




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 06 of 06

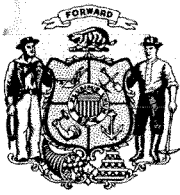
 The 2005 drafting file for LRB 05-3429

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

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LRB-3429/34

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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*
7 101.80 (1g), 101.80 (1j), 101.80 (1m), 101.80 (3), 101.80 (4), 101.80 (5), 101.82
8 (1m), 101.82 (1r), 101.82 (2m), 101.82 (3r), 101.84 (3), 101.862, 101.87 (5) and
9 101.87 (6) of the statutes; **relating to:** the state electrical wiring code;
10 regulation of electricians, electrical contractors, and electrical inspectors;
11 electrical inspection services performed by the Department of Commerce;

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- 1 regulation of heating and air conditioning contractors by a county with a
2 population of 500,000 or more; 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 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.)

Electrical and other 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.

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.

The bill repeals a provision authorizing the licensing and regulation of heating and air conditioning contractors in any county with a population of 500,000 or more (currently only Milwaukee County).

Electrical inspections

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. This bill eliminates these provisions.

The bill requires 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.

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.** 59.79 (4) of the statutes is repealed.

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

3 **86.16 (2)** All poles used in the construction of such lines shall be set in such
4 manner as not to interfere with the use of such highway by the public, nor with the
5 use of the adjoining land by the owner thereof; and all pole lines shall hereafter be

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1 constructed so as to meet the requirements of the ~~Wisconsin~~ provisions of the state
2 electrical code promulgated by the public service commission.

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

4 101.02 (20) (a) For purposes of this subsection, "license" means a license,
5 permit or certificate of certification or registration issued by the department under
6 ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a),
7 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87
8 (1m) and (2), 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15,
9 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

10 **SECTION 4.** 101.02 (21) (a) of the statutes is amended to read:

11 101.02 (21) (a) In this subsection, "license" means a license, permit or
12 certificate of certification or registration issued by the department under s. 101.09
13 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178
14 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87 (1m) and (2),
15 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16,
16 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

17 **SECTION 5.** Subchapter IV (title) of chapter 101 [precedes 101.80] of the
18 statutes is amended to read:

CHAPTER 101

SUBCHAPTER IV

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

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

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

2 **SECTION 7.** 101.80 (1g) of the statutes is created to read:

3 101.80 (1g) "Electric cooperative" has the meaning given in s. 196.025 (5) (ag).

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

5 101.80 (1j) "Electricity provider" means a public utility, an electric cooperative,
6 or a wholesale merchant plant operator.

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

8 101.80 (1m) "Electrical wiring" means all equipment, wiring, material,
9 fittings, devices, appliances, fixtures, and apparatus used for the production,
10 modification, regulation, control, distribution, utilization, or safeguarding of
11 electrical energy for mechanical, chemical, cosmetic, heating, lighting, or similar
12 purposes, as specified under the state electrical wiring code. "Electrical wiring" does
13 not include the equipment, wiring, material, fittings, devices, appliances, fixtures,
14 and apparatus used by a public utility, or by an electric cooperative, or by a wholesale
15 merchant operator, for the purpose of generating, transmitting, or distributing
16 electricity to its customers or members.

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

18 **SECTION 11.** 101.80 (3) of the statutes is created to read:

19 101.80 (3) "Public utility" has the meaning given in s. 196.01 (5).

20 **SECTION 12.** 101.80 (4) of the statutes is created to read:

21 101.80 (4) "State electrical wiring code" means the rules promulgated under
22 s. 101.82 (1) for electrical wiring.

23 **SECTION 13.** 101.80 (5) of the statutes is created to read:

24 101.80 (5) "Wholesale merchant plant operator" means the operator of a
25 wholesale merchant plant, as defined in s. 196.491 (1) (w).

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

2 101.82 (1) ~~Adopt rules for the construction and inspection of electrical~~
3 ~~construction of public buildings and places of employment and for the inspection of~~
4 ~~electrical construction of places where farming, as defined in s. 101.01 (11), is~~
5 ~~conducted~~ Promulgate by rule a state electrical wiring code that establishes
6 standards for installing, repairing, and maintaining electrical wiring. Where
7 feasible, the ~~standards used shall be those~~ rules shall reflect nationally recognized.
8 ~~No rule may be adopted which does not take into account the conservation of energy~~
9 ~~in construction and maintenance of buildings~~ standards.

