



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 05 of 06

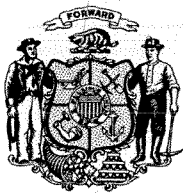
 The 2005 drafting file for LRB 05-3429

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-3429/7
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stays
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NOTE

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2005 BILL

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), 101.865, 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.

operators of

or wholesale merchant plants

Analysis by the Legislative Reference Bureau

Regulation by Department of Commerce

and distribution

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 so that 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 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.

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

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"electrical wiring" does not include

or members

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and escalators, alarm systems, and ~~certain types of communication circuits or cabling~~ ^{plant and ~~equipment~~ used for carrying telecommunication services}

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~~ ^{changes} 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. ^{construction}

This bill ~~eliminates all of these provisions~~ ^{by requiring that} ~~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.

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

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

15.157 (14) ELECTRICIANS COUNCIL. There is created in the department of commerce an electricians council consisting of 6 members. One member shall be an employee of the department of commerce who is selected by the secretary of commerce and who ~~is to~~ ^{shall} serve as ~~secretary~~ ^{nonvoting} for the council. Two members shall be master electricians licensed under subch. IV of ch. 101, 2 members shall be journeymen electricians licensed under subch. IV of ch. 101, and one member shall be an electrical inspector certified under subch. IV of ch. 101. The 5 members who

15.157 (14)

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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) ^{80 (1m)} of the statutes is created to read:

11 ^{② (1m)} 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), to generate, transmit, or distribute electricity to its
19 customers or members.

20 **SECTION 5.** 101.01 (14m) ^{101080 (4)} 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

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mitting, or
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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:

14 **CHAPTER 101**

15 **SUBCHAPTER IV**

16 **~~INSPECTION OF ELECTRICAL CONSTRUCTION WIRING AND~~**
17 **~~CERTIFICATION OF MASTER ELECTRICIANS, CONTRACTORS,~~**
18 **~~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~~

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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:

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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:

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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:

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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 communication
15 circuits or communication cabling *electrical wiring of transmission*
16 *facilities, as defined in 50196001*

17 (g) A person engaged in installing, repairing, or maintaining manufactured (12)
18 equipment or a manufactured system that is designed to provide a function that is
19 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.

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 (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.

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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

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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

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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:

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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.

Insert 2A

(A "wholesale merchant plant" is plant that is generally not owned by a public utility and that provides service to wholesale customers.)

Insert 2B

Under current law, Commerce administers a program for certifying electrical contractors. Under current law, a city, village, town, or county (municipality) may license an electrical contractor if the contractor has at least one master electrician as an employee. Current law requires the Commerce promulgate rules establishing a uniform examination for the statewide certification of master electricians. To be certified as a master electrician by Commerce, current law requires that the electrician pass a uniform examination established by Commerce by rule.

Insert 3A

Also exempt are employees and subcontractors of electricity providers, persons who work on lighting or signals for public thoroughfares or airports, and persons who work on the utility side of substations and other distribution facilities owned or operated by customers or members of electricity providers.

Insert 5-22

~~SECTION 1.~~ 101.80 (1g) of the statutes is created to read:

101.80 (1g) "Electric cooperative" has the meaning given in s. 196.025 (5) (ag).

~~SECTION 2.~~ 101.80 (1j) of the statutes is created to read:

101.80 (1j) "Electricity provider" means a public utility, an electric cooperative, or a wholesale merchant plant operator.

~~SECTION 3.~~ 101.80 (2) of the statutes is repealed.

~~SECTION 4.~~ 101.80 (3) of the statutes is created to read:

101.80 (3) "Public utility" has the meaning given in s. 196.01 (5).

~~SECTION 5.~~ 101.80 (5) of the statutes is created to read:

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1 101.80 (5) "Wholesale merchant plant operator" means the operator of a
2 wholesale merchant plant, as defined in s. 196.491 (1) (w).

