for costs of specific code provisions to home buyers to
23 be related to the benefits derived from such provisions. The recommendations may
24 not include recommendations for the state electrical wiring code. The council shall
25 study the need for and availability of one-family and 2-family dwellings that are

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1 accessible to persons with disabilities, as defined in s. 106.50 (1m) (g), and shall make
2 recommendations to the department for any changes to the uniform dwelling code
3 that may be needed to ensure an adequate supply of one-family and 2-family
4 dwellings. Upon its own initiative or at the request of the department, the council
5 shall consider and make recommendations to the department pertaining to rules and
6 any other matters related to this subchapter. The council shall recommend variances
7 for different climate and soil conditions throughout the state.

8 **SECTION 9.** 101.63 (1) (intro.) of the statutes is amended to read:

9 101.63 (1) (intro.) Adopt rules which establish standards for the construction
10 and inspection of one- and 2-family dwellings and components thereof. Where
11 feasible, the standards used shall be those nationally recognized and shall apply to
12 the dwelling and to its electrical, heating, ventilating, air conditioning and other
13 systems, including plumbing, as defined in s. 145.01 (10). The state electrical wiring
14 code applies to electrical systems. No set of rules may be adopted which has not taken
15 into account the conservation of energy in construction and maintenance of
16 dwellings and the costs of specific code provisions to home buyers in relationship to
17 the benefits derived from the provisions. Rules promulgated under this subsection
18 do not apply to a bed and breakfast establishment, as defined under s. 254.61 (1),
19 except that the rules apply to all of the following:

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

21 101.63 (2) Adopt Promulgate rules for the certification, including provisions
22 for suspension and revocation thereof, of inspectors for the purpose of inspecting
23 building construction, electrical wiring, heating, ventilating, air conditioning, and
24 other systems, including plumbing, as defined in s. 145.01 (10), of one- and 2-family
25 dwellings under sub. (1). The rules promulgated under s. 101.875 (1) apply to

1 inspectors of electrical wiring. Persons certified as inspectors may be employees of
2 the department, a city, village, town, county, or an independent inspection agency.
3 The department may not adopt any rule which prohibits any city, village, town or
4 county municipality from licensing persons for performing work on a dwelling in
5 which the licensed person has no legal or equitable interest.

6 **SECTION 11.** 101.651 (3) (b) of the statutes is amended to read:

7 101.651 (3) (b) The department shall provide inspection services, except for
8 inspection services of electrical wiring, and shall enforce this subchapter throughout
9 any municipality that does not exercise jurisdiction under sub. (2m) and that has not
10 adopted a resolution under sub. (2m) (a).

11 **SECTION 12.** 101.72 of the statutes is amended to read:

12 **101.72 Dwelling code council.** The dwelling code council shall review the
13 standards and rules for manufactured buildings for dwellings and recommend a
14 statewide manufactured building code for adoption by the department which shall
15 include rules providing for the conservation of energy in the construction and
16 maintenance of dwellings. The recommendations may not include recommendations
17 for the state electrical wiring code. Such rules shall take into account the costs to
18 home buyers of specific code provisions in relation to the benefits derived therefrom.
19 Upon its own initiative or at the request of the department, the council shall consider
20 and make recommendations to the department pertaining to rules and any other
21 matters related to this subchapter.

22 **SECTION 13.** 101.73 (1) of the statutes is amended to read:

23 101.73 (1) Adopt rules which establish standards for the use of building
24 materials, methods, and equipment in the manufacture and installation of
25 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 and other systems. The state electrical wiring code applies to standards for electrical 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.

SECTION 14. 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, 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 101.875 applies to inspectors and inspections of electrical wiring.

SECTION 15. 101.73 (5) of the statutes is amended to read:

101.73 (5) Adopt rules for the certification, including provisions for suspension and revocation thereof, of on-site inspectors of the installation of manufactured buildings for dwellings. Section 101.875 applies to inspectors of electrical wiring. Persons certified as on-site inspectors may be employees of the department, a city, village, town or county or an independent agency.

SECTION 16. Subchapter IV (title) of chapter 101 [precedes 101.80] of the statutes is amended to read:

CHAPTER 101

SUBCHAPTER IV

1 INSPECTION OF ELECTRICAL CONSTRUCTION WIRING AND
2 CERTIFICATION OF MASTER ELECTRICIANS, CONTRACTORS,
3 JOURNEYMEN AND BEGINNING ELECTRICIANS

4 SECTION 17. 101.80 (1) of the statutes is renumbered 101.80 (1r) and amended
5 to read:

6 101.80 (1r) "Municipality" means a city, town, village and, or county.

7 SECTION 18. 101.80 (1m) of the statutes is created to read:

8 101.80 (1m) "Emergency" includes a fire, burglary, or other intrusion.

9 SECTION 19. 101.80 (2) of the statutes is repealed. *by 101.80 (1m) bldgs.*

10 SECTION 20. 101.82 (1) of the statutes is amended to read:

11 101.82 (1) ~~Adopt rules for the construction and inspection of electrical~~
12 ~~construction of public buildings and places of employment and for the inspection of~~
13 ~~electrical construction of places where farming, as defined in s. 101.01 (11), is~~
14 ~~conducted~~ Promulgate by rule a state electrical wiring code that establishes
15 standards for installing, repairing, and maintaining electrical wiring. Where
16 feasible, the standards used shall be those rules shall reflect nationally recognized
17 standards. ~~No rule may be adopted promulgated which does not take into account~~
18 ~~the conservation of energy in the construction and maintenance of buildings.~~

19 SECTION 21. 101.82 (2) of the statutes is renumbered 101.875 (1) (a) and
20 amended to read:

21 101.875 (1) (a) Promulgate rules that establish criteria and procedures for the
22 certification, including provisions for suspension and revocation thereof, of electrical
23 inspectors for the purpose of inspecting the electrical wiring of public buildings and
24 places of employment. ~~Persons certified as inspectors may be employees of the~~
25 ~~department, a municipality or private inspection agency.~~

1 **SECTION 22.** 101.82 (2m) of the statutes is created to read:

2 101.82 (2m) Consult with the electricians' council created under s. 15.157 (13)
3 in promulgating the rules for the examination, registration, licensing, and
4 supervision of electricians.

