

STATE OF WISCONSIN  
DEPARTMENT OF COMMERCE

**NOTICE OF  
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to ss. 101.82, 101.84 (3), 101.862 and 101.87, Stats., as affected by 2007 Wisconsin Act 63, the Department of Commerce will hold a public hearing on proposed rules under chapter Comm 5 relating to licensing of electricians and affecting small business.

The public hearing will be held as follows:

**Date and Time:**

April 29, 2009  
10:00 a.m.

**Location:**

Conference Room 3B  
Thompson Commerce Center  
201 West Washington Avenue  
Madison

Interested persons are invited to appear at the hearing and present comments on the proposed rules. Persons making oral presentations are requested to submit their comments in writing. Persons submitting comments will not receive individual responses. The hearing record on the emergency rules will remain open until May 15, 2009, to permit submittal of written comments from persons who are unable to attend the hearing or who wish to supplement testimony offered at the hearing. Written comments should be submitted to James Quast, at the Department of Commerce, P.O. Box 2689, Madison, WI 53701-2689, or Email at [jim.quast@wisconsin.gov](mailto:jim.quast@wisconsin.gov).

This hearing is held in an accessible facility. If you have special needs or circumstances that may make communication or accessibility difficult at the hearing, please call (608) 266-8741 or (608) 264-8777 (TTY) at least 10 days prior to the hearing date. Accommodations such as interpreters, English translators, or materials in audio tape format will, to the fullest extent possible, be made available upon a request from a person with a disability.

The emergency rules and an analysis of the proposed rules are available on the Internet at the Safety and Buildings Division Web site at [www.commerce.wi.gov/SB/](http://www.commerce.wi.gov/SB/). Paper copies may be obtained without cost from Roberta Ward, at the Department of Commerce, Program Development Bureau, P.O. Box 2689, Madison, WI 53701-2689, or Email at [roberta.ward@wisconsin.gov](mailto:roberta.ward@wisconsin.gov), or at telephone (608) 266-8741 or (608) 264-8777 (TTY). Copies will also be available at the public hearing.

The small business regulatory coordinator for the Department of Commerce is Carol Dunn, who may be contacted at telephone (608) 267-0297, or Email at [carol.dunn@wisconsin.gov](mailto:carol.dunn@wisconsin.gov).



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

**Jim Doyle, Governor**  
**Richard J. Leinenkugel, Secretary**

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

Dear Mr. Hoesly:

**TRANSMITTAL OF WRITTEN NOTICE OF HEARING  
AND LEGISLATIVE COUNCIL REVIEW**

RULE NO.: Chapter Comm 5

RELATING TO: Licensing of Electricians

AGENCY UNIT RESPONSIBLE: Safety and Buildings Division

PUBLIC HEARING REQUIRED:  YES  NO

CONTACT PERSON: James Quast TITLE: Program Manager

TELEPHONE: (608) 266-9292 EMAIL: [jim.quast@wisconsin.gov](mailto:jim.quast@wisconsin.gov)

Pursuant to sections 227.14 (4m) and 227.17, Stats., agencies are required to transmit a written notice of submittal of proposed rules to the Legislative Council and a written notice of hearing to the Legislative Reference Bureau, for publication in the Administrative Register.

On the date on this letter the department is submitting proposed rules to the Legislative Council and is submitting the following material to you:

1. Notice of Public Hearing or 30-Day Notice of Proposed Rulemaking.
2. Fiscal Estimate.
3. Initial Regulatory Flexibility Analysis.
4. Draft of Proposed Rules.

Respectfully submitted,

Richard J. Leinenkugel  
Secretary

# INITIAL REGULATORY FLEXIBILITY ANALYSIS

## Department of Commerce

RULE NO.: Chapter Comm 5

RELATING TO: Licensing of Electricians

1. Types of small businesses that will be affected by the rules.

The proposed rules establish administrative procedures for mandatory licensing of electrical contractors and electricians as directed by 2007 Wisconsin Act 63. Currently, the department provides an electrician certification program that complements local licensing/certification requirements. The Act and the rules affect those businesses and individuals currently not certified by the department that install, repair, or maintain electrical construction wiring, unless statutorily exempted.

