

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on
Agriculture and
Insurance
(SC-AI)**

File Naming Example:

- Record of Comm. Proceedings ... RCP
- > 05hr_AC-Ed_RCP_pt01a
 - > 05hr_AC-Ed_RCP_pt01b
 - > 05hr_AC-Ed_RCP_pt02

> Committee Hearings ... CH (Public Hearing Announcements)

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> Committee Reports ... CR

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> Executive Sessions ... ES

> **

> Record of Comm. Proceedings ... RCP

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> Appointments ... Appt

> **

> Clearinghouse Rules ... CRule

> **

> Hearing Records ... HR (bills and resolutions)

> **05hr_sb0250_SC-AI_pt01**

> Miscellaneous ... Misc

> **



July 22, 2005

The Honorable Dan Kapanke
Chairman, Senate Committee on Agriculture and Insurance
Room 104 South, State Capitol
Madison, WI

- HAND DELIVERED -

Dear Chairman Kapanke:

I write to respectfully request that the Senate Committee on Agriculture and Insurance schedule Senate Bill (SB) 250 for a public hearing. SB 250, introduced to your committee on June 29, 2005, seeks to require all institutions of higher education to comply with the same fire safety standards.

Under current law, public higher education institutions are required to install automatic fire sprinkler systems in any newly constructed residence halls and to retrofit any residence halls greater than 60 feet in height. In almost all instances, fire ladders reach a maximum height of 60 feet. As a result, sprinkler systems are critically important to savings lives and property in buildings that exceed this height. As a former fire chief, I have first-hand experience and knowledge of the unparalleled level of fire protection that sprinkler systems offer to any building, but especially in high-rise structures.

SB 250 will ensure that private college students who live in campus residences which are 60 feet tall or higher, are afforded the same fire safety standards already in place for students who reside on campus residences at public institutions of higher education. Additionally, this bill would require all newly constructed fraternity and sorority residences greater than 60 feet in height, to install fire sprinkler systems and retrofit any existing fraternity or sorority houses that exceed the 60 foot threshold.

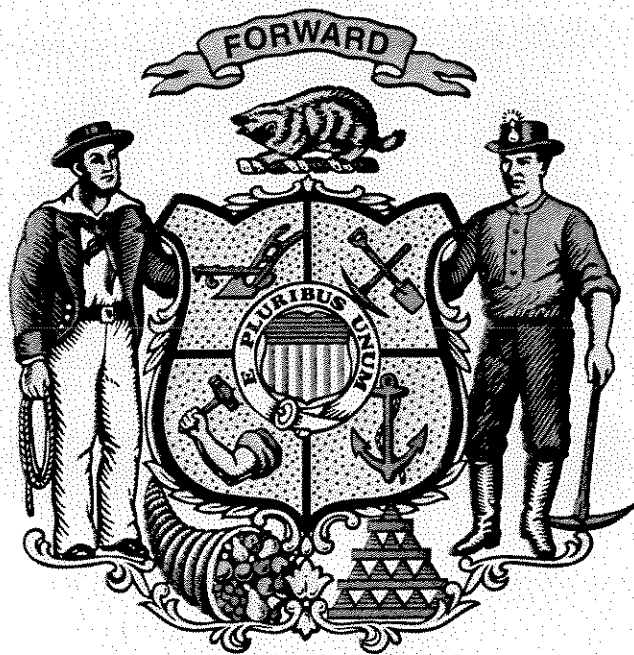
Thank you for your consideration of this request. Should you have any questions regarding this legislation, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Ron Brown". The signature is fluid and cursive, with the first name "Ron" being particularly prominent.

Ron Brown
State Senate
31st District

RB:dkl



ALVERNO COLLEGE
BELOIT COLLEGE
CARDINAL STRITCH UNIVERSITY
CARROLL COLLEGE
CARTHAGE COLLEGE
CONCORDIA UNIVERSITY
EDGEWOOD COLLEGE
LAKELAND COLLEGE
LAWRENCE UNIVERSITY
MARIAN COLLEGE



WISCONSIN ASSOCIATION OF INDEPENDENT
COLLEGES AND UNIVERSITIES

MARQUETTE UNIVERSITY
MILWAUKEE INSTITUTE OF ART & DESIGN
MILWAUKEE SCHOOL OF ENGINEERING
MOUNT MARY COLLEGE
NORTHLAND COLLEGE
RIPON COLLEGE
ST. NORBERT COLLEGE
SILVER LAKE COLLEGE
VITERBO UNIVERSITY
WISCONSIN LUTHERAN COLLEGE

TESTIMONY
on
2005 Senate Bill 250

By
Paul Nelson, Senior Vice President for Public Policy
Wisconsin Association of Independent Colleges and Universities

Senate Committee on Agriculture and Insurance

October 26, 2005

Senator Kapanke and members of the committee, my name is Paul Nelson. I am the Senior Vice President for Public Policy of the Wisconsin Association of Independent Colleges and Universities (WAICU), representing the 20 private, or independent, colleges of Wisconsin and their more than 56,000 students. I am speaking today in support of Senate Bill 250.

