



# 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 04 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/P3

MGG:wlj:pg

1 RMR

lml

D-Note

Mon  
11/21

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Reben

✓+

1 AN ACT *to repeal* 59.79 (4), 101.80 (2), 101.82 (3), 101.82 (3m), 101.84 (2), 101.86  
2 (2), 101.865, 101.87 (2), 101.87 (3) and 101.87 (4); *to renumber and amend*  
3 101.80 (1) and 101.86 (3); *to amend* 86.16 (2), 101.02 (20) (a), 101.02 (21) (a),  
4 subchapter IV (title) of chapter 101 [precedes 101.80], 101.82 (1), 101.82 (2),  
5 101.86 (1) (a), 101.86 (1) (c), 101.87 (1), 101.88 (1), 101.88 (2), 101.88 (3), 182.018  
6 (3) and 289.33 (3) (d); *to repeal and recreate* 101.87 (title); and *to create*  
7 15.157 (14), 101.01 (2s), 101.01 (14m), 101.82 (1g), 101.82 (1m), 101.82 (1r),  
8 101.82 (2m), 101.82 (3r), 101.84 (3), 101.862, 101.87 (5) and 101.87 (6) of the  
9 statutes; **relating to:** the state electrical wiring code; regulation of beginning  
10 journeymen, and master electricians; certification of electrical contractors;  
11 certification of electrical inspectors; electrical inspection services performed by

and

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

and one member shall  
be an electrical inspector  
under  
certified under subch. IV of ch. 101

***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:***

INS  
ANL

3 **SECTION 1.** 15.157 (14) of the statutes is created to read:

4 15.157 (14) 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 subch. IV of ch. 101, and 2 members shall be  
9 journeymen electricians licensed under subch. IV of ch. 101. The 4 members who are  
10 ~~licensed electricians~~ <sup>employees of the department of commerce</sup> shall be appointed by the secretary of commerce for 4-year  
11 terms.

12 **SECTION 2.** 59.79 (4) of the statutes is repealed.

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

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

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

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 (14)  
2           in promulgating the rules for the examination, registration, licensing, and  
3           supervision of electricians. *and the council under 15.157 (14)*

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           *different types of electricians including* 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).

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:

24          101.82 (3r) Promulgate rules that establish criteria and a process for the  
25          suspension or revocation of registrations issued to beginning electricians, licenses

*different types of electricians<sup>1</sup>*  
*including*  
1 issued to journeymen electricians and master electricians, and certifications issued  
2 to electrical inspectors.

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

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

5 101.84 (3) Promulgate rules to differentiate the scope of installation, repair, or  
6 maintenance of electrical wiring that may be performed by <sup>§</sup>a beginning electrician,  
7 <sup>§</sup>a journeyman electrician, <sup>§</sup>a residential journeyman electrician, <sup>§</sup>or <sup>§</sup>a master  
8 electrician. *§ or other person performing*

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

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

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

18 101.86 (1) (c) By ordinance, establish and collect fees to defray the cost of  
19 jurisdiction exercised under par. (a) or (b) ~~or a contract under sub. (2).~~

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

21 SECTION 25. 101.86 (3) of the statutes is renumbered 101.86 (3) (a) and amended  
22 to read:

23 101.86 (3) (a) The cost of inspection services provided by any county which that  
24 has enacted an ordinance under sub. (1) ~~or contracted under sub. (2),~~ if not defrayed  
25 by fees, shall be charged to or taxed upon against the property within those cities,

1 villages, and towns in the county which that have not enacted a local construction  
2 and inspection an ordinance under sub. (1) ~~or contracted under sub. (2), and no,~~  
3 except as provided in par. (b).

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

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

8 **101.862 License, registration, or certification required.** (1) No person  
9 may install, repair, or maintain electrical wiring unless the person is licensed as a ~~an~~  
10 ~~journeyman~~ electrician ~~or a master electrician~~ by the department or unless the  
11 person is registered as a beginning electrician by the department.

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

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

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

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

22 (c) A person engaged in installing, repairing, or maintaining <sup>electrical</sup> wiring, apparatus,  
23 or equipment for elevators and escalators.