3 **Insert 9-22**

4 (i) A person engaged in installing, repairing, or maintaining electric wiring who
5 is employed by a electricity provider, or a subcontractor of an electricity provider,
6 within the scope of the person's employment.

7 (j) A person engaged in installing, repairing, or maintaining electrical wiring
8 that provides lighting or signals for public thoroughfares and for public airports.

9 (k) A person engaged in installing, repairing, or maintaining electrical wiring
10 on the utility side of substations and other distribution facilities owned or operated
11 by customers or members of electricity providers.

D-Note

Ⓐ The terms for the members of the electorians council must end in odd[↓] numbered years.

See ~~§ 15.09~~ (1)(a) 1 Therefore, changed the dates to 2009 and ~~2011~~ 2011 in the nonstatutory provisions.

MOG[↓]

the

Ⓐ Note that ~~the~~ transmission facilities[↓] referred to in proposed ~~§ 10.0862~~ (3)(f) are defined to consist of certain telecommunications facilities.

MDK[↓]

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3429/2dn
MGG&MDK:wlj:rs

February 2, 2006

The terms for the members of the electricians council must end in odd-numbered years. See s. 15.09 (1) (a). I therefore changed the dates to 2009 and 2011 in the nonstatutory provisions.

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

Note that the "transmission facilities" referred to in proposed s. 101.862 (3) (f) are defined to consist of certain telecommunications facilities.

Mark D. Kunkel
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Gibson-Glass, Mary

From: Ruby, Erin
Sent: Wednesday, May 03, 2006 4:06 PM
To: Gibson-Glass, Mary
Subject: LRB 3429/2 - Electrician Licensing

Mary,

Work continues on reaching a consensus on the electrician licensing bill you've drafted for our office.

Based on our last stakeholder meeting, we need to have the following changes made to the draft.

- Under current law, electrical contractors can voluntarily be licensed by the state. Some municipalities require electrical contractors to be licensed. Please change the draft to make the state's voluntary licensing program mandatory. Specify that the license shall be renewed on a fixed 3-year cycle. Similar to the mandatory electrician license created in the bill, prohibit municipalities from licensing an electrical contractor.
- Page 11, line 12: Change 48 to 60.
- Remove the "Electricians Council" created in Section 1.
- Adjust the effective date section per our previous discussions.

(The statewide application of section 101.862 (1), (2), and (3) which addresses licensing requirements, that no person may wire without license and the exemptions from licensing would be effective 25 months after publication - giving Commerce time to work out the administrative rules. However, Section 101.862 (4) which states that a municipality may not impose any registration, licensing, or certification requirements on electricians or inspectors, appears to be effective immediately with the rest of the bill. The concern is that if municipalities have to end their licensing as soon as the bill is enacted, but the statewide standards are not implemented until 2 years later, the regulations would be left in limbo for that time. It would make sense to allow current processes to continue even though they are not statewide until the state is ready to take over and thus include section 101.862 (4) in the effective date 25 months after publication rather than immediately.)

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Considering the request to have contractor licensing changed from a voluntary to mandatory, I'm wondering if you think that the language of 2005 Act 200 (which was SB 517) already covers the issue of mandatory licensing for electrical contractors? If it does, I'm not certain that we need to specify contractor licensing in this bill.

I understand it's the very end of the session. It is our goal to have all the kinks worked out of this draft so we're ready to hit the ground running right away next session with a clean bill.

Please let me know if you have any questions.

Thank you!