10 **SECTION 15.** 101.82 (1m) of the statutes is created to read:

11 101.82 (1m) Promulgate rules that establish criteria and procedures for the
12 registration of beginning electricians and for the examination and licensing of
13 different types of electricians, including journeymen electricians and master
14 electricians.

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

16 101.82 (1r) Promulgate rules that establish requirements for the supervision
17 of beginning electricians.

18 **SECTION 17.** 101.82 (2) of the statutes is amended to read:

19 101.82 (2) Promulgate rules that establish criteria and procedures for the
20 ~~certification, including provisions for suspension and revocation thereof, of electrical~~
21 ~~inspectors for the purpose of inspecting the electrical wiring of public buildings and~~
22 ~~places of employment. Persons certified as inspectors may be employees of the~~
23 ~~department, a municipality or private inspection agency.~~

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24 **SECTION 18.** 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 19.** 101.82 (3) of the statutes is repealed.

5 **SECTION 20.** 101.82 (3m) of the statutes is repealed.

6 **SECTION 21.** 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 electrical contractors} and certifications issued to electrical inspectors.

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

11 **SECTION 23.** 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 electrical} by different types of
14 electricians, including beginning electricians, journeyman electricians, and master
15 electricians. ^{contractors}
^{and}

16 **SECTION 24.** 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 25.** 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 26.** 101.86 (2) of the statutes is repealed.

4 **SECTION 27.** 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 28.** 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:

an electrical contractor or as

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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 electrical wiring
15 of transmission facilities, as defined in s. 196.01 (12).

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

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

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

6 ⁵⁾ (4) A municipality may not impose any registration, licensing, or certification
7 requirements on ^{electrical contractors} electricians or electrical inspectors.

8 **SECTION 29.** 101.865 of the statutes is repealed.

9 **SECTION 30.** 101.87 (title) of the statutes is repealed and recreated to read:

10 **101.87 (title) Requirements for journeymen electricians.**

11 ^{Please fix comp.} **SECTION 31.** 101.87 (1) of the statutes is ^{was renumbered 101.87(1)(intro.) and was} amended to read:

12 101.87 (1) ^(intro.) ~~The department shall adopt rules establishing a uniform~~
13 ~~examination for the statewide certification of master electricians and establishing~~
14 ~~certification requirements for electrical contractors, journeymen electricians and~~
15 ~~beginning electricians. The rules shall specify that only master electricians and~~
16 ~~persons who employ at least one master electrician may be certified as electrical~~
17 ~~contractors; that persons who successfully complete~~ The rules governing the
18 licensing of journeymen electricians under s. 101.82 (1m) shall require that an
19 applicant for licensure as a journeyman electrician who is not a residential
20 journeyman electrician have at least one of the following qualifications:

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

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1 **(b) Experience in installing, repairing, and maintaining** electrical wiring for at
2 least 48 60 months and have ~~maintained and repaired~~ electrical wiring for at least
3 one month shall be certified as journeymen electricians; and that only persons who
4 have some experience installing and repairing electrical wiring may be certified as
5 beginning electricians. The rules shall provide for the periodic administration of the
6 examination, shall specify the certification period and examination fee and shall
7 establish criteria for the suspension of the certificate by the department for
8 violations of a municipality's electrical code upon notification of such violations by
9 the municipality. Applicants for certification as electrical contractors shall provide
10 the department with their social security number, their worker's compensation
11 number, their unemployment insurance account number, their state and federal tax
12 identification numbers and the name and address of each partner or member if they
13 are partnerships or limited liability companies, of the owner if they are individual
14 proprietorships and of their officers if they are corporations passage of an
15 examination required by the department for journeymen electricians who are not
16 residential journeymen electricians.

17 **SECTION 32.** 101.87 (2) of the statutes is repealed.

18 **SECTION 33.** 101.87 (3) of the statutes is repealed.

19 **SECTION 34.** 101.87 (4) of the statutes is repealed.

