

2007 DRAFTING REQUEST

Assembly Amendment (AA-AB294)

Received: **10/11/2007**

Received By: **mglass**

Wanted: **Today**

Identical to LRB:

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

By/Representing: **David Lovell**

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

Drafter: **mglass**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - misc.**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Ott@legis.wisconsin.gov**

Carbon copy (CC:) to: **david.lovell@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Regulation of electricians, clarification

Instructions:

See Attached, add language for clarification purposes

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass 10/12/2007	kfollett 10/12/2007		_____			
/1			pgreensl 10/12/2007	_____	mbarman 10/12/2007	mbarman 10/12/2007	
/2	mglass 10/15/2007	jdye 10/15/2007	jfrantze 10/15/2007	_____	cduerst 10/15/2007	cduerst 10/15/2007	

FE Sent For:

<END>

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/1		<i>2/10/15 jld</i>	pgreensl 10/12/2007	_____	mbarman 10/12/2007	mbarman 10/12/2007	

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10/15 *JLD* *10/15*
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/?	mglass	1/1/gf 10/12	10/12 12/08	10/12 12/08			
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FE Sent For:

<END>

2007 - 2008 LEGISLATURE

LRBa0756/2

MGG&MDK:kjf:nwn

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75711 R

Fri 10AM

ASSEMBLY

SENATE AMENDMENT,
ASSEMBLY 294
TO 2007 SENATE BILL 167

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 10, line 19: delete "system, or" and substitute "system and does not
3 involve".

4 (END)

Gibson-Glass, Mary

To: Ruby, Erin

Subject: RE: AB 294 - Exemption for Manufactured Equipment & Manufactured Systems

From: Ruby, Erin

Sent: Monday, October 15, 2007 12:03 PM

To: Gibson-Glass, Mary

Subject: FW: AB 294 - Exemption for Manufactured Equipment & Manufactured Systems

Mary,

What are your thoughts on this approach suggested by Commerce?

Erin

From: DuPont, Robert - COMMERCE [mailto:Robert.DuPont@wisconsin.gov]

Sent: Monday, October 15, 2007 11:17 AM

To: Ruby, Erin

Cc: Beiriger, Jeffrey J.; Walsh, Patrick; Beata Kalies; Hertel, Joe - COMMERCE; Quast, Jim - COMMERCE; Karls, Jessica

Subject: RE: AB 294 - Exemption for Manufactured Equipment & Manufactured Systems

Thank you for your email and update as to the discussions regarding the subject exemption from licensure.

As we discussed on the phone a few minutes ago, Jim Quast and I recommend clarifying the exemption by deleting some of the text currently found in both bills. We think that in this case fewer words may be more clear.

We agree with Jeff Beiriger that the intent here is to clearly communicate that when a plumber installs a dishwasher, water heater, or such, that the plumber can make the final electrical connections to the electrical distribution system - within the limitations spelled out at the end of the exemption.

We recommend changes to the text that can be found on page 10, lines 16-22 of AB 294 and SB 167. We recommend deletion of the words shown below within the double parenthesis (in green). Also, we agree with you that the coma after the word "conductors" should be deleted (also shown in green below).

I hope this helps!

(g) A person engaged in installing, repairing, or maintaining manufactured equipment or a manufactured system that is designed to provide a function that is not primarily electrical in nature if the installation, repair, or maintenance does not involve the ((delivery of electrical current to the equipment or system, or the)) modification or installation of conductors((,)) beyond the disconnecting point or beyond the last junction, pull, or device box, whichever is nearer to the point where the person is performing the installation, repair, or maintenance.

From: Ruby, Erin [mailto:Erin.Ruby@legis.wisconsin.gov]

Sent: Monday, October 15, 2007 10:06 AM

10/15/2007

To: DuPont, Robert - COMMERCE; Hertel, Joe - COMMERCE; Quast, Jim - COMMERCE; Karls, Jessica - LEGIS
Cc: Beiriger, Jeffrey J.; Walsh, Patrick - LEGIS; Beata Kalies
Subject: AB 294 - Exemption for Manufactured Equipment & Manufactured Systems
Importance: High

Good morning!