Erin

Erin Ruby
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Clerk, Assembly Committee on Agriculture
Office of State Representative Al Ott
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told her different
① Act 200 covers
only one + 2
family dwelling
code
② deals w/ education
& exam require-
ments for all
Kors



State of Wisconsin
2005 - 2006 LEGISLATURE

3 RMR

LRB-3429/2

MGG&MDK:wlj&lmk:rs

June 27
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2005 BILL

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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), 101.80 (1g), 101.80 (1j), 101.80 (1m), 101.80 (3), 101.80 (4), 101.80
8 (5), 101.82 (1g), 101.82 (1m), 101.82 (1r), 101.82 (2m), 101.82 (3r), 101.84 (3),
9 101.862, 101.87 (5) and 101.87 (6) of the statutes; **relating to:** the state
10 electrical wiring code; regulation of electricians, electrical contractors, and
11 electrical inspectors; electrical inspection services performed by the

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

regulation of heating and air conditioning contractors by a county with a population of 500,000 or more;

Analysis by the Legislative Reference Bureau

Regulation by Department of Commerce

Under current law, the Department of Commerce (Commerce) promulgates rules for electric construction in public buildings and places of employment and 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; "electrical wiring" does not include the equipment and wiring used by public utilities, electric cooperatives, or operators of wholesale merchant plants, for the generation, transmission, and distribution of electricity to their customers or members. (A "wholesale merchant plant" is a plant that is generally not owned by a public utility and that provides service to wholesale customers.)

and other
Electrical contractors and electricians

Under current law, Commerce administers a program for certifying electrical contractors. Under current law, a city, village, town, or county (municipality) may license an electrical contractor if the contractor has at least one master electrician as an employee. Current law requires Commerce to promulgate rules establishing a uniform examination for the statewide certification of master electricians. To be certified as a master electrician by Commerce, current law requires that the electrician pass the uniform examination. 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.

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 and escalators, alarm systems, and plant and equipment used for carrying telecommunication services. Also exempt are employees and subcontractors of

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electricity providers, persons who work on lighting or signals for public thoroughfares or airports, and persons who work on the utility side of substations and other distribution facilities owned or operated by customers or members of electricity providers.

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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

eliminates

Under current law, a municipality may enact an ordinance regulating electrical construction and the inspection of electrical construction 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.

4

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space

~~This bill changes these provisions by requiring that Commerce 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.~~

The bill requires

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

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

1 SECTION 1. 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 shall to serve as nonvoting secretary for the council. Two
6 members shall be master electricians licensed under subch. IV of ch. 101, 2 members
7 shall be journeymen electricians licensed under subch. IV of ch. 101, and one member

BILL**SECTION 1**

1 shall be an electrical inspector certified under subch. IV of ch. 101. The 5 members
2 who are not employees of the department of commerce shall be appointed by the
3 secretary of commerce for 4-year terms.

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

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

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

11 **SECTION 4.** 101.02 (20) (a) of the statutes is amended to read:

12 101.02 (20) (a) For purposes of this subsection, "license" means a license,
13 permit or certificate of certification or registration issued by the department under
14 ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a),
15 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (2), ~~101.87~~
16 (1m) and (2), 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15,
17 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

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

19 101.02 (21) (a) In this subsection, "license" means a license, permit or
20 certificate of certification or registration issued by the department under s. 101.09
21 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178
22 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (2), ~~101.87~~ (1m) and (2),
23 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16,
24 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

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1 **SECTION 6.** Subchapter IV (title) of chapter 101 [precedes 101.80] of the
2 statutes is amended to read:

CHAPTER 101**SUBCHAPTER IV**

3 ~~INSPECTION OF ELECTRICAL CONSTRUCTION WIRING AND~~
4 ~~CERTIFICATION OF MASTER ELECTRICIANS, CONTRACTORS,~~
5 ~~JOURNEYMEN AND BEGINNING ELECTRICIANS~~

6 **SECTION 7.** 101.80 (1) of the statutes is renumbered 101.80 (1r) and amended
7 to read:

8 101.80 (1r) "Municipality" means a city, town, village and, or county.

9 **SECTION 8.** 101.80 (1g) of the statutes is created to read:

10 101.80 (1g) "Electric cooperative" has the meaning given in s. 196.025 (5) (ag).

11 **SECTION 9.** 101.80 (1j) of the statutes is created to read:

12 101.80 (1j) "Electricity provider" means a public utility, an electric cooperative,
13 or a wholesale merchant plant operator.

