

SENATE BILL 167 (LRB -2287)

An Act to repeal 59.79 (4), 101.80 (2), 101.82 (3), 101.82 (3m), 101.84 (2), 101.86 (2), 101.865, 101.87 (2), 101.87 (3) and 101.87 (4); to renumber and amend 101.80 (1), 101.86 (3) and 101.87 (1); to amend 86.16 (2), 101.02 (20) (a), 101.02 (21) (a), subchapter IV (title) of chapter 101 [precedes 101.80], 101.82 (1), 101.82 (2), 101.86 (1) (a), 101.86 (1) (c), 101.88 (1), 101.88 (2), 101.88 (3), 182.018 (3) and 289.33 (3) (d); to repeal and recreate 101.87 (title); and to create 101.80 (1g), 101.80 (1j), 101.80 (1m), 101.80 (3), 101.80 (4), 101.80 (5), 101.82 (1m), 101.82 (1r), 101.82 (1v), 101.82 (2m), 101.82 (3r), 101.84 (3), 101.861, 101.862 and 101.87 (5) of the statutes; relating to: a state electrical wiring code; regulation of electricians, electrical contractors, and electrical inspectors; inspections of electrical wiring; regulation of electrical wiring; regulation of heating and air conditioning contractors by a county with a population of 500,000 or more; and granting rule-making authority. (FE)

2007

04-26. S. Introduced by Senators **Decker, Coggs, Wirch, Lehman, Grothman, Hansen, Olsen, Lassa, Sullivan, Breske, Roessler, Cowles, Kreitlow, Erpenbach, Plale, Miller** and **Vinehout**; cosponsored by Representatives **A. Ott, Tauchen, Hahn, Kestell, Van Roy, Nerison, Gunderson, Mursau, Nygren, Moulton, Petersen, Gottlieb, Hubler, Sheridan, Berceau, Nelson, Travis, Pope-Roberts, Richards, Mason, Boyle, Turner, Hintz, Jorgensen, Zepnick, Gronemus, Shilling, Sinicki, Hixson, Molepske, Schneider, Smith, Kreuser, Hraychuck** and **Parisi**.

04-26. S. Read first time and referred to committee on Commerce, Utilities and Rail 189

05-23. S. Fiscal estimate received.

09-21. S. Senate amendment 1 offered by Senator Decker (**LRB a0730**) 337

09-27. S. Public hearing held.

10-09. S. **LRB correction** 347

10-10. S. Fiscal estimate received.

10-12. S. Senate amendment 2 offered by Senator Decker (**LRB a0756**) 352

10-18. S. Senate amendment 3 offered by Senator Decker (**LRB a0766**) 361

10-25. S. Executive action taken.

10-30. S. Report adoption of Senate Amendment 1 recommended by committee on Commerce, Utilities and Rail, Ayes 7, Noes 0 389

10-30. S. Report adoption of Senate Amendment 3 recommended by committee on Commerce, Utilities and Rail, Ayes 7, Noes 0 389

10-30. S. Report passage as amended recommended by committee on Commerce, Utilities and Rail, Ayes 7, Noes 0 389

10-30. S. Available for scheduling.

10-31. S. Referred to joint committee on Finance by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e), Ayes 5, Noes 0 399

2008

01-30. S. Executive action taken.

01-31. S. Senator Taylor added as a coauthor 551

01-31. S. Report adoption of Senate Amendment 1 recommended by joint committee on Finance, Ayes 16, Noes 0 .. 550

01-31. S. Report adoption of Senate Amendment 3 recommended by joint committee on Finance, Ayes 16, Noes 0 .. 550

01-31. S. Report passage as amended recommended by joint committee on Finance, Ayes 15, Noes 1 550

01-31. S. Available for scheduling.

02-14. S. Placed on calendar 2-19-2008 by committee on Senate Organization.

02-19. S. Read a second time 596

02-19. S. Senate amendment 1 **adopted** 596

02-19. S. Senate amendment 3 **adopted** 596

02-19. S. Ordered to a third reading 596

02-19. S. Rules suspended 596

02-19. S. Read a third time and **passed**, Ayes 33, Noes 0 596

02-19. S. Ordered immediately messaged 600

02-21. A. Received from Senate 523

02-21. A. Read first time and referred to committee on Rules 524

02-26. A. Rules suspended to withdraw from committee on Rules and take up 548

02-26. A. Read a second time 548

02-26. A. Assembly amendment 1 offered by Representative Nass (**LRB a1399**) 548

02-26. A. Assembly amendment 1 laid on table, Ayes 59, Noes 38 548

02-26. A. Ordered to a third reading 548

02-26. A. Rules suspended 548

02-26. A. Read a third time and **concurred in**, Ayes 83, Noes 14 548

02-26. A. Ordered immediately messaged 548

02-27. S. Received from Assembly concurred in.

