



CHRIS KAPENGA

WISCONSIN STATE SENATOR

Testimony on Assembly Bills 902, 903, 904 & 905

Assembly Committee on Regulatory Licensing Reform

February 8, 2018

Thank you Chairman Horlacher for holding a public hearing today on Assembly Bills 902, 903, 904 & 905. I also want to thank Representative Ballweg for co-authoring this legislation on behalf of the Department of Safety and Professional Services.

This legislation was drafted in consultation with the Department of Safety and Professional Services, who conducted extensive outreach to interested stakeholders to find consensus on these bills. I will keep my comments brief, as the department will be providing details on specific points in the legislation.

Assembly Bill 902

Assembly Bill 902 makes a number of sensible changes to the DSPS's enforcement authority that are designed to continuing upholding public safety, while allowing the department flexibility to correct disciplinary issues without taking away someone's livelihood. The bill also removes third party logistics providers from the definition of prescription drug wholesalers, putting Wisconsin in line with recent federal law changes.

Assembly Bill 903

Assembly Bill 903 makes a number of changes to the membership requirements of various credentialing boards, making it easier to fill certain openings and for boards to conduct business. The bill also eliminates a number of outdated or unnecessary statutory requirements that will allow the agency to operate in a more efficient and effective manner. For example, the bill eliminates a provision that requires that certain Cemetery Board statements be notarized or that DSPS publish an annual list of liquefied petroleum retails.

Assembly Bill 904

Assembly Bill 904 makes a number of changes to the department's regulation of buildings. First, AB 904 cleans up language from the 2013 establishment of the uniform commercial building code by applying the procedures to counties in the same manner as other units of government. The bill also updates building code standards for carbon monoxide detection in commercial residential buildings to closely mirror international

recommendations that will improve safety and reduce cost for building owners. Lastly, the bill eliminates a statutory conflict that exists for the applicants to the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board. This change will allow applicants to take the exam before the completion of their education requirements, thus allowing them to get into the workforce sooner after graduation.

Assembly Bill 905

Assembly Bill 905 primarily makes a number of remedial statutory changes identified by the department. The bill also provides greater uniformity to department operations and procedures across professions. Specifically, the bill outlines uniform procedures for conducting hearings, handling complaints, and disciplinary proceedings. This streamlining will ensure the agency is efficient and also ensure that DSPS customers can expect consistency across professions.

Thank you again Mr. Chairman and committee members for holding a hearing today on AB 902, AB 903, AB 904, and AB 905.



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WISCONSIN STATE REPRESENTATIVE

41ST ASSEMBLY DISTRICT

Assembly Bills 902, 903, 904, 905
Testimony of Representative Joan Ballweg
Assembly Committee on Regulatory Licensing
February 8, 2018

Thank you, Chair Horlacher and members of the committee for holding public hearings today on Assembly Bills 902, 903, 904, and 905. These bills were introduced at the request of the Department of Safety and Professional Services (DPS) and I have Nate Yahn from DPS with me to speak in more detail on the legislation.

In my role as co-chair of the Joint Committee for Review of Administrative Rules, I've been able to work closely with DPS and other agencies on administrative code and their relation to state statute. After 2011 Wisconsin Act 21 went into effect, our state agencies began to closely review both their rules and statute to ensure what was on the books was both up-to-date and enforceable through statute. The Assembly's Red Tape Review initiative has contributed to this effort. We want to make sure that any rules we have on book reflect law, are updated, and do not hurt the productivity of Wisconsin's citizens. The four bills before you today are the result of a collaborative review by the department and stakeholders to ensure these goals are met.

Thank you again for hearing this legislation.



DATE: February 8, 2018

TO: Members, Assembly Committee on Regulatory Licensing Reform
The Honorable Cody Horlacher, Chair

FROM: Nate Yahn, Legislative Advisor
Wisconsin Department of Safety and Professional Services

SUBJECT: Assembly Bill 904 (building code administration and certain licensure changes)

Chairman Horlacher and Committee Members:

The Wisconsin Department of Safety and Professional Services (DSPS) would like to provide some important background information and commentary to committee members as you consider 2017 Wisconsin Assembly Bill 904 (AB 904). AB 904 includes various changes to existing state statutes governing the regulation of professions and buildings and safety that are administered by DSPS. The Department supports AB 904.

DSPS is focused on its mission of promoting economic growth and stability, while protecting the safety of Wisconsin's public. This sensible reform legislation will help make government operate more effectively and efficiently, reduce costs for small business owners, and remove certain unnecessary and burdensome barriers to employment for Wisconsin's workforce.

Specifically, AB 904 does the following:

- Requires DSPS to promulgate rules establishing uniform procedures for counties and municipalities (city, village, or town) to administer the commercial building code.
 - Necessary clean-up from 2013 Wisconsin Act 270, which established the uniform commercial building code.
 - By ensuring that the new uniform commercial building code also applies to the administration of the code, the process by which the code is administered throughout the state will be standardized – making it easier for customers when submitting plans.
- Prohibits counties and municipalities from enacting or enforcing an ordinance that does not strictly conform to the rules promulgated by DSPS relating to the administration of the commercial building code by local governments.
 - Many communities have different administrative requirements as it relates to the commercial building code. For example, when submitting building plans to DSPS for review, an architect or engineer is required to submit 4 copies; however, this number may not be the same amongst different communities.
 - This change ensures that the administration of the code will be standardized and consistent throughout the state.

- Specifies that the term “administration”, as it relates to the commercial building code provisions under the bill, includes the process that an owner must follow when applying for a permit for constructing, altering, or adding to a public building or a building that is a place of employment.
- Updates certain building code standards for carbon monoxide detection in commercial residential buildings that will help reduce costs to building owners and for both state and local government, while maintaining public safety.
- Eliminates an existing statutory provision requiring the completion of pre-credential education requirements prior to an individual becoming eligible to take the exam, which directly conflicts with 2013 Wisconsin Act 114 that had largely prohibited such practices.
 - By removing this burdensome mandate, applicants for licensure by the Marriage and Family Therapy, Professional Counseling, and Social Work (MPSW) Examining Board will be allowed to take the exam before completing their required education, without making modifications to any of the existing education requirements.

If you have any questions, please contact me at (608) 267-9794.



**WISCONSIN
BUILDERS
ASSOCIATION**

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DATE: February 8, 2018

TO: Members of the Assembly Committee on Regulatory Licensing Reform

FROM: Steve Gryboski
Advocacy Group Chair
Wisconsin Builders Association

SUBJECT: Support of Assembly Bill 904 (AB 904) and Assembly Bill 905 (AB 905)

As the chair of the Wisconsin Builders Association Advocacy Group I write to you in support of both AB 904 and AB 905. Both bills are attempting to streamline state statutes and provide some important regulatory relief while still protecting the safety of Wisconsin families.

Some of the specific items in AB 904 that we are supportive of are:

- Cleaning up items related to 2013 WI Act 270 to make our commercial building code more uniform
- Updating language on the installation of carbon monoxide detectors in multifamily buildings which are supported by a wide range of advocacy groups

Highlights of the AB 905 include:

- Removal of conflicting state statutes regarding the commercial building code and the multifamily dwelling code
- Streamlining the licensure requirements for those holding a credential with the Department of Safety and Professional Services (DSPS)

I respectfully ask for your support in committee for the passage of AB 904 and AB 905.