

February 4, 2014

To: Members of the Senate Committee on Judiciary and Labor
Members of the Assembly Committee on Labor
From: Senator Glenn Grothman
Re: Senate Bill 545/ Assembly Bill 683

Senate 545/ Assembly Bill 683 are necessary bills to fix problems that have arisen from 2007 Act 63. Earlier this session Act 4 was signed by the Governor, which delayed the effective date of the Act 63 by one year. This was essential to delay implementation in order to work with stakeholders to fix the kinks in the original legislation.

This bill makes the following changes:

- Brings licensing requirements in line with Minnesota requirements in order to pursue a reciprocity agreement with multiple states.
- Requires the Department of Safety and Professional Services to establish requirements for additional and subtypes of electricians.
- Allows employees of owners of leased or rented buildings to repair and maintain electrical wiring.
- Allows installation of electrical wiring in existing industrial or manufacturing facilities.
- Allows installation, repair and maintenance of equipment that is not primarily electrical in nature.
- Exempts individuals born before January 1, 1955 and have fifteen years of experience from licensing requirements.
- Exempts individuals doing electrical work for a qualified nonprofit from licensing requirements.

Please join me in supporting this commonsense approach to reform the changes that were passed in 2007 Act 63.



STATE REPRESENTATIVE

TOM LARSON

Testimony on Assembly Bill 683 and Senate Bill 545 February 4, 2014

Thank you for the opportunity to speak to you today on behalf of Assembly Bill 683 and Senate Bill 545.

During the 2007-2008 session, the Legislature passed Act 63, which generally required that electricians working in Wisconsin be licensed. Act 63 was scheduled to take full effect on April 1, 2013, giving electricians five years to obtain their licenses from what is now the Department of Safety and Professional Services. However, as the effective date approached, a number of concerns were raised about the scope of the exemptions permitted under Act 63, and earlier this session the Legislature passed Act 4, delaying Act 63's effective date by one year, to April 1, 2014.

I voted against Act 4 because I believed that the original five-year grace period was sufficient time for electricians to comply with the licensing requirement. However, due to my extensive experience as an electrician and contractor, I was assigned the task of looking into the concerns raised about Act 63 and producing a trailer bill to Act 4, which is what you have in front of you today.

AB 683 and SB 545 are the product of conversations I have had with a large number of stakeholders, including the Cooperative Network Association, the International Brotherhood of Electrical Workers, Wisconsin Manufacturers and Commerce, Associated Builders and Contractors, the National Electrical Contractors Association, and a consortium of electrical sign and property management associations, as well as National Electrical Code instructors, electrical inspectors, and union and nonunion contractors. I would also like to thank Senator Grothman for his interest in and work on this issue.

AB 683 and SB 545 make a number of changes to the exemptions from the licensing requirement created under Act 63. The bills exempt certain electricians who were born on or before January 1, 1955 and who have at least fifteen years of experience in electrical work. Electricians who fall within those parameters are, of course, still able to pursue and maintain their licenses – in fact, I encourage them to do so – but at the same time the goal of these bills is not to deprive experienced electricians of their livelihoods. These bills also include an exception for volunteers who perform electrical work for houses built by Habitat for Humanity. AB 683 and SB 545 also allow manufacturers to have their electrical work performed in-house, and the bills also clarify that light and sign equipment may be installed by non-electricians, with certain exceptions. (Assembly Amendment 1 corrects a miscommunication that arose during the drafting process.)

As I began my work on AB 683, I determined that it would also be an opportunity to address an issue that was not covered under Act 63 but which is important to many Wisconsin electricians:



STATE REPRESENTATIVE

TOM LARSON

license reciprocity with other states. Minnesota, Iowa, and a number of other states are part of a consortium in which member states recognize each other's licensure requirements as equivalent to their own, allowing, for example, a qualified electrician in Minnesota to easily obtain a North Dakota license and do electrical work in the booming oil facilities in that state.