JP

**2007
ENROLLED BILL**

07en S B-167

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

07 2287/1

Amendments to above (if none, write "NONE"): SA1 - a0730
SA3 - a0766

Corrections - show date (if none, write "NONE"): OCTOBER 9, 2007

Topic a state electrical wiring code; regulation of electricians and others; inspections of electrical wiring; regulation of electrical wiring; and regulation of heating and air conditioning contractors by a county with a population of 500,000 or more.

2-28-08 *J. Miller*
Date **Enrolling Drafter**

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2007-2008 LEGISLATURE

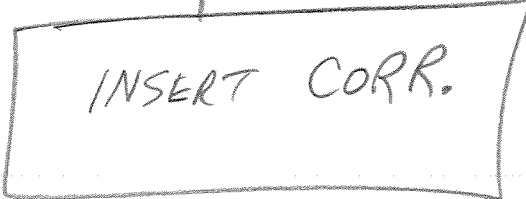
CORRECTIONS IN:

2007 SENATE BILL 167

Prepared by the Legislative Reference Bureau
(October 9, 2007)

1. Page 7, line 8: before "Promulgate" insert "Adopt".

(END)



INSERT CORR.

2007 SENATE BILL 167

April 26, 2007 - Introduced by Senators DECKER, COGGS, WIRCH, LEHMAN, GROTHMAN, HANSEN, OLSEN, LASSA, SULLIVAN, BRESKE, ROESSLER, COWLES, KREITLOW, ERPENBACH, PLALE, MILLER and VINEHOUT, cosponsored by Representatives A. OTT, TAUCHEN, HAHN, KESTELL, VAN ROY, NERISON, GUNDERSON, MURSAU, NYGREN, MOULTON, PETERSEN, GOTTLIEB, HUBLER, SHERIDAN, BERCEAU, NELSON, TRAVIS, POPE-ROBERTS, RICHARDS, MASON, BOYLE, TURNER, HINTZ, JORGENSEN, ZEPNICK, GRONEMUS, SHILLING, SINICKI, HIXSON, MOLEPSKE, SCHNEIDER, SMITH, KREUSER, HRAYCHUCK and PARISI. Referred to Committee on Commerce, Utilities and Rail.

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), 101.861,
9 101.862 and 101.87 (5) of the statutes; **relating to:** a state electrical wiring
10 code; regulation of electricians, electrical contractors, and electrical inspectors;
11 inspections of electrical wiring; regulation of electrical wiring; regulation of

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1 heating and air conditioning contractors by a county with a population of
2 500,000 or more; and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Regulation of electrical wiring

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. The authority of a city, village, town, or county (municipality) to enact a local electrical code is also expanded in the same manner. 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.)

Regulation of electricians and electrical and other contractors

Under current law, Commerce administers a certification program for master electricians, electrical contractors, journeymen electricians, and beginning electricians. The program has a uniform examination for certification of master electricians and specifies that only master electricians and persons who employ at least one master electrician may be certified as electrical contractors. The program also establishes requirements for the certification of journeymen electricians and beginning electricians. Also under current law, a municipality may license an electrical contractor if the contractor has at least one master electrician as an employee. However, current law does not specifically require that a person be licensed or certified by Commerce or by a municipality to work as an electrician or electrical contractor.

Under this bill, a municipality may no longer license a contractor. 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 must promulgate rules for the licensing of electrical contractors and for the licensing and examination of all types of electricians, including journeymen and master electricians, but excluding beginning electricians. Under the bill, beginning electricians must register 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 persons who perform certain types of electrical work on their own residences or in their own facilities, persons who perform electrical work on

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elevators, escalators, and alarm systems, and persons who perform equipment installation that is not primarily electrical in nature. 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 requiring Commerce to promulgate rules for the regulation of all electricians, the bill imposes specific requirements as to the amount of experience necessary to be licensed as a residential or nonresidential journeyman electrician.

Finally, 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).