I had hoped to have along with me today Dr. Mary Meehan, President of our member Alverno College in Milwaukee. She was unavailable today, but testified at the hearing on the Assembly bill last month. Dr. Meehan brings a unique perspective as a college administrator who has lived through the tragedy of a deadly residence hall fire—she was the Executive Vice President for Administration at Seton Hall University in January 2000. Those of you concerned with fire safety will recognize that as the year of the fire in New Jersey that killed three students and injured many more.

Several of our members have already undertaken projects to retrofit residence halls, without a state law, because it is the right thing to do. Based on a survey of our members, about one-third of the existing residence halls over 60 feet in height are already fitted with automated fire sprinkler systems on each floor. Of the remaining buildings, several of our members already have plans underway to have them retrofitted.

Our members do have some concerns with the challenges of completing the required retrofitting and incurring the costs within the relatively short time period currently specified in the bill. Those concerns have been addressed by an amendment to the Assembly bill that extended the compliance by about eight years to January 1, 2014.

Let me explain the need for additional time to complete the work. The bill draft before you provides five years to achieve compliance. A prior session bill that required UW residence halls to retrofit (that was 1999 Act 43) provided almost six years within which to complete retrofitting of UW residence halls (calculated from the effective date of the bill in April 2000 to January 1, 2006). We believe that

amending the bill to provide a longer time period for private colleges to compliance is reasonable, and is more in line with the timeframe given to the UW with some of the additional resources they had to manage projects of this scope.

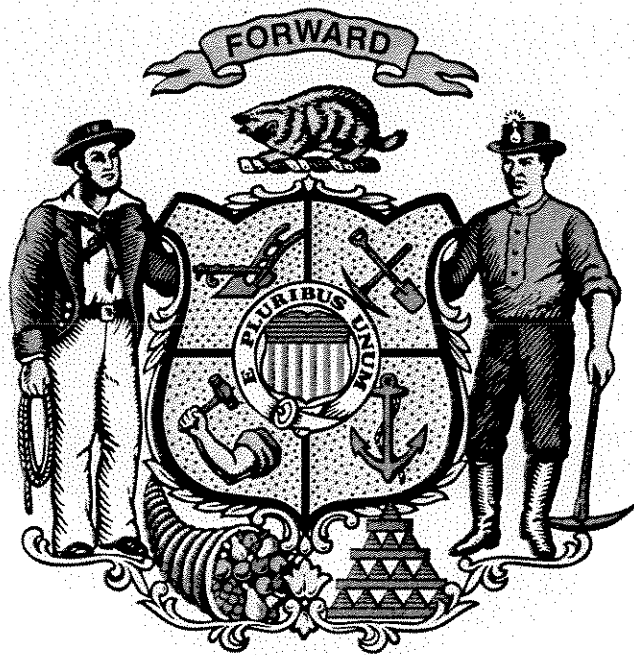
In other states where an aggressive timeline was imposed on colleges and universities, we heard some concerns that this may have contributed to some inflated prices. This could be expected as a simple matter of supply and demand where you have a limited number contractors and employees statewide available to complete these projects.

Some other states have been able to provide funding for private colleges included under such a law. Absent such funding, the costs will be borne by students through tuition and fees.

I should mention there is an Assembly bill that may help reduce costs. Representative Wieckert's AB555 creates state tax advantages for WHEFA bonds issued for private college construction projects. This could help make the bonds more attractive in the market and reduce costs for the borrowers.

We would be happy to work with the Senate sponsors of this bill or committee members to determine a reasonable timeframe for compliance that is consistent with the Assembly action.

Automated fire sprinkler systems save lives. WAICU members have already begun the work, and with adequate time and resources we will complete the job.



Alverno College
3400 South 43rd Street
Milwaukee, WI 53234

SB 250

AB 544

26 October 2005

Senator Dan Kapanke, Chair
Senate Agriculture and Insurance Commission

I am writing to support legislation to install fire suppression systems in private college and university student residence halls. I would like to share why I strongly urge you to pass this legislation. While Alverno College would be exempt from this current legislation because our residence halls fall below the height requirement, I do want to assure you that our campus will be installing fire sprinklers. Fire safety has been a public priority of mine since assuming the leadership of Alverno last year. Let me tell you the reason why it is a priority for me, and why it should be a priority for us all.