24 (d) A person engaged in installing, repairing, or maintaining equipment or  
25 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 as an electrical inspector by the department.~~

~~(4) (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.~~

**SECTION 27.** 101.865 of the statutes is repealed.

**SECTION 28.** 101.87 (title) of the statutes is repealed and recreated to read:

**101.87 (title) Requirements for journeymen electricians.**

**SECTION 29.** 101.87 (1) of the statutes is amended to read:

~~101.87 (1) The department shall adopt rules establishing a uniform examination for the statewide certification of master electricians and establishing certification requirements for electrical contractors, journeymen electricians and beginning electricians. The rules shall 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~~ <sup>shall</sup> The rules governing the licensing of journeymen electricians under s. 101.82 (1m) require that an applicant for licensure as a journeyman electrician who is not a residential journeyman electrician have at least one of the following qualifications:

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

(b) Experience in installing, repairing, and maintaining electrical wiring for at least 48 months and have maintained and repaired electrical wiring for at least one month shall be certified as journeymen electricians; and that only persons who have some experience installing and repairing electrical wiring may be certified as beginning 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 passage of an

examination required by the department for journeymen electricians who are not residential journeymen electricians.

**SECTION 30.** 101.87 (2) of the statutes is repealed.

**SECTION 31.** 101.87 (3) of the statutes is repealed.

**SECTION 32.** 101.87 (4) of the statutes is repealed.

**SECTION 33.** 101.87 (5) of the statutes is created to read:

101.87 (5) The rules promulgated under s. 101.82 (1m) 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 residential electrical 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.

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

**SECTION 34.** 101.87 (6) of the statutes is created to read:

101.87 (6) (a) Any person who has installed electrical wiring for at least 7 years shall be licensed by the department as a journeyman electrician without having to comply with the requirements of sub. (1), if the person applies within 365 days after the effective date of this paragraph .... [revisor inserts date].

(b) Any person who has installed electrical wiring for at least 5 years shall be licensed by the department as a <sup>move</sup>journeyman residential electrician without having to comply with sub. (5), if the person applies within 365 days after the effective date of this paragraph .... [revisor inserts date].

1 (c) The installation of electrical wiring that is exempt under s. 101.862 (3) <sup>(a)</sup>  
2 to (h) of the statutes may not be considered to be experience in installing electrical  
3 wiring for purposes of pars. (a) and (b).

4 SECTION 35. 101.88 (1) of the statutes is amended to read:

5 101.88 (1) Every ~~contractor, designer and owner~~ person installing, repairing,  
6 or maintaining electrical wiring shall use building materials, methods, and  
7 equipment which are in conformance with the ~~rules adopted by the department~~  
8 under this subchapter state electrical wiring code.

9 SECTION 36. 101.88 (2) of the statutes is amended to read:

10 101.88 (2) All inspections of electrical wiring shall be made by persons certified  
11 by the department as an electrical inspector.

12 SECTION 37. 101.88 (3) of the statutes is amended to read:

13 101.88 (3) ~~Except as provided under s. 101.865 (2), whoever~~ Any person who  
14 violates this subchapter or any rule promulgated under this subchapter shall forfeit  
15 to the state not less than \$25 nor more than \$500 for each violation. Each day of  
16 violation constitutes a separate offense.

17 SECTION 38. 182.018 (3) of the statutes is amended to read:

18 182.018 (3) All wires strung over any railroad on or after August 1, 1949, shall  
19 be strung in such a way as to meet requirements of the Wisconsin provisions of the  
20 state electrical code promulgated by the public service commission. Any person  
21 stringing wires in violation of the code shall be subject to a forfeiture of not more than  
22 \$100 nor less than \$25. Each 10-day period, after the first day, that such violation  
23 occurs shall be a separate violation and shall subject the violator to an additional  
24 forfeiture of not less than \$25 nor more than \$100 for each such violation.

25 SECTION 39. 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.

#### SECTION 40. Nonstatutory provisions.

(1) ELECTRICIANS COUNCIL. Notwithstanding the length of terms specified for the members of the electricians council under section 15.157 (14) 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.

1           the  
2           (b) One member who is a master electrician ~~and~~ <sup>and one</sup> member who is a  
3           journeyman electrician ~~for terms expiring on July 1, 2009.~~ <sup>and one member who is an electrical</sup>  
4           ~~inspector~~

5           **SECTION 41. Effective dates.** This act takes effect on the day after publication,  
6           except as follows:

7           (1) The treatment of section 101.862 (1), (2), (3), <sup>and</sup> ~~(4)~~ of the statutes takes  
8           effect on the first day of the 25th month beginning after publication.

