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(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

**2005-06**

(session year)

**Assembly**

(Assembly, Senate or Joint)

**Committee on Colleges and Universities...**

### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

\* Contents organized for archiving by: Stefanie Rose (LRB) (November 2012)



Registrations Against

- None.

October 4, 2005

**EXECUTIVE SESSION HELD**

Present: (10) Representatives Kreibich, Ballweg, Underheim, Nass, Jeskewitz, Towns, Shilling, Schneider, Black, Molepske.

Absent: (2) Representatives Lamb and Boyle.

Moved by Representative Underheim, seconded by Representative Shilling that **Assembly Amendment 2** be recommended for introduction.

Ayes: (6) Representatives Kreibich, Ballweg, Underheim, Nass, Shilling and Molepske.

Noes: (4) Representatives Jeskewitz, Towns, Schneider and Black.

Absent: (2) Representatives Lamb and Boyle.

INTRODUCTION OF ASSEMBLY AMENDMENT 2  
RECOMMENDED, Ayes 6, Noes 4

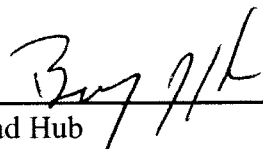
Moved by Representative Schneider, seconded by Representative Shilling that **Assembly Bill 544** be recommended for passage as amended.

Ayes: (9) Representatives Kreibich, Ballweg, Underheim, Jeskewitz, Towns, Shilling, Schneider, Black and Molepske.

Noes: (1) Representative Nass.

Absent: (2) Representatives Lamb and Boyle.

PASSAGE AS AMENDED RECOMMENDED, Ayes 9, Noes 1

  
\_\_\_\_\_  
Brad Hub  
Committee Clerk

## Vote Record

### Committee on Colleges and Universities

Date: OCT 4 2005

Bill Number: 544

Moved by: Shubin

Seconded by: Shilling

Motion: Passage

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative Rob Kreibich, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Joan Ballweg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Stephen Nass	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Suzanne Jeskewitz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Debra Towns	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Andy Lamb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jennifer Shilling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Marlin Schneider	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Spencer Black	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Frank Boyle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Louis Molepske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>9</u>	<u>1</u>	<u>—</u>	<u>—</u>

Motion Carried

Motion Failed

# Vote Record

## Committee on Colleges and Universities

Date: OCT 4 2009

Moved by: Towns

Seconded by: Nass Am 1

AB 544 SB \_\_\_\_\_

Clearinghouse Rule \_\_\_\_\_

AJR \_\_\_\_\_ SJR \_\_\_\_\_

Appointment \_\_\_\_\_

AR \_\_\_\_\_ SR \_\_\_\_\_

Other \_\_\_\_\_

A/S Amdt \_\_\_\_\_

A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_

A/S Sub Amdt \_\_\_\_\_

A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

A/S Amdt \_\_\_\_\_ to A/S Amdt \_\_\_\_\_ to A/S Sub Amdt \_\_\_\_\_

Be recommended for:

- Passage       Adoption       Confirmation       Concurrence       Indefinite Postponement
- Introduction       Rejection       Tabling       Nonconcurrence

Committee Member

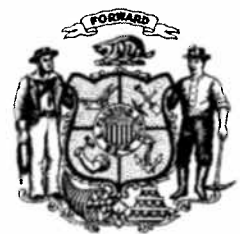
	<u>Ave</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative Rob Kreibich, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Joan Ballweg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Stephen Nass	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Suzanne Jeskewitz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Debra Towns	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Andy Lamb	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Jennifer Shilling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Marlin Schneider	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Spencer Black	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Frank Boyle	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Louis Molepske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Totals:</b>	<u>6</u>	<u>4</u>	_____	_____

Motion Carried

Motion Failed



WISCONSIN STATE LEGISLATURE



## Hub, Brad

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**From:** Lindstedt, Daniel  
**Sent:** Friday, June 24, 2005 8:26 AM  
**To:** Hub, Brad  
**Cc:** 'annie@martinschreiber.com'  
**Subject:** Sprinkler bill

Brad:

Tried getting in touch with you yesterday to let you know that I spoke with Robin Kite at the LRB who drafted the sprinkler bill. She said that it's easiest if you call her yourself to request a jacket for an assembly companion.