At 4:30 AM on January 19, 2000 I received a phone call that haunts me every day of my life. At the time I was the executive vice president of Seton Hall University in South Orange, NJ. The voice on the other end of the line said only these words: "There is a fire in Boland Hall – get to the South Orange campus immediately."

As I drove the 20 minutes to the campus I listened to my car radio and heard that a small fire had occurred on a third floor common space and that the 700 students had evacuated in fewer than 7 minutes. The announcer stated that there appeared to be no major damage to the building nor to the freshmen who lived in that dorm. I breathed a sigh of relief - until I saw helicopters circling the campus and heard ambulance sirens.

When I ran to meet the president in front of the residence hall he simply looked at me and said quietly: "Three boys are dead and countless others are injured." In fact, three were dead, five were burned on more than 70 per cent of their bodies, and more than 50 others were sent to hospitals with injuries ranging from smoke inhalation to broken bones.

At the end of the day, I walked with the president to family after family who had gathered on that campus. The bodies of the three dead young men were so badly burned they were not able to be positively identified for hours. As the president entered a room to finally share the news with one of the families, the father ran to the president and said: "Father, I know my boy is dead – we have been praying all day. I don't want you to have to say those words." Indeed, the words "your child is dead" should never have to be uttered nor heard by anyone, but most especially when such a tragedy can be prevented.

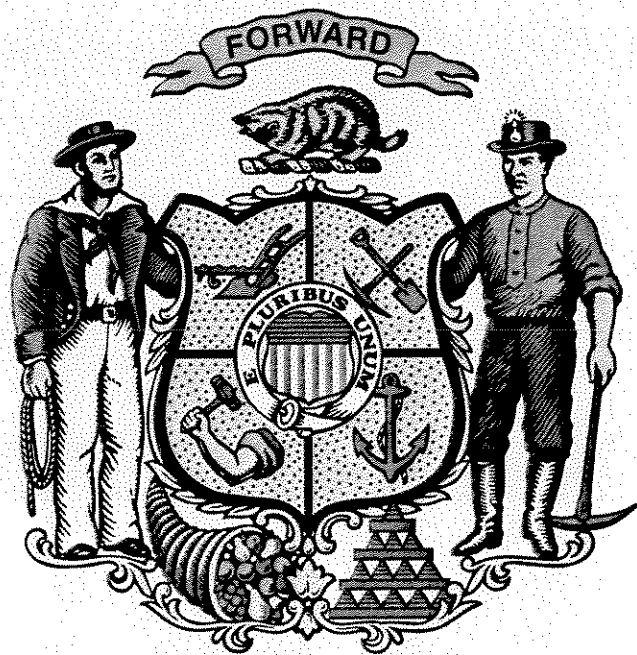
The building where the fire took place is fire proof and met every code. There was no major damage to that building. It had an alarm system that functioned, fire drills were held on a regular basis, and the students evacuated the building in record speed; but, there

were no sprinklers in that building. In fact, it was the only residence hall on that campus without sprinklers. It was built in the 1950's and sprinklers were not required. But they were certainly needed. The fact that the university was in full compliance with every fire code gives no comfort to anyone, most especially to the families of those young men.

Today you will vote on a bill that I ask you to support. I had hoped the bill would provide for all residence halls, not just those above 60 feet in height. The fire I just told you about occurred in a building that would be exempt from this proposed legislation. The residence halls at Alverno College would also be exempt from this bill as proposed, but we will install the sprinklers because it is the right thing for our students. I urge you to consider the more comprehensive legislation that was passed in New Jersey as a result of the fire at Seton Hall University. It is a model that ensures our children's safety. If we cannot keep them safe, then someone else will one day hear those unspeakable words: "Your child is dead." Please don't let that happen in Wisconsin.

Thank you,

Mary J. Meehan, Ph.D.
President





Director of Regional Operations
200 West College Avenue
Tallahassee, Florida 32301
(850) 222-2070 Fax (850) 222-1752
E-mail: Dewar@nfsa.org Website: www.nfsa.org

To: Chairman Dan Kapanke, Members
Senate Agriculture & Insurance Committee

Fr: Buddy Dewar, Director of Regional Operations
National Fire Sprinkler Association

Re: Support for SB 250, Fire Sprinkler Safety Act

Good morning Chairman Kapanke and members of the Senate Agriculture & Insurance Committee. Thank you for the opportunity to be here today to testify in support of SB 250. I currently serve as Director of Regional Operations for the National Fire Sprinkler Association (NFSA). I am a former firefighter, a fire ground commander, fire chief, Superintendent of the Florida State Fire College and during the 1980's I was Director of Florida's State Fire Marshal's Office.