(END)

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

LRB-3429/linsan

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INS  
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***Regulation by Department of Commerce***

Under current law, the Department of Commerce (Commerce) promulgates rules for the electric construction in public buildings and places of employment and for the inspection of such construction. Commerce also promulgates rules for the inspection of electrical work, but not its construction, in places where farming is conducted. This bill expands Commerce's duty in this regard to promulgate a state wiring code that establishes standards for installing, repairing, and maintaining electrical wiring, regardless of what type of building is involved. It also requires Commerce to promulgate rules for the inspection of all electrical wiring. The bill defines "electrical wiring" to be equipment and wiring for the production and control of electrical energy, except for the equipment and wiring used by public utilities and electric cooperatives for the generation and transmission of electricity to their customers.

Under current law, every contractor, designer, and owner must use materials, methods, and equipment that conform with the rules described above. This bill expands this requirement all persons must use materials, methods, and equipment that conform with the state electrical wiring code.

***Electrical contractors and electricians***

Under current law, Commerce must administer a program for certifying electrical contractors. Current law authorizes a city, village, town, or county (municipality) to license contractors if the electrical contractor has as an employee at least one master electrician. Current law requires that a master electrical pass an examination administered by Commerce. However, current law does not specifically require that a person who works as an electrician to be licensed or certified by Commerce. Under this bill, a municipality may no longer license a contractor, resulting in their no longer being any requirement that electrical contractors be licensed or certified either by a municipality or the state. Also the bill specifically prohibits municipalities from registering or license electricians. Instead, under the bill, Commerce is required to promulgate rules for the licensing and examination of all types of electricians, including journeyman and master electricians, but excluding beginning electricians. Under the bill, beginning electricians are required to be registered but do not need to pass an examination. The bill then requires that any person working as an electrician must be registered or licensed by Commerce, with certain exemptions. The bill also requires that no person may do electrical work unless a master electrician is at all times responsible for the work. The bill specifically prohibits municipalities from registering or licensing electricians.

The bill specifies several persons who are exempt from licensing or registration, including person individuals who perform certain types of electrical work on their own residences or in their own facilities, persons who perform electrical

work on elevators and escalators, <sup>alarm</sup> alarm systems, and certain types of communication circuits or cabling.

In addition to the rules required to be promulgated by Commerce for all electricians, the bill imposes specific requirements as to the amount of experience necessary to be licensed as a residential or nonresidential journeyman electrician. ✓

### ***Electrical inspections***

Under current law, a municipality may enact an ordinance regulating electrical construction and the inspection of electrical instruction if the ordinance meets requires that the electrical work meets the minimum state requirements. Under current law, Commerce is required to contract with a municipality for inspections of electrical wiring for compliance with state law if the municipality that has enacted such an ordinance and if Commerce is requested to do so by the municipality. Commerce is also required to provide such inspection in a municipality in that has not enacted such an ordinance. Also, Commerce may, at the request of the owner or tenant, inspect the exterior and interior wiring of a public building or place of employment to determine compliance with state law. Current also law requires requires the company furnishing electric current to obtain proof of compliance with state law before furnishing the current.

This bill eliminates all of these provisions. Instead, the bill requires Commerce to promulgate rules establishing standards and a process for the inspection of electrical wiring, including the inspection of electrical wiring for which a municipality does not provide inspection. ✓ The bill specifically prohibits municipalities from certifying electrical inspectors. ✓

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

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

LRB-3429/1dn

MGG:.....

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(date)

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1. Please review the analysis carefully to insure that it is accurate. ✓
2. Since the council is going to include an electrical inspector, do you want electrical inspectors added to s. 101.82 (1g)?
3. Due to the change requested in s. 101.84 (3) to include other possible types of electricians in addition to beginning, journeymen, and master electricians, I changed the language for consistency in ss. 101.82 (1m) and 101.862. ✓ OK?
4. I took out s. 101.862 (4) because it was redundant, given the existence of s. 101.88 (2) in current law and as affected by this draft.
5. I took out the last phrase in s. 101.862 (5) because, as written in /P3, it infers that there are electricians and inspectors performing electrical work who will not be subject to registration, etc., by the state, which I do not think is your intent. ✓ OK? ✓

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

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

LRB-3429/1dn  
MGG:lmk:rs

November 16, 2005

1. Please review the analysis carefully to insure that it is accurate.
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3. Due to the change requested in s. 101.84 (3) to include other possible types of electricians in addition to beginning, journeymen, and master electricians, I changed the language for consistency in ss. 101.82 (1m) and 101.862. OK?
4. I took out s. 101.862 (4) because it was redundant, given the existence of s. 101.88 (2) in current law and as affected by this draft.
5. I took out the last phrase in s. 101.862 (5) because, as written in /P3, it infers that there are electricians and inspectors performing electrical work who will not be subject to registration, etc., by the state, which I do not think is your intent. OK?