Here are the names of co-sponsors:

### **SENATE**

Brown  
Olsen  
Risser  
Lassa  
Plale

### **ASSEMBLY**

Kreibich  
Krawczyk  
Hines  
Ott  
McCormick  
Molepske  
Lamb  
Vruwink  
Cullen  
Schilling

Let me know if you have any questions or need anything else.

- Dan

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#### **Daniel Lindstedt**

Clerk, Senate Committee on Veterans, Homeland Security,  
Military Affairs, Small Business and Government Reform

#### **Office of State Senator Ron Brown**

State Capitol, Room 409 South  
Madison, WI 53707-7882  
(608) 266-8546 (o)  
(608) 267-2871 (f)

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Alpha Gamma Rho



University of Wisconsin

Iota Chapter

July 24, 2005

Robin G. Kreibich, Representative  
Wisconsin State Capitol  
Room 107 West  
P.O. Box 8952  
Madison, WI 53708-8952

Dear Representative Kreibich,

Recently, I was informed of your support for Assembly Bill 544 (sprinkler systems) and, in general, I support the idea. However, our fraternity simply cannot afford the estimated \$100,000.00 cost for the installation of an automated fire sprinkler system. Alpha Gamma Rho is an agricultural fraternity that was founded in 1916 and to this day its members are the brightest and best of Wisconsin's farm boys. It has been an important part of the lives of many of Wisconsin's agri-business leaders and I hope this tradition continues. We operate completely from the student rents we receive in order to pay property taxes, maintenance and capital improvements. Federal tax regulations do not allow alumni tax-deductible donations for capital safety improvements, i.e. automated fire sprinklers.

However, if alumni were allowed tax-deductible donations for building improvements, we could solicit the necessary funds for a sprinkler system. From past experience I have found that our alumni do not write checks to funding requests unless their donations are tax deductible.

Currently, the U.S. Senate and House of Representatives have sponsored proposals (H.R. 1548/S.713) that would allow tax-deductible donations for housing improvements to Not-for-Profit Student Housing. Existing federal tax regulations allow for alumni donations to the University of Wisconsin to be used for housing, but they do not allow the same for non-profit fraternities or sororities.

I ask for your support of **Federal Legislation H.R. 1548/S.713** that would create equity and a new source of funding for our fraternity and in return I will fully support your Senate Bill 250.

I look forward to hearing your thoughts on this progressive issue and would be most willing to meet with you to further discuss the financial impact on our fraternity's operating budget.

Sincerely,

Bill E. Hantke  
Alumni Secretary / Treasurer  
Alpha Gamma Rho Fraternity  
608-442-7294  
behanke@att.net

## ***The Collegiate Housing and Infrastructure Act (H.R. 1548/S.713)*** ***Preserving the Future of Not-for-Profit Student Housing***

***Our Growing Population of College Students Needs Safe, Modern and Affordable Housing.*** Rising enrollment is creating severe housing shortages on college campuses nationwide, with many institutions forced to put students into private hotels, dormitory lounges and triple resident rooms. Post-secondary enrollment will increase 15% from 1999-2011 as a "baby boomlet" peaks in 2008, when 2.1 million students will be enrolled in colleges and universities nationwide.

***Greek Housing is a Key Source of Collegiate Housing.*** The housing shortage would be even worse without fraternities and sororities, who are the nation's largest not-for-profit student landlords, operating several billion dollars in housing for more than 250,000 students each year at no cost to the host institutions. Fraternal housing, like the housing provided by host institutions, offers students a living and learning environment designed to promote academic and personal enrichment.

***Collegiate Housing Capacity and Safety Need to be Upgraded.*** Life safety upgrades are the top challenge facing fraternal housing, as their smaller and older living spaces have twice the injury rate of other campus fires and significantly higher rates of property losses. Studies show that 80% of fatalities in student housing fires since 2000 have occurred in off campus housing such as fraternities and sororities where a majority of students live. The April 10, 2005 house fire at Miami (OH) University that killed three students, and the August 2004 fire at the Alpha Tau Omega house at the University of Mississippi, which also resulted in the deaths of three students, are the latest in a series of preventable tragedies.