5 **SECTION 23.** 101.82 (3) of the statutes is repealed.

6 **SECTION 24.** 101.82 (3m) of the statutes is repealed.

7 **SECTION 25.** 101.82 (4) of the statutes is amended to read:

8 101.82 (4) Establish by rule a schedule of fees sufficient to defray the costs
9 incurred registering and licensing electricians and certifying inspectors under this
10 subchapter.

11 **SECTION 26.** 101.84 (2) of the statutes is repealed.

12 **SECTION 27.** 101.84 (3) of the statutes is created to read:

13 101.84 (3) Promulgate rules to differentiate the ^{scope}~~types~~ of installation, repair, or
14 maintenance of electrical wiring that may be performed by a beginning electrician,
15 a journeyman electrician, a residential journeyman electrician, or a master
16 electrician.

17 **SECTION 28.** 101.86 (1) (a) of the statutes is amended to read:

18 101.86 (1) (a) Exercise jurisdiction over electrical ~~construction~~ wiring and
19 inspection of electrical ~~construction in public buildings and places of employment~~
20 wiring by passage enactment of ordinances, ~~providing such ordinances meet the~~
21 ~~minimum requirements of the department's rules adopted under this subchapter.~~
22 An ordinance enacted under this paragraph may not be less restrictive than this
23 subchapter. A county ordinance shall apply in any city, village, or town ~~which that~~
24 has not enacted such an ordinance.

25 **SECTION 29.** 101.86 (1) (c) of the statutes is amended to read:

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

SECTION 30. 101.86 (2) of the statutes is repealed.

SECTION 31. 101.86 (3) of the statutes is renumbered 101.86 (3) (a) and amended to read:

101.86 (3) (a) The cost of inspection services provided by any county ~~which that~~ has enacted an ordinance under sub. (1) ~~or contracted under sub. (2),~~ if not defrayed by fees, shall be charged to or taxed ~~upon~~ against the property within those cities, villages, and towns in the county ~~which that~~ have not enacted a ~~local construction and inspection~~ an ordinance under sub. (1) ~~or contracted under sub. (2),~~ and ~~no,~~ except as provided in par. (b).

(b) No part of the cost of inspection services, if not defrayed by fees, may be charged to or taxed against the property within any city, village, or town ~~which that~~ has enacted such an ordinance ^{POINT SPACE} ~~or contracted under sub. (2)~~ (1).

SECTION 32. 101.862 of the statutes is created to read:

101.862 ^(B) ~~License or registration~~ ^{(B) or certification} required. (1) No person may install, repair, or maintain electrical wiring unless the person is licensed as a journeyman electrician or a master electrician by the department or unless the person is registered as a beginning electrician by the department.

(2) No person who is not a master electrician ^g may install, repair, or maintain electrical wiring unless a master electrician is at all times responsible for the person's work.

(3) Subsections (1) and (2) do not apply to any of the following:

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

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

(d) ~~(c)~~ A person engaged in installing, repairing, or maintaining equipment or systems that operate at 50 volts or less.

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

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

(g) ~~(f)~~ A person engaged in installing, repairing, or maintaining manufactured equipment or a manufactured system that is designed to provide a function that is not primarily electrical in nature if the installing, repairing, or maintaining does not involve the delivery of electrical current to the equipment or the system.

(h) ~~(g)~~ A person engaged in installing electrical wiring for components of a manufactured home, as defined in s. 101.91 (2), while the manufactured home is at or in the facility at which it is being manufactured.

SECTION 33. 101.863 of the statutes is created to read:

101.863 Beginning electricians. The department shall:

(1) Promulgate rules that establish criteria and procedures for the registration of beginning electricians.

(2) Promulgate rules that establish criteria and a process for the suspension or revocation of registration issued to beginning electricians.

NOTE: Do Commission Address delayed effective date for this provision? 50/10/0862

1 (3) Promulgate rules that establish requirements for the supervision of
2 beginning electricians.

3 (3) SECTION 34. 101.865 of the statutes is repealed.

4 SECTION 35. 101.87 (title) of the statutes is repealed and recreated to read:

5 101.87 (title) ^{(B) Requirements for} ~~Journeyman~~ electricians.

6 SECTION 36. 101.87 (1) of the statutes is amended to read:

7 101.87 (1) The department shall adopt:

8 (a) ~~Promulgate rules establishing a uniform examination that establish~~
9 ~~criteria and procedures for the certification licensing of master electricians and~~
10 ~~establishing certification requirements for electrical contractors, journeymen~~
11 ~~electricians and beginning electricians.~~

12 (5) (a) ~~The rules promulgated under sub. (1) (a) shall specify that only master~~
13 ~~electricians and persons who employ at least one master electrician may be certified~~
14 ~~as electrical contractors; that persons who successfully complete require that an~~
15 ~~applicant for licensure as a journeyman electrician who is not a residential~~
16 ~~journeyman electrician have at least one of the following qualifications:~~

17 1. ^(a) ~~Completion of an apprenticeship program lasting for in installing, repairing,~~
18 ~~and maintaining electrical wiring that has a duration of at least 4 years and that is~~
19 ~~approved by the U.S. department of labor and by the department or pass an inside~~
20 ~~journeyman wireman examination and who have installed of workforce~~
21 ~~development.~~

22 2. ^(b) ~~Experience in installing, repairing, and maintaining electrical wiring for at~~
23 ~~least 48 months and have maintained and repaired electrical wiring for at least one~~
24 ~~month shall be certified as journeymen electricians; and that only persons who have~~
25 ~~some experience installing and repairing electrical wiring may be certified as~~

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and passage of an examination required by the department for journeymen electricians. The rules shall provide for the periodic administration of the examination, shall specify the certification period and examination fee and shall establish criteria for the suspension of the certificate by the department for violations of a municipality's electrical code upon notification of such violations by the municipality. Applicants for certification 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.