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

**Emery, Lynn**

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**From:** Ruby, Erin  
**Sent:** Tuesday, November 22, 2005 9:28 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 05-3429/1 Topic: Electrical code and regulation of electricians

It has been requested by <Ruby, Erin> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-3429/1 Topic: Electrical code and regulation of electricians

## 2005 BILL

1 AN ACT *to repeal* 59.79 (4), 101.80 (2), 101.82 (3), 101.82 (3m), 101.84 (2), 101.86  
2 (2), 101.865, 101.87 (2), 101.87 (3) and 101.87 (4); *to renumber and amend*  
3 101.80 (1) and 101.86 (3); *to amend* 86.16 (2), 101.02 (20) (a), 101.02 (21) (a),  
4 subchapter IV (title) of chapter 101 [precedes 101.80], 101.82 (1), 101.82 (2),  
5 101.86 (1) (a), 101.86 (1) (c), 101.87 (1), 101.88 (1), 101.88 (2), 101.88 (3), 182.018  
6 (3) and 289.33 (3) (d); *to repeal and recreate* 101.87 (title); and *to create*  
7 15.157 (14), 101.01 (2s), 101.01 (14m), 101.82 (1g), 101.82 (1m), 101.82 (1r),  
8 101.82 (2m), 101.82 (3r), 101.84 (3), 101.862, 101.87 (5) and 101.87 (6) of the  
9 statutes; **relating to:** the state electrical wiring code; regulation of electricians,  
10 electrical contractors, and electrical inspectors; electrical inspection services

**BILL**

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

**Analysis by the Legislative Reference Bureau****Regulation by Department of Commerce**

Under current law, the Department of Commerce (Commerce) promulgates rules for the electric construction in public buildings and places of employment and for the inspection of such construction. Commerce also promulgates rules for the inspection of electrical work, but not its construction, in places where farming is conducted. This bill expands Commerce's duty in this regard to promulgate a state wiring code that establishes standards for installing, repairing, and maintaining electrical wiring, regardless of what type of building is involved. It also requires Commerce to promulgate rules for the inspection of all electrical wiring. The bill defines "electrical wiring" to be equipment and wiring for the production and control of electrical energy, except for the equipment and wiring used by public utilities and electric cooperatives for the generation, and transmission of electricity to their customers. *Bob DuPont*  
*construction*  
*Rewrite*

Under current law, every contractor, designer, and owner must use materials, methods, and equipment that conform with the rules described above. This bill expands this requirement so that all persons must use materials, methods, and equipment that conform with the state electrical wiring code. *See 101.58(1)?*  
*and distribution*

**Electrical contractors and electricians**

Under current law, Commerce must administer a program for certifying electrical contractors. [Current law authorizes a city, village, town, or county (municipality) to license contractors if the electrical contractor has as an employee and at least one master electrician.] Current law requires that a master electrician pass an examination administered by Commerce. However, current law does not specifically require that a person who works as an electrician be licensed or certified by Commerce. Under this bill, a municipality may no longer license a contractor, resulting in the elimination of any requirement that electrical contractors be licensed or certified either by a municipality or the state. Also, the bill specifically prohibits municipalities from registering or licensing electricians. Instead, under the bill, Commerce is required to promulgate rules for the licensing and examination of all types of electricians, including journeyman and master electricians, but excluding beginning electricians. Under the bill, beginning electricians are required to be registered but do not need to pass an examination. The bill requires that any person working as an electrician must be registered or licensed by Commerce, with certain exemptions. The bill also requires that no person may do electrical work unless a master electrician is at all times responsible for the work. *Comm. to Promulgate*  
*certified by State, then can*  
*OK 101.52 (1m)*

The bill specifies several persons who are exempt from licensing or registration, including individuals who perform certain types of electrical work on their own residences or in their own facilities, persons who perform electrical work on elevators

**BILL**

and escalators, alarm systems, and certain types of communication circuits or cabling.

