

STATEMENT OF SCOPE

Department of Commerce

Rule No. : Chapters Comm 2 and 5

Relating to Fees
:

1. Description of the objective of the rule.

One objective under this project is to establish a fee for the department review of continuing education courses which fulfill license renewal obligations for a variety of individual license renewals under chapter Comm 5.

Another objective is to analyze the existing fees charged under various program services to ensure equity within the program and among the various programs.

The objectives of this rule project may be incorporated into more than one rule package and may include revisions to other chapters affected by the proposal.

2. Description of existing policies relevant to the rule and of new policies proposed to be included in the rule and an analysis of policy alternatives.

Section 101.19, Stats., requires the Department to fix and collect fees by rule which shall, as closely a possible, equal the cost of providing services such as plan examination, inspections, and permits to operate. The fees for these services provided by the Safety and Buildings Division are contained in chapter Comm 2. The fees involved in the issuance of licenses, certifications and registrations are contained in chapter Comm 5.

Currently, the department does not charge fees for the review of continuing education courses that fulfill license renewal obligations under chapter Comm 5. Costs associated with such reviews are currently covered by credential fees. The proposed concept of charging specific course review fee is considered to be a more equitable way of covering the costs associated with the course review. Not charging a review fee would maintain the status quo, resulting in a less equitable fee collection system.

The analysis of program service fees is an issue of equity, so that one regulated group is not subsidizing the department services provided to another group.

3. Statutory authority for the rule.

Chapters 101, and 145, Stats.

4. Estimate of the amount of time that state employees will spend to develop the rule and of other resources necessary to develop the rule.

The department estimates approximately 200 hours will be needed to perform the review and develop any needed rule changes. This time includes forming and meeting with advisory councils, if necessary, drafting the rule changes and processing the changes through public hearings, legislative review, and adoption. The department will assign existing staff to perform the review and develop the rule changes, and no other resources will be needed.

5. Description of all of the entities that will be affected by the rule.

The rule will potentially affect a wide variety of individuals and entities that utilize the Safety and Building Division's services. The Division is involved in the oversight of commercial buildings, new one- and 2-family dwellings, blasting, amusement rides, fireworks manufacturers, boilers, electric wiring, plumbing, public swimming pools, private onsite wastewater treatment systems, passenger ropeways, elevators, escalators, mines, pits and quarries and manufactured homes. The people affected by the rule would include building owners, designers and contractors and owners of the various mechanical devices. Under chapter Comm 5 the division issues licenses, certifications and registrations to approximately 65 different types of trade practices typically related to building construction. For example, the Division issues credentials to blasters, electricians and inspectors. The rules would not affect credential fees established by the statutes, such as license fees for plumbers and automatic fire sprinkler system installers.

6. Summary and preliminary comparison of any existing or proposed federal regulation that is intended to address the activities to be regulated by the rule.

An internet-based search of the *Code of Federal Regulations* (CFR) and the *Federal Register* did not find any federal regulations relating to the licensing and continuing education activities to be regulated under the rules.

Approved for publication in the Wisconsin Administrative Register at Madison, Wisconsin, this date: _____

DEPARTMENT OF COMMERCE

Aaron Olver, Deputy Secretary

Approved for implementation at Madison, Wisconsin, this date: _____

DEPARTMENT OF COMMERCE

Aaron Olver, Deputy Secretary