SECTION 37. 101.87 (1) (b) of the statutes is created to read:

101.87 (1) (b) Promulgate rules that establish criteria and a process for the suspension or revocation of licenses issued to journeymen electricians.

SECTION 38. 101.87 (2) of the statutes is repealed.

SECTION 39. 101.87 (3) of the statutes is repealed.

SECTION 40. 101.87 (4) of the statutes is repealed.

SECTION 41. 101.87 (5) of the statutes is created to read:

101.87 (5) (b) The rules promulgated under sub. (1) (a) shall require that an applicant for licensure as a residential journeyman electrician have at least one of the following qualifications:

(a) Completion of an apprenticeship program in installing, repairing, and maintaining electrical residential wiring that has a duration of at least 3 years and that is approved by the U.S. department of labor and by the department of workforce development.

**** NOTE: Address residential vs. nonresidential
journeymen electricians. (b) statutory requirements are only for journeymen electricians.

(b) (2) Experience in installing, repairing, and maintaining electrical wiring for at least 36 months *Grand passage of*

~~(3) Passage of~~ an examination required by the department for residential journeymen electricians.

SECTION 42. 101.873 of the statutes is created to read:

101.873 Master electricians. The department shall:

(1) Promulgate rules that establish criteria and procedures for the examination and licensing of master electricians.

(2) Promulgate rules that establish criteria and a process for the suspension or revocation of licenses issued to master electricians.

SECTION 43. 101.875 (title) of the statutes is created to read:

101.875 (title) Electrical inspectors and inspections.

SECTION 44. 101.875 (1) (intro.) of the statutes is created to read:

101.875 (1) The department shall:

SECTION 45. 101.875 (1) (b) of the statutes is created to read:

101.875 (1) (b) Promulgate rules that establish criteria and a process for the suspension or revocation of certifications issued to electrical inspectors.

SECTION 46. 101.875 (1) (c) of the statutes is created to read:

101.875 (1) (c) Promulgate rules that establish standards and a process for the inspection of electrical wiring, including the inspection of electrical wiring for which a municipality does not provide inspection under s. 101.86 (1).

SECTION 47. 101.88 (1) of the statutes is amended to read:

101.88 (1) Every contractor, designer and owner person installing, repairing, or maintaining electrical wiring shall use building materials, methods, and

1 equipment which are in conformance with the rules adopted by the department
2 ~~under this subchapter~~ state electrical wiring code.

3 **SECTION 48.** 101.88 (2) of the statutes is renumbered 101.875 (2) and amended
4 to read:

5 ^{101.875}~~101.875~~ (2) All inspections of electrical wiring shall be made by persons
6 certified by the department under this section.

7 **SECTION 49.** 101.88 (3) of the statutes is amended to read:

8 101.88 (3) ~~Except as provided under s. 101.865 (2), whoever~~ Any person who
9 violates this subchapter or any rule promulgated under this subchapter shall forfeit
10 to the state not less than \$25 nor more than \$500 for each violation. Each day of
11 violation constitutes a separate offense.

12 **SECTION 50.** 182.018 (3) of the statutes is amended to read:

13 182.018 (3) All wires strung over any railroad on or after August 1, 1949, shall
14 be strung in such a way as to meet requirements of the ~~Wisconsin~~ provisions of the
15 state electrical code promulgated by the public service commission. Any person
16 stringing wires in violation of the code shall be subject to a forfeiture of not more than
17 \$100 nor less than \$25. Each 10-day period, after the first day, that such violation
18 occurs shall be a separate violation and shall subject the violator to an additional
19 forfeiture of not less than \$25 nor more than \$100 for each such violation.

20 **SECTION 51.** 234.49 (1) (e) 2. of the statutes is amended to read:

21 234.49 (1) (e) 2. The structure is not subject to rules adopted under s. 101.63,
22 101.73, 101.82, or 101.973, if a housing rehabilitation loan is granted for the property
23 to implement energy conservation improvements.

24 **SECTION 52. Nonstatutory provisions.**

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(1) ELECTRICIANS COUNCIL. Notwithstanding the length of terms specified for the members of the electricians council under section 15.157 (13) of the statutes, as created by this act, the initial members who are electricians shall be appointed for the following terms:

(a) One member who is a master electrician and one member who is a journeyman electrician for terms expiring on July 1, 2008.

(b) One member who is a master electrician and one member who is a journeyman electrician for terms expiring on July 1, 2009.

(2) GRANDFATHERING PROVISION.

AR (A) → (a) Any person who has not been certified as an electrician under subchapter IV of chapter 101 of the statutes and who has installed electrical wiring for at least 7 years shall be temporarily licensed by the department of commerce as a journeyman electrician for a period of one year without having to pass any examination, if the person applies and pays the fee specified in paragraph (c) for this temporary license within 365 days after the effective date of this paragraph.