In addition to the rules required to be promulgated by Commerce for all electricians, the bill imposes specific requirements as to the amount of experience necessary to be licensed as a residential or nonresidential journeyman electrician.

***Electrical inspections***

Under current law, a municipality may enact an ordinance regulating electrical construction and the inspection of electrical <sup>con</sup>struction if the ordinance meets the minimum state requirements. Under current law, Commerce is required to contract with a municipality for inspections of electrical wiring for compliance with state law if the municipality has enacted such an ordinance and if Commerce is requested to do so by the municipality. Commerce is also required to provide such inspection in a municipality that has not enacted such an ordinance. Also, Commerce may, at the request of the owner or tenant, inspect the exterior and interior wiring of a public building or place of employment to determine compliance with state law. Current law also requires the company furnishing electric current to obtain proof of compliance with state law before furnishing the current.

*Substitutes*  
This bill ~~eliminates all of these provisions.~~ <sup>Instead,</sup> the bill requires Commerce to promulgate rules establishing standards and a process for the inspection of electrical wiring, including the inspection of electrical wiring for which a municipality does not provide inspection. The bill specifically prohibits municipalities from certifying electrical inspectors.

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

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

1           **SECTION 1.** 15.157 (14) of the statutes is created to read:

2           15.157 (14) ELECTRICIANS COUNCIL. There is created in the department of  
3 commerce an electricians council consisting of 6 members. One member shall be an  
4 employee of the department of commerce who is selected by the secretary of  
5 commerce and who <sup>a non-voting member</sup> is to serve as secretary for the council. Two members shall be  
6 master electricians licensed under subch. IV of ch. 101, 2 members shall be  
7 journeymen electricians licensed under subch. IV of ch. 101, and one member shall  
8 be an electrical inspector certified under subch. IV of ch. 101. The 5 members who

*see section 15.157(3) or 157(12b) for examples ...*

**BILL****SECTION 1**

1 are not employees of the department of commerce shall be appointed by the secretary  
2 of commerce for 4-year terms.

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

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

5 86.16 (2) All poles used in the construction of such lines shall be set in such  
6 manner as not to interfere with the use of such highway by the public, nor with the  
7 use of the adjoining land by the owner thereof; and all pole lines shall hereafter be  
8 constructed so as to meet the requirements of the Wisconsin provisions of the state  
9 electrical code promulgated by the public service commission.

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

11 101.01 (2s) "Electrical wiring" means all equipment, wiring, material, fittings,  
12 devices, appliances, fixtures, and apparatus used for the production, modification,  
13 regulation, control, distribution, utilization, or safeguarding of electrical energy for  
14 mechanical, chemical, cosmetic, heating, lighting, or similar purposes, as specified  
15 under the state electrical wiring code. "Electrical wiring" does not include the  
16 equipment, wiring, material, fittings, devices, appliances, fixtures, and apparatus  
17 used by a public utility, as defined in s. 196.01 (5), or by an electric cooperative, as  
18 defined in s. 196.025 (5) (ag), *or a person who operates a whole is* ~~to generate, transmit, or distribute electricity to its~~  
19 ~~customers or members.~~

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

21 101.01 (14m) "State electrical wiring code" means the rules promulgated under  
22 s. 101.82 (1) for electrical wiring.

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

24 101.02 (20) (a) For purposes of this subsection, "license" means a license,  
25 permit or certificate of certification or registration issued by the department under

**BILL**

1 ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a),  
2 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 ~~(2)~~, 101.87  
3 ~~(1m) and (2)~~, 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15,  
4 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

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

6 101.02 **(21)** (a) In this subsection, "license" means a license, permit or  
7 certificate of certification or registration issued by the department under s. 101.09  
8 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178  
9 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 ~~(2)~~, 101.87 (1m) and (2),  
10 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16,  
11 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

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

**CHAPTER 101****SUBCHAPTER IV****INSPECTION OF ELECTRICAL CONSTRUCTION WIRING AND  
CERTIFICATION OF MASTER ELECTRICIANS, CONTRACTORS,  
JOURNEYMEN AND BEGINNING ELECTRICIANS**

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

21 101.80 **(1r)** "Municipality" means a city, town, village ~~and~~ or county.

