

August 12, 2010

Robert Marchant
Senate Chief Clerk
B20 Southeast, State
Capitol
P.O. Box 7882
Madison, Wisconsin 53707-7882

Patrick Fuller
Assembly Chief Clerk
Room 401
17 West Main Street
Madison, Wisconsin 53703

Dear Chief Clerks:

**TRANSMITTAL IN FINAL DRAFT FORM OF ADMINISTRATIVE
RULES AND REPORT**

CLEARINGHOUSE RULE NO.: 10-064

RULE NO.: Chapters Comm 5, 18 and 81 to 84

RELATING TO: Wisconsin Uniform Plumbing Code

Pursuant to section 227.19, Stats., agencies are required to submit, in triplicate, copies of the proposed administrative rules in final draft form together with a rule report and an analysis. The recommendations received from the Legislative Council are also to be submitted.

At this time, this material, together with cover letters to the President of the Senate and the Speaker of the Assembly, is being transmitted for referral to the standing committees for legislative review.

Respectfully submitted,

Aaron Olver
Secretary

August 12, 2010

Senator Fred Risser
President of the Senate
Room 220 South, State Capitol
Madison, Wisconsin 53702

Representative Mike Sheridan
Speaker of the Assembly
Room 211 West, State Capitol
Madison, Wisconsin 53702

Dear Senator Risser and Representative Sheridan:

NOTICE OF ADMINISTRATIVE RULES IN FINAL DRAFT FORM

CLEARINGHOUSE RULE NO.: 10-064

RULE NO.: Chapters Comm 5, 18 and 81 to 84

RELATING TO: Wisconsin Uniform Plumbing Code

Section 227.19, Stats., requires agencies to submit proposed rules in final draft form to the presiding officer of each house for referral to the appropriate legislative standing committees.

The following information, as required by law, is being submitted to you.

1. Rules in final draft form (in triplicate).
2. Report consisting of:
 - a) Rule Report.
 - b) Public Hearing Attendance Record.
 - c) Public Hearing Comment and Agency Response Form.
 - d) Legislative Council Rules Clearinghouse Report.
 - e) Response to Legislative Council Rules Clearinghouse Report.
 - f) Fiscal Estimate.
 - g) Final Regulatory Flexibility Analysis.

If you have any questions regarding this matter, please do not hesitate to contact us.

Respectfully submitted,

Aaron Olver
Secretary



P.O. Box 7970
Madison, Wisconsin 53707
(608) 266-1018
TDD#: (608) 264-8777

Jim Doyle, Governor
Aaron Olver, Secretary

August 12, 2010

Bruce Hoesly, Code Editor
1 East Main Street, Suite 200
Madison, Wisconsin 53703

Dear Mr. Hoesly:

NOTIFICATION OF RULE REFERRAL

This letter is to notify you that pursuant to section 227.19, Stats., the Department of Commerce has referred:

CLEARINGHOUSE RULE NO.: 10-064

RULE NO.: Chapters Comm 5, 18 and 81 to 84

RELATING TO: Wisconsin Uniform Plumbing Code

to the presiding officers of the Senate and Assembly of the Legislature for referral to the appropriate standing committees for Legislative review.

Respectfully submitted,

Aaron Olver
Secretary

FISCAL ESTIMATE
DOA-2048 (R06/99)

ORIGINAL
 CORRECTED

UPDATED
 SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
Chs Comm 5, 18 and 81 to 84
Amendment No. if Applicable

Subject

Wisconsin Uniform Plumbing Code

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

Increase Existing Appropriation
 Decrease Existing Appropriation
 Create New Appropriation
 Increase Existing Revenues
 Decrease Existing Revenues

Increase Costs - May be Possible to Absorb Within Agency's Budget Yes No

Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:

Towns Villages Cities

2. Decrease Costs
 Permissive Mandatory

4. Decrease Revenues
 Permissive Mandatory

Counties Others _____

School Districts WTCS Districts

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Not applicable

Assumptions Used in Arriving at Fiscal Estimate

The Safety and Buildings Division is responsible for administering and enforcing rules relating to the design, installation or construction, inspection and maintenance of plumbing. The proposed rules consist of updates of chapters Comm 81 to 84, Wisconsin Uniform Plumbing Code. In addition there are two minor updates of chapters Comm 5, Licenses, Certifications and Regulation, and Comm 18, Elevators, Escalators and Lift Devices.

There are no new regulatory schemes contained in the proposed rule revisions that would significantly affect revenues, expenditures or the division's workloads. In addition, the proposed rule do not increase or decrease the administrative and enforcement aspects at the state and local level.

The proposed rules will not have a significant effect on the private sector.

Long-Range Fiscal Implications

No long-range fiscal implications are anticipated.

Agency/Prepared by: (Name & Phone No.)
Commerce/Lynita Docken 608-785-9349

Authorized Signature/Telephone No.

Date

**DEPARTMENT OF COMMERCE
SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE**

Clearinghouse Rule Number: 10-064		Hearing Location: Madison, WI	
Rule Number: Chapters Comm 5, 18 and 81 to 84		Hearing Date: July 1, 2010	
Relating to: Wisconsin Uniform Plumbing Code			
Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
Exhibit 1	Jeffrey J. Beiriger Executive Director Plumbing, Heating and Cooling Contractors (PHCC) – Wisconsin Association 660 E. Mason Street Milwaukee, WI 53202	Supports the process and code package.	Support noted.
Exhibit 2	Tim Elverman Plumbers Local 75 400 E. Wisconsin Ave., Suite 400 Milwaukee, WI 53202	Supports the proposed rules.	Support noted.
Exhibit 3	Paul Wolf League of Wisconsin Municipalities 8352 Moeser Lane Larsen, WI 54947	Supports the proposed rules.	Support noted.
Exhibit 4	Tom Breu American Society of Plumbing Engineers (ASPE) – Wisconsin One Erdman Place Madison, WI 53717	Supports the process and code package.	Support noted.
Exhibit 5	Bill Mueller W5122 Joe Snow Road Merrill, WI 54452	Opposes the proposed revision to Comm 82.20 Table 82.20–1 and Table 82.20–2 relating to lowering the thresholds for the required submission and review of plumbing systems from 16 to 11 plumbing fixtures.	The proposal has been modified to eliminate Comm 82.20 Table 82.20–1 and Table 82.20–2 relating to lowering the thresholds for the required submission and review of plumbing systems.
Exhibit 6	Patrick Stevens Wisconsin Builders Association 4868 High Crossing Blvd. Madison, WI 53704	Requests the department provide additional information explaining why the proposed revision to Comm 82.20 Table 82.20–1 and Table 82.20–2 is needed. Asks if the proposed rule change to lower the thresholds for required submission and review of plumbing systems from 16 to 11 plumbing fixtures is necessary and justified given the costs.	See response under Mueller.