AR (B) → (b) Any person who has not been certified as an electrician under subchapter IV of chapter 101 of the statutes and who has installed electrical wiring for at least 5 years shall be temporarily licensed by the department of commerce as a journeyman residential electrician for a period of one year without having to pass any examination, if the person applies and pays the fee specified under paragraph (c) for this temporary license within 365 days after the effective date of this paragraph.

(c) The fee required under paragraph (a) or (b) shall be the fee established by the department of commerce under section 101.82 (4) of the statutes, as affected by this act, for journeymen licenses and journeymen residential licenses respectively.

1 ~~(c)~~ ^(d) The installation of electrical wiring that is exempt under section 101.86 (3)
2 (c) to ~~(g)~~ ^(h) of the statutes, as created by this act, may not be considered to be experience
3 in installing electrical wiring for purposes of paragraphs (a) and (b).

SECTION 53. Effective date.

(1) This act takes effect on the first day of the 13th month beginning after publication.

(END)

*** (5) NOTE: More grandfathering provisions into statutes.

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

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SECTION 1- 101.02 (20) (a) of the statutes is amended to read:

101.02 (20) (a) For purposes of this subsection, "license" means a license, permit or certificate of certification or registration issued by the department under ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87 (1m) and (2), 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

History: 1971 c. 185 ss. 1 to 5, 7; 1971 c. 228 ss. 16, 42; Stats. 1971 s. 101.02; 1975 c. 39, 94; 1977 c. 29; 1981 c. 360; 1983 a. 410; 1985 a. 182 s. 57; 1987 a. 343; 1989 a. 31, 56, 139; 1991 a. 39, 269; 1993 a. 27, 184, 252, 414, 492; 1995 a. 27 ss. 3631 to 3649r, 9126 (19); 1995 a. 215; 1997 a. 191, 237; 1999 a. 9; 2001 a. 61.

SECTION 2- 101.02 (21) (a) of the statutes is amended to read:

101.02 (21) (a) In this subsection, "license" means a license, permit or certificate of certification or registration issued by the department under s. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87 (1m) and (2), 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

History: 1971 c. 185 ss. 1 to 5, 7; 1971 c. 228 ss. 16, 42; Stats. 1971 s. 101.02; 1975 c. 39, 94; 1977 c. 29; 1981 c. 360; 1983 a. 410; 1985 a. 182 s. 57; 1987 a. 343; 1989 a. 31, 56, 139; 1991 a. 39, 269; 1993 a. 27, 184, 252, 414, 492; 1995 a. 27 ss. 3631 to 3649r, 9126 (19); 1995 a. 215; 1997 a. 191, 237; 1999 a. 9; 2001 a. 61.

Insert 9-11

SECTION 3- 101.82 (1) of the statutes is amended to read:

~~101.82 (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~~ Promulgate by rule a state electrical wiring code that establishes standards for installing, repairing, and maintaining electrical wiring. Where

feasible, the ~~standards used shall be those~~ 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.

~~SECTION 4.~~ 101.82 (1g) of the statutes is created to read:

101.82 (1g) Consult with the electricians^{oe} council created under s. 15.157 (13) in promulgating the rules for the examination, registration, licensing, and supervision of electricians.

~~SECTION 5.~~ 101.82 (1m) of the statutes is created to read:

101.82 (1m) Promulgate rules that establish criteria and procedures for the registration of beginning electricians and for the examination and licensing of journeymen electricians and master electricians.

~~SECTION 6.~~ 101.82 (1r) of the statutes is created to read:

101.82 (1r) Promulgate rules that establish requirements for the supervision of beginning electricians.

~~SECTION 7.~~ 101.82 (2) of the statutes is amended to read:

101.82 (2) Promulgate rules that establish criteria and procedures 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.~~

~~SECTION 8.~~ 101.82 (2m) of the statutes is created to read:

101.82 (2m) Promulgate rules that establish standards and a process for the inspection of electrical wiring, including the inspection of electrical wiring for which a municipality does not provide inspection under s. 101.86 (1).

***NOTE: Is the last phrase necessary?

1 ~~SECTION 9.~~ 101.82 (3) of the statutes is repealed.

2 ~~SECTION 10.~~ 101.82 (3m) of the statutes is repealed.

3 ~~SECTION 11.~~ 101.82 (3r) of the statutes is created to read:

4 101.82 (3r) Promulgate rules that establish criteria and a process for the
5 suspension or revocation of registrations issued to beginning electricians, licenses
6 issued to journeymen electricians and master electricians, and certifications issued
7 to electrical inspectors.

8 **Insert 11-4**

9 (b) A person engaged in maintaining or repairing electrical ^{wiring} within a facility or
10 on premises owned or leased by the person or by an entity for which the person is an
11 agent.

12 **Insert 11-19**

13 (4) No person may inspect electrical wiring unless the person has received a
14 certification as an electrical inspector by the department.

15 (5) A municipality may not impose any registration, licensing, or certification
16 requirements on electricians or electrical inspectors who are subject to registration,
17 licensing, or certification by the department under this subchapter.