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

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

24 101.82 **(1)** ~~Adopt rules for the construction and inspection of electrical~~  
25 ~~construction of public buildings and places of employment and for the inspection of~~



**BILL****SECTION 11**

1 ~~electrical construction of places where farming, as defined in s. 101.01 (11), is~~  
2 ~~conducted~~ Promulgate by rule a state electrical wiring code that establishes  
3 standards for installing, repairing, and maintaining electrical wiring. Where  
4 feasible, the standards used shall be those rules shall reflect nationally recognized.  
5 ~~No rule may be adopted which does not take into account the conservation of energy~~  
6 ~~in construction and maintenance of buildings~~ standards.

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

8 101.82 **(1g)** Consult with the electricians council created under s. 15.157 (14)  
9 in promulgating the rules for the examination, registration, licensing, and  
10 supervision of electricians.

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

12 101.82 **(1m)** Promulgate rules that establish criteria and procedures for the  
13 registration of beginning electricians and for the examination and licensing of  
14 different types of electricians, including journeymen electricians and master  
15 electricians.

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

17 101.82 **(1r)** Promulgate rules that establish requirements for the supervision  
18 of beginning electricians.

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

20 101.82 **(2)** Promulgate rules that establish criteria and procedures for the  
21 certification, ~~including provisions for suspension and revocation thereof,~~ of electrical  
22 inspectors for the purpose of inspecting the electrical wiring of ~~public buildings and~~  
23 ~~places of employment.~~ ~~Persons certified as inspectors may be employees of the~~  
24 ~~department, a municipality or private inspection agency.~~

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

**BILL**

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

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

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

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

7           101.82 **(3r)** Promulgate rules that establish criteria and a process for the  
8           suspension or revocation of registrations issued to beginning electricians, licenses  
9           issued to electricians, and certifications issued to electrical inspectors.

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

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

12          101.84 **(3)** Promulgate rules to differentiate the scope of installation, repair, or  
13          maintenance of electrical wiring that may be performed by different types of  
14          electricians, including beginning electricians, journeyman electricians, and master  
15          electricians.

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

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

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

**BILL****SECTION 23**

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

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

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

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

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

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

16           **101.862 License, registration, or certification required.** (1) No person  
17 may install, repair, or maintain electrical wiring unless the person is licensed as an  
18 electrician by the department or unless the person is registered as a beginning  
19 electrician by the department.

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

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

**BILL**

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

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

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

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

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

14 (f) A person engaged in installing, repairing, or maintaining <sup>electrical</sup> communication  
15 circuits or communication cabling <sup>or any other ... telecommunications</sup>

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

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

23 <sup>add (h)(j) + (k)(l) see attached language ...</sup>  
(4) A municipality may not impose any registration, licensing, or certification  
24 requirements on electricians or electrical inspectors.

25 **SECTION 27.** 101.865 of the statutes is repealed.

## BILL

## SECTION 28

1       SECTION 28. 101.87 (title) of the statutes is repealed and recreated to read:

2       **101.87 (title) Requirements for journeymen electricians.**

3       SECTION 29. 101.87 (1) of the statutes is amended to read:

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

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

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

**BILL**

1 ~~the municipality. Applicants for certification as electrical contractors shall provide~~  
2 ~~the department with their social security number, their worker's compensation~~  
3 ~~number, their unemployment insurance account number, their state and federal tax~~  
4 ~~identification numbers and the name and address of each partner or member if they~~  
5 ~~are partnerships or limited liability companies, of the owner if they are individual~~  
6 ~~proprietorships and of their officers if they are corporations~~ passage of an  
7 examination required by the department for journeymen electricians who are not  
8 residential journeymen electricians.

9 **SECTION 30.** 101.87 (2) of the statutes is repealed.

10 **SECTION 31.** 101.87 (3) of the statutes is repealed.

11 **SECTION 32.** 101.87 (4) of the statutes is repealed.

12 **SECTION 33.** 101.87 (5) of the statutes is created to read:

13 101.87 (5) The rules promulgated under s. 101.82 (1m) shall require that an  
14 applicant for licensure as a residential journeyman electrician have at least one of  
15 the following qualifications:

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

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

23 **SECTION 34.** 101.87 (6) of the statutes is created to read:

24 101.87 (6) (a) Any person who has installed electrical wiring for at least 7 years  
25 shall be licensed by the department as a journeyman electrician without having to

**BILL****SECTION 34**

1 comply with the requirements of sub. (1), if the person applies within 365 days after  
2 the effective date of this paragraph .... [revisor inserts date].