***The Current Tax Code Hinders Modernization and Safety of Some Student Housing.*** The federal income tax code allows colleges and universities to use tax deductible contributions for infrastructure improvements to classrooms, laboratories, dormitories, meeting areas and dining facilities, but forbids contributions to fraternity and sorority foundations to be used to make similar infrastructure improvements to student housing, meeting areas and dining facilities.

***The Time Has Come for Equitable Treatment.*** There is no good policy reason for distinguishing between gifts made to colleges and universities for infrastructure improvements and gifts made to fraternities and sororities for the benefit of similarly situated students. The **Collegiate Housing and Infrastructure Act of 2005 (H.R. 1548/S.713)** erases this disparity and allows tax deductible contributions to fraternity and sorority foundations to be used for the same purposes that a college or university could use such contributions (except for physical fitness equipment). In the 108<sup>th</sup> Congress, the Collegiate Housing and Infrastructure Act was included in the Charitable Giving Act of 2003 that passed the House by a 408-13 margin. The 2005 version of the Collegiate Housing and Infrastructure Act is the same as the language within the Charitable Giving Act of 2003 that passed the House in the last Congress.

### **Passing the Collegiate House and Infrastructure Act would:**

- ***Encourage new charitable contributions to improve current collegiate housing***, thereby preserving and upgrading existing housing capacity and helping construct the new housing capacity needed to accommodate rapidly growing student populations.
- ***Result in safer student housing*** by enabling fraternities and sororities to fund the installation of modern life safety equipment such as fire sprinklers, smoke detectors and alarm systems.
- ***Promote a private-sector solution*** to protect and preserve public investments in higher education institutions and the students themselves.

## *Today's Fraternal Groups Are Home to Tomorrow's Leaders*

The Greek system offers college students unparalleled academic, community and leadership development experiences. While it is fashionable for the media to highlight negative stereotypes and focus on an occasional misdeed, the reality is Greek life remains a positive influence for our members, colleges and communities. Three associations oversee 101 fraternities and sororities with 750,000 undergraduate members at 12,000 chapters:

- **The North-American Interfraternity Conference (NIC)** represents 66 fraternities with 350,000 undergraduate members and 4.2 million living alumni.
- **The National Panhellenic Conference (NPC)** coordinates 26 autonomous sororities with 250,000 undergraduate members and 3.5 million alumnae.
- **The National Pan-Hellenic Council (NPHC)** represents nine African-American fraternities and sororities with 5,500 chapters and 1.6 million living alumni/alumnae.
- ***We have 9 million members, including 153 Members of the House and Senate.***

***We are the most successful leadership development program for college students.*** Our members manage organizations of up to 200 members, with housing facilities and operating budgets that run into the mid-six figures. Financial management, conflict resolution, public relations, effective goal setting and basic democratic principles are everyday lessons for our members. Our comprehensive leadership programs teach values-based management skills to our members. ***Our members graduate with the management and interpersonal skills needed to excel in today's society.***

***We are the nation's largest network of young volunteers.*** Fraternity and sorority members are committed to improving the world in which we live. We provide 10 million hours of volunteer service a year. We mentor at-risk students, raise funds for medical research, offer aid at senior citizen facilities, build homes for the poor and collect food for the homeless. ***Our emphasis on service learning prepares members for a lifetime of community involvement.***

***We are the largest, most visible and most active values-based organizations on college campuses.*** We all share a common code of friendship, service and the pursuit of excellence. Every fraternity and sorority is guided by founding principles and values that serve as a moral beacon for its members. We use educational programming to help members incorporate these principles and values into their daily lives. ***Our emphasis on values helps college students form the moral foundation for their future actions.***

***We are the nation's largest not-for-profit student landlord.*** Our housing is a classic American melting pot where members from different cultures, religions and experiences live and work together on a daily basis. We own and manage \$3 billion in student housing at no cost to the American taxpayers. We house 250,000 students a year in 8,000 facilities with a replacement cost and capacity that universities cannot afford to bear. Our houses operate almost exclusively on student rents and we do not have the ability to raise tax-deductible funding for important life-safety capital improvements. ***Our members have a better understanding and appreciation of the diverse cultures, workplaces and communities that await them after graduation.***