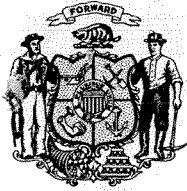
18 **Insert 12-14**

19 ~~SECTION 12.~~ 101.87 (1) of the statutes is amended to read:

20 101.87 (1) ~~The department shall adopt rules establishing a uniform~~
21 ~~examination for the statewide certification of master electricians and establishing~~
22 ~~certification requirements for electrical contractors, journeymen electricians and~~
23 ~~beginning electricians. The rules governing the licensing of journeymen electricians~~
24 ~~under s. 100.82 (1m) shall~~ ^{plain space} ^{plain space} ^{Specify that only master electricians and persons}
^{who employ at least one master electrician may be certified as electrical}
^{contractors; that persons who successfully complete}

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State of Wisconsin
2005 - 2006 LEGISLATURE

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D-Note ✓

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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Regen

1 AN ACT *to repeal* 59.79 (4), 101.80 (2), 101.82 (3), 101.82 (3m), 101.84 (2), 101.86
2 (2), 101.87 (2), 101.87 (3) and 101.87 (4); *to renumber and amend* 101.80 (1)
3 and 101.86 (3); *to amend* 86.16 (2), 101.02 (20) (a), 101.02 (21) (a), subchapter
4 IV (title) of chapter 101 [precedes 101.80], 101.82 (1), 101.82 (2), 101.86 (1) (a),
5 101.86 (1) (c), 101.87 (1), 101.88 (1), 101.88 (2), 101.88 (3) and 182.018 (3); *to*
6 *repeal and recreate* 101.87 (title); and *to create* 15.157 (13), 101.01 (2s),
7 101.01 (14m), 101.82 (1g), 101.82 (1m), 101.82 (1r), 101.82 (2m), 101.82 (3r),
8 101.84 (3), 101.862 and 101.87 (5) of the statutes; **relating to:** the state
9 electrical wiring code; regulation of beginning, journeymen, and master
10 electricians; certification of electrical contractors; certification of electrical
11 inspectors; electrical inspection services performed by the Department of

Commerce; creation of an electricians council; and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

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

③ **SECTION 1.** 15.157 (13) of the statutes is created to read:

④ 15.157 (13) ^{1A} ~~13~~ 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 who is selected by the secretary of commerce and who is to serve as secretary for the council. Two members shall be master electricians licensed under subch. IV of ch. 101, and 2 members shall be journeymen electricians licensed under subch. IV of ch. 101. The 4 members who are licensed electricians shall be appointed by the secretary of commerce for 4-year terms.

⑤ **SECTION 2.** 59.79 (4) of the statutes is repealed.

⑥ **SECTION 3.** 86.16 (2) of the statutes is amended to read:

⑦ 86.16 (2) All poles used in the construction of such lines shall be set in such manner as not to interfere with the use of such highway by the public, nor with the use of the adjoining land by the owner thereof; and all pole lines shall hereafter be constructed so as to meet the requirements of the Wisconsin provisions of the state electrical code promulgated by the public service commission.

⑧ **SECTION 4.** 101.01 (2s) of the statutes is created to read:

1 101.01 (2s) “Electrical wiring” means all equipment, wiring, material, fittings,
2 devices, appliances, fixtures, and apparatus used for the production, modification,
3 regulation, control, distribution, utilization, or safeguarding of electrical energy for
4 mechanical, chemical, cosmetic, heating, lighting, or similar purposes, as specified
5 under the state electrical wiring code. “Electrical wiring” does not include the
6 equipment, wiring, material, fittings, devices, appliances, fixtures, and apparatus
7 used by a public utility, as defined in s. 196.01 (5), or by an electric cooperative, as
8 defined in s. 196.025 (5) (ag), to generate, transmit, or distribute electricity to its
9 customers or members.

10 **SECTION 5.** 101.01 (14m) of the statutes is created to read:

11 101.01 (14m) “State electrical wiring code” means the rules promulgated under
12 s. 101.82 (1) for electrical wiring.

13 **SECTION 6.** 101.02 (20) (a) of the statutes is amended to read:

14 101.02 (20) (a) For purposes of this subsection, “license” means a license,
15 permit or certificate of certification or registration issued by the department under
16 ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a),
17 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87
18 (1m) and (2), 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15,
19 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

20 **SECTION 7.** 101.02 (21) (a) of the statutes is amended to read:

21 101.02 (21) (a) In this subsection, “license” means a license, permit or
22 certificate of certification or registration issued by the department under s. 101.09
23 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178
24 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87 (1m) and (2),

1 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16,
2 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

3 **SECTION 8.** Subchapter IV (title) of chapter 101 [precedes 101.80] of the
4 statutes is amended to read:

5 **CHAPTER 101**

6 **SUBCHAPTER IV**

7 **~~INSPECTION OF ELECTRICAL CONSTRUCTION WIRING AND~~**
8 **~~CERTIFICATION OF MASTER ELECTRICIANS, CONTRACTORS,~~**
9 **~~JOURNEYMEN AND BEGINNING ELECTRICIANS~~**

10 **SECTION 9.** 101.80 (1) of the statutes is renumbered 101.80 (1r) and amended
11 to read:

12 101.80 (1r) "Municipality" means a city, town, village and, or county.

13 **SECTION 10.** 101.80 (2) of the statutes is repealed.

14 **SECTION 11.** 101.82 (1) of the statutes is amended to read:

15 101.82 (1) ~~Adopt rules for the construction and inspection of electrical~~
16 ~~construction of public buildings and places of employment and for the inspection of~~
17 ~~electrical construction of places where farming, as defined in s. 101.01 (11), is~~
18 ~~conducted~~ Promulgate by rule a state electrical wiring code that establishes
19 standards for installing, repairing, and maintaining electrical wiring. Where
20 feasible, the standards used shall be those rules shall reflect nationally recognized.

21 standards. ~~No rule may be adopted which does not take into account the~~
22 ~~conservation of energy in construction and maintenance of buildings~~

23 **SECTION 12.** 101.82 (1g) of the statutes is created to read:

1 101.82 (1g) Consult with the electricians council created under s. 15.157 (13)
2 in promulgating the rules for the examination, registration, licensing, and
3 supervision of electricians.

4 **SECTION 13.** 101.82 (1m) of the statutes is created to read:

5 101.82 (1m) Promulgate rules that establish criteria and procedures for the
6 registration of beginning electricians and for the examination and licensing of
7 journeymen electricians and master electricians.