Inspections of electrical wiring

Under current law, Commerce promulgates rules for inspections of electrical construction in public buildings, places of employment, and places where farming is conducted. This bill expands the scope of this rule-making authority to cover all electrical wiring. Under current law, a municipality may enact an ordinance regulating the inspection of electrical construction in public buildings and places of employment if the ordinance meets the minimum state requirements. Under current law, Commerce must contract with a municipality for inspections of electrical construction for compliance with state law if the municipality has enacted such an ordinance and if the municipality requests Commerce to do so. Commerce must also provide such inspection in a municipality that has not enacted such an ordinance. This bill eliminates these provisions concerning contracting between Commerce and a municipality. The bill also expands the scope of municipal inspection authority to cover all electrical wiring.

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 Commerce to promulgate rules establishing criteria for certifying all electrical inspectors of electrical wiring. Under current law, Commerce is required to promulgate certification criteria only for inspectors of public buildings and places of employment. The bill also 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 and requires that all inspections of electrical wiring be conducted by inspectors certified by Commerce.

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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
6 constructed so as to meet the requirements of the Wisconsin provisions of the state
7 electrical code promulgated by the public service commission.

8 **SECTION 3.** 101.02 (20) (a) of the statutes, as affected by 2005 Wisconsin Act
9 456, is amended to read:

10 101.02 (20) (a) For purposes of this subsection, “license” means a license,
11 permit or certificate of certification or registration issued by the department under
12 ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a),
13 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (2), ~~101.87~~
14 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4),
15 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

16 **SECTION 4.** 101.02 (21) (a) of the statutes, as affected by 2005 Wisconsin Act
17 456, is amended to read:

18 101.02 (21) (a) In this subsection, “license” means a license, permit or
19 certificate of certification or registration issued by the department under s. 101.09
20 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178
21 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (2), ~~101.87~~ (1m), (1v), and

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1 (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4), 145.035, 145.045,
2 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

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

5 **CHAPTER 101**

6 SUBCHAPTER IV

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

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

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

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

14 101.80 (1g) “Electric cooperative” has the meaning given in s. 196.025 (5) (ag).

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

16 101.80 (1j) “Electricity provider” means a public utility, an electric cooperative,
17 or a wholesale merchant plant operator.

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

19 101.80 (1m) “Electrical wiring” means all equipment, wiring, material,
20 fittings, devices, appliances, fixtures, and apparatus used for the production,
21 modification, regulation, control, distribution, utilization, or safeguarding of
22 electrical energy for mechanical, chemical, cosmetic, heating, lighting, or similar
23 purposes, as specified under the state electrical wiring code. “Electrical wiring” does
24 not include the equipment, wiring, material, fittings, devices, appliances, fixtures,
25 and apparatus used by a public utility, an electric cooperative, or a wholesale

INS.
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merchant operator for the purpose of generating, transmitting, ~~or distributing~~
~~electricity~~ to its customers or members.

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

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

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

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

7 101.80 (4) "State electrical wiring code" means the rules promulgated under
8 s. 101.82 (1) for electrical wiring.

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

10 101.80 (5) "Wholesale merchant plant operator" means the operator of a
11 wholesale merchant plant, as defined in s. 196.491 (1) (w).

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

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

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

22 101.82 (1m) Promulgate rules that establish criteria and procedures for the
23 registration of beginning electricians and for the examination and licensing of
24 different types of electricians, including journeymen electricians and master
25 electricians.

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

2 101.82 (1r) Promulgate rules that establish requirements for the supervision
3 of beginning electricians.

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

5 101.82 (1v) Promulgate rules that establish criteria and procedures for the
6 licensing of electrical contractors.

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

INSERT CORR.

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

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

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

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

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

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

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

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

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

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1 101.84 (3) Promulgate rules to differentiate the scope of installation, repair, or
2 maintenance of electrical wiring that may be performed by electrical contractors and
3 by different types of electricians, including beginning electricians, journeymen
4 electricians, and master electricians.

