

SAFETY AND PROFESSIONAL SERVICES -- REGULATION OF PROFESSIONS

Occupational License Study

Motion:

Move to direct DSPS to study occupational licenses and submit a report of the Department's findings to the Legislature and Governor. Include the following provisions:

Define "occupational license" as: (a) a license, permit, certification, registration, or other approval granted under DSPS statutes related to building safety, plumbing, fire protection, fireworks, and professional occupations, including the occupations regulated by the boards attached to DSPS; and (b) a license, permit, certification, registration, or other approval not included under (a) if granted to a person by the state in order that the person may engage in a profession, occupation, or trade in Wisconsin, or in order that the person may use one or more titles in association with his or her profession, occupation, or trade.

Require DSPS to submit a report no later than December 31, 2018, to the Governor, and to the Chief Clerks of the Assembly and Senate for distribution to the appropriate standing committees of the Legislature.

Require that the Department's report include recommendations for the elimination of occupational licenses based on all of the following: (a) an evaluation of whether the unregulated practice of the profession, occupation, or trade can clearly harm or endanger the health, safety, or welfare of the public, and whether the potential for the harm is recognizable and not remote or speculative; (b) an evaluation of whether the public reasonably benefits from the occupational license requirement; (c) an evaluation of whether the public can be effectively protected by any means other than requiring an occupational license; (d) an analysis of whether licensure requirements for the regulated profession, occupation, or trade exist in other states; (e) an estimate of the number of individuals or entities that are affected by the occupational license requirement; (f) an estimate of the total financial burden imposed on individuals or entities as a result of the occupational licensure requirement, including education or training costs, examination fees, private credential fees, occupational license fees imposed by the state, and other costs individuals or entities incur in order to obtain the required occupational license; (g) any statement or analysis provided by the agency or board administering the occupational license; and (h) an evaluation of the tangible or intangible barriers people may face in obtaining an occupational license.

Note:

The Governor recommended: (a) creating an Occupational License Review Council in DSPS; (b) requiring the Council to submit a report by December 31, 2018, to the Governor and Legislature; (c) requiring the Legislative Reference Bureau to prepare a bill that includes the Council's recommendations; (d) prohibiting the Legislature from amending the bill; and (e) requiring the Legislature to take final action on the bill no later than June 30, 2019. The Co-Chairs of the Joint Committee on Finance removed this item from the budget bill as non-fiscal policy.

The motion would direct DSPS, rather than a newly-created council, to study the same issues related to occupational licenses as the bill would have directed. The motion would also direct DSPS to include in the study an evaluation of the tangible or intangible barriers people may face in obtaining an occupational license. The motion would direct DSPS to submit a report of its findings by December 31, 2018, which is the same deadline the Occupational License Review Council would have had for submittal of its report. The motion would require submittal of the report to the appropriate standing Committees of the Legislature. The motion would not mandate that the Legislature take specific action related to the report.

[Change to Base: \$0]

[Change to Bill: \$0]