14 **SECTION 10.** 101.80 (1m) of the statutes is created to read:

15 101.80 (1m) "Electrical wiring" means all equipment, wiring, material,
16 fittings, devices, appliances, fixtures, and apparatus used for the production,
17 modification, regulation, control, distribution, utilization, or safeguarding of
18 electrical energy for mechanical, chemical, cosmetic, heating, lighting, or similar
19 purposes, as specified under the state electrical wiring code. "Electrical wiring" does
20 not include the equipment, wiring, material, fittings, devices, appliances, fixtures,
21 and apparatus used by a public utility, or by an electric cooperative, or by a wholesale
22 merchant operator, for the purpose of generating, transmitting, or distributing
23 electricity to its customers or members.
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1 **SECTION 11.** 101.80 (2) of the statutes is repealed.

2 **SECTION 12.** 101.80 (3) of the statutes is created to read:

3 101.80 (3) “Public utility” has the meaning given in s. 196.01 (5).

4 **SECTION 13.** 101.80 (4) of the statutes is created to read:

5 101.80 (4) “State electrical wiring code” means the rules promulgated under
6 s. 101.82 (1) for electrical wiring.

7 **SECTION 14.** 101.80 (5) of the statutes is created to read:

8 101.80 (5) “Wholesale merchant plant operator” means the operator of a
9 wholesale merchant plant, as defined in s. 196.491 (1) (w).

10 **SECTION 15.** 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 No rule may be adopted which does not take into account the conservation of energy
18 in construction and maintenance of buildings standards.

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

20 101.82 (1g) Consult with the electricians council created under s. 15.157 (14)
21 in promulgating the rules for the examination, registration, licensing, and
22 supervision of electricians.

23 **SECTION 17.** 101.82 (1m) of the statutes is created to read:

24 101.82 (1m) Promulgate rules that establish criteria and procedures for the
25 registration of beginning electricians and for the examination and licensing of

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1 different types of electricians, including journeymen electricians and master
2 electricians.

3 **SECTION 18.** 101.82 (1r) of the statutes is created to read:

4 101.82 (1r) Promulgate rules that establish requirements for the supervision
5 of beginning electricians.

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

7 101.82 (2) Promulgate rules that establish criteria and procedures for the
8 certification, ~~including provisions for suspension and revocation thereof,~~ of electrical
9 inspectors for the purpose of inspecting the electrical wiring of public buildings and
10 places of employment. ~~Persons certified as inspectors may be employees of the~~
11 ~~department, a municipality or private inspection agency.~~

12 **SECTION 20.** 101.82 (2m) of the statutes is created to read:

13 101.82 (2m) Promulgate rules that establish standards and a process for the
14 inspection of electrical wiring, including the inspection of electrical wiring for which
15 a municipality does not provide inspection under s. 101.86 (1).

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

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

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

19 101.82 (3r) Promulgate rules that establish criteria and a process for the
20 suspension or revocation of registrations issued to beginning electricians, licenses
21 issued to electricians, and certifications issued to electrical inspectors.

22 **SECTION 24.** 101.84 (2) of the statutes is repealed.

23 **SECTION 25.** 101.84 (3) of the statutes is created to read:

24 101.84 (3) Promulgate rules to differentiate the scope of installation, repair, or
25 maintenance of electrical wiring that may be performed by different types of

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1 electricians, including beginning electricians, journeyman electricians, and master
2 electricians.

3 **SECTION 26.** 101.86 (1) (a) of the statutes is amended to read:

4 101.86 (1) (a) Exercise jurisdiction over electrical construction wiring and
5 inspection of electrical construction in public buildings and places of employment
6 wiring by passage enactment of ordinances, ~~providing such ordinances meet the~~
7 ~~minimum requirements of the department's rules adopted under this subchapter.~~
8 An ordinance enacted under this paragraph may not be less restrictive than this
9 subchapter. A county ordinance shall apply in any city, village, or town ~~which~~ that
10 has not enacted such an ordinance.