3 (b) Any person who has installed electrical wiring for at least 5 years shall be  
4 licensed by the department as a residential journeyman electrician without having  
5 to comply with sub. (5), if the person applies within 365 days after ~~who are subject~~  
6 ~~to registration, licensing, or certification by the department under this subchapter~~  
7 the effective date of this paragraph .... [revisor inserts date].

8 (c) The installation of electrical wiring that is exempt under s. 101.862 (3) (a)  
9 to (h) of the statutes may not be considered to be experience in installing electrical  
10 wiring for purposes of pars. (a) and (b).

11 **SECTION 35.** 101.88 (1) of the statutes is amended to read:

12 101.88 (1) Every ~~contractor, designer and owner~~ person installing, repairing,  
13 or maintaining electrical wiring shall use building materials, methods, and  
14 equipment which are in conformance with the ~~rules adopted by the department~~  
15 ~~under this subchapter~~ state electrical wiring code.

16 **SECTION 36.** 101.88 (2) of the statutes is amended to read:

17 101.88 (2) All inspections of electrical wiring shall be made by persons certified  
18 by the department as an electrical inspector.

19 **SECTION 37.** 101.88 (3) of the statutes is amended to read:

20 101.88 (3) ~~Except as provided under s. 101.865 (2), whoever~~ Any person who  
21 violates this subchapter or any rule promulgated under this subchapter shall forfeit  
22 to the state not less than \$25 nor more than \$500 for each violation. Each day of  
23 violation constitutes a separate offense.

24 **SECTION 38.** 182.018 (3) of the statutes is amended to read:

**BILL**

1           182.018 (3) All wires strung over any railroad on or after August 1, 1949, shall  
2           be strung in such a way as to meet requirements of the Wisconsin provisions of the  
3           state electrical code promulgated by the public service commission. Any person  
4           stringing wires in violation of the code shall be subject to a forfeiture of not more than  
5           \$100 nor less than \$25. Each 10-day period, after the first day, that such violation  
6           occurs shall be a separate violation and shall subject the violator to an additional  
7           forfeiture of not less than \$25 nor more than \$100 for each such violation.

8           **SECTION 39.** 289.33 (3) (d) of the statutes is amended to read:

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



**BILL****SECTION 40. Nonstatutory provisions.**

(1) ELECTRICIANS COUNCIL. Notwithstanding the length of terms specified for the members of the electricians council under section 15.157 (14) 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, one member who is a journeyman electrician, and the member who is an electrical inspector for terms expiring on July 1, 2009.

**SECTION 41. Effective dates.** This act takes effect on the day after publication, except as follows:

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

(END)

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

LRB-3429/1dn

MGG:lmk:rs

November 16, 2005

*12/15/05 Proposed changes with input  
from Commerce, IBEW & co-govs...*

1. Please review the analysis carefully to insure that it is accurate. *(ok) see changes*
2. Since the council is going to include an electrical inspector, do you want electrical inspectors added to s. 101.82 (1g)? *(No)*
3. Due to the change requested in s. 101.84 (3) to include other possible types of electricians in addition to beginning, journeymen, and master electricians, I changed the language for consistency in ss. 101.82 (1m) and 101.862. OK? *(ok)*
4. I took out s. 101.862 (4) because it was redundant, given the existence of s. 101.88 (2) in current law and as affected by this draft. *(ok)*
5. I took out the last phrase in s. 101.862 (5) because, as written in /P3, it infers that there are electricians and inspectors performing electrical work who will not be subject to registration, etc., by the state, which I do not think is your intent. OK? *(ok)*

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

Drafter

## Proposed changes regarding exemptions to electrician licensing in LRB 3429/1:

Page 9, Section 26, after 22, add

*installing*  
(i) a public utility as defined in s.196.01(5), an electric cooperative as defined in s.196.025 (5) (ag), a wholesale merchant plant as defined in s.196.491 (1) (w), and any person who is employed by or a subcontractor of such an entity, who is *while employed* engaged in electrical wiring within the scope of the person's employment on contract.

