



2007 SENATE BILL 345

December 3, 2007 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Commerce, Utilities and Rail.

1 **AN ACT** *to repeal* 101.14 (4) (c) 2.; and *to renumber* 101.14 (4) (c) 1. of the
2 statutes; **relating to:** variances to rules concerning automatic fire sprinklers
3 in places of employment and public buildings under 60 feet in height (suggested
4 as remedial legislation by the Department of Commerce).

Analysis by the Legislative Reference Bureau

Under current law, the Department of Commerce (Commerce) is required to promulgate rules requiring owners of places of employment and public buildings to install fire detection, prevention, or suppression devices to protect the health, welfare, and safety of the persons who use those places and buildings. Current law also provides that Commerce may grant a variance to the rules relating to automatic fire sprinklers under limited circumstances. This bill eliminates Commerce's authority to grant those variances.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Commerce and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various

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provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 101.14 (4) (c) 1. of the statutes is renumbered 101.14 (4) (c).

2 **SECTION 2.** 101.14 (4) (c) 2. of the statutes is repealed.

NOTE: The repealed subdivision provides as follows:

101.14 (4) (c) 2. Before the effective date of the rules promulgated under subd. 1., as affected by 1983 Wisconsin Act 295, section 3, the department may grant a variance to any rule relating to automatic fire sprinklers and mandated under chapter 320, laws of 1981, if the department first does both of the following:

a. Consults with the chief of the fire department having authority over the place of employment or public building.

b. Determines that the variance provides protection, substantially equivalent to that of the rules mandated by chapter 320, laws of 1981, of the health, safety and welfare of employers, employees and frequenters of the place of employment or public building.

According to the Department of Commerce, the repealed provision has long been inapplicable.

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(END)