

B

Architects – Wisconsin Society; Monica Sommerfeldt, representing the Wisconsin Builders Association; David M. Wheaton, representing inspectors and the Wisconsin Building Inspectors Association.

Elevator Code Council: Warren R. Bauer, representing the American Institute of Architects – Wisconsin Society; Ken Bavery, representing the Wisconsin State Fire Chiefs' Association; David Koch, representing elevator manufacturers/suppliers and the National Association of Elevator Contractors; Bruce Lammi, representing engineers and the Wisconsin Society of Professional Engineers; Steve Lex, representing the Wisconsin State AFL-CIO; Jeff Lund, representing lift manufacturers/suppliers and the Waupaca Elevator Company; William Page, representing lift manufacturers/suppliers and the Accessibility Equipment Manufacturers Association; David M. Rakowski, representing Northwestern Elevator Company, Inc.; John Zalewski, representing inspectors and the City of Milwaukee; Andrew M. Zielke, representing elevator manufacturers/suppliers and the National Elevator Industry, Inc.

Structural Review Code Council: Professor Steven Cramer, representing the University of Wisconsin – Madison Department of Civil and Environmental Engineering; Chuck Hanson, representing the American Society of Civil Engineers; Kirk Haverland, representing the Wisconsin Society of Professional Engineers; David Hyzer, representing the American Institute of Architects – Wisconsin Society; Lynn Lauersdorf, representing the Wisconsin Department of Administration; Professor Michael Oliva, representing the University of Wisconsin – Madison Department of Civil and Environmental Engineering; Robert Schumacher, representing the American Society of Civil Engineers; Alan Wagner, representing the American Society of Civil Engineers; and Michael West, representing the American Society of Civil Engineers.

Energy Conservation Code Council: Ross DePaola, representing the Wisconsin Environmental Decade; Thomas F. Flickinger, representing the Wisconsin Association of Consulting Engineers; Jay F. Jorgensen, representing the Wisconsin Chapter of the American Society of Heating, Refrigerating, and Air Conditioning Engineers; Timothy J. Kritter, representing the Associated Builders and Contractors of Wisconsin; William F. McKee, representing the Associated General Contractors of Wisconsin; Dave J. Osborne, representing the Wisconsin Builders Association; Gerald W. Schulz, representing the Wisconsin Chapter of the National Electrical Contractors Association; Harry A. Sulzer, representing the League of Wisconsin Municipalities; Robert D. Wiedenhofer, representing the Sheet Metal and Air Conditioning Contractors Association of Wisconsin.

Heating, Ventilating, and Air Conditioning Code Council: Michael J. Broge, representing the Wisconsin Association of Consulting Engineers; Timothy J. Gasperetti, representing the Building Owners and Managers Association of Milwaukee; Michael Mamayek, representing the Plumbing and Mechanical Contractors of Southeast Wisconsin; Ken Pavlik, representing the Wisconsin Builders Association; Richard J. Pearson, representing the Wisconsin Chapter of the American Society of Heating, Refrigerating, and Air Conditioning Engineers; Robert Pertzborn, representing the Wisconsin Association of Plumbing, Heating and Cooling Contractors; David Stockland, representing the Associated Builders and Contractors of Wisconsin; Harry A. Sulzer, representing the League of Wisconsin Municipalities; and Robert D. Wiedenhofer, representing the Sheet Metal and Air Conditioning Contractors Association of Wisconsin.

WSFCA Fire Prevention Code Committee

Summary of Comparison of ICC & NFPA

March 5, 1999

Question # 1 - What is Their Fire Prevention Philosophy?

NFPA -

- Fire Prevention Code Function
- Reduce the Burden of Fire on the Quality of Life.
- NFPA Believes the Fire Official Should Be the AHJ
- Fire Official's Authority Should Begin Before Construction Starts
- Fire Prevention is the Mission
- NFPA Exists for Fire Prevention
- Provide Public Education
- Conducts Research
- Fire Official Should Have Authority Over Fire Protection Features In New Construction As Well As In Existing Buildings
- The Roots of Their Philosophy is Fire Codes

ICC -

- Code Official is the AHJ
- Focused on Buildings & Operations
- ICC Exists to Create Codes and to Support Code Officials
- Creating Code For Minimum Requirements
- Building Code & Building Maintenance
- The Roots of Their Philosophy is Building Codes

Question #2 - Describe the Code Development Process

NFPA -

- Consensus Process
- Balanced Technical Committees
- Anyone Can Participate in the Development Process
- Must Be A Member To Vote
- ANSI Recognized
- Fire Safety Professionals In Private Sector Have Input
- Only 1/3 of Committee Can Represent A Single Interest Group

Page 2

March 5, 1999

Fire Prevention Code Comparison

Question #2 - Describe the Code Development Process

ICC -

- Anyone Can Participate in the Development Process
- Must Be A Member To Vote
- Never Did Receive An Adequate Explanation of the Process
- Could Buy As Many Memberships As Wanted
- Board Could Turn Over Vote of Members
- Code Officials Make Up A Minimum of 50% of Committee Membership
- Only Code Officials Are Allowed To Vote
- Fire Safety Professionals Have Limited Input Unless They Are Code Officials
- Conflict of Interest Issue - Can't Participate In Committee Discussion or Votes

Question # 3 - What Is the Compatibility With Other Nationally Recognized Codes Used In the United States?

NFPA -

- No Companion Building Code
- Would Need To Have Language That More Restrictive Code Would Be Used
- This Process Has Been Successful In Other States

ICC -

- The ICC Produces Codes Which Are Compatible With Each Other

Question # 4 - Please Describe User Support for State Agencies as well as Local Fire Departments That Adopt Your Code.

NFPA-

- No charge for support during the adoption process
- Complimentary copies of NFPA 1 & 101 to those doing comparisons
- Adoption - Provide technical code interpretations to code enforcers.
- Proven history of being a strong support agency with excellent materials

Page 3

March 5, 1999

Fire Prevention Code Comparison

Question # 4 - Please Describe User Support for State Agencies as well as Local Fire Departments That Adopt Your Code.

