2019 SENATE BILL 396

September 16, 2019 - Introduced by Senators TIFFANY, BEWLEY, KAPENGA, MARKLEIN, OLSEN, SCHACHTNER and STROEBEL, cosponsored by Representatives FELZKOWSKI, EDMING, OLDENBURG, JAMES, MAGNAFICI, FIELDS, GUNDERM, HORLACHER, KULP, B. MEYERS, MILROY, MURSAU, PETRYK, QUINN, RAMTHUN, SANFELIPPO, SKOWRONSKI, STAFHOLT, TUSLER and WICHERS. Referred to Committee on Elections, Ethics and Rural Issues.

AN ACT to amend 101.82 (1) and 145.02 (2) (b); and to create 101.053 of the statutes; relating to: regulation of recreational and educational camps, providing an exemption from emergency rule procedures, and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Safety and Professional Services to revise the commercial building code, which imposes standards on the construction and inspection of public buildings and places of employment, to establish separate standards for recreational and educational camps. The bill defines “recreational and educational camp” to have the same meaning as under rules of the Department of Agriculture, Trade and Consumer Protection for issuing permits to such camps. Under the bill, with specified exceptions, a “recreational and educational camp” is a premises operated as an overnight living quarters where both food and lodging are provided for a planned program of recreation or education. The separate standard required under the bill must take into account the uses, including seasonal use, that are unique to recreational and educational camps. The bill also requires DSPS's rules for electrical wiring and plumbing systems to take into account the unique uses of those camps.
SENATE BILL 396

For further information see the state 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:

SECTION 1. 101.053 of the statutes is created to read:

101.053  Recreational and educational camps.  (1) In this section, “recreational and educational camp” means a premises, including temporary and permanent structures, that is operated as an overnight living quarters where both food and lodging or facilities for food and lodging are provided for children or adults or both children and adults for a planned program of recreation or education, and that is offered free of charge or for payment of a fee by a person or by the state or a local unit of government. “Recreational and educational camp” does not include any of the following:

(a) An overnight planned program of recreation or education for adults or families at an establishment holding a current retail food establishment license issued under s. 97.30 or lodging license issued under s. 97.605.

(b) An overnight planned program of recreation or education for less than 4 consecutive nights and without permanent facilities for food and lodging.

(c) An overnight planned program for credit at an accredited academic institution of higher education.

(d) A tournament, competition, visitation, recruitment, campus conference, or professional sports team training camp.

(2) The department shall promulgate rules revising the commercial building code to establish separate standards for the construction and inspection of recreational and educational camps. The standards established in the rules shall
take into account the uses, including seasonal use, that are unique to recreational
and educational camps.

SECTION 2. 101.82 (1) of the statutes is amended to read:

101.82 (1) Promulgate by rule a state electrical wiring code that establishes
standards for installing, repairing, and maintaining electrical wiring. The rules
shall include separate standards, established in consultation with the uniform
dwelling code council, that apply only to electrical wiring in camping units that are
set in a fixed location in a campground for which a permit is issued under s. 97.67,
that contain a sleeping place, and that are used for seasonal overnight camping. The
rules do not apply to electrical wiring in primitive rural hunting cabins, as defined
in s. 101.61 (3). The standards established in the rules shall also take into account
the uses, including seasonal use, that are unique to recreational and educational
camps, as defined in s. 101.053 (1). Where feasible, the rules shall reflect nationally
recognized standards.

SECTION 3. 145.02 (2) (b) of the statutes is amended to read:

145.02 (2) (b) The department shall promulgate rules that establish separate
plumbing standards applicable only to camping units that are set in a fixed location
in a campground for which a permit is issued under s. 97.67, that contain a sleeping
place, and that are used for seasonal overnight camping. The standards established
in the rules shall also take into account the uses, including seasonal use, that are
unique to recreational and educational camps, as defined in s. 101.53 (1). If the
department has appointed one or more committees under s. 227.13 to advise the
department on rule making with respect to private on-site wastewater treatment
systems or other plumbing systems, the department shall promulgate the rules
required under this paragraph in consultation with those committees.

(1) The department of safety and professional services shall use the procedure under s. 227.24 to promulgate rules that are necessary to implement this act. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until July 1, 2021, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the department of safety and professional services is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(END)