20 **SECTION 35.** 101.87 (5) of the statutes is created to read:

21 101.87 (5) The rules promulgated under s. 101.82 (1m) shall require that an
22 applicant for licensure as a residential journeyman electrician have at least one of
23 the following qualifications:

24 (a) Completion of an apprenticeship program in installing, repairing, and
25 maintaining residential electrical wiring that has a duration of at least 3 years and

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1 that is approved by the U.S. department of labor and by the department of workforce
2 development.

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

6 **SECTION 36.** 101.87 (6) of the statutes is created to read:

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

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

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

19 **SECTION 37.** 101.88 (1) of the statutes is amended to read:

20 101.88 (1) Every ~~contractor, designer and owner~~ person installing, repairing,
21 or maintaining electrical wiring shall use building materials, methods, and
22 equipment which are in conformance with the rules ~~adopted by the department~~
23 under this subchapter state electrical wiring code.

24 **SECTION 38.** 101.88 (2) of the statutes is amended to read:

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1 101.88 (2) All inspections of electrical wiring shall be made by persons certified
2 by the department as an electrical inspector.

3 **SECTION 39.** 101.88 (3) of the statutes is amended to read:

4 101.88 (3) ~~Except as provided under s. 101.865 (2),~~ whenever Any person who
5 violates this subchapter or any rule promulgated under this subchapter shall forfeit
6 to the state not less than \$25 nor more than \$500 for each violation. Each day of
7 violation constitutes a separate offense.

8 **SECTION 40.** 182.018 (3) of the statutes is amended to read:

9 182.018 (3) All wires strung over any railroad on or after August 1, 1949, shall
10 be strung in such a way as to meet requirements of the Wisconsin provisions of the
11 state electrical code promulgated by the public service commission. Any person
12 stringing wires in violation of the code shall be subject to a forfeiture of not more than
13 \$100 nor less than \$25. Each 10-day period, after the first day, that such violation
14 occurs shall be a separate violation and shall subject the violator to an additional
15 forfeiture of not less than \$25 nor more than \$100 for each such violation.

16 **SECTION 41.** 289.33 (3) (d) of the statutes is amended to read:

17 289.33 (3) (d) "Local approval" includes any requirement for a permit, license,
18 authorization, approval, variance or exception or any restriction, condition of
19 approval or other restriction, regulation, requirement or prohibition imposed by a
20 charter ordinance, general ordinance, zoning ordinance, resolution or regulation by
21 a town, city, village, county or special purpose district, including without limitation
22 because of enumeration any ordinance, resolution or regulation adopted under s.
23 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2), (5), (6), (7), (8), (9),
24 (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26) and (27),
25 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19), (20) and (23),

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1 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10), (11), (12), (16),
 2 (17), (18), (19), (20), (21), (22), (23), (24), (25) and (26), 59.55 (3), (4), (5) and (6), 59.56
 3 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16), 59.57 (1), 59.58 (1) and
 4 (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70 (1), (2), (3), (5), (7), (8),
 5 (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (4), (5), (6), (7), (8), (10) and (11),
 6 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,
 7 61.354, 62.11, 62.23, 62.231, 62.234, 66.0101, 66.0415, 87.30, 91.73, 196.58, 200.11
 8 (8), 236.45, 281.43 or 349.16 or subch. VIII of ch. 60.

9 **SECTION 42. Effective dates.** This act takes effect on the day after publication,
 10 except as follows:

11 (1) The treatment of sections 59.79 (4) and 101.862 of the statutes takes effect
 12 on the first day of the ^{61st} 25th month beginning after publication.

(END)

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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, no person may work as an electrician or as an electrical contractor unless the person is licensed by or registered with Commerce. Commerce is required to promulgate rules for the licensing of electrical contractors and 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 also requires that no person may do electrical work unless a master electrician is at all times responsible for the work.

Insert 6-17

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

101.82 (1v) Promulgate rules that establish criteria and procedures for the licensing of electrical contractors. These rules shall require that these licenses be renewed every 3 years.

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SECTION ~~4~~ Nonstatutory provisions.

(1) No later than the first day of the 12th month beginning after the effective date of this subsection, the department of commerce shall submit in proposed form the rules required under section 101.82 (1), (1m), (1r), (1v), (2), and (2m) of the statutes, as affected by this act, to the legislative council staff under section 227.15 (1) of the statutes.