ICC -

- Appears to be based on membership, fees, and outside contractors.
- Full Membership required for benefits- Which include access to staff for verbal and written interpretations & help with plan reviews
-

Question # 5 - What is the Initial and Ongoing Training That will be Available for the State and Local Fire Departments

NFPA -

- Free Training to State and Local Fire Departments consisting of:
2 days on NFPA 1 & 4 days on NFPA 101.
- Additional Training available for other NFPA Codes
- Refresher Training on 3 Year Cycles
- Training Conducted by NFPA Staff or Approved Staff

ICC -

- Training & Certification Department offers seminars and certification programs
- Co-Sponsors & Contracts For Seminars
- Trainers may be anyone with Knowledge

Question # 6 - How Often would the Groups Update Their Codes?

NFPA -

- Codes are Updated Every Three Years

ICC -

- Codes are Updated Every Three Years

Page 4

March 5, 1999

Fire Prevention Code Comparison

Question # 7 - What Other State Have Adopted The Code?

NFPA -

- Nine States Have Adopted the Code and Eight Other States Are in the Process of Adoption.

ICC-

- No State has Adopted the Code because the IFC is not a Final Code

Question # 8 - What Does the Organization See As a Major Drawback Of Their Code?

NFPA -

- None identified. Can be Addressed via Proposals, Comments, and TIA's.

ICC -

- The IFC is not the Only Model Fire Code
- Non-existing Document with More Questions Than Answers

Question # 9 - What Are Considered the Major Advantages of the Code?

NFPA -

- NFPA 1 was Written w/Help of Fire Marshall's Association of North America to strengthen the technical requirements, and make it easier to use.
- Code has Stood the Test of Time.
- Existing Working Document.

ICC -

- Totally Compatible Family of Codes. These Would Have To Be Adopted

Question # 10 - What are the General Automatic Fire Sprinkler Requirements of the Code?

NFPA -

- Retroactively of Sprinklers in Some Buildings in Both NFPA 1 and 101.
- Not An Easy Comparison to Complete

ICC -

- Sprinklers Requirements Are Not Retroactive

Question # 11 - What Impact Does the Organization Foresee On Small to Medium Departments?

NFPA -

- Provides Authority to Those Ready and Willing to Accept It.
- Ability to Enforce the Code is Not Dependent on Funding

ICC -

- BOCA will establish and Offer Training at a Cost Working Within the State.

Question # 12 - What is the Philosophy Towards Fire Prevention In Existing Buildings?

NFPA -

- Fire Code Official Must Declare A "Special Hazard or Hazardous Condition" Exists.
- Provisions in NFPA 101 Address This Through "Comprehensive Technical Guidance For Existing Occupancies.
- Only Fire Code That Requires New and Existing High-rise Buildings To Be Fully Sprinklered.
- Has a Good Philosophy and Provides a Mechanism and a Means for Implementation of that Philosophy.

Page 6
March 5, 1999
Fire Prevention Code Comparison

Question # 12 - What is the Philosophy Towards Fire Prevention In Existing Buildings?

ICC -

- Says It Is Essential and Mandatory. Offers Little To Assist With Enforcement.
- Believes Fire Prevention In Existing Buildings "Should Be Mandatory".
- "Code Official" (Fire or Building) May Allow Existing Conditions To Continue If They " Do Not Constitute A Distinct Hazard To Life and Property."
- Doesn't Seem To Be Direction Found (As In NFPA 1 & 101) To "Update" Existing Buildings.

Myths Versus Facts

Myth: The Wisconsin Department of Commerce (DoC) claims that it stopped the comparison between the IFC and NFPA 1/101 because the Wisconsin State Fire Chiefs' Association (WSFCA) withdrew its support for IBC.

Fact: The WSCFA never supported the IBC. It did, however, agree to the adoption of a modified Comm. 14 and the IBC as a placeholder only until a thorough comparison was completed between the IFC and NFPA 1/101.

Myth: According to the DoC, WSFCA has never raised technical objections to the IFC.

Fact: This is simply not true. WSFCA and other members of the Wisconsin fire service have repeatedly emphasized to the DoC that the IFC pales in comparison to NFPA 1/101 when it comes to technical provisions addressing existing buildings and fire fighter safety.

Myth: DoC claims that the Fire Safety Code Council strongly endorsed adoption of the IFC and IBC.

Fact: After intense discussion and debate, the FSCC voted by a narrow 5-4 margin to adopt IFC/IBC. All fire service representatives on the FSCC, with the exception of the Madison representative, voted in support of the NFPA suite of codes and against adoption of IFC/IBC.

Myth: The DoC maintains that the Wisconsin fire service has representation on the Commercial Code Council.

Fact: In reality, there is only one Wisconsin fire service representative on the entire Commercial Code Council. The vast majority of this council is made of building-related officials such as American Institute of Architects, Associated General Contractors, Wisconsin Building Inspectors, City of Milwaukee (building representative), Wisconsin Realtors, Wisconsin Society of Professional Engineers, the building owners and Wisconsin Department of Administration, insurance industry representatives, Wisconsin Manufacturers and Commerce, and the Associated Builders and Contractors of Wisconsin.

Myth: The DoC maintains that WSFCA's recommendation to incorporate NFPA 1/101 with the IBC so that the most restrictive rule would always apply in order to avoid conflicts was not possible and unworkable.

Fact: In fact, the drafts of the amended Wisconsin Commercial Building (Chapter 61.03(2)) and Fire Prevention Codes (66.0003(2)), which adopt the IBC and IFC, state, "where rules of the department specify conflicting requirements, types of material, methods, processes or procedures, the most restrictive rule shall govern."

Myth: The DoC claims that the NFPA 1/101 would not work due to compatibility problems with regard to state health care facilities.

Fact: In addition to meeting requirements by the Wisconsin building code, all health care facilities in Wisconsin and, in fact in the United States, are required to meet the provisions of NFPA 101. Further, NFPA 1/101 are the only fire and life safety codes that are being used successfully with all three model building codes in the United States.

Myth: The DoC states that it cannot adopt NFPA 1 because it will undergo numerous changes due to the agreement between NFPA and the Western Fire Chiefs' Association to develop a harmonized fire code.