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

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

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

15 101.86 (1) (c) By ordinance, establish and collect fees to defray the cost of
16 jurisdiction exercised under par. (a) or (b) ~~or a contract under sub. (2).~~

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

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

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

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

INS. SAI-3

4 SECTION 29. 101.861 of the statutes is created to read:

5 **101.861 Municipal regulatory authority.** Any ordinance enacted by a
6 municipality that relates to licensure or certification of electrical contractors or
7 electricians pursuant to the municipality's authority under s. 101.865, 2005 stats.,
8 or s. 101.87, 2005 stats., and that is in existence on the effective date of this section
9 ... [revisor inserts date], shall remain in effect ~~without being amended or repealed~~

SAI-4

10 until the first day of the 61st month beginning after the effective date of this section

11 ... [revisor inserts date]. Beginning on the first day of the 61st month beginning after

INSERT SAI-5

12 the effective date of this section ... [revisor inserts date], such an ordinance is no

13 longer in effect.

INSERT SAI-6

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

15 **101.862 License, registration, or certification required.** (1) No person
16 may engage in the business of installing, repairing, or maintaining electrical wiring
17 unless the person is licensed as an electrical contractor by the department.

18 (2) No person may install, repair, or maintain electrical wiring unless the
19 person is licensed as an electrician by the department or unless the person is
20 registered as a beginning electrician by the department.

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

INS. SAI-7

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

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SECTION 30

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. INS. SA1-8

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 installation, repair, or maintenance does not
19 involve ~~the delivery of electrical current to the equipment or system, or the~~
20 ~~modification or installation of conductors, beyond the disconnecting point or beyond~~
21 the last junction, pull, or device box, whichever is nearer to the point where the
22 person is performing the installation, repair, or maintenance. INSERT SA3-2

23 (h) A person engaged in installing electrical wiring for components of a
24 manufactured home, as defined in s. 101.91 (2), or a manufactured building, as

SA3-1

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1 defined in s. 101.71 (6), while the manufactured home or the manufactured building
2 is at or in the facility at which it is being manufactured.

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

INSERT SAI-9

INS. SAI-10

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

8

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

INSERT SAI-11

11

12

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

SAI-12

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

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

15 **101.87 (title) Requirements for journeymen electricians.**

16 **SECTION 33.** 101.87 (1) of the statutes is renumbered 101.87 (1) (intro.) and
17 amended to read:

18 101.87 (1) (intro.) ~~The department shall adopt rules establishing a uniform~~
19 ~~examination for the statewide certification of master electricians and establishing~~
20 ~~certification requirements for electrical contractors, journeymen electricians and~~
21 ~~beginning electricians. The rules shall specify that only master electricians and~~
22 ~~persons who employ at least one master electrician may be certified as electrical~~
23 ~~contractors; that persons who successfully complete~~ The rules governing the
24 licensing of journeymen electricians under s. 101.82 (1m) shall require that an

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1 applicant for licensure as a journeyman electrician who is not a residential
2 journeyman electrician have at least one of the following qualifications:

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

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

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

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

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

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

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

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

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

11 **SECTION 38.** 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~~ that are in conformance with the rules ~~adopted~~ promulgated by the
15 department under this subchapter.

16 **SECTION 39.** 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.

19 **SECTION 40.** 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 41.** 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 42.** 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.

SENATE BILL 167**1 SECTION 43. Nonstatutory provisions.**

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

7 **SECTION 44. Effective dates.** This act takes effect on the day after publication,
8 except as follows:

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

11

(END)

**SENATE AMENDMENT 1,
TO 2007 SENATE BILL 167**

September 21, 2007 - Offered by Senator DECKER.

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

2 **1.** Page 6, line 1: delete "or distributing" and substitute "distributing, or
3 controlling heat, light, power, or natural gas".

SAI-1

4 **2.** Page 6, line 2: delete "electricity".

SAI-3

5 **3.** Page 9, line 5: substitute "licensing" for "regulatory".

6 **4.** Page 9, line 9: delete "without being amended or repealed".

SAI-5

7 **5.** Page 9, line 11: after "date]" insert ", but may not be amended or repealed
8 during this time period".

9 **6.** Page 9, line 13: after "effect" insert ", and municipalities may no longer
10 impose any registration, licensing, or certification requirements on electrical
11 contractors, electricians, or electrical inspectors".

SAI-6

12 **7.** Page 9, line 24: substitute "(1) to (3)" for "(2) and (3)".

SAI-7

**SENATE AMENDMENT 3,
TO 2007 SENATE BILL 167**

October 18, 2007 - Offered by Senator DECKER.

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

2 **1.** Page 10, line 19: delete “the delivery of electrical current to the equipment
3 or system, or”.

4 **2.** Page 10, line 20: delete “conductors,” and substitute “conductors”.

5 (END)

SA 3-2