AB 683 and SB 545 increase Wisconsin's licensing standards to meet those of Minnesota. Many electricians agree that Minnesota is the "gold standard"; if you meet the standards for a Minnesota license, you are pretty much guaranteed to meet standards in Iowa, Nebraska, and the Dakotas if you are a master electrician, plus a number of additional states if you are a journeyman electrician. I have included with my testimony a memo from the Minnesota Department of Labor and Industry that outlines Minnesota's requirements and points out where Wisconsin's current standards fall short. In addition to the training and experience requirements in the memo, Minnesota also requires prospective electricians to pass an exam. My office has shared AB 683 with our contact at the Minnesota DLI, and he confirmed that the proposed changes would allow Minnesota to enter into a reciprocity agreement with Wisconsin.

Not only will the changes allow Wisconsin electricians to practice their profession in a much wider area, but the expanded training and experience requirements should also make Wisconsin consumers more confident that an electrician working on their houses or businesses is well qualified.

In the end, I wanted to make this bill about safety. I often tell people that electricity kills, and when you're dead, you're dead for a *long* time. I don't expect that everyone will be 100% happy with the changes AB 683 and SB 545 make, but I believe that the reciprocity provisions and the changes to 2007 Act 63 will put Wisconsin in a much better place come April 1. The last thing I – and everyone else I have spoken to about this bill, regardless of their specific interest in the issue – want is for the licensing requirement to be delayed even further. For that reason, I respectfully ask that the Assembly and Senate labor committees act quickly so that the Assembly and Senate can pass AB 683 or SB 545 this session.

Thank you for your consideration, and I will be happy to answer any questions at this time.



February 1, 2013

David Boetcher
International Brotherhood of Electrical Workers Local 159
1602 S. Park St.
Madison, WI 53715

Dear Mr. Boetcher:

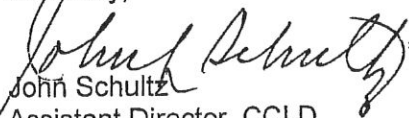
At its January 8th meeting, the Minnesota Board of Electricity compared the Minnesota and Wisconsin license qualifications for journeyman and master electricians. The board did not recognize the qualifications to be similar enough to enable the board to consider a reciprocal agreement between Minnesota and Wisconsin. The following table summarizes a comparison of Minnesota and Wisconsin requirements.

| Master Electrician | Minnesota | Wisconsin |
|-------------------------------------|--|---|
| Experience only | 5 years/10,000 hours of experience | Minimum of 1,000 hours per year for at least 7 years |
| Journeyman license, plus experience | 1 year experience as a Minnesota journeyman | No similar |
| Education credit for master | Electrical Engineering Degree qualifies applicant without experience | 500 hour semester credit up to 3,000 hours/3 years experience |
| Journeyman Electrician | Minnesota | Wisconsin |
| Experience only | 4 years/8,000 hours of experience | Minimum of 1,000 hours per year for at least 5 years |
| Education credit for journeyman | 1 year credit for approved two-year technical college program degree/diploma | 500 hour semester credit up to 2,000 hours/2 years experience |

The board also noted that 725 Wisconsin residents hold master or journeyman licenses in Minnesota, second to North Dakota who has 794. The board recognizes that there would be significant benefit to residents of both states if a reciprocal agreement was entered into, but believes the differences in requirements are too great to allow approval at this time.

Please let me know if there is anything that I can do to assist in your efforts.

Sincerely,



John Schultz

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WISCONSIN MANUFACTURERS & COMMERCE

To: Senate Committee on Judiciary & Labor
Assembly Committee on Labor

From: Chris Reader, WMC Director of Health and Human Resources Policy

Date: February 4, 2014

Regarding: **Support Assembly Bill 683 & Senate Bill 545, electrician licensure**

Wisconsin Manufacturers & Commerce (WMC) is the statewide chamber of commerce, with over 3,500 member companies from every corner of our economy. WMC supports Assembly Bill 683 and Senate Bill 545, which updates many section of Wisconsin Statute §101 dealing with the licensure of electricians in our state. WMC greatly appreciates the diligent work put into this issue by the authors, Senator Grothman and Representative Larson, and we look forward to this bill being signed into law.