Fact: The original purpose of the review was to compare the 2000 editions of NFPA 1/101 and the IFC. It makes no sense to cancel a review of these codes based on the fact that the 2003 edition of the NFPA 1/Uniform Fire Code may change. Future editions of all codes are always subject to change. With this rationale, any comparisons of model codes would never take place for fear that the codes might change in a future edition.

In addition, the DoC was conducting comparisons in 1998 based on drafts of the IFC and IBC based on drafts. WSFCA conducted its own comparison on NFPA 1/101 and IFC in 1998, and asked DoC to participate; yet DoC indicated at that time that it had already made the decision to adopt the ICC suite of codes.

Myth: The DoC says it cannot continue using the current Wisconsin building code and fire prevention code because it prevents them from enhancing public safety.

Fact: The current Wisconsin Commercial Building Code has been in existence since 1914. Therefore, DoC has no basis to make claims that public safety cannot be enhanced if it does not immediately adopt the ICC suite of codes. A review of the ICC and NFPA codes will take only two years. Furthermore, the adoption of the ICC suite of codes would do nothing to address the key public safety issues of fire fighter safety and technical provisions regarding existing buildings.

Myth: The DoC has stated that the "Wisconsinisms" (amendments) to NFPA 1/101 would be far too numerous and cause major compatibility problems.

Fact: The fact of the matter is that the proposed amendments to the IFC and IBC are numerous. There are currently over 225 pages of amendments to the ICC suite of codes being considered for adoption.

Myth: According to the DoC, the ICC suite of codes is *the* preferred suite of codes to adopt for Wisconsin.

Fact: The ICC codes do not provide adequate provisions for existing buildings or fire fighter safety. Conversely the NFPA 101 is undisputedly the most comprehensive code in the world addressing existing buildings, which is of paramount concern to the fire service.

In addition, adoption of the ICC codes would come at a significant cost to the taxpayers of Wisconsin. Adoption of the aforementioned NFPA codes would occur at no cost to the taxpayers. NFPA will provide all Wisconsin government enforcers who attend our free training sessions complimentary copies of these documents. This offer not only includes the NFPA 1, 101 and 5000 (Building Code), but also the major reference documents. This no-cost offer will be repeated each time the state adopts updated editions of the codes. In fact, on numerous occasions in the past, NFPA has provided these complimentary services to Wisconsin code enforcers, saving thousands of taxpayers' dollars. In addition to the cost savings, this NFPA service ensures that every jurisdiction in the state, regardless of its size or resources, will have up-to-date codes and receive training from the top experts in the field. No other code organization is willing make this commitment.

Myth: DoC claims that chapter 66 of the draft of the amended Wisconsin fire prevention code, which adopts the IFC, adequately addresses fire fighter safety and retroactivity issues.

Fact: There was absolutely no mention of fire fighter safety in the draft of the amended Wisconsin fire code until the WSFCA met with the DoC to bring this to their attention. Even after the WSFCA expressed these concerns, the DoC provided window dressing to the issue by simply adding the words "fire fighter" under the safety section in the *Purpose of Code* of the amended code. There are no substantive changes to the amended code that properly address the fire fighter safety of the WSFCA.

Conversely, as mentioned earlier, NFPA 101 addresses specific fire fighter safety and retroactivity issues.

Myth: The DoC claims that it strongly supports the Wisconsin fire service and values their input in the code adoption process.

Fact: The actions of the DoC do not support this claim for the following reasons:

- DoC coordinators involved with the code adoption process did not attend the Wisconsin Fire Inspectors' Association Conference. A clear signal that DoC did not value the WFIA's input during this timely discussion of the issues.
- The DoC has cancelled the agreed-upon review of the NFPA 1/101 and IFC codes.
- The membership of the DoC advisory councils is weighted disproportionately to building interests with virtually no representation from the Wisconsin fire service.

- The DoC has used the two percent audit dues in its own interests and against the interests of the Wisconsin fire service. Example: It has used the proceeds from the collection of these dues to attend the ICC conference.
- The DoC made the decision to drop the County Code Seminars to help educate the Wisconsin fire service on critical issues.
- Guidelines provided to the Wisconsin fire service for conducting the fire audits in order to collect the two percent dues are vague and subject to interpretation by DOC.

###



WISCONSIN ASSOCIATION OF CONSULTING ENGINEERS
131 W Wilson St, Suite 502 Madison, WI 53703 608-257-WACE FAX: 608-257-0009
(9223)

February 19, 2001

Senator Judy Robson and Representative Glenn Grothman. Co-chairmen
Joint Committee on Review of Administrative Rules
Wisconsin State Legislature
Madison, WI

RE: Wisconsin Department of Commerce Proposed State Building Code

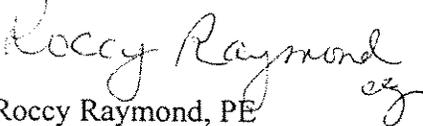
Dear Senator Robson and Representative Grothman:

The Wisconsin Association of Consulting Engineers (WACE) is the business voice of the Wisconsin consulting engineering industry. We represent 64 firms that employ more than 3500 engineers, architects, geologists, and other highly educated and experienced design professionals in the state.

WACE supports the adoption of the International Building Code and the related suite of international model codes as the state building code in Wisconsin. We believe the adoption of the IBC in Wisconsin will enhance state code requirements, improve code understanding, compliance and enforcement. It will help facilitate future code updates and ultimately benefit state consumers.

WACE commends the Safety & Buildings Division staff and members of the advisory code councils for their careful and thorough review of the proposed code provisions. WACE is pleased that our member firms were included in the process. The review has not been an easy task, taking more than three years. We encourage a speedy adoption of the proposed building codes.

WACE encourages the Department of Commerce to allocate sufficient resources for the successful implementation of the proposed code. In addition to funding staff training we encourage the department to allocate resources to provide convenient educational training opportunities for consulting engineers, architects, and other design and construction professionals.


