



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0453/1
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2015 ASSEMBLY BILL 190

April 22, 2015 - Introduced by Representatives T. LARSON, A. OTT, BALLWEG, E. BROOKS, DOYLE, EDMING, HORLACHER, JARCHOW, KOLSTE, KRUG, KULP, MEYERS and MURTHA, cosponsored by Senators OLSEN and RINGHAND. Referred to Committee on Labor.

1 **AN ACT to repeal** 101.862 (5) (b); **to amend** 101.862 (5) (a); and **to create** 101.80
2 (1n), 101.862 (5) (c) and 101.863 of the statutes; **relating to:** continuing
3 education requirements for persons who perform electrical work, licensing and
4 registration requirements for certain experienced electricians, and requiring
5 the exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

Under current statutes, the Department of Safety and Professional Services (DSPS) regulates various categories of electricians including master electricians, journeyman electricians, and electrical apprentices. Current law also authorizes DSPS to promulgate rules that recognize and regulate other types and subtypes of electricians. Generally, a person may not install, repair, or maintain electrical wiring unless the person is licensed as an electrician by DSPS or unless the person is enrolled as a registered electrician by DSPS. A registered electrician must be supervised by a licensed journeyman or master electrician. Current law also requires all inspections of electrical wiring to be performed by inspectors who are certified by DSPS.

This bill requires an applicant for renewal of any registration, license, or other approval that authorizes a person to perform or inspect electrical work to meet continuing education requirements that are prescribed by DSPS by rule. The bill provides that a person who applies for renewal of a registration as an electrical apprentice is not required to meet these continuing education requirements.

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Current law also provides that certain experienced electricians are exempt from the licensing and registration requirements imposed by DSPS. Under current law, the exemption applies to a person who was born on or before January 1, 1956, and who has at least 15 years of experience in installing, repairing, or maintaining electrical wiring (experienced electrician). Current law requires DSPS to establish criteria for issuing licenses to experienced electricians (exemption licenses).

This bill prospectively eliminates the licensing and registration exemptions for experienced electricians but retains those exemptions for experienced electricians who obtained an exemption license from DSPS before this bill's effective date. The bill provides that an exemption license is generally valid for four years and is renewable. The bill also requires electricians holding an exemption license to meet continuing education requirements in order to renew that exemption license. The bill further provides that DSPS must impose the same continuing education requirements on experienced electricians that it imposes on master electricians.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 101.80 (1n) of the statutes is created to read:

2 101.80 **(1n)** "Exempt electrician" means a person who was issued a valid license
3 under s. 101.862 (5) (b), 2013 stats., before the effective date of this subsection
4 [LRB inserts date], and who is not otherwise licensed or registered as an electrician
5 under this subchapter.

6 **SECTION 2.** 101.862 (5) (a) of the statutes is amended to read:

7 101.862 **(5)** (a) Subsections (2) and (3) do not apply to ~~a person who was born~~
8 ~~on or before January 1, 1956, and who has at least 15 years of experience in~~
9 ~~installing, repairing, or maintaining electrical wiring, subject to par. (b) exempt~~
10 ~~electricians.~~

11 **SECTION 3.** 101.862 (5) (b) of the statutes is repealed.

12 **SECTION 4.** 101.862 (5) (c) of the statutes is created to read:

13 101.862 **(5)** (c) 1. Except as provided in subd. 4., a license issued to an exempt
14 electrician is valid for 4 years and is renewable.

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1 2. The department may renew a license issued to an exempt electrician only if
2 the exempt electrician meets the requirements under s. 101.863.

3 3. The department shall impose the same fee for renewal of a license issued to
4 an exempt electrician that it imposes for renewal of a license issued to a master
5 electrician.

6 4. A license issued to an exempt electrician that is not a renewed license is valid
7 until the expiration of 4 years after the effective date of this subdivision ... [LRB
8 inserts date].

9 **SECTION 5.** 101.863 of the statutes is created to read:

10 **101.863 Continuing education.** (1) In this section, "approval" means a
11 registration, license, certificate, or other approval that authorizes a person to
12 perform, supervise, or inspect electrical work.

13 (2) (a) Except as provided in par. (d), an applicant for renewal of any approval
14 issued by the department under this subchapter, or issued under rules promulgated
15 under this subchapter, shall report to the department, in the form and manner
16 required by the department by rule, whether the applicant has satisfactorily met
17 continuing education requirements prescribed by the department by rule.

18 (b) The department shall prescribe continuing education requirements for
19 exempt electricians that are the same as the continuing education requirements that
20 apply to master electricians.

21 (c) An exempt electrician is not required to file his or her initial report under
22 par. (a) before the expiration of 4 years after the effective date of this paragraph ...
23 [LRB inserts date].

24 (d) The requirement under par. (a) does not apply to an applicant for renewal
25 of a registration as an electrical apprentice.

ASSEMBLY BILL 190**1 SECTION 6. Nonstatutory provisions.**

2 (1) Using the procedure under section 227.24 of the statutes, the department
3 of safety and professional services shall promulgate the rules required under section
4 101.863 (2) of the statutes, as affected by this act, for the period before the effective
5 date of the permanent rules promulgated under section 101.863 (2) of the statutes,
6 as affected by this act, but not to exceed the period authorized under section 227.24
7 (1) (c) of the statutes, subject to extension under section 227.24 (2) of the statutes.
8 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department
9 is not required to provide evidence that promulgating rules under this subsection as
10 emergency rules is necessary for the preservation of the public peace, health, safety,
11 or welfare and is not required to provide a finding of emergency for rules promulgated
12 under this subsection.

13 SECTION 7. Effective date.

14 (1) This act takes effect on the first day of the 6th month beginning after
15 publication.

16 (END)