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(2) Notwithstanding section 227.137 (2) of the statutes, the secretary of administration may not require the department of commerce to prepare an economic impact report for the rules being promulgated under sections 101.82 (1), (1m), (1r), (1v), (2), and (2m) and 101.84 (3) of the statutes, as affected by this act.

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

LRB-3429/4dn

MGG:...|:...

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- *
*
Semicolon
1. ~~Because~~ under the state's current rule-making procedure rules are subject to legislative review, it is not possible to require that an agency promulgate rules by a certain date since part of the process is under the authority of the legislature. Instead we require that the agency submit the rules to the legislative council by a certain date, usually about a year before the rules should be in place. See the first subsection of the nonstatutory provisions.
 2. In this draft, I have included a provision that exempts Commerce from preparing an economic impact report. If this exemption is not included, Commerce will probably need more than a 12-month period to prepare the rules for the legislative council, 2003 Wisconsin Act 118 created this requirement. See s. 227.137 (2), 2003 stats. Please let me know if you do not want this exemption.
- extra spaces?

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3429/4dn
MGG:wlj:jf

July 28, 2006

1. Under the state's current rule-making procedure, rules are subject to legislative review; so it is not possible to require that an agency promulgate rules by a certain date since part of the process is under the authority of the legislature. Instead we require that the agency submit the rules to the legislative council by a certain date, usually about a year before the rules should be in place. See the first subsection of the nonstatutory provisions.
2. In this draft, I have included a provision that exempts Commerce from preparing an economic impact report. If this exemption is not included, Commerce will probably need more than a 12-month period to prepare the rules for the legislative council. 2003 Wisconsin Act 118 created this requirement. See s. 227.137 (2), 2003 stats. Please let me know if you do not want this exemption.

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

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), 101.86 (3) and 101.87 (1); **to amend** 86.16 (2), 101.02 (20) (a), 101.02
4 (21) (a), subchapter IV (title) of chapter 101 [precedes 101.80], 101.82 (1),
5 101.82 (2), 101.86 (1) (a), 101.86 (1) (c), 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**
7 101.80 (1g), 101.80 (1j), 101.80 (1m), 101.80 (3), 101.80 (4), 101.80 (5), 101.82
8 (1m), 101.82 (1r), 101.82 (1v), 101.82 (2m), 101.82 (3r), 101.84 (3), 101.862 and
9 101.87 (5) of the statutes; **relating to:** the state electrical wiring code;
10 regulation of electricians, electrical contractors, and electrical inspectors;
11 electrical inspection services performed by the Department of Commerce;

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- 1 regulation of heating and air conditioning contractors by a county with a
2 population of 500,000 or more; 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 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.)

Electrical and other 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, no person may work as an electrician or as an electrical contractor unless the person is licensed by or registered with Commerce. Commerce is required to promulgate rules for the licensing of electrical contractors and 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 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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and escalators, alarm systems, and plant and equipment used for carrying telecommunication services. 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.

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.

The bill repeals a provision authorizing the licensing and regulation of heating and air conditioning contractors in any county with a population of 500,000 or more (currently only Milwaukee County).

Electrical inspections

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. This bill eliminates these provisions.

The bill requires 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.

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.** 59.79 (4) of the statutes is repealed.

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

3 **86.16 (2)** All poles used in the construction of such lines shall be set in such
4 manner as not to interfere with the use of such highway by the public, nor with the
5 use of the adjoining land by the owner thereof; and all pole lines shall hereafter be

BILL**SECTION 2**

1 constructed so as to meet the requirements of the ~~Wisconsin~~ provisions of the state
2 electrical code promulgated by the public service commission.

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

4 101.02 (20) (a) For purposes of this subsection, "license" means a license,
5 permit or certificate of certification or registration issued by the department under
6 ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a),
7 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (2), ~~101.87~~
8 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045,
9 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

10 **SECTION 4.** 101.02 (21) (a) of the statutes is amended to read:

11 101.02 (21) (a) In this subsection, "license" means a license, permit or
12 certificate of certification or registration issued by the department under s. 101.09
13 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178
14 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (2), ~~101.87~~ (1m), (1v), and
15 (2), 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16,
16 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

17 **SECTION 5.** Subchapter IV (title) of chapter 101 [precedes 101.80] of the
18 statutes is amended to read:

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

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

BILL

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

2 **SECTION 7.** 101.80 (1g) of the statutes is created to read:

3 101.80 (1g) “Electric cooperative” has the meaning given in s. 196.025 (5) (ag).