**TO:** Chairman Rob Kreibich and Members, Assembly Colleges and Universities Committee

**FROM:** Ray Barrows, Managing Director, Operations

**DATE:** September 6, 2005

**RE:** Statement from University Partners, owner Private Residence Halls of Madison

As a private developer and owner of student housing facilities, the safety of our residents is our primary concern. To uphold our mission of providing the highest-quality student housing available, we abide by the nation's most rigid fire-safety regulations at all of our 20 properties. As part of our development or acquisitions process, we install fire sprinklers in all of our communities. We believe sprinklers are a worthwhile expenditure, as they offer not only an additional element of protection for our residents, but also for our structural investment.



**Testimony  
Wisconsin AB 544  
Ed Comeau, Director  
Center For Campus Fire Safety  
September 6, 2005**

Good day Chairman Kreibich and members of the Assembly Colleges & Universities Committee. My name is Ed Comeau. I am the director of the Center for Campus Fire Safety, a non-profit educational and advocacy organization that is devoted to reducing the loss of life from fire at our nation's campuses. I am the publisher of a monthly newsletter, Campus Firewatch, which focuses on campus fire safety issues and the author of the chapter on campus fire safety for the National Fire Protection Association's Fire Protection Handbook. I created and maintain the campus fire safety website for the US Fire Administration and I have produced several student fire safety videos. I am the former chief fire investigator for the National Fire Protection Association and was responsible for overseeing and investigating a number of significant incidents across the globe, including several in residence halls and Greek housing. I have written and presented extensively on the topic of campus fire safety.

Campus fire safety is a serious concern across the nation. Since January, 2000, according to information compiled by the Center, 75 people have died in student housing with 75% of the fatalities occurring in off-campus housing. There have been four common factors in a number of these fatal fires, including:

- A lack of automatic fire sprinklers
- Missing or disabled smoke alarms
- Careless disposal of smoking materials
- Alcohol consumption

The tragic fire at Seton Hall University in 2000 that claimed the lives of three freshmen was a watershed moment and brought campus fire safety to the forefront. Since that time, legislation has been introduced and passed in a number of states and local communities calling for the installation of automatic sprinklers in student housing, among other requirements. This year, four bills focusing on campus fire safety have been introduced in Congress, including one that designates September as Campus Fire Safety Month, and a number of states have also issued similar proclamations. Additional legislation includes the Campus Fire Safety Right-to-Know Act, the College Fire Prevention Act and the Fire Sprinkler Incentive Act.

**Testimony  
Wisconsin AB 544  
Ed Comeau, Director  
Center For Campus Fire Safety  
September 6, 2005**

To address the complex issues of campus fire safety, the Center supports a three-pronged approach that includes:

- Prevention
- Detection
- Suppression

Each of these components is intertwined and is equally important when it comes to developing a comprehensive fire safety strategy. Without any one of them, the strategy will fail.

Prevention involves teaching students what they can do to stop a fire from breaking out, how to protect themselves from fire and what to do if one should occur. Prevention also includes educating parents on how to select a fire-safe school for their children. The federal Campus Fire Safety Right-to-Know Act will call upon schools to report the level of fire safety to the U.S. Department of Education which will be instrumental in helping to create a better-informed consumer when it comes to choosing a school.

Detection is a critical component to alerting the occupants so that they can escape from the building. The detection component also allows the occupants or the fire alarm system to notify the fire department so that it can begin responding as soon as possible.

The final component is that of Suppression and there are several methods by which the fire can be extinguished.

The occupants can use a fire extinguisher, but only if the fire is relatively small-no larger than a wastebasket. This also relies on the occupants already knowing how to use a fire extinguisher and one being readily available and in working order. Since this method depends upon human behavior that includes training, preparedness and ability, it can be a somewhat unreliable and unpredictable method.