11 **SECTION 27.** 101.86 (1) (c) of the statutes is amended to read:

12 101.86 (1) (c) By ordinance, establish and collect fees to defray the cost of
13 jurisdiction exercised under par. (a) or (b) ~~or a contract under sub. (2).~~

14 **SECTION 28.** 101.86 (2) of the statutes is repealed.

15 **SECTION 29.** 101.86 (3) of the statutes is renumbered 101.86 (3) (a) and amended
16 to read:

17 101.86 (3) (a) The cost of inspection services provided by any county ~~which~~ that
18 has enacted an ordinance under sub. (1) ~~or contracted under sub. (2),~~ if not defrayed
19 by fees, shall be charged to or taxed ~~upon~~ against the property within those cities,
20 villages, and towns in the county ~~which~~ that have not enacted a local construction
21 ~~and inspection~~ an ordinance under sub. (1) ~~or contracted under sub. (2),~~ and no,
22 except as provided in par. (b).

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

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1 **SECTION 30.** 101.862 of the statutes is created to read:

2 **101.862 License, registration, or certification required.** (1) No person
3 may install, repair, or maintain electrical wiring unless the person is licensed as an
4 electrician by the department or unless the person is registered as a beginning
5 electrician by the department.

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

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

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

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

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

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

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

23 (f) A person engaged in installing, repairing, or maintaining electrical wiring
24 of transmission facilities, as defined in s. 196.01 (12).

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

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

8 (i) A person engaged in installing, repairing, or maintaining electric wiring who
9 is employed by a electricity provider, or a subcontractor of an electricity provider,
10 within the scope of the person's employment.

11 (j) A person engaged in installing, repairing, or maintaining electrical wiring
12 that provides lighting or signals for public thoroughfares and for public airports.

13 (k) A person engaged in installing, repairing, or maintaining electrical wiring
14 on the utility side of substations and other distribution facilities owned or operated
15 by customers or members of electricity providers.

16 (4) A municipality may not impose any registration, licensing, or certification
17 requirements on electricians or electrical inspectors.

18 **SECTION 31.** 101.865 of the statutes is repealed.

19 **SECTION 32.** 101.87 (title) of the statutes is repealed and recreated to read:

20 **101.87 (title) Requirements for journeymen electricians.**

21 **SECTION 33.** 101.87 (1) of the statutes is amended to read:

22 ~~101.87 (1) The department shall adopt rules establishing a uniform~~
23 ~~examination for the statewide certification of master electricians and establishing~~
24 ~~certification requirements for electrical contractors, journeymen electricians and~~
25 ~~beginning electricians. The rules shall specify that only master electricians and~~

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1 persons who employ at least one master electrician may be certified as electrical
2 contractors; that persons who successfully complete The rules governing the
3 licensing of journeymen electricians under s. 101.82 (1m) shall require that an
4 applicant for licensure as a journeyman electrician who is not a residential
5 journeyman electrician have at least one of the following qualifications:

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

analysis
11 (b) Experience in installing, repairing, and maintaining electrical wiring for at
12 least 48 *60 ← score* months and have maintained and repaired electrical wiring for at least one
13 month shall be certified as journeymen electricians; and that only persons who have
14 some experience installing and repairing electrical wiring may be certified as
15 beginning electricians. The rules shall provide for the periodic administration of the
16 examination, shall specify the certification period and examination fee and shall
17 establish criteria for the suspension of the certificate by the department for
18 violations of a municipality's electrical code upon notification of such violations by
19 the municipality. Applicants for certification as electrical contractors shall provide
20 the department with their social security number, their worker's compensation
21 number, their unemployment insurance account number, their state and federal tax
22 identification numbers and the name and address of each partner or member if they
23 are partnerships or limited liability companies, of the owner if they are individual
24 proprietorships and of their officers if they are corporations passage of an

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

3 **SECTION 34.** 101.87 (2) of the statutes is repealed.