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

5 101.80 (1j) “Electricity provider” means a public utility, an electric cooperative,
6 or a wholesale merchant plant operator.

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

8 101.80 (1m) “Electrical wiring” means all equipment, wiring, material,
9 fittings, devices, appliances, fixtures, and apparatus used for the production,
10 modification, regulation, control, distribution, utilization, or safeguarding of
11 electrical energy for mechanical, chemical, cosmetic, heating, lighting, or similar
12 purposes, as specified under the state electrical wiring code. “Electrical wiring” does
13 not include the equipment, wiring, material, fittings, devices, appliances, fixtures,
14 and apparatus used by a public utility, or by an electric cooperative, or by a wholesale
15 merchant operator, for the purpose of generating, transmitting, or distributing
16 electricity to its customers or members.

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

18 **SECTION 11.** 101.80 (3) of the statutes is created to read:

19 101.80 (3) “Public utility” has the meaning given in s. 196.01 (5).

20 **SECTION 12.** 101.80 (4) of the statutes is created to read:

21 101.80 (4) “State electrical wiring code” means the rules promulgated under
22 s. 101.82 (1) for electrical wiring.

23 **SECTION 13.** 101.80 (5) of the statutes is created to read:

24 101.80 (5) “Wholesale merchant plant operator” means the operator of a
25 wholesale merchant plant, as defined in s. 196.491 (1) (w).

BILL**SECTION 14**

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

2 101.82 (1) ~~Adopt rules for the construction and inspection of electrical~~
3 ~~construction of public buildings and places of employment and for the inspection of~~
4 ~~electrical construction of places where farming, as defined in s. 101.01 (11), is~~
5 ~~conducted~~ Promulgate by rule a state electrical wiring code that establishes
6 standards for installing, repairing, and maintaining electrical wiring. Where
7 feasible, the ~~standards used shall be those~~ rules shall reflect nationally recognized.
8 ~~No rule may be adopted which does not take into account the conservation of energy~~
9 ~~in construction and maintenance of buildings standards.~~

10 **SECTION 15.** 101.82 (1m) of the statutes is created to read:

11 101.82 (1m) Promulgate rules that establish criteria and procedures for the
12 registration of beginning electricians and for the examination and licensing of
13 different types of electricians, including journeymen electricians and master
14 electricians.

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

16 101.82 (1r) Promulgate rules that establish requirements for the supervision
17 of beginning electricians.

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

19 101.82 (1v) Promulgate rules that establish criteria and procedures for the
20 licensing of electrical contractors. These rules shall require that these licenses be
21 renewed every 3 years.

22 **SECTION 18.** 101.82 (2) of the statutes is amended to read:

23 101.82 (2) Promulgate rules that establish criteria and procedures for the
24 ~~certification, including provisions for suspension and revocation thereof,~~ of electrical
25 inspectors for the purpose of inspecting the electrical wiring of public buildings and

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1 ~~places of employment. Persons certified as inspectors may be employees of the~~
2 ~~department, a municipality or private inspection agency.~~

3 **SECTION 19.** 101.82 (2m) of the statutes is created to read:

4 101.82 (2m) Promulgate rules that establish standards and a process for the
5 inspection of electrical wiring, including the inspection of electrical wiring for which
6 a municipality does not provide inspection under s. 101.86 (1).

7 **SECTION 20.** 101.82 (3) of the statutes is repealed.

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

9 **SECTION 22.** 101.82 (3r) of the statutes is created to read:

10 101.82 (3r) Promulgate rules that establish criteria and a process for the
11 suspension or revocation of registrations issued to beginning electricians, licenses
12 issued to electricians and electrical contractors, and certifications issued to electrical
13 inspectors.

14 **SECTION 23.** 101.84 (2) of the statutes is repealed.

15 **SECTION 24.** 101.84 (3) of the statutes is created to read:

16 101.84 (3) Promulgate rules to differentiate the scope of installation, repair, or
17 maintenance of electrical wiring that may be performed by electrical contractors and
18 by different types of electricians, including beginning electricians, journeyman
19 electricians, and master electricians.