8 **SECTION 14.** 101.82 (1r) of the statutes is created to read:

9 101.82 (1r) Promulgate rules that establish requirements for the supervision
10 of beginning electricians.

11 **SECTION 15.** 101.82 (2) of the statutes is amended to read:

12 101.82 (2) Promulgate rules that establish criteria and procedures for the
13 certification, ~~including provisions for suspension and revocation thereof,~~ of electrical
14 inspectors for the purpose of inspecting the electrical wiring of public buildings and
15 places of employment. ~~Persons certified as inspectors may be employees of the~~
16 ~~department, a municipality or private inspection agency.~~

17 **SECTION 16.** 101.82 (2m) of the statutes is created to read:

18 101.82 (2m) Promulgate rules that establish standards and a process for the
19 inspection of electrical wiring, including the inspection of electrical wiring for which
20 a municipality does not provide inspection under s. 101.86 (1).

***NOTE: Is the last phrase necessary?

21 **SECTION 17.** 101.82 (3) of the statutes is repealed.

22 **SECTION 18.** 101.82 (3m) of the statutes is repealed.

23 **SECTION 19.** 101.82 (3r) of the statutes is created to read:

1 101.82 **(3r)** Promulgate rules that establish criteria and a process for the
2 suspension or revocation of registrations issued to beginning electricians, licenses
3 issued to journeymen electricians and master electricians, and certifications issued
4 to electrical inspectors.

5 **SECTION 20.** 101.84 (2) of the statutes is repealed.

6 **SECTION 21.** 101.84 (3) of the statutes is created to read:

7 101.84 **(3)** Promulgate rules to differentiate the scope of installation, repair, or
8 maintenance of electrical wiring that may be performed by a beginning electrician,
9 a journeyman electrician, a residential journeyman electrician, or a master
10 electrician.

11 **SECTION 22.** 101.86 (1) (a) of the statutes is amended to read:

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

19 **SECTION 23.** 101.86 (1) (c) of the statutes is amended to read:

20 101.86 **(1)** (c) By ordinance, establish and collect fees to defray the cost of
21 jurisdiction exercised under par. (a) or (b) ~~or a contract under sub. (2).~~

22 **SECTION 24.** 101.86 (2) of the statutes is repealed.

23 **SECTION 25.** 101.86 (3) of the statutes is renumbered 101.86 (3) (a) and amended
24 to read:

1 101.86 (3) (a) The cost of inspection services provided by any county ~~which that~~
2 has enacted an ordinance under sub. (1) ~~or contracted under sub. (2)~~, if not defrayed
3 by fees, shall be charged to or taxed ~~upon~~ against the property within those cities,
4 villages, and towns in the county ~~which that~~ have not enacted a local construction
5 and inspection an ordinance under sub. (1) ~~or contracted under sub. (2)~~, and no,
6 except as provided in par. (b).

7 (b) No part of the cost of inspection services, if not defrayed by fees, may be
8 charged to or taxed against the property within any city, village, or town ~~which that~~
9 has enacted such an ordinance ~~or contracted under sub. (2)~~ (1).

10 **SECTION 26.** 101.862 of the statutes is created to read:

11 **101.862 License, registration, or certification required.** (1) No person
12 may install, repair, or maintain electrical wiring unless the person is licensed as a
13 journeyman electrician or a master electrician by the department or unless the
14 person is registered as a beginning electrician by the department.

15 (2) No person who is not a master electrician may install, repair, or maintain
16 electrical wiring unless a master electrician is at all times responsible for the
17 person's work. *The installation, repair or maintenance of electrical code*

18 (3) Subsections (1) and (2) do not apply to any of the following:

19 (a) A residential property owner who installs, repairs, or maintains electrical
20 wiring on premises that the property owner owns and occupies as a residence, unless
21 a license or registration issued by the department is required by local ordinance. *2 authority*

22 (b) A person engaged in maintaining or repairing electrical wiring within a
23 facility or on premises owned or leased by the person or by an entity for which the
24 person is an agent.

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

(d) A person engaged in installing, repairing, or maintaining equipment or systems that operate at 50 volts or less.

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

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

(g) A person engaged in installing, repairing, or maintaining manufactured equipment or a manufactured system that is designed to provide a function that is not primarily electrical in nature if the installing, repairing, or maintaining does not involve the delivery of electrical current to the equipment or the system.

(h) A person engaged in installing electrical wiring for components of a manufactured home, as defined in s. 101.91 (2), while the manufactured home is at or in the facility at which it is being manufactured.

(4) No person may inspect electrical wiring unless the person ^{is certified} ~~has received a~~ certification as an electrical inspector by the department.

(5) A municipality may not impose any registration, licensing, or certification requirements on electricians or electrical inspectors who are subject to registration, licensing, or certification by the department under this subchapter.

***NOTE: Address delayed effective date for this provision, s. 101.862.

SECTION 27. 101.87 (title) of the statutes is repealed and recreated to read:

101.87 (title) Requirements for electricians.

SECTION 28. 101.87 (1) of the statutes is amended to read:

1 101.87 (1) ^{shall} ~~The department shall adopt rules establishing a uniform~~
2 ~~examination for the statewide certification of master electricians and establishing~~
3 ~~certification requirements for electrical contractors, journeymen electricians and~~
4 ~~beginning electricians. The rules governing the licensing of journeymen electricians~~
5 ~~under s. 101.82 (1m) shall specify that only master electricians and persons who~~
6 ~~employ at least one master electrician may be certified as electrical contractors; that~~
7 ~~persons who successfully complete~~ require that an applicant for licensure as a
8 journeyman electrician who is not a residential journeyman electrician have at least
9 one of the following qualifications:

10 (a) Completion of an apprenticeship program lasting for in installing,
11 repairing, and maintaining electrical wiring that has a duration of at least 4 years
12 and that is approved by the U.S. department of labor and by the department or pass
13 an inside journeyman wireman examination and who have installed of workforce
14 development.

