

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: **03/10/2002**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Bonderud**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - bldg codes**

Extra Copies:

Submit via email: **NO**

Pre Topic:

LFB:.....Bonderud -

Topic:

Horse boarding and horse training facilities

Instructions:

Same as AB-446, as passed in the Assembly.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rmarchan 03/12/2002	jdye 03/12/2002		_____			
/1			pgreensl 03/12/2002	_____	lrb_docadmin 03/12/2002		

FE Sent For:

<END>

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1?	rmarchan	1 3/12 jld	3/12 p8	3/12 p8/16			

FE Sent For:

<END>

Budget Amendments 2002

Legislator

Skindrud

Statement of Intent

Exempt horse boarding and horse training facilities from the state building code. Currently, most agricultural buildings are exempt from the code. This amendment would expand that exemption to cover horse boarding and horse training facilities

Legislator 2

Legislator 3

Legislator 4

State Contact

Al Colvin

Agency

Commerce

Amendment

Pass Or Fail

Amended

Withdrawn

Bridge

Summary

With certain exceptions, current law gives the department of commerce (department) jurisdiction over all buildings in this state that are used by the public (public buildings) and all places of employment for the purpose of ensuring that the buildings are safe. Current law requires the department to promulgate standards for the safe construction of public buildings. Under these construction standards and under certain statutes, public buildings and places of employment are subject to numerous requirements with regard to their construction, including requirements with regard to ventilation, energy conservation, accessibility, fire safety, electrical construction, and plumbing construction. Plans for the construction of public buildings and places of employment currently must be approved by the department or by certain authorized local officials, to ensure that the public buildings or places of employment will be built in compliance with all applicable construction standards. Currently, a horse boarding or horse training facility may be a public building and, unless the horse boarding or horse training is used in farming, it may be a place of employment. This bill exempts all horse boarding and horse training facilities that do not contain an area for the public to view a horse show from the definitions

Budget Amendments 2002

of "public building" and "place of employment." As a result, under this bill, these horse boarding and horse training facilities are not subject to the construction standards promulgated by the department or to construction-related statutes that generally apply to public buildings and places of employment. In addition, under the bill, the plan submission and approval process does not apply to the proposed construction of these horse boarding and horse training facilities.

Fiscal Impact

A fiscal estimate prepared by the Department of Commerce indicates that the number of facilities that would be affected by AB 445 is less than two dozen annually. The estimated fiscal impact would be an annual decrease of approximately \$10,000 in revenue and would not impact the operations of the Department.

Significance

Request

25

2001

Date (time) needed noon

LRB b 2366, 1

**ARC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

RM : jd : _____

(Handwritten initials)

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**January 2002 SPECIAL SESSION CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 ASSEMBLY BILL 1**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 156, line 9: after line: that insert
INSERT A ✓

~~#. Page, line:~~

~~#. Page, line:~~

~~#. Page, line:~~

~~#. Page, line:~~

~~#. Page, line:~~

(Large handwritten scribble)

2001 ASSEMBLY BILL 446

June 21, 2001 - Introduced by Representatives SKINDRUD, AINSWORTH, GROTHMAN, KRAWCZYK, LADWIG, LIPPERT, MUSSER, OTT, PETTIS and SUDER, cosponsored by Senators ERPENBACH, SCHULTZ and ZIEN. Referred to Committee on Housing.

- 1 AN ACT *to amend* 101.01 (11) and 101.01 (12) of the statutes; **relating to:**
2 exempting certain horse boarding and horse training facilities from state
3 building codes.

Analysis by the Legislative Reference Bureau

With certain exceptions, current law gives the department of commerce (department) jurisdiction over all buildings in this state that are used by the public (public buildings) and all places of employment for the purpose of ensuring that the buildings are safe. Current law requires the department to promulgate standards for the safe construction of public buildings. Under these construction standards and under certain statutes, public buildings and places of employment are subject to numerous requirements with regard to their construction, including requirements with regard to ventilation, energy conservation, accessibility, fire safety, electrical construction, and plumbing construction. Plans for the construction of public buildings and places of employment currently must be approved by the department or by certain authorized local officials, to ensure that the public buildings or places of employment will be built in compliance with all applicable construction standards.

Currently, a horse boarding or horse training facility may be a public building and, unless the horse boarding or horse training is used in farming, it may be a place of employment.