Rocco Raymond, PE
WACE President
Short Elliott Hendrickson



President
Ron De
New Richmond

Wisconsin Builders Association

Dedicated to Preserving and Promoting the American Dream

President-Elect
Chuck Elliott
Madison

Treasurer
Mary Anne
Moore- Church
Appleton

Secretary
Jack Sjoström
Hayward

Vice Presidents

1998-2001

Bob Herke
Oshkosh

Dave Osborne
Madison

Mark Janowski
Green Bay

Mark Ertheim
La Crosse

Keith Weller
Wausau

1999-2002

Judy Carpenter
La Crosse

Mike Marthaler
Eau Claire

George Robak
Greenfield

Esther Stange
Green Bay

2000-2003

Brian McKee
Madison

Jim Leppa
Appleton

Lana Ramsey
Union Grove

Dave Kautza
Antigo

Charlie Johansen
Hayward

Executive
Vice-President
Bill Wendle

Deputy Executive
Vice President
Gerard Deschane

Memorandum

TO: Senator Robson, Representative Grothman and members of the Joint Committee for Review of Administrative Rules

FROM: Jerry Deschane

DATE: February 1, 2001

RE: Wisconsin adoption of the IFC and other ICC codes

WBA Supports the ICC Codes

The Wisconsin Builders Association supports adoption of the International Fire Code, International Building Code, and the other codes that make up the ICC "suite." Our organization has spent hundreds of hours of both volunteer time and paid consultant time, reviewing the proposed codes. We started from a position of opposition to the ICC codes. However, as a result of this long and detailed review, the WBA is convinced that the ICC suite of codes will provide Wisconsin with the best possible combination of public health and safety, while preserving design flexibility for builders.

Wisconsin's code process is fair

Wisconsin's building code development process is one of the most inclusive processes in the country. Eight different citizen councils, made up of representatives of more than 40 different disciplines, have spent the last three or four years reviewing and debating the ICC suite of codes. The Councils are not dominated by any single interest group. Every one of those councils voted to adopt the ICC codes.

This challenge will harm that process

If the Legislature sides with just one of those 40 interest groups, the entire process of building code development is in jeopardy. What incentive, after all, will the Wisconsin Builders Association ever again have to work with firefighters, building inspectors, consumer advocates and others on a compromise code if we can "end run" that process by going to the legislature? Does the legislature truly want to be thrust into the role of jury every time groups disagree over a technical building standard? We submit that is not the right way to develop something as complex as a building code.

Affirm the citizen-input process, take no action

We urge this committee to take no action on the adoption of the ICC codes. Thank you for considering our viewpoint.



NAHB

WI Fire & EMS Legislative Leadership Coalition

February 14, 2001

The Honorable Glenn Grothman
Wisconsin State Assembly
Room 15 North, State Capitol
P.O. Box 8952
Madison, WI 53708-8952

Professional
Fire Fighters of
WI, Inc.

WI Chapter
International
Arson
Investigators
Association

WI Fire Chiefs
Education
Association

WI EMS
Association

WI Fire
Inspectors
Association

WI Society of
Fire Service
Instructors

WI State Fire
Chiefs
Association

WI State
Fire Fighters
Association

Dear Representative Grothman,

As co-chair of the Joint Committee for Review of Administrative Rules, I wanted to take this opportunity to make you aware of the concerns of the Wisconsin Fire & EMS Legislative Leadership Coalition regarding the ongoing debate on adoption of new state safety codes.

Last year, the Coalition, which is made up of the Professional Firefighters of Wisconsin, Inc., the Wisconsin State Fire Chiefs Association, the Wisconsin Fire Inspectors Association, the Wisconsin Fire Chiefs Education Association, the Wisconsin Society of Fire Service Instructors, the Wisconsin Chapter of the International Arson Investigators Association, the Wisconsin State Firefighters Association, and the Wisconsin EMS Association recommended to the Wisconsin Department of Commerce that it adopt the National Fire Protection Association's NFPA 1, *Fire Prevention Code* and its companion document, NFPA 101, *Life Safety Code*.

Since that time, the Department of Commerce has made clear its intentions to adopt the International Code Council's (ICC) version of these codes, the *International Fire Code* as well as the *International Building Code*. Most alarming is the fact that the Department is taking this action despite a vote by the Fire Safety Code Council, an advisory committee to the Department of Commerce, to conduct a complete side-by-side review of both the IFC and NFPA codes before rendering a final decision. In lieu of adoption of the NFPA codes, the Wisconsin fire service strongly supported the action of the Fire Safety Code Council to conduct a comparison of the competing codes.

It is apparent that the Department of Commerce's efforts to fast track adoption of these codes is in complete disregard to the concerns of the Wisconsin fire service. In fact, the Coalition opposes the adoption of these codes because it knows that unlike the ICC, NFPA 1 and 101 are time-tested, proven documents developed by a consensus process with significant fire service input. NFPA 101 is also the most comprehensive code addressing existing properties – which is of paramount concern to the fire service – and it is used in all 50 states.

The Honorable Glenn Grothman
February 14, 2001
Page Two

Members of the Coalition support NFPA's codes and standards because of the unique, inclusive, consensus process used to develop its codes and standards. As a member of NFPA, every person in the state of Wisconsin, including members of the Wisconsin Senate and House, along with their constituents, has the right to fully participate and vote in NFPA's code- and standard-development process. Yet, despite the immense value of the NFPA codes and standards, and the process by which they are developed, the Wisconsin Department of Commerce is taking steps to adopt the fire and building codes developed by the International Code Council (ICC). Even as a member of the ICC, this organization does not allow members of the Wisconsin fire service to vote on its codes. In fact, the ICC only allows government code enforcers – primarily building code officials – to vote during the code development process. In our opinion, the issues affected by safety codes are simply too important to leave in the hands of building code officials alone.

Furthermore, adoption of the ICC codes would come at a significant cost to Wisconsin taxpayers. Adoption of the aforementioned NFPA codes would occur at no cost to the taxpayers. NFPA will provide all Wisconsin government enforcers who attend our free training sessions complimentary copies of these documents. This no-cost offer will be repeated each time the state adopts updated editions of the codes. This ensures that every jurisdiction in the state, regardless of its size or resources, will have up-to-date codes and receive training from the top experts in the field. There really is no other code organization willing to make this commitment.