Another method of manual suppression is by the fire department. Fire departments are well trained, equipped and prepared to extinguish a fire and do so many times each day. However, an important consideration is that it takes time for any fire department to respond. The fire must first be detected and the alarm sounded. Then the call has to be made to 911, the fire fighters have to respond to the alarm and start the fire attack. From the time that the fire breaks out until water is actually applied to the fire can be 10, 15, 20 minutes or more. During this time the fire is



**Testimony  
Wisconsin AB 544  
Ed Comeau, Director  
Center For Campus Fire Safety  
September 6, 2005**

growing and endangering the occupants and destroying the building. For a high-rise building, this window of time can be even longer because of the efforts needed to reach a fire burning many stories above the ground.

Automatic suppression by a fire sprinkler system is one of the most effective methods of controlling a fire. A sprinkler system does not rely upon any human intervention and it will put water onto the fire, either controlling it or extinguishing it, within minutes if not seconds. Smoke inhalation is the leading cause of fire fatalities, and when the fire is extinguished, smoke production stops. When the fire is extinguished, the danger to the occupants is eliminated.

Fire fighter safety is significantly improved in a sprinklered building because they no longer need to enter a building that is on fire to rescue the victims and extinguish the fire. Quite simply, fire fighters do not have to place their lives on the line in a sprinklered building.

Parents rarely, if ever, think about fire safety when selecting a school. When it is brought up, they often assume that the residence halls are sprinklered and that the schools are doing the best possible to protect their children.

Sadly, this is often not the case. Because of the horrific fatal hotel fires in Las Vegas in the 1980s, the hospitality industry launched an aggressive program to equip their properties with sprinkler systems and state-of-the-art fire alarm systems. In many cases, the traveling public is better protected than students living in residence halls across the country.

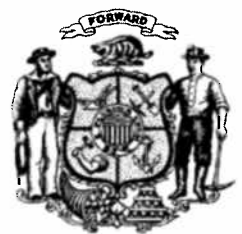
I have seen, firsthand, the results of fatal fires. I have talked with the parents that have lost children in fires. I have spoken with survivors of fires. What we are discussing today is not an academic issue of numbers or statistics. What we are talking about is protecting our children, our future. I cannot imagine a greater loss than the death of one of my sons, especially if it was from something that could have been easily prevented.

I strongly urge you to favorably consider the bill before you. Unquestionably, sprinkler systems save lives. Through your action you can play a vital leadership role in protecting the citizens of Wisconsin and joining the growing number of states that recognize the value and importance of sprinklers in saving lives.

Thank you for your attention.



# WISCONSIN STATE LEGISLATURE



Alpha Gamma Rho



University of Wisconsin

Iota Chapter

September 6, 2005

**Representatives and Senators  
Wisconsin State Legislature**

My name is Bill Hantke and I am the Alumni Secretary / Treasurer of the Alpha Gamma Rho Fraternity at the University of Wisconsin in Madison. Alpha Gamma Rho is an agricultural fraternity that was founded in 1916 and to this day its members are the brightest and best of Wisconsin's farm boys. It has been an important part in the lives of many of Wisconsin's agri-business leaders and I hope this tradition continues. Our fraternity operates completely from the student rents we receive in order to pay property taxes, maintenance and capital improvements.

In general, I support **Wisconsin Assembly Bill 544 / Senate Bill 250** requiring the installation of an automated fire sprinkler systems in fraternities and sororities. However, our fraternity simply cannot afford the estimated \$80,000.00 cost for the installation. There would be minimum insurance savings, as insurance companies see a sprinkler system as an additional cost item created from the increase in water damage claims. Our possible insurance costs savings of \$1000.00 / year would result in an 80 year return on capital investment, not including yearly inspection and maintenance costs.

In order to fund a sprinkler project we would have to rely on our alumni for donations. We have found that our alumni do not write checks for a funding request unless their donations are tax deductible. Currently, the Federal tax regulations do not allow alumni tax-deductible donations for capital safety improvements (i.e. automated fire sprinklers).

The U.S. Senate and House of Representatives are considering proposals (H.R. 1548/S.713) that would allow tax-deductible donations for housing improvements to Not-for-Profit Student Housing. Existing federal tax regulations allow for alumni donations to the University of Wisconsin to be used for housing, but they do not allow the same for non-profit fraternities or sororities. I ask for your support of proposed **Federal Legislation H.R. 1548 / S.713** that would create equity and a new source of funding so that our fraternity could install an automated fire sprinkler system.

