



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2007 Senate Bill 167

Senate Amendments 1 and 3

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SENATE BILL 167

Major provisions of 2007 Senate Bill 167 (the bill) include the following:

Electrical Codes

Under **current law**, the Department of Commerce (Commerce) promulgates standards for electrical construction in public buildings, places of employment, and farm buildings, which constitutes a part of the Wisconsin Electric Safety Code. The **bill** directs Commerce to promulgate a state electrical code that applies to all types of buildings.

Under **current law**, a municipality may adopt a local electrical code applicable to public buildings, places of employment, and farm buildings, provided the code is no less strict than the state code. The **bill** expands this authority to apply to all types of buildings also.

Regulation of Electricians and Electrical Contractors

Under **current law**, Commerce administers a voluntary certification program for master electricians, journeymen electricians, beginning electricians, and electrical contractors. The **bill** replaces this with a mandatory licensing, registration, and certification program. The bill provides a number of exemptions from the requirements of this program.

Under **current law**, municipalities may regulate electrical contractors. The **bill** prohibits municipalities from imposing any registration, licensing, or certification requirements on electricians, electrical contractors, or electrical inspectors.

Inspection of Electrical Construction

Under **current law**, Commerce promulgates rules regarding the inspection of electrical construction in public buildings, places of employment, and farm buildings, and certification criteria for inspectors of public buildings and places of employment. The **bill** directs Commerce to expand the rules to apply to inspection of construction in and inspectors of all types of buildings.

Under **current law**, municipalities may conduct inspections of electrical construction or contract with Commerce for certain inspections. In addition, Commerce may perform other electrical inspections under specified circumstances. The **bill** expands the scope of municipal inspection authority to cover all types of buildings and eliminates Commerce's role as an inspector of electrical construction.

SENATE AMENDMENT 1

Senate Amendment 1 consists of the following provisions:

Exemptions From Licensing Requirements

Requirements From Which Exemptions are Made

The bill creates the following specific requirements:

1. No person may engage in the business of installing, repairing, or maintaining electrical wiring unless the person is licensed as an electrical contractor by Commerce.
2. No person may install, repair, or maintain electrical wiring unless the person is licensed as an electrician or registered as a beginning electrician by Commerce.
3. No person who is not a master electrician may install, repair, or maintain electrical wiring unless a master electrician is at all times responsible for the person's work.

The **bill** provides exemptions from the second and third requirements only. **Item 7** of Senate Amendment 1 expands the exemptions to apply to all three requirements.

Exemptions for Utility Line Workers and Subcontractors

Applicability of the requirements listed immediately above is dependent on the definition of "electrical wiring." That definition specifies that "electrical wiring" does not include any wiring or other equipment on what is often referred to as the "utility side" of utility customers' electric meters. This is expressed in the **bill** as equipment, wiring, etc., "used by a public utility, an electric cooperative, or a wholesale merchant operator for the purpose of generating, transmitting, or distributing electricity to its customers or members."

Items 1 and 2 expand this definition to include such equipment used for "generating, transmitting, distributing, *or controlling heat, light, power, or natural gas* to its customers or members." In practical terms, this excludes from the definition of "electrical wiring" the wiring of *all* energy utility facilities, not just the utility-side wiring of electric utility facilities.

Item 9 revises the wording of an exemption from the licensure and registration requirements for employees or subcontractors of electricity providers who work on wiring “for equipment that is installed in the normal course of providing utility service by the electricity provider.”

The **bill** exempts from the licensure and registration requirements persons working on electrical wiring on the utility side of substations and other distribution facilities. **Item 10** replaces “electrical wiring” in this exemption with “electrical lines.”

Item 11 creates additional exemptions from the licensure and registration requirements for employees or subcontractors of electricity providers doing any of the following:

1. Working on certain high voltage equipment owned by the electricity providers’ customers or members.
2. Restoring service in an emergency.

Exception for Low-Voltage Equipment or Systems

The **bill** provides an exemption from the licensure and registration requirements for a person engaged in installing, repairing, or maintaining equipment or systems that operate at 50 volts or less. **Item 8** raises this threshold to 100 volts.

Municipal Ordinances

The **bill** specifies that if, on the effective date of the bill, a municipality has in place an ordinance requiring the licensure or certification of electrical contractors, it must keep the ordinance in effect, without amendment, for a period of five years, after which the ordinance is no longer in effect. **Items 4 to 6 and 12** reorganize these provisions and clarify that, after five years, a municipality may not impose any licensure, certification, or registration requirement on electricians, electrical contractors, or electrical inspectors.

Other

Item 3 revises a section title to more accurately reflect the subject of the section.

SENATE AMENDMENT 3

Senate Amendment 3 clarifies the wording of an exemption from the licensure and registration requirements for a person installing, maintaining, or repairing an electric appliance or similar equipment.

LEGISLATIVE HISTORY

On October 25, 2007, the Senate Committee on Commerce, Utilities and Rail voted to recommend adoption of Senate Amendments 1 and 3 and passage of 2007 Senate Bill 167, as amended, by votes of Ayes, 7; and Noes, 0.

On January 20, 2008, the Joint Committee on Finance voted to recommend adoption of Senate Amendments 1 and 3 by votes of Ayes, 16; Noes, 0, and passage of 2007 Senate Bill 167, as amended, by a vote of Ayes, 15; Noes, 1.

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