In summary, we hope that you can participate in the Joint Committee's important hearing on these issues and ask that you support the Wisconsin fire service by opposing the Department of Commerce's actions to fast track the ICC codes. Please urge the Department of Commerce to fairly consider NFPA's fire prevention and building codes by allowing a thorough comparison to determine which codes are truly in the best interest of our citizens. Attached is a fact sheet that that will give you additional information on this matter.

Sincerely,



Richard Gale, Coalition Chairperson
State President
Professional Fire Fighters of Wisconsin, Inc.
2831 S. 114th St.
West Allis, WI 53227

Attachment

Expert advice on fire codes is ignored

By Del Yaroch

As a fire chief in Wisconsin, I see how fire prevention measures and safety codes save lives. Our homes, schools, workplaces and houses of worship are safer now than they have ever been, largely because of safety codes adopted by state and local governments.

Today, however, state Department of Commerce officials are moving forward with an effort to change Wisconsin's fire prevention code. In the process, they are ignoring input from dedicated members of the fire service.

Last year, the Wisconsin State Fire Chiefs' Association, along with a united Wisconsin fire service, recommended to Commerce that it adopt the National Fire Protection Association's NFPA 1, Fire Prevention Code and its companion document, NFPA 101, Life Safety Code. For decades, NFPA has been a leader in educating the public about all aspects of safety and in developing codes and standards that protect all of us.

Despite a strong recommendation from the fire service, Commerce has declared its intent to immediately adopt the International Code Council's version of these codes, the International Fire Code, as well as the International Building Code. It is unfortunate Commerce is taking this action despite a vote of the Fire Safety Code Council, an advisory committee, which asked the department to review available codes before making a decision that will affect everyone in Wisconsin.

Commerce's effort to speed adoption of these untested codes shows complete disregard for the concerns and advice of the Wisconsin fire service and for the countless other experts who rely on sound codes to perform their jobs.

Unlike the ICC's codes, the codes developed by the NFPA have a long history of use and a proven track record. They are grounded in science and well balanced, with input from everyone who has an interest in public safety. It is unconscionable that Commerce should force the ICC codes on fire service members who have recommended adoption of the NFPA codes.

Furthermore, the department is ignoring the potential cost to taxpayers of the new codes. If the state uses NFPA codes, the organization provides free training and complimentary copies of its documents. Each time the state adopts updated editions of these codes, NFPA provides updated, free training. This ensures that every jurisdiction in the state, regardless of size or resources, will have up-to-date codes and receive free training from the top experts in the field. Instead, the codes advocated by Commerce will come at significant costs to the people of Wisconsin.

The department is holding public meetings throughout the state. If you're unable to attend, please submit written comments to Sam Rockweiler, state Department of Commerce, Program Development Bureau, P.O. Box 2689, Madison, Wisconsin 53701-2689.

Yaroch, Beaver Dam's fire chief, is president of the Wisconsin State Fire Chiefs' Association.

Wisconsin Code Adoption Process Key Messages

- The Department of Commerce (DoC) has recently announced its intentions to immediately move forward toward adoption of the *International Fire Code* and *International Building Code*. In fact they are actively seeking a fast track adoption of the IFC and IBC, completely disregarding the concerns of the Wisconsin Fire Service.
- DoC's decision to move forward on adoption of these two codes is a slap in the face to the entire Wisconsin Fire Service, as well as the International Association of Plumbing and Mechanical Officials (IAPMO). The Department of Commerce, led by Mr. Mike Corry, Division Administrator Safety and Buildings Division, has completely refused to accept the position of the Wisconsin Fire Service.
- Approximately 100 NFPA codes and standards are referenced throughout the IFC and IBC. Why then, are the NFPA codes and standards good enough to adopt within the ICC codes, but they are not good enough to adopt as stand-alone documents?
- The Wisconsin Fire & EMS Legislative Leadership Coalition – which includes the organizations listed below – have gone on record as fully supportive of adopting NFPA 1, *Fire Prevention Code*® and NFPA 101, *Life Safety Code*®. Further, these organizations oppose adoption of the *International Fire Code* and the *International Building Code*. At the very least, it is the position of the organizations listed below that a thorough and complete side-by-side comparison of the IFC and the NFPA *Consensus Codes*™ should be completed before any decision is made as to which codes to adopt in the State of Wisconsin.
 - The Wisconsin State Fire Chiefs Association
 - Professional Firefighters of Wisconsin
 - Wisconsin Fire Inspectors Association
 - Wisconsin Fire Chiefs Education Association
 - Wisconsin Society of Fire Service Instructors
 - Wisconsin Chapter of the International Arson Investigators Association
 - Wisconsin State Firefighters Association
 - Wisconsin EMS Association
- The NFPA has an extremely long history of developing fire and life safety codes that are open to all segments of the fire and construction industry for input. Every citizen in the State of Wisconsin has the right to fully participate in the development of NFPA codes and standards, including the right to a final vote on these documents. NFPA 1 is used in 14 states with all three-model codes and has proven compatible in all circumstances. NFPA 101 (the companion document to NFPA 1) is undisputedly the most comprehensive code addressing existing properties – which is of paramount concern to the fire service – and is used in every state in the country.

- All building codes adopt by reference many of the NFPA fire safety specialty codes, such as the National Electrical Code, Flammable & Combustible Liquids Code, Liquefied Petroleum Gases Code, and many others.
- It makes absolutely no sense to adopt ICC codes that will be a significant cost to Wisconsin government and its taxpayers. Conversely, adoption of NFPA 1 and 101, as well as the soon-to-be-developed NFPA 5000, *Building Code*[™] can occur at no cost burden to the taxpayers of Wisconsin. NFPA provides all government enforcers who attend their free training sessions free copies of these documents.
- This no-cost offer will be repeated each time the state adopts updated editions of the codes. This ensures that every jurisdiction in the state, regardless of its size or resources, will have up-to-date codes and receive training from the top experts in the field. No other code organization is willing to make this commitment.
- It is also important to note that NFPA cannot provide free training and documents to NFPA codes and standards that are simply referenced in the ICC codes – if the state chooses to adopt the IBC and IFC.
- Also of great concern to Wisconsin Fire Service members who are active on this issue are the apparent implied threats of retribution concerning audits by DoC as a result of their position to support NFPA codes. At least two members of the fire service who serve on the Fire Safety Code Council have received these warnings. One member has recently received a phone call indicating that he may be the target for a two percent DoC fire dues audit and that he will not pass the audit due to his activities to support NFPA codes.