2. Reporting, bookkeeping and other procedures required for compliance with the rules.

The renewal of electrician licenses will continue to be contingent upon the fulfillment of continuing education obligations.

3. Types of professional skills necessary for compliance with the rules.

No other types of professional skills are necessary for compliance with the rules.

4. Rules have a significant economic impact on small businesses.

No Rules not submitted to Small Business Regulatory Review Board

Yes Rules submitted to Small Business Regulatory Review Board

# **NOTICE of ENVIRONMENTAL ANALYSIS**

## **Department of Commerce**

Rule No.: Chapter Comm 5

Relating to: Licensing of Electricians

Notice is hereby given that the Department has considered the environmental impact of the proposed rules. In accordance with chapter Comm 1, the proposed rules are a Type III action. A Type III action normally does not have the potential to cause significant environmental effects and normally does not involve unresolved conflicts in the use of available resources. The Department has reviewed these rules and finds no reason to believe that any unusual conditions exist. At this time, the Department has issued this notice to serve as a finding of no significant impact.

**FISCAL ESTIMATE**  
DOA-2048 (R06/99)

ORIGINAL  
 CORRECTED

UPDATED  
 SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.  
Chs. Comm 5  
Amendment No. if Applicable

**Subject**

Licensing of Electricians

**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

**Assumptions Used in Arriving at Fiscal Estimate**

The proposed rules implement the licensing mandates imposed by 2007 Wisconsin Act 63 relating to electrical contractors and electricians. The department currently administers a program for the certification of electricians and electrical contractors who then use the certification to obtain a license in municipalities which require licensing. The provisions of Act 63 requiring state-wide licensure are effective April 1, 2013.

The department estimates that an additional 10,000 electricians and electrical will obtain license prior to April 1, 2013. The current 4-year license fees for an electrical contractor is \$200, a master electrician \$200, a journeyman electrician \$100 and a beginning electrician \$20. This will then result in additional annual revenues of \$458,500 with 2013 implementation.

The department anticipates that workload associated with this licensing can be absorbed within current resources and staff levels.

**Long-Range Fiscal Implications**

No long-range fiscal implications are anticipated.

Agency/Prepared by: (Name & Phone No.)  
Commerce/ James Quast, 266-9292

Authorized Signature/Telephone No.

Date

**FISCAL ESTIMATE WORKSHEET**  
 Detailed Estimate of Annual Fiscal Effect  
 DOA-2047(R06/99)

ORIGINAL  
 CORRECTED

UPDATED  
 SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.      Amendment No.  
 Chs. Comm 5

**Subject**  
 Licensing of Electricians

**I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**  
 None

II. Annualized Costs:	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
<b>A. State Costs By Category</b>		
State Operations - Salaries and Fringes	\$ 0	\$ -0
(FTE Position Changes)	( 0 FTE)	( - 0 FTE)
State Operations - Other Costs		-
Local Assistance		-
Aids to Individuals or Organizations		-
<b>TOTAL State Costs By Category</b>	<b>\$ 0</b>	<b>\$ -0</b>
<b>B. State Costs By Source of Funds</b>		
GPR	\$	\$ -
FED		-
PRO/PRS	0	-0
SEG/SEG-S		-
<b>III. State Revenues- Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>		
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS	458,500	-0
SEG/SEG-S		-
<b>TOTAL State Revenues</b>	<b>\$ 0</b>	<b>\$ -0</b>

**NET ANNUALIZED FISCAL IMPACT**

	<u>STATE</u>	<u>LOCAL</u>
NET CHANGE IN COSTS	\$ 458,500	\$ 0
NET CHANGE IN REVENUES	\$ 0	\$ 0

Agency/Prepared by: (Name & Phone No.)

Commerce/ James Quast, 266-9292

Authorized Signature/Telephone No.

Date