15 (b) Experience in installing, repairing, and maintaining electrical wiring for at
16 least 48 months and have maintained and repaired electrical wiring for at least one
17 month shall be certified as journeymen electricians; and that only persons who have
18 some experience installing and repairing electrical wiring may be certified as
19 beginning electricians. The rules shall provide for the periodic administration of the
20 examination, shall specify the certification period and examination fee and shall
21 establish criteria for the suspension of the certificate by the department for
22 violations of a municipality's electrical code upon notification of such violations by
23 the municipality. Applicants for certification as electrical contractors shall provide
24 the department with their social security number, their worker's compensation
25 number, their unemployment insurance account number, their state and federal tax

1 identification numbers and the name and address of each partner or member if they
2 are partnerships or limited liability companies, of the owner if they are individual
3 proprietorships and of their officers if they are corporations passage of an
4 examination required by the department for journeymen electricians who are not
5 residential journeymen electricians.

***NOTE: Address residential vs. nonresidential journeymen.

***NOTE: Address fact that statutory requirements are only for journeymen.

6 SECTION 29. 101.87 (2) of the statutes is repealed.

7 SECTION 30. 101.87 (3) of the statutes is repealed.

8 SECTION 31. 101.87 (4) of the statutes is repealed.

9 SECTION 32. 101.87 (5) of the statutes is created to read:

10 101.87 (5) The rules promulgated under s. 101.82 (1m) shall require that an
11 applicant for licensure as a residential journeyman electrician have at least one of
12 the following qualifications:

13 (a) Completion of an apprenticeship program in installing, repairing, and
14 maintaining residential electrical wiring that has a duration of at least 3 years and
15 that is approved by the U.S. department of labor and by the department of workforce
16 development.

17 (b) Experience in installing, repairing, and maintaining electrical wiring for at
18 least 36 months, and passage of an examination required by the department for
19 residential journeymen electricians.

20 SECTION 33. 101.88 (1) of the statutes is amended to read:

21 101.88 (1) Every contractor, designer and owner person installing, repairing,
22 or maintaining electrical wiring shall use building materials, methods, and

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1 equipment which are in conformance with the rules adopted by the department
2 under this subchapter state electrical wiring code.

3 **SECTION 34.** 101.88 (2) of the statutes is amended to read:

4 101.88 (2) All inspections of electrical wiring shall be made by persons certified
5 by the department ~~under this section~~ *as an electrical inspector*

6 **SECTION 35.** 101.88 (3) of the statutes is amended to read:

7 101.88 (3) ~~Except as provided under s. 101.865 (2), whoever~~ Any person who
8 violates this subchapter or any rule promulgated under this subchapter shall forfeit
9 to the state not less than \$25 nor more than \$500 for each violation. Each day of
10 violation constitutes a separate offense.

11 **SECTION 36.** 182.018 (3) of the statutes is amended to read:

12 182.018 (3) All wires strung over any railroad on or after August 1, 1949, shall
13 be strung in such a way as to meet requirements of the ~~Wisconsin~~ provisions of the
14 state electrical code promulgated by the public service commission. Any person
15 stringing wires in violation of the code shall be subject to a forfeiture of not more than
16 \$100 nor less than \$25. Each 10-day period, after the first day, that such violation
17 occurs shall be a separate violation and shall subject the violator to an additional
18 forfeiture of not less than \$25 nor more than \$100 for each such violation.

19 **SECTION 37. Nonstatutory provisions.**

20 (1) ELECTRICIANS COUNCIL. Notwithstanding the length of terms specified for
21 the members of the electricians council under section 15.157 (13) of the statutes, as
22 created by this act, the initial members who are electricians shall be appointed for
23 the following terms:

24 (a) One member who is a master electrician and one member who is a
25 journeyman electrician for terms expiring on July 1, 2008.

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11-12

(b) One member who is a master electrician and one member who is a journeyman electrician for terms expiring on July 1, 2009.

SECTION # CR: 101.87(b) ✓

(2) GRANDFATHERING PROVISION.

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(101.87(b) & B)
A ↓ (a) Any person who has not been certified as an electrician under subchapter IV of chapter 101 of the statutes and who has installed electrical wiring for at least 7 years shall be temporarily licensed by the department of commerce as a journeyman electrician for a period of one year without having to pass any examination with the requirements of subchapter (5) if the person applies and pays the fee specified by the department of commerce for this temporary license within 365 days after the effective date of this paragraph. [rev. date]

(b) Any person who has not been certified as an electrician under subchapter IV of chapter 101 of the statutes and who has installed electrical wiring for at least 5 years shall be temporarily licensed by the department of commerce as a journeyman residential electrician for a period of one year without having to pass any examination to comply with subchapter (5) if the person applies and pays the fee specified by the department of commerce for this temporary license within 365 days after the effective date of this paragraph. [rev. date]

(c) The installation of electrical wiring that is exempt under section 101.862 (3) (c) to (h) of the statutes, as created by this act, may not be considered to be experience in installing electrical wiring for purposes of paragraphs (a) and (b).