Bill E. Hantke  
Alumni Secretary / Treasurer  
Alpha Gamma Rho Fraternity  
University of Wisconsin - Madison  
608-442-7294  
behanke@att.net





hilb rogal & hobbs

HRH/Kirklin & Co., LLC.

P.O. Box 540673  
Omaha, NE 68154  
) 800-736-4327  
) 402-498-0464  
800-328-0522  
www.kirklin.com

September 6, 2005

Chairman Rob Kreibich and Members,  
Assembly Colleges & Universities Committee

**RE: AB 544**

Dear Chairman Kreibich and Members:

Thank you for the invitation to attend the legislative hearing concerning the pending bill before the Wisconsin legislature mandating fire sprinklers in Greek housing at institutions of higher education in the State of Wisconsin. Unfortunately, the recent catastrophe in Louisiana, Mississippi and Alabama make my personal attendance impossible.

For those not familiar with the agency I work for, I will provide a brief background. HRH/Kirklin & Co., LLC is a wholly owned subsidiary of Hilb, Rogal & Hobbs, a nationwide insurance brokerage. Our office is based in Omaha, NE. Since 1991, we have been dedicated to serving the insurance and risk management needs of student organizations, with a specific emphasis in Greek organizations. We currently place General Liability insurance for our 120 Greek organizations ranging from national fraternities and sororities to local unaffiliated Greek organizations. In addition, we place property insurance coverage for over 1300 chapter owned or leased properties across the United States through the Fraternal Property Management Association. This represents over \$1 Billion dollars in total insured value.

As a result of the dedication of our agency to this market, we have an in depth knowledge of the risks confronting these organizations and work with them in an effort to reduce the exposure each present. Needless to say, the peril of fire represents a catastrophic exposure in terms of loss of life and property to fraternities and sororities. Last year this was proven when the Alpha Tau Omega chapter house at University of Mississippi experienced a tremendous fire resulting in the loss of three young lives. While we may never know for sure if these lives would have been spared if a fire sprinkler system was in place, we do know:

1. There has never been a death in a fraternity and sorority house which was protected by a fire sprinkler system.
2. Only 11% of fraternity and sorority houses in the United States are protected by a fire sprinkler system.


The easiest way to demonstrate the impact fire sprinklers can have is comparing the ultimate cost of the property damage associated with a fire at a fraternity houses with fire sprinkler systems and those without.

1. The average paid for fire damage to fraternity properties protected by a fire sprinkler is \$78,000 compared to \$238,000 for properties without a fire sprinkler system.
2. In reviewing loss data since 2002, there has never been a fire at a chapter house protected by a fire sprinkler system that exceeded \$250,000 while seven fires at chapter houses not protected by a fire sprinkler system exceed this amount, with three exceeding \$1,000,000 in damages.
3. All fires reported where a fire sprinkler system was present were contained to one room.
4. Sixty-one 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.

Our property insurance program has offered a significant premium discount for Greek properties protected by fire sprinkler systems designed to meet NFPA 13 R installation standards. In 2003, in an effort to encourage more facilities to install fire sprinkler systems, we convinced our underwriter to offer an enhanced discount for newly installed systems. As a result of the agreement, we now offer a Greek organization a discount of 50% of the property premium for two years following the installation of a system. After the first two years, the standard 30% discount is provided annually contingent the system is inspected and serviced on an annual basis.

The enhanced discount has had a material affect on the number of sprinkled Greek properties electing to participate in our program. Prior to 2003, of the 1100 properties that participated, less than 20% were protected by a fire sprinkler system. At the 2005 renewal of our program, the number of insured locations grew to 1300 properties with over 27% qualifying for the discount.

The possibility of saving lives, real property and insurance premiums seem to indicate mandating the installation of fire sprinkler systems the right thing to do. I would, however, do a disservice to my clients if I did not point out that such organizations are not-for-profit entities and the mandates will create a significant financial challenge that many will not be able to overcome. Under the current US Tax Code, a Greek organization's educational foundation can use tax deductible donations to install sprinkler systems in areas deemed to be exclusive educational space. For an example, an Educational Foundation of a Greek organization could use its funds to buy computers, build a multimedia lab and install fire sprinklers in the lab but it could not use these funds to install fire sprinklers in other common areas of the property or tenants' suites. On the other hand, if a university or college doesn't use tax dollars to build dorms and retrofit existing dorms with fire sprinklers, they can use 100% tax deductible donations to meet the financial obligation. Not only does the current tax code discriminate against the largest not-for-profit landlords in the country, it seemingly puts more value on computer hardware, desks and books than the lives of the tenants who will use them.