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

21 101.86 (1) (a) Exercise jurisdiction over electrical ~~construction~~ wiring and
22 inspection of electrical ~~construction in public buildings and places of employment~~
23 wiring by passage enactment of ordinances, ~~providing such ordinances meet the~~
24 ~~minimum requirements of the department's rules adopted under this subchapter.~~
25 An ordinance enacted under this paragraph may not be less restrictive than this

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1 subchapter. A county ordinance shall apply in any city, village, or town which that
2 has not enacted such an ordinance.

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

4 101.86 (1) (c) By ordinance, establish and collect fees to defray the cost of
5 jurisdiction exercised under par. (a) or (b) ~~or a contract under sub. (2)~~.

6 **SECTION 27.** 101.86 (2) of the statutes is repealed.

7 **SECTION 28.** 101.86 (3) of the statutes is renumbered 101.86 (3) (a) and amended
8 to read:

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

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

18 **SECTION 29.** 101.862 of the statutes is created to read:

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

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

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

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

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

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

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

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

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

17 (g) A person engaged in installing, repairing, or maintaining manufactured
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
20 involve the delivery of electrical current to the equipment or the system.

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

BILL**SECTION 29**

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

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

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

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

11 **SECTION 30.** 101.865 of the statutes is repealed.

12 **SECTION 31.** 101.87 (title) of the statutes is repealed and recreated to read:

13 **101.87 (title) Requirements for journeymen electricians.**

14 **SECTION 32.** 101.87 (1) of the statutes is renumbered 101.87 (1) (intro.) and
15 amended to read:

16 101.87 (1) (intro.) ~~The department shall adopt rules establishing a uniform~~
17 ~~examination for the statewide certification of master electricians and establishing~~
18 ~~certification requirements for electrical contractors, journeymen electricians and~~
19 ~~beginning electricians. The rules shall specify that only master electricians and~~
20 ~~persons who employ at least one master electrician may be certified as electrical~~
21 ~~contractors; that persons who successfully complete~~ The rules governing the
22 licensing of journeymen electricians under s. 101.82 (1m) shall require that an
23 applicant for licensure as a journeyman electrician who is not a residential
24 journeyman electrician have at least one of the following qualifications:

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

6 (b) Experience in installing, repairing, and maintaining electrical wiring for at
7 least 48 60 months and have maintained and repaired electrical wiring for at least
8 one month shall be certified as journeymen electricians; and that only persons who
9 have some experience installing and repairing electrical wiring may be certified as
10 beginning electricians. The rules shall provide for the periodic administration of the
11 examination, shall specify the certification period and examination fee and shall
12 establish criteria for the suspension of the certificate by the department for
13 violations of a municipality's electrical code upon notification of such violations by
14 the municipality. Applicants for certification as electrical contractors shall provide
15 the department with their social security number, their worker's compensation
16 number, their unemployment insurance account number, their state and federal tax
17 identification numbers and the name and address of each partner or member if they
18 are partnerships or limited liability companies, of the owner if they are individual
19 proprietorships and of their officers if they are corporations passage of an
20 examination required by the department for journeymen electricians who are not
21 residential journeymen electricians.

22 **SECTION 33.** 101.87 (2) of the statutes is repealed.

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

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

25 **SECTION 36.** 101.87 (5) of the statutes is created to read:

BILL

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

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

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

11 **SECTION 37.** 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 38.** 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 39.** 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 40.** 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 41.** 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 42. Nonstatutory provisions.**

(1) No later than the first day of the 12th month beginning after the effective date of this subsection, the department of commerce shall submit in proposed form the rules required under section 101.82 (1), (1m), (1r), (1v), (2), and (2m) of the statutes, as affected by this act, to the legislative council staff under section 227.15 (1) of the statutes.

(2) Notwithstanding section 227.137 (2) of the statutes, the secretary of administration may not require the department of commerce to prepare an economic impact report for the rules being promulgated under sections 101.82 (1), (1m), (1r), (1v), (2), and (2m) and 101.84 (3) of the statutes, as affected by this act.

SECTION 43. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The treatment of sections 59.79 (4) and 101.862 of the statutes takes effect on the first day of the 61st month beginning after publication.

(END)