The very first fire I ever fought as a firefighter was a fatal one. As two members of this committee probably know first hand, that horrific experience stays with you your entire life. It is also the reason that I am here today speaking in support of this important legislation.

After the live burn video I don't think anyone would dispute that fire sprinkler systems simply offer unmatched protection in the event of a fire.

What some of you might not know, however, is that the installation of sprinkler systems also means significant insurance savings and a decreased risk of liability. Enclosed in your packet of information is a significant letter of support from Rich Jungman, a manager at Kirklin Insurance, the company that insures 80% of fraternities in the country. I want to briefly highlight a few things from his letter.

- First and foremost, there has never been a death in a fraternity and sorority house which was protected by a fire sprinkler system.
- Second, Kirklin offers a Greek organization a discount of 50% of the property premium for two years following the installation of a system. And following the first two years, the standard 30% discount is provided annually.
- Lastly, Mr. Jungman points out that 61 percent of all fires since 2002 were due to careless smoking or negligent use of a candle. This fact is important to point out. It clearly shows a vast majority of fires in Greek properties are due to human error and occur in a tenant's suite where a fire sprinkler system has the best opportunity to save lives.

Campus fire safety is a significant issue in our nation. Serious fires that occurred during the *past thirty days* in North Carolina, Kansas, Indiana, Mississippi, Tennessee, Iowa and Michigan underscore the importance of campus fire safety.

- An off-campus fire claimed the life of two students at North Carolina State University.
- On the same day, a large fire in an off-campus apartment building killed a student from Kansas State University and displaced over 30 students.
- A residence hall fire at Taylor University in Indiana has displaced all of the occupants and a fire in Iowa displaced a number of students from the University of Northern Iowa.
- A sorority house was destroyed by fire in Holland, Michigan.
- A dormitory fire at Middle Tennessee State University in Murfreesboro displaced 400 students. Fire alarms did not work in a dorm fire at Mississippi Valley State University causing 88 residents and university officials' great anguish. The student housing fire safety problem is very big and very real.

We lost 100 people in a nightclub fire a couple years ago in Rhode Island – Rhode Island now requires fire sprinklers in nightclubs. Twenty-seven elderly people died in a Nashville nursing home, another 10 died in a Connecticut nursing home – Tennessee and Connecticut now requiring fire sprinklers in nursing homes. Fire tragedies still occur even though there has been a tremendous improvement in our fire protection technology and code development. Our nation's fire service community has known the solution to the fire problem for decades yet there still is a propensity for government to react with fire code laws after a tragedy, not before. *Simply stated, we need to be proactive on student housing fire safety, not reactive.*

Our national leaders are just now coming to grips with the campus fire safety issue. A National Student Housing Symposium was held earlier this year in the Longworth House Office Building in Washington, DC. Leading experts in student housing fire safety were present to discuss the student housing fire safety; the problem and the solutions. The top three priorities coming from this Symposium were:

1. Encourage the enactment of fire sprinkler laws for new and existing student housing;
2. Require hands-on smoke room training for all students;
3. Create a major public awareness site where parents can visit to obtaining fire safety ratings of educational institutions.

NFSA works closely with the Greek Letter community, with the university employed Greek Life Advisors, with the risk managers of Universities and Colleges and Greek Letter organizations to help make the transition to a fire safe environment doable and affordable. Last weekend NFSA attended the National Panhellenic Conference, the coalition of sororities, and we have received recognition for our pro bono service to the Greek Letter community by the Fraternity Executives Association. Helping student housing managers understand what to ask for in bids, and also receive a second opinion on plans and specifications is a job welcomed by the NFSA Regional Operations team.

The University of Miami, Florida's second largest private university, voluntarily retrofitted fire sprinklers in its six high-rise dormitories immediately following the Seton Hall fire. Vanderbilt University is requiring the retrofit of all Greek Letter housing, some on university owned land under a long-term lease. I recently spoke at a Auburn University Greek Life meeting on how best to comply with its fire sprinkler mandate of Greek housing. Many Greek Letter organizations have contracted with a professional fund-raising firm to assist in funding Greek Housing fire sprinkler retrofit.

Retrofitting fire sprinklers in existing student and Greek Letter housing is being accomplished all over the country, there is no reason why it cannot work here in Wisconsin. I can assure you Bonnie Woodruff and Donna Henson who lost their sons in fraternity house fires and Gail Minger who lost her son in a private university dormitory will argue money is not the issue; the issue is fire safety. And to this point I ask you to visit the letter to the Committee from Dr. Mary J. Meehan, President, Alverno College, as she recalls first hand the Seton Hall tragedy.

SB 250 is the correct path to follow and we strongly encourage its passage. Thank you again for the opportunity to be here today. I would be happy to answer any questions you may have at this time.