



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 660

**Assembly Substitute
Amendment 1, As Amended**

Memo published: April 14, 2010

Contact: Jessica Karls-Ruplinger, Staff Attorney (266-2230)

2009 Assembly Bill 660

2009 Assembly Bill 660 provides that no individual may perform work as an ironworker in this state without a master ironworker or journeyman ironworker certificate obtained from the Department of Commerce (Commerce).

The bill defines “ironworker” as an individual who does any of the following: (1) raises, places, or unites girders, columns, and other structural steel members; (2) positions and secures reinforcing rods or post tensioning cables during on-site construction of buildings or bridges; (3) installs prefabricated, ornamental metalwork; (4) erects precast girders during on-site construction of bridges; or (5) rigs or raises a turbine for a wind energy system.

In addition, the bill provides exemptions from the certification requirement for the following:

- An individual who is receiving training as an ironworker, if the individual is under the direct supervision of an ironworker who holds a valid master ironworker certificate received from Commerce.
- An individual who is enrolled in and performing tasks that are within the scope of an ironworker apprenticeship program that is approved by Commerce and by the Department of Workforce Development (DWD).
- An individual who is a member of a uniformed service or the U.S. Merchant Marine, if the individual is performing work for the uniformed service or the U.S. Merchant Marine, respectively.
- An individual who is performing ironwork on premises that are owned or leased by the individual.
- An individual who is performing ironwork in an attempt to remedy an emergency.

- An individual who is positioning and securing reinforcing rods during the construction of a road, sidewalk, or parking lot.
- An individual who is performing ironwork within the scope of his or her employment, if the individual is employed to do primarily any of the following:
 - Install, assemble, construct, or repair electrical work.
 - Install, adjust, repair, or dismantle fire protection and fire control systems.
 - Erect, install, or repair transmission poles, fabricated metal transmission towers, outdoor substations, switch racks, or similar electrical structures, electric cables, and related auxiliary equipment for high-voltage transmission and distribution power lines that are used to conduct energy between generating stations, substations, and consumers.
 - Install, repair, alter, or recondition gas distribution pipeline.
 - Install or repair residential potable water lines, gravity waste disposal systems inside curb or fence lines, plumbing fixtures, and plumbing appliances such as dishwashers and water heaters.
 - Lay out, assemble, install, or maintain pipe systems, pipe supports, and related hydraulic and pneumatic equipment for steam, hot water, heating, cooling, lubricating, or industrial production and processing systems.

The bill provides that any person who violates the certification requirement may be fined not more than \$500 or imprisoned for not more than three months or both. Lastly, the bill, if enacted, generally takes effect on the first day of the 12th month beginning after publication.

Assembly Substitute Amendment 1

Assembly Substitute Amendment 1 defines “ironworker” as an individual who does any of the following: (1) places or unites girders, columns, and other structural steel members; (2) positions and secures post tensioning cables during on-site construction of buildings or bridges; (3) installs prefabricated, ornamental metalwork; or (4) rigs or places a turbine for a wind energy system.

The substitute amendment provides exemptions from the certification requirement for the following:

- An individual who is receiving training as an ironworker, if the individual is under the direct supervision of an ironworker who holds a valid master ironworker certificate received from Commerce.
- An individual who is enrolled in and performing tasks that are within the scope of an ironworker apprenticeship program that is approved by Commerce and by DWD.

- An individual who is a member of a uniformed service or the U.S. Merchant Marine, if the individual is performing work for the uniformed service or the U.S. Merchant Marine, respectively.
- An individual who is performing ironwork on the premises of, or land surrounding, a single-family or duplex residence.
- An individual who is performing ironwork on premises that are owned or leased by the individual.
- An individual who is performing ironwork in an attempt to remedy an emergency.
- An individual who is positioning and securing reinforcing rods during the construction of a road, sidewalk, or parking lot.
- An individual who is performing ironwork within the scope of his or her employment, if the individual is employed to do primarily any of the following:
 - Install, assemble, construct, or repair electrical work.
 - Install, assemble, construct, or repair the facilities of a public utility.
 - Install, adjust, repair, or dismantle fire protection and fire control systems.
 - Install, repair, construct, or maintain transmission poles, transmission towers, substations, switch racks, or similar electrical structures, electric cables, and related auxiliary equipment for high-voltage transmission and distribution power lines that are used to conduct energy between generating stations, substations, and consumers.
 - Install, repair, alter, or recondition gas distribution pipeline.
 - Perform ironwork in connection with the installation, repair, or maintenance of traffic control signals or traffic lights.
- An individual employed exclusively to operate a crane, forklift, or hoist other than an aerial platform lift used only for the purpose of elevating a person, if the crane, forklift, or hoist is not manually operated.
- An individual who fabricates and erects machine bases.

The substitute amendment provides that any person who violates the certification requirement may be fined not more than \$500 and that each act in violation of the certification requirement constitutes a separate offense. Lastly, the substitute amendment provides that the bill, if enacted, generally takes effect on the first day of the 18th month beginning after publication.

Assembly Amendment 1 to Assembly Substitute Amendment 1

Assembly Amendment 1 to Assembly Substitute Amendment 1 provides an exemption from the certification requirement for an individual who is performing masonry work.

Legislative History

Assembly Substitute Amendment 1 was offered by Representatives Jorgensen and Sinicki, and Assembly Amendment 1 to Assembly Substitute Amendment 1 was offered by Representative Sinicki. On April 13, 2010, the Assembly Committee on Labor recommended adoption of the amendment and substitute amendment, as amended, on votes of Ayes, 7; Noes, 1. The committee then recommended passage of Assembly Bill 660, as amended, on a vote of Ayes, 6; Noes, 2.

JKR:ksm