

2007 ASSEMBLY BILL 231

April 5, 2007 – Introduced by Representatives SUDER, BALLWEG, BIES, BOYLE, GRONEMUS, HAHN, HINES, HONADEL, HRAYCHUCK, HUBLER, JESKEWITZ, LOTHIAN, MONTGOMERY, MOULTON, MURSAU, MUSSER, NERISON, A. OTT, OWENS, PETROWSKI, RHOADES, TOWNSEND and VRUWINK, cosponsored by Senators KREITLOW, COWLES, GROTHMAN, HANSEN, HARSDORF, JAUCH, LASSA, OLSEN, ROESSLER, SCHULTZ, PLALE and VINEHOUT. Referred to Committee on Housing.

1 **AN ACT** *to repeal* 101.63 (1m) and 101.73 (1m); *to amend* 254.61 (1) (f) 2.; and
2 *to create* 101.642 and 101.743 of the statutes; **relating to:** rules requiring that
3 certain buildings be superinsulated.

Analysis by the Legislative Reference Bureau

Current law requires that the Department of Commerce (Commerce) promulgate rules that require that one-family and two-family dwellings and manufactured buildings that use electricity for space heating be superinsulated. This bill prohibits Commerce from promulgating or enforcing such rules.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 101.63 (1m) of the statutes is repealed.

5 **SECTION 2.** 101.642 of the statutes is created to read:

6 **101.642 Certain rules prohibited.** The department may not promulgate or
7 enforce a rule that requires that any one-family or 2-family dwelling that uses
8 electricity for space heating be superinsulated.

To: **All Legislative Colleagues**

From: **State Representative Scott Suder**

Re: **Co-Sponsorship of LRB 1177/1, Consumer Heating Fairness Act**

Currently state law requires any one- and two-family homes which use electric heat to be superinsulated. Although the requirements are not defined in statutes, the standards are outlined in building code. The building code requirements should not be based on a specific heating source. Fuel diversity and conservation should be encouraged for all heating systems. Technological advances have improved electric heating systems drastically since the days of old baseboard heating systems that people are most familiar with. This code places electric heat at an unfair disadvantage by requiring stricter standards for electric systems compared to other forms of heat, thus treating electric heat as an inferior source of space heating.

Electric heat offers many advantages to home owners including efficiency, low cost, availability, safety, and versatility. Electric power can be generated from renewable sources, such as methane gas from landfills or manure digesters. Home owners should be able to take advantage of these benefits without having to drastically alter the design of their home.

Wisconsin is the only state to have superinsulation requirements. In some of our more rural areas of the state where natural gas is not an option do to unavailability, these restrictions place further limitations on rural consumers' heating choices.

If you would like to join me in co-sponsoring **LRB-1177/1**, providing fairness to home heating options for all Wisconsin consumers, please contact my office via e-mail or phone at **7-0280** by Wednesday, March 14, 2007.

Thank you!

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