As you know, this proposal is a trailer bill to 2013 Act 4, which delayed the effective date of 2007 Act 63 until April 1, 2014. 2007 Act 63 established a statewide license requirement for electricians, with several exemptions to the mandate. Those exemptions included people such as homeowners doing electric work in their own home, workers doing electric installation, repair, or maintenance work on elevators, an employee of an electricity provider doing install, repair, or maintenance work at primary voltage electric facilities, and so forth. In total, 13 exemptions were granted to the licensure mandate in the 2007 Act. The idea of the exemptions seemed to be to ensure that the new licensure requirement applied to contract electricians, not in-house workers or maintenance staff.

When it came to the exemption written for manufacturers and industrial facilities, however, only repair and maintenance work was exempted, not installation work. This is problematic for manufacturers, especially those who constantly switch production lines and rearrange electrical wiring to power the equipment needed to meet ever changing production needs. Manufacturers came to the conclusion that they either had to hire a master electrician to be on site, have their employees become licensed by the state to continue working, or contract out for all of their production line changes that might fall under the definition of installation. None of those were acceptable solutions to the problem caused by 2007 Act 63. Simply put, in-house electricians and maintenance staff of manufacturers and other industries shouldn't need state licensure to continue doing their jobs.

These bills before you today fix this issue by expanding the exemption for existing manufacturing and industrial facilities to include installation work.

A second issue employers have with 2007 Act 63 is the very broad rulemaking authority the Act granted to the Department of Commerce, which is now the Department of Safety and Professional Services (DSPS). Under the 2007 Act, we are concerned that typical manufacturing production line changes described above could be stalled by needless inspections and permit requirements. As with the licensure issue, any installation work could

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Founded in 1911, Wisconsin Manufacturers & Commerce is the state's chamber of commerce and largest business trade association representing more than 3,500 employers of every size and from every sector of the economy.

have been required to first receive permits and then pass inspections before going operational. In a facility that is constantly switching production lines to meet demand, this onerous requirement could have been costly both in terms of dollars and time.

The legislation before you clarifies that any rules brought forward by DSPS under §101.82(2m) cannot require inspections of simple installation work within existing manufacturing and industrial facilities, unless that work also triggers building plan review. This is a reasonable limitation on the rulemaking process, and will ensure that manufacturers aren't forced to stop production while waiting for an inspection on work that has never before required a permit or inspection.

WMC looks forward to the quick passage of AB 683 and SB 545.



To: Senator Glenn Grothman, Representative Dan Knodl, Chairs
Senate and Assembly Labor Committee

Fr: Mechanical Contractors Association of Wisconsin (MCAW)
Wisconsin Pipe Trades Association (WPTA)

Da: February 4, 2014

Re: Electrical licensing

Thank you for the opportunity to submit comments on behalf of those in the mechanical trades. Our respective organizations represent 34 companies and more than 8500 workers in the plumbing, fire protection and steam fitting industries.

With regard to the licensing of electricians, if the industry is requesting to be licensed, then we would support them in that endeavor. Our primary concern is language within the bill that seems unclear.

In reading the section of the bill that pertains to the repair of equipment, the old language exempted the license requirement after the last disconnect. The new language draws the line at the equipment itself. With it drafted this way, it raises concern that our service technicians would not be allowed to perform their existing work.

For example, when our service technicians replace an existing air conditioning unit, we typically do this work start to finish without an electrician. The wording that modifies the bill to delete language on the disconnecting point and substitute language relative to equipment would prevent our service technicians from extending the flexible conduit from the disconnect point to the piece of equipment. We would respectfully ask the authors to amend the language to address this problem, and allow our service contractors to perform the work they are trained to do.

We do not believe it is the intent of this legislation to require two service trucks on a repair that today only requires one. Thank you for the opportunity to provide comments.

(see language below, which we would propose be clarified or modified)

101.862 (4) (g) A person engaged in installing, repairing, or maintaining
2manufactured equipment or utilization equipment, including ballasts, electric signs,
3and luminaires, or a-any other manufactured system that is designed to provide a
4function that is not primarily electrical in nature if the installation, repair, or
5maintenance does not involve the modification or installation of branch circuit
6conductors beyond the disconnecting point or beyond the last junction, pull, or device
7box, whichever is nearer to the point where the person is performing the installation,
8repair, or maintenance that are external to the manufactured or utilization
9equipment or other manufactured system.