***NOTE: Move grand fathering provisions into statutes.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

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LPS:
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In reviewing this draft, please have all interested parties consider the following:

Please note the striking of the last sentence in s. 101.82 (1).✓

Please note that nowhere in the draft is there any requirement or authority that rules be promulgated as to the types of electrical work a residential journeyman electrician may do as opposed to a "nonresidential" journeyman electrician. ^{what} ^{may do}

Similarly, s. 101.84 (3) authorizes, but does not require, Commerce to promulgate these rules and, therefore, there are no required provisions as to what type of electrical work any of these levels of electricians may do. The terms "beginning electrician", "journeyman electrician", and "master electrician" are really only labels. Do you want these rules to be mandatory? Do you want to include residential journeymen electricians in s. 101.84 (3)?

Please note that although there are statutory apprenticeship and experience and examination requirements for journeymen electricians under s. 101.87 (1), there are no parallel statutory requirements for beginning or master electricians. ↑

Please note that by repealing this s. 101.865 in this draft, a person who is exempt from being licensed or registered under s. 101.862 (3) is not statutorily required to comply with the electric wiring code. Similarly, the repeal results in there being no statutory requirement that electricians comply with the electric wiring code.

Please note that while inspectors are required to be licensed, there is no statutory requirement in this draft that inspections be conducted by licensed inspectors, although the Department of Commerce may probably require this as part of its rule-making authority under s. 101.82 (2m), which is created in this draft.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

**2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

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MGG:.....

Insert 11-12

SECTION 1. 289.33 (3) (d) of the statutes is amended to read:

289.33 (3) (d) "Local approval" includes any requirement for a permit, license, authorization, approval, variance or exception or any restriction, condition of approval or other restriction, regulation, requirement or prohibition imposed by a charter ordinance, general ordinance, zoning ordinance, resolution or regulation by a town, city, village, county or special purpose district, including without limitation because of enumeration any ordinance, resolution or regulation adopted under s. 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2), (5), (6), (7), (8), (9), (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26) and (27), 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19), (20) and (23), 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10), (11), (12), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25) and (26), 59.55 (3), (4), (5) and (6), 59.56 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16), 59.57 (1), 59.58 (1) and (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70 (1), (2), (3), (5), (7), (8), (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (4), (5), (6), (7), (8), (10) and (11), 59.792 (2) and (3), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34, 61.35, 61.351, 61.354, 62.11, 62.23, 62.231, 62.234, 66.0101, 66.0415, 87.30, 91.73, 196.58, 200.11 (8), 236.45, 281.43 or 349.16 or subch. VIII of ch. 60.

History: 1981 c. 374; 1983 a. 128; 1983 a. 282 ss. 6 to 32, 34; 1983 a. 416 s. 19; 1983 a. 532 s. 36; 1983 a. 538; 1985 a. 182 s. 57; 1987 a. 27, 204, 399; 1987 a. 403 s. 256; 1991 a. 39; 1995 a. 201; 1995 a. 227 s. 626; Stats. 1995 s. 289.33; 1997 a. 35, 241; 1999 a. 83, 150; 2001 a. 38.

Insert 12-20

SECTION 2. Effective dates. This act takes effect on the day after publication, except as follows:

- 1 (1) The treatment of section 101.862 (1), (2), (3), and (4) of the statutes takes
- 2 effect on the first day of the 25th month beginning after publication.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3429/P3dn
MGG:wlj:pg

October 21, 2005

In reviewing this draft, please have all interested parties consider the following:

Please note the striking of the last sentence in s. 101.82 (1).

Please note that nowhere in the draft is there any requirement or authority that rules be promulgated as to the types of electrical work a residential journeyman electrician may do as opposed to what a "nonresidential" journeyman electrician may do.

Similarly, s. 101.84 (3) authorizes, but does not require, Commerce to promulgate these rules and, therefore, there are no required provisions as to what type of electrical work any of these levels of electricians may do. The terms "beginning electrician," "journeyman electrician," and "master electrician" are really only labels. Do you want these rules to be mandatory? Do you want to include residential journeymen electricians in s. 101.84 (3)?

Please note that although there are statutory apprenticeship and experience and examination requirements for journeymen electricians under s. 101.87, there are no parallel statutory requirements for beginning or master electricians.

Please note that by repealing s. 101.865 in this draft, a person who is exempt from being licensed or registered under s. 101.862 (3) is not statutorily required to comply with the electric wiring code. Similarly, the repeal results in there being no statutory requirement that electricians comply with the electric wiring code.

Please note that while inspectors are required to be licensed, there is no statutory requirement in this draft that inspections be conducted by licensed inspectors, although the Department of Commerce may require this as part of its rule-making authority under s. 101.82 (2m), which is created in this draft.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3429/P3dn
MGG:wlj:pg

October 21, 2005

For 11

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✓

In reviewing this draft, please have all interested parties consider the following:

Please note the striking of the last sentence in s. 101.82 (1). *OK*

Please note that nowhere in the draft is there any requirement or authority that rules be promulgated as to the types of electrical work a residential journeyman electrician may do as opposed to what a "nonresidential" journeyman electrician may do. *OK but*

add category
Similarly, s. 101.84 (3) *add category* authorizes, but does not require, Commerce to promulgate these rules and, therefore, there are no required provisions as to what type of electrical work any of these levels of electricians may do. The terms "beginning electrician," "journeyman electrician," and "master electrician" are really only labels. Do you want these rules to be mandatory? Do you want to include residential journeymen electricians in s. 101.84 (3)? *add additional one - inspector*

Please note that although there are statutory apprenticeship and experience and examination requirements for journeymen electricians under s. 101.87, there are no parallel statutory requirements for beginning or master electricians. *OK*

but
see
but
Please note that by repealing s. 101.865 in this draft, a person who is exempt from being licensed or registered under s. 101.862 (3) is not statutorily required to comply with the electric wiring code. Similarly, the repeal results in there being no statutory requirement that electricians comply with the electric wiring code.

see
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add an inspector to council