As you know, there was a suggestion last week from Leg. Council to make a minor change to what we've come to call the "Dishwasher Exemption" in the electrical licensing bill.

This exemption can be found on page 10, lines 16-22 of AB 294 and SB 167, and reads as follows:

(g) A person engaged in installing, repairing, or maintaining manufactured equipment or a manufactured system that is designed to provide a function that is not primarily electrical in nature if the installation, repair, or maintenance does not involve the delivery of electrical current to the equipment or system, or the modification or installation of conductors, beyond the disconnecting point or beyond the last junction, pull, or device box, whichever is nearer to the point where the person is performing the installation, repair, or maintenance.

As amended it would read (change in red):

(g) A person engaged in installing, repairing, or maintaining manufactured equipment or a manufactured system that is designed to provide a function that is not primarily electrical in nature if the installation, repair, or maintenance does not involve the delivery of electrical current to the equipment or system and does not involve the modification or installation of conductors, beyond the disconnecting point or beyond the last junction, pull, or device box, whichever is nearer to the point where the person is performing the installation, repair, or maintenance.

The purpose of the exemption is to ensure that those who install manufactured equipment (such as dishwasher and hot water heater installations by plumbers) can continue to do so without having to be, or having to call in, a licensed electrician to make the final connection to supply power to this equipment. As stated by Jeff Beiriger who represents the Plumbing Heating Cooling Contractors Association of Wisconsin:

"Much of the draft is specific to the electrical industry, but there are a few places where we need to be careful to be inclusionary rather than exclusionary in the language. By way of example, twisting a pair of wire nuts to replace an electric water heater could be interpreted to be the work of an employee and contractor with an electrical license. In practice, this work is often done by the licensed plumber installing the unit. To the greatest extent possible, the "current" practice (no pun intended) should be preserved. Consumers will have little tolerance for additional costs (real or perceived) related to multiple trades on the job."

Mr. Beiriger has recently taken another look at the exemption, in part due to the proposed amendment, but more so based on a recent discussion where another party interpreted the exemption to not allow what we intended. In turn, he is concerned that the language is not clear enough to reflect the original intent, particularly as it relates to the phrase "...delivery of electrical current..."

How would you interpret the exemption as amended above? Would it be necessary to have a licensed electrician make the connection that supplies power to manufactured equipment?

I've discussed this matter with the drafter (Mary Gibson-Glass) this morning as well, and she offered the following:

"Maybe the following redrafting of exemption (g) makes it clearer. I have added the words to make it clear that the phrase "beyond the disconnecting point....." modifies both the delivery of electrical current and the modification or installation of conductors.

10/15/2007

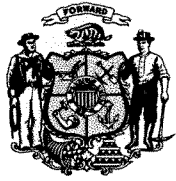
"(g) A person engaged in the installing, repairing, or maintaining manufactured equipment or a manufactured system that is designed to provide a function that is not primarily electrical in nature and involves the delivery of electrical current to the equipment or system or involves the modification or installation of conductors, but the delivery, modification, or installation does not occur beyond the disconnecting point or beyond the last junction, pull, or device box, whichever is nearer to the point where the person is performing the installation, repair or maintenance."

Do you think this more clearly reflects the intent? Is this a better approach?

We would like to have this matter resolved prior to Wednesday's hearing on AB 294 if at all possible. Any insight you could provide at your earliest convenience would be greatly appreciated.

Erin

*Erin Ruby
Research Assistant
Clerk, Assembly Committee on Agriculture
Office of State Representative Al Ott
608.266.5831
erin.ruby@legis.wisconsin.gov*



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa0757/1
MGG:kjf:pg

2

← + jld

Now

(to meet

24 hour

rule)

ASSEMBLY AMENDMENT,
TO 2007 ASSEMBLY BILL 294

1 At the locations indicated, amend the bill as follows: ✓

2 1. Page 10, line 19: delete "system, or" and substitute "system and does not

3 involve that are

4 (END)

NO # the delivery of electrical current ✓
to the equipment or system, or.

Page 10, line 20 delete "conductors," and ✓
substitute "conductors".