###

WI Fire & EMS Legislative Leadership Coalition

WI Fire & EMS Legislative Coalition

Proposed Legislation Agreement

The Associations of the WI Fire & EMS Legislative Leadership Coalition support the adoption of the National Fire Protection Association NFPA 1 Fire Prevention Code as the State of Wisconsin Fire Prevention Code. The initial date of signing of this agreement is October 13, 1999.

PROFESSIONAL
FIRE FIGHTERS OF
WI, INC.

Professional Firefighters of Wisconsin, Inc.

Robert J. Gale

WI CHAPTER
INTERNATIONAL
ARSON

INVESTIGATORS
ASSOCIATION

WI Chapter International Arson Investigators

Lawrence Eastman

WI FIRE CHIEFS
EDUCATION
ASSOCIATION

WI Fire Chiefs Education Association

Robert J. Gale

WI FIRE
INSPECTORS
ASSOCIATION

WI Fire Inspectors Association

Juan J. Berro

WI SOCIETY OF
FIRE SERVICE
INSTRUCTORS

WI Society of Fire Service Instructors

Robert W. Laddman

WI STATE FIRE
CHIEFS
ASSOCIATION

WI State Fire Chiefs Association

Donald J. ...

WI STATE
FIRE FIGHTERS
ASSOCIATION

WI State Firefighters Association

...

WI EMS
ASSOCIATION

WI EMS Association

Bernard M. Meeker

WI Fire & EMS Legislative Leadership Coalition

WI FIRE & EMS LEGISLATIVE
LEADERSHIP COALITION
FEBRUARY 9, 2000

The Following is a List of Legislation and Issues the Coalition Has Agreed to Support in
1999 & 2000

PROFESSIONAL
FIRE FIGHTERS OF
WI, INC.

Issue – To Support the Adoption of the National Fire Protection Association NFPA #1 Fire Prevention Code as the State of Wisconsin Fire Prevention Code.

WI CHAPTER
INTERNATIONAL
ARSON
INVESTIGATORS
ASSOCIATION

Issue – To Support the Proposed Statutory Changes Regarding the 2% Fire Dues and the Multi-Family Dwelling Code.

WI FIRE CHIEFS
EDUCATION
ASSOCIATION

AB 114 – Related to Tuition for Children and Spouses of EMT's Killed in the Line of Duty.

AB 116 – Related to Reimbursement to Towns for Fire Calls on State & Federal Highways.

WI FIRE
INSPECTORS
ASSOCIATION

AB 143 & SB 50 – Related to Enforcement of Vehicle Safety Belt Violations.

WI SOCIETY OF
FIRE SERVICE
INSTRUCTORS

AB 168 & SB 67 - Related to Employment Discrimination of Volunteer Firefighters and EMT's (Coalition Supports with exception for Employed Firefighters and EMT's on Duty for any Public Entity)

WI STATE FIRE
CHIEFS
ASSOCIATION

AB 203 - Related to Fire Sprinklers In University of Wisconsin Dormitories.

AB 291 – Related to Certification of First Responders

WI STATE
FIRE FIGHTERS
ASSOCIATION

AB 599 – Related to Allowing Municipalities to Authorize Municipal Fire, EMT's, or First Responder Departments to Deposit, Disburse and Expend Certain Funds.

WI EMS
ASSOCIATION

SB 91 – Related to Access Service Rates Charged to Certain Telecommunications Providers and the proposed Amendment To Use Those Charges To Enhance 911 PSAP's and Dispatch Centers in Wisconsin.

SB 208 - Related to Reimbursement of Costs For Emergency Response Teams



Strategic Plan 2000-2001

Wisconsin State Fire Chiefs' Association

Strategic Plan 2000-2001

Mission Statement:

1. Establish an environment and provide opportunities for emergency service and related professionals to network;
2. Provide political advocacy and leadership;
3. Provide emergency service related information and educational opportunities to and for the membership;
4. Provide members with fellowship opportunities.

Objectives:

Adoption of a Nationally Recognize Fire Code for the State of Wisconsin -
The current method for the development of fire codes in the State of Wisconsin is inconsistent with other states in the Mid-west and other regions of the United States and does not offer an acceptable level of fire safety. It is the intent of the WSFCA to pursue NFPA 1 as the fire code for the State of Wisconsin.

1. Continue the ongoing participation with the Department of Commerce for adoption of NFPA 1 as the model fire code for the State of Wisconsin.
2. Continue to have WSFCA representatives work with the Coalition, Fire Safety Code Council, Commercial Building Code Council, and Multi-Family Dwelling Code Council for adoption of NFPA 1.

Organizational Development - *The Constitution and By-laws is the founding document for the WSFCA. In order for the WSFCA to continue and fulfill its mission as defined above, it will be necessary to periodically review this document to determine its effectiveness and efficiency.*

1. Continue the work of the taskforce in reviewing the effectiveness and efficiency of the offices for the president, first vice president, second president, and their respective terms of office.
2. Review and recommend changes in the Constitution and By-laws of the WSFCA to the membership.

GUEST COLUMN

Expert advice on fire codes is ignored

By Del Yaroch

As a fire chief in Wisconsin, I see how fire prevention measures and safety codes save lives. Our homes, schools, workplaces and houses of worship are safer now than they have ever been, largely because of safety codes adopted by state and local governments.

Today, however, state Department of Commerce officials are moving forward with an effort to change Wisconsin's fire prevention code. In the process, they are ignoring input from dedicated members of the fire service.

Last year, the Wisconsin State Fire Chiefs' Association, along with a united Wisconsin fire service, recommended to Commerce that it adopt the National Fire Protection Association's NFPA 1, Fire Prevention Code and its companion document, NFPA 101, Life Safety Code. For decades, NFPA has been a leader in educating the public about all aspects of safety and in developing codes and standards that protect all of us.

Despite a strong recommendation from the fire service, Commerce has declared its intent to immediately adopt the International Code Council's version of these codes, the International Fire Code, as well as the International Building Code. It is unfortunate Commerce is taking this action despite a vote of the Fire Safety Code Council, an advisory committee, which asked the department to review available codes before making a decision that will affect everyone in Wisconsin.