Including but not limited to: installing, repairing, or maintaining equipment, wiring, material, fittings, devices, appliances, fixtures, and apparatus used for the production, generation, modification, regulation, control, distribution, transmission, utilization or safeguarding of electrical energy for mechanical, chemical, cosmetic, heating, lighting, or similar purposes.

(j) a person employed by a telecommunications carrier, as defined in s. 196.01 (8m), by a commercial mobile radio service provider, as defined in s. 196.01 (2g), or by an alternative telecommunications utility under s. 196.01 (1d), engaged in electrical wiring within the scope of the person's employment. *plus under K.*

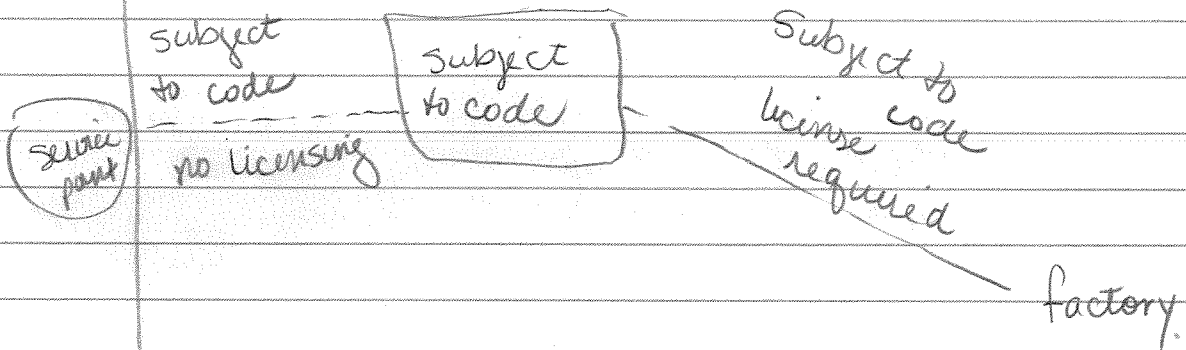
*public* (k) a person engaged in installing, repairing, or maintaining *electrical wiring that is used for lighting* public thoroughfares, runways, signal lighting or ~~street~~ lighting.

(l) a person engaged in installing, repairing or maintaining *electrical wiring* substations and their supply side electrical wiring.

line-side  
load-side

*exempt  
electrical  
work that  
is not under  
jurisdiction  
of Public  
Service  
Commission*

*not a public  
utility substation  
private entity  
substation*



*Revised*

MDT notes 1 of 2

## Proposed changes regarding exemptions to electrician licensing in LRB 3429/1:

Page 9, Section 26, after 22, add

(i) a public utility as defined in s.196.01(5), an electric cooperative as defined in s.196.025 (5) (ag), a wholesale merchant plant as defined in s.196.491 (1) (w), and any person who is employed by or a subcontractor of such an entity, who is engaged in electrical wiring within the scope of the person's employment or contract including but not limited to: installing, repairing, or maintaining equipment, wiring, material, fittings, devices, appliances, fixtures, and apparatus used for the production, generation, modification, regulation, control, distribution, transmission, utilization or safeguarding of electrical energy for mechanical, chemical, cosmetic, heating, lighting, or similar purposes.

*= 613 entity or individual*

*= retailer or wholesale coop.*

*for wholesale plant owned by off-ice of public utility*

*what about contractor?*

*TP*

*TC*

*CMRSP*

*ATU*

(j) a person employed by a telecommunications carrier, as defined in s. 196.01 (8m), by a commercial mobile radio service provider, as defined in s. 196.01 (2g), or by an alternative telecommunications utility under s. 196.01 (1d), engaged in electrical wiring within the scope of the person's employment.

*what about TU?*


(k) a person engaged in installing, repairing, or maintaining public thoroughfares, runways, signal lighting or street lighting.

*street lights*

(l) a person engaged in installing, repairing or maintaining substations and their supply side electrical wiring.

*exempt electrical work that is not under jurisdiction of Public Service Commission*

*not a public utility substation  
private entity substation*

*line supply*  *load*

~~Who~~ Code

① Commerce - code for "EW"

② Lic'g Electrician - w/ w/ EW

~~person employed~~  
install, repair, maintain EW  
w/ scope of employment

~~\_\_\_\_\_~~

page 4 line 12

to rep g.d.t

ADD whole new

p 9 line 15

- EW for Telecom service

+ i  
k  
l

} stripping j