This bill exempts all horse boarding and horse training facilities that do not contain an area for the public to view a horse show from the definitions of "public building" and "place of employment." As a result, under this bill, these horse

ASSEMBLY BILL 446

boarding and horse training facilities are not subject to the construction standards promulgated by the department or to construction-related statutes that generally apply to public buildings and places of employment. In addition, under the bill, the plan submission and approval process does not apply to the proposed construction of these horse boarding and horse training facilities.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

INSERT A

as affected by 2001 Wisconsin Act 16, section 2446rb,

267m

SECTION 101.01 (11) of the statutes is amended to read:

101.01 (11) "Place of employment" includes every place, whether indoors or out or underground and the premises appurtenant thereto where either temporarily or permanently any industry, trade^{plain} or business is carried on, or where any process or operation, directly or indirectly related to any industry, trade^{plain} or business, is carried on, and where any person is, directly or indirectly, employed by another for direct or indirect gain or profit, but does not include any place where persons are employed in private domestic service which does not involve the use of mechanical power or in farming. "Farming" includes those activities specified in s. 102.04 (3), and also includes[✓] the transportation of farm products, supplies^{plain} or equipment directly to the farm by the operator of ~~the~~^{plain} the farm or employees for use thereon, if such activities are directly or indirectly for the purpose of producing commodities for market, or as an accessory to such production; and the operation of a horse boarding facility or horse training facility that does not contain an area for the public to view a horse show. When used with relation to building codes, "place of employment" does not include an adult family home, as defined in s. 50.01 (1), or, except for the purposes of s. 101.11, a previously constructed building used as a community-based

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as affected by
2001 Wisconsin
Act 16, section
2447db,

ASSEMBLY BILL 446

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PWF

residential facility, as defined in s. 50.01 (1g), which serves 20 or fewer residents who are not related to the operator or administrator.

SECTION 101.01 (12) of the statutes is amended to read:

101.01 (12) "Public building" means any structure, including exterior parts of such building, such as a porch, exterior platform or steps providing means of ingress or egress, used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation to building codes, "public building" does not include a horse boarding facility or horse training facility that does not contain an area for the public to view a horse show or a previously constructed building used as a community-based residential facility as defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the operator or administrator or an adult family home, as defined in s. 50.01 (1).

(END)

ends
A



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2366/1
RJM:jld:pg

LFB:.....Bonderud – Horse boarding and horse training facilities

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 156, line 9: after that line insert:

3 “**SECTION 267m.** 101.01 (11) of the statutes, as affected by 2001 Wisconsin Act
4 16, section 2446rb, is amended to read:

5 101.01 (11) “Place of employment” includes every place, whether indoors or out
6 or underground and the premises appurtenant thereto where either temporarily or
7 permanently any industry, trade, or business is carried on, or where any process or
8 operation, directly or indirectly related to any industry, trade, or business, is carried
9 on, and where any person is, directly or indirectly, employed by another for direct or
10 indirect gain or profit, but does not include any place where persons are employed

1 in private domestic service which does not involve the use of mechanical power or in
2 farming. “Farming” includes those activities specified in s. 102.04 (3), ~~and also~~
3 ~~includes;~~ the transportation of farm products, supplies, or equipment directly to the
4 farm by the operator of the farm or employees for use thereon, if such activities are
5 directly or indirectly for the purpose of producing commodities for market, or as an
6 accessory to such production; and the operation of a horse boarding facility or horse
7 training facility that does not contain an area for the public to view a horse show.

8 When used with relation to building codes, “place of employment” does not include
9 an adult family home, as defined in s. 50.01 (1), or, except for the purposes of s. 101.11,
10 a previously constructed building used as a community-based residential facility, as
11 defined in s. 50.01 (1g), which serves 20 or fewer residents who are not related to the
12 operator or administrator.

13 **SECTION 267q.** 101.01 (12) of the statutes, as affected by 2001 Wisconsin Act
14 16, section 2447db, is amended to read:

15 101.01 (12) “Public building” means any structure, including exterior parts of
16 such building, such as a porch, exterior platform, or steps providing means of ingress
17 or egress, used in whole or in part as a place of resort, assemblage, lodging, trade,
18 traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation
19 to building codes, “public building” does not include a horse boarding facility or horse
20 training facility that does not contain an area for the public to view a horse show or
21 a previously constructed building used as a community-based residential facility as
22 defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the
23 operator or administrator or an adult family home, as defined in s. 50.01 (1).”.

24 (END)