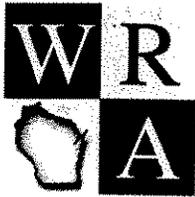
Commerce's effort to speed adoption of these untested codes shows complete disregard for the concerns and advice of the Wisconsin fire service and for the countless other experts who rely on sound codes to perform their jobs.

Unlike the ICC's codes, the codes developed by the NFPA have a long history of use and a proven track record. They are grounded in science and well balanced, with input from everyone who has an interest in public safety. It is unconscionable that Commerce should force the ICC codes on fire service members who have recommended adoption of the NFPA codes.

Furthermore, the department is ignoring the potential cost to taxpayers of the new codes. If the state uses NFPA codes, the organization provides free training and complimentary copies of its documents. Each time the state adopts updated editions of these codes, NFPA provides updated, free training. This ensures that every jurisdiction in the state, regardless of size or resources, will have up-to-date codes and receive free training from the top experts in the field. Instead, the codes advocated by Commerce will come at significant costs to the people of Wisconsin.

The department is holding public meetings throughout the state. If you're unable to attend, please submit written comments to Sam Rockweiler, state Department of Commerce, Program Development Bureau, P.O. Box 2689, Madison, Wisconsin 53701-2689.

Yaroch, Beaver Dam's fire chief, is president of the Wisconsin State Fire Chiefs' Association.



WISCONSIN REALTORS' ASSOCIATION
4801 Forest Run Road, Suite 201
Madison, WI 53704-7337
608-241-2047 • 800-279-1972
Fax: 608-241-2901
E-mail: wra@wra.org
Web site: <http://www.wra.org>

Joan Seramur, CRB, CRS, GRI, President
E-mail: williams@newnorth.net

William Malkasian, CAE, Executive Vice President
E-mail: wem@wra.org

Memorandum

To: All Members of the Wisconsin Legislature
From: Michael Theo and Thomas Larson
Date: February 14, 2001
Re: International Building and Fire Codes (COMM 61- COMM 66)

The Wisconsin REALTORS® Association strongly encourages you to support the immediate passage of the proposed COMM 61- COMM 66, relating to construction and fire prevention for commercial buildings and multi-family dwellings.

Proposed ICC Codes are an Improvement Over Existing Codes – The proposed codes (collectively referred to as “ICC codes”) are a significant improvement over Wisconsin’s existing codes because they provide increased public, worker, and firefighter safety. Moreover, the ICC codes remove inconsistencies between various building and fire codes. Finally, the ICC codes promote the continued use and rehabilitation of existing buildings.

Most of Wisconsin’s building and fire codes are antiquated and fail to recognize many of the more recent advances in building and safety design. Because the ICC codes have been developed as a package, the internal inconsistencies between the codes have been virtually eliminated. This approach not only provides safety, it will promote compliance.

Proposed ICC Codes Have Overwhelming Support – Most states throughout the country have adopted building codes developed by ICC organizations. In fact, two of our neighboring states (Minnesota and Michigan) are in the process of adopting the ICC suite of codes currently being considered by Wisconsin. After conducting a 3-year review of the ICC codes, eight different advisory councils have recommended that the Department of Commerce adopt the ICC suite of codes. Over 40 separate organizations representing the building industry, property owners, fire departments, municipalities, and environmental organizations all support the adoption of the ICC suite of codes, including Associated General Contractor of Wisconsin, the American Institute of Architects – Wisconsin Society, the League of Wisconsin Municipalities, Milwaukee and Madison building and fire inspection enforcement departments, and the 1000 Friends of Wisconsin.

NFPA and Other Retroactive Codes Would Have A Devastating Impact on Existing Property Owners and Communities – Opponents of the ICC codes have failed to raise any technical objections to the ICC codes, except that the ICC codes do not apply retroactively to existing buildings. Accordingly, they have recommended that Wisconsin adopt the NFPA fire and building codes (to be completed in the year 2004), which would be retroactive.

-- MORE --



REALTOR® is a registered mark which identifies a professional in real estate who subscribes to a strict Code of Ethics as a member of the NATIONAL ASSOCIATION OF REALTORS®

Besides the obvious safety risks of postponing adoption of a new code for 3 years, a retroactive building or fire code would have a devastating impact on existing property owners and property values. Every time a code was modified, even slightly, owners of existing buildings would be required to rehabilitate the structures and retrofit them to comply with the new changes. Consider the costs to property owners throughout the state if they, for example, were required to remove their fully-operational, existing sprinkler systems and replace them with new sprinkler systems simply because the recommended water pipe diameter for sprinkler systems was changed from 3/8" to 1/2". Due to the exorbitant costs associated with the retroactive application of these codes, property owners will have a financial disincentive to rehabilitate and reuse existing buildings, which will ultimately lead to disinvestments in our urban communities.

Municipalities May Adopt Additional Fire Codes and Building Codes – Like Wisconsin's existing commercial building and fire prevention codes, the ICC codes would be "minimum" codes. This provides local units of government with the authority to adopt additional provisions, including those contained in the NFPA codes, as part of their local building codes. With this ability, we believe Wisconsin should proceed without delay in adopting the ICC codes.

For these reasons, we request your support for the adoption of the ICC Codes. If you have any questions, please feel free to contact us.

STEVENS POINT

1701 FRANKLIN STREET
715-344-1833



FIRE DEPARTMENT

STEVENS POINT, WI 54481
FAX: 715-346-1599

MARK L. BARNES
FIRE CHIEF

February 24, 2001

Honorable Judith Robson, State Senator
Room 15 S. State Capital
PO. Box 7882
Madison, WI. 53707-7882

Honorable Glenn Grothman, Representative
Room 15 N. State Capital
PO. Box 8952
Madison, WI. 53708-8952

REF: Adoption of ICC vs. NFPA State Fire Code - Joint Committee for Review of Administrative Rules.

Dear Senator Robson and Representative Grothman:

I am writing to express my sincere appreciation of the efforts you and the Joint Committee for Review of Administrative Rules (JCRAR) undertook on behalf of the majority of Wisconsin's fire service. I had the pleasure of personally attending the February 20th meeting, as did many other Fire Chiefs.

