



State of Wisconsin \ Department of Safety and Professional Services

HEARING DRAFT of PROPOSED RULES

Rule No.:

Chapter SPS 305

Relating to:

Thermal Insulators

The Wisconsin Department of Safety and Professional Services adopts an order to repeal SPS 305.02 Table 305.02 lines 50r. to 50t., SPS 305.06 Table 305.06 lines 45r. to 45t., SPS 305.74, SPS 305.741 to 305.743 relating to thermal insulator credentials.

Analysis of Rule

1. Statutes Interpreted

Statutes Interpreted: ss. 101.02 (1) and 227.10 (1), Stats.

2. Statutory Authority

Statutory Authority: ss. 101.02 (1) and 227.10 (1), Stats.

3. Related Statute or Rule

None

4. Explanation of Agency Authority

Under 2009 Wisconsin Act 16, s. 101.136, Stats., on and after July 1, 2011, only individuals licensed as insulation mechanics or working under the supervision of licensed insulation mechanics may install or maintain thermal system insulation. Thermal insulation was statutorily defined as a product that is used in a heating, ventilating, cooling, plumbing or refrigeration system to insulate any hot or cold surface, including a pipe, duct, valve, boiler, flue, or tank, or equipment on or in a building. 2011 Wisconsin Act 32 repealed s. 101.136, Stats.

5. Summary of Proposed Rules

The proposed rules repeal the credentialing procedures established for thermal system insulators under s. 101.136, Stats., as mandated under 2009 Wisconsin Act 16.

6. Summary of, and Comparison with, Existing or Proposed Federal Regulations

An internet search on U.S. federal regulations and U.S. federal register yielded no results regarding the licensing of thermal insulators.

7. Comparison with Rules in Adjacent States

An Internet-based search of thermal insulation mechanic licenses in the states of Illinois, Iowa, Michigan and Minnesota found that none of the states have specific rules or programs regarding these types of licenses.

8. Summary of Factual Data and Analytical Methodologies

The proposed rules were developed because of 2011 Wisconsin Act 32 which repealed s. 101.136, Stats.

9. Analysis and Supporting Documents used to Determine Effect on Small Business or in Preparation of Economic Impact Report

The proposed rule action follows the direction provided by 2011 Wisconsin Act 32.

10. Agency Contact.

James Quast, Program Manager, jim.quast@wi.gov, (608) 266-9292

11. Public Hearing Comments.

The hearing record on this emergency rule will remain open until February 20, 2012. Written comments on the proposed may be submitted to James Quast, at the Department of Commerce, P.O. Box 2689, Madison, WI 53701-2689, or Email at jim.quast@wi.gov.

SECTION 1. SPS 305.02 Table 305.02 lines 50r. to 50t. are repealed.

SECTION 2. SPS 305.06 Table 305.06 lines 45r. to 45t. are repealed.

SECTION 3. SPS 305.74 and 305.741 to 305.743 are repealed.

END

EFFECTIVE DATE

Pursuant to s. 227.22 (2) (intro.), Stats., these rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register.