4 **SECTION 35.** 101.87 (3) of the statutes is repealed.

5 **SECTION 36.** 101.87 (4) of the statutes is repealed.

6 **SECTION 37.** 101.87 (5) of the statutes is created to read:

7 101.87 (5) The rules promulgated under s. 101.82 (1m) shall require that an
8 applicant for licensure as a residential journeyman electrician have at least one of
9 the following qualifications:

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

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

17 **SECTION 38.** 101.87 (6) of the statutes is created to read:

18 101.87 (6) (a) Any person who has installed electrical wiring for at least 7 years
19 shall be licensed by the department as a journeyman electrician without having to
20 comply with the requirements of sub. (1), if the person applies within 365 days after
21 the effective date of this paragraph [revisor inserts date].

22 (b) Any person who has installed electrical wiring for at least 5 years shall be
23 licensed by the department as a residential journeyman electrician without having
24 to comply with sub. (5), if the person applies within 365 days after who are subject

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1 to registration, licensing, or certification by the department under this subchapter
2 the effective date of this paragraph [revisor inserts date].

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

6 **SECTION 39.** 101.88 (1) of the statutes is amended to read:

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

11 **SECTION 40.** 101.88 (2) of the statutes is amended to read:

12 101.88 (2) All inspections of electrical wiring shall be made by persons certified
13 by the department as an electrical inspector.

14 **SECTION 41.** 101.88 (3) of the statutes is amended to read:

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

19 **SECTION 42.** 182.018 (3) of the statutes is amended to read:

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

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1 occurs shall be a separate violation and shall subject the violator to an additional
2 forfeiture of not less than \$25 nor more than \$100 for each such violation.

3 **SECTION 43.** 289.33 (3) (d) of the statutes is amended to read:

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

21 **SECTION 44. Nonstatutory provisions.**

22 (1) ELECTRICIANS COUNCIL. Notwithstanding the length of terms specified for
23 the members of the electricians council under section 15.157 (14) of the statutes, as
24 created by this act, the initial members who are electricians shall be appointed for
25 the following terms:

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

3 (b) One member who is a master electrician, one member who is a journeyman
4 electrician, and the member who is an electrical inspector for terms expiring on July
5 1, 2011.

6 **SECTION 45. Effective dates.** This act takes effect on the day after publication,
7 except as follows: *sections 59079(4) and (4)*

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

10 (END)

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① The bill repeals a provision authorizing a
any county with a population of 500,000
or more (currently only Milwaukee County) ②

licensing ~~of~~ ^{and} are
the regulation of heating and
air conditioning contractors in

Gibson-Glass, Mary

From: Ruby, Erin
Sent: Friday, July 21, 2006 3:43 PM
To: Gibson-Glass, Mary
Cc: 'Beata Kalies'; 'David F. Boetcher'; DuPont, Robert
Subject: LRB 3429/3 Re-draft Request

Mary,

As we discussed earlier this week, please add the mandatory electrical contractor licensing, with renewal on a 3-year cycle per my previous email message.

We also need to have a couple of other changes as well.

First, the grandfathering provisions included in the bill need to be removed by deleting Section 36.

Second, we need to have language added that gives all potential licensees (electricians and contractors) 36 months to comply with the licensing requirement. In other words, Commerce should have 2 years (which they do under the current language) to develop the program, and once the program is developed, anyone wanting to be an electrician or electrical contractor will have 3 years to obtain their license before they would be in violation of the law. Essentially, this law wouldn't be fully implemented for 5 years.

If you have questions on this last part, you might be best served to contact Beata Kalies at WFC as I just don't have the best understanding of how everything should fit together. Her phone number is 258-4406.

I will return the jacket to you on Monday.

Thanks, Mary!!

Erin

*Erin Ruby
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