It was impressive to witness your committee's insight into the lack of responsiveness that my profession has recently received from the administrative side of state government. JCRAR clearly recognized that the difficulty the Department of Commerce (DoC) has encountered in adopting a new State fire code was not the disease – but only a symptom. The true affliction is their failure to design a genuinely meaningful and positive relationship with the fire service.

Early after my arrival in Wisconsin, I was saddened to learn of the belief held by many fire chiefs that DoC was intending to bend our opinion in this matter by holding the allocation of 2% dues as hostage. Your committee clearly addressed this belief as well as laid the groundwork if such an effort was to ever be considered. Once again, thank you.

Looking from the other side of the table, I suspect that DoC is reeling from this encounter. It must be frustrating for them to attempt to make a needed change only to run headlong into a brick wall. But this also speaks to the lack of authentic representation. Had they sought and supported both quantitative and qualitative representation of this profession, I theorize that this whole episode would have been avoided (admittedly, hindsight is 20/20).

I look forward to continuing to actively participate in measures that support our citizens and the grassroots profession that is dedicated to protecting them.

Sincerely,

Mark L. Barnes, Fire Chief

C: Senators Shibilski, Grobschmidt, Hansen, Schultz, and Cowles.
Representatives Grothman, Seratti, Gunderson, Kreuser, and Turner.
Chief David Bloom, WSFCA Legislative Liaison.

EMERGENCY MEDICAL SERVICES • FIRE PREVENTION • FIRE SUPPRESSION • TANK INSPECTIONS

WEBSITE: www.ci.stevens-point.wi.us/fire

STEVENS POINT

1701 FRANKLIN STREET
715-344-1833



FIRE DEPARTMENT

STEVENS POINT, WI 54481
FAX: 715-346-1599

MARK L. BARNES
FIRE CHIEF

February 24, 2001

Honorable Judith Robson, State Senator
Room 15 S. State Capital
PO. Box 7882
Madison, WI. 53707-7882

Honorable Glenn Grothman, Representative
Room 15 N. State Capital
PO. Box 8952
Madison, WI. 53708-8952

REF: Adoption of ICC vs. NFPA State Fire Code - Joint Committee for Review of Administrative Rules.

Dear Senator Robson and Representative Grothman:

I am writing to express my sincere appreciation of the efforts you and the Joint Committee for Review of Administrative Rules (JCRAR) undertook on behalf of the majority of Wisconsin's fire service. I had the pleasure of personally attending the February 20th meeting, as did many other Fire Chiefs.

It was impressive to witness your committee's insight into the lack of responsiveness that my profession has recently received from the administrative side of state government. JCRAR clearly recognized that the difficulty the Department of Commerce (DoC) has encountered in adopting a new State fire code was not the disease – but only a symptom. The true affliction is their failure to design a genuinely meaningful and positive relationship with the fire service.

Early after my arrival in Wisconsin, I was saddened to learn of the belief held by many fire chiefs that DoC was intending to bend our opinion in this matter by holding the allocation of 2% dues as hostage. Your committee clearly addressed this belief as well as laid the groundwork if such an effort was to ever be considered. Once again, thank you.

Looking from the other side of the table, I suspect that DoC is reeling from this encounter. It must be frustrating for them to attempt to make a needed change only to run headlong into a brick wall. But this also speaks to the lack of authentic representation. Had they sought and supported both quantitative and qualitative representation of this profession, I theorize that this whole episode would have been avoided (admittedly, hindsight is 20/20).

I look forward to continuing to actively participate in measures that support our citizens and the grassroots profession that is dedicated to protecting them.

Sincerely,

Mark L. Barnes, Fire Chief

C: Senators Shibilski, Grobschmidt, Hansen, Schultz, and Cowles.
Representatives Grothman, Seratti, Gunderson, Kreuser, and Turner.
Chief David Bloom, WSFCA Legislative Liaison.

COPY

17 February 2001

State Representative Glenn Grothman
Wisconsin Assembly
P.O. Box 7882
Madison, Wisconsin 53705-7882

RE: Wisconsin Department of Commerce
Proposed State Building Code
(JCRAR) Review – COMM 61-COMM 66

Dear Representative Grothman;

In your position as a decision maker on the above proposal, may I make a comment ?

As a member of the Architectural profession of Wisconsin, serving as an apprentice since 1953, and as a registered architect since 1961, may I suggest you join me in support of the issue of this bill's support ?

The Code as presently drafted, incorporates the International Building Codes (Building, Energy Conservation, Mechanical, and Fire Codes).

This has been thoughtfully and conscientiously developed over the past three years, by representatives of the building professions. Carefully coordinated and complimentary to each disciplines part.

We feel that these efforts recommend the public's trust, you have accepted, and are faithfully executing

We know that your concern for the public welfare and safety of your constituency will be apparent by its approval.

We are certain that the adoption of this Code will be a benefit to the Citizens of the State.

Cordially,



THOMAS K. NISBET, AIA, Architect
NISBET/ARCHITECTS

Grimm, Maggie

From: Rhoades, Kitty
Sent: Friday, February 16, 2001 11:07 AM
To: Rep.Grothman
Subject: FW: SSI Overpayments

Glen – FYI I had to forward this in order to “meet my commitment to the local guy”. Thanks Kitty

-----Original Message-----

From: Chuck Balzer [<mailto:cbalzer@co.pierce.wi.us>]
Sent: Wednesday, February 14, 2001 9:37 AM
To: Rhoades/ Kitty (E-mail)
Subject: SSI Overpayments

Good Morning Kitty: I was copied in on the SSI overpayment and collection issue. I'm assuming this only deals with the Wisconsin supplement of the SSI payment. We have wondered at this end ever since the Department contracted the management of this function out to EDS when they would start looking at their books and become concerned with the erratic payment histories.

Although I can understand the Dep't wants to get its overpayments back it might be a good lesson in outcome-based management to get the figures right from the front end and not put the burden on the people who may have marginal intelligence and money-management skills.

Thanks for your interest in this matter, Chuck Balzer, Pierce County DHS