Our experience with the retro fitting of existing facilities can cost as much as \$50,000 - \$75,000 for a facility with a replacement cost value of \$1,000,000. Assuming a 50% discount in property insurance premium for the first two years and 30% in the third, an organization incurring the expense of retrofitting a building will only realize a savings in property insurance premiums of \$9,650.00. Most Greek organizations purchase liability insurance through a national sponsored program, which requires participation by local affiliates. As such, most insurance companies willing to underwrite the risk will not provide a material premium reduction unless all owned or occupied properties are protected by fire sprinkler systems. This simply means the only savings an organization will realize is a reduction in their property insurance premium.

I encourage any one who deems the necessity to include fraternities and sororities in this bill to also address the issue of how these organizations fund the installation of fire sprinkler systems. This can be done in a variety of ways. Zero interest loans offered through the state, grants from tax dollars paid by our already overburden tax paying citizens or strong lobbying to convince the congressmen, congresswomen and senators of Wisconsin to sign on as supporters of the Collegiate Housing Act, HR Bill 1548 and Senate Bill 713. These proposed bills would allow educational foundations to use donations to improve the fire safety of their entire facilities not only for their areas deemed educational space.

It is a private solution to a public problem. If such mandates are passed without consideration for assistance for fraternities and sororities in funding these costly improvements, it will result in a number of the properties closing. With the current housing shortage on a number of campuses across the country, universities and colleges will not be able to meet the housing needs of the displaced students. This will require they seek housing from private for profit landlords who own properties that are not covered under bills such as the one currently before each of you. These landlords will never make their properties as safe as what we can make Greek housing. This past April, four young lives were lost in privately owned off campus housing and a total of eleven in the 2004-05 academic years, which is validation of the accuracy of this statement. Improving the fire safety in fraternity and sorority houses can only be accomplished through a collective effort to eliminate the uneven playing field with universities by correcting the ludicrous current federal tax code that provides an avenue for Greek organizations to protect their books, desks and computers with tax deductible donations but not the students who use them.

Thank you.

Regards,

Richard Jungman  
Manager - Client Services & Claims





# Alverno

C O L L E G E

OFFICE OF THE PRESIDENT

**Testimony of Dr. Mary Meehan, President of Alverno College  
Assembly Colleges and Universities Committee  
2005 Assembly Bill 544  
September 6, 2005**

Representative Kreibich, Members of the Committee,

My name is Mary Meehan, and I am President of Alverno College. I am writing to support Assembly Bill 544 and 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



Testimony of Ronald Ripley  
Director of Facility Services for Marquette University  
Wisconsin State Assembly Committee on Colleges and Universities  
September 6, 2005

Good morning, Chairman Kreibich and Members of the Committee, my name is Ronald Ripley. I am the Director of Facility Services for Marquette University and I am here today to speak to you for informational purposes only with respect to Assembly Bill 544. Ms. Mary Czech-Mrochinski, Marquette's Director of State Relations, joins me today.

I have worked at Marquette University for thirty years. Marquette University recognizes the intention of Assembly Bill 544. However, we believe that several issues need to be addressed before we are able to comply with this bill should it become law.

As you know, this bill requires that all privately owned and operated student residential buildings over 60 feet in height, that were constructed before the date on which the bill becomes a law must be fitted with an automatic fire sprinkler system by the first day of the 60<sup>th</sup> month after the bill becomes a law. At Marquette University, we currently have nine residence halls on our campus. Seven of these buildings are over 60 feet in height, two have fire sprinkler systems, one has plans to install an automated fire sprinkler system by the fall of 2006, and four of which do not have automatic fire sprinkler systems. In addition, we have seven residential apartment facilities, one of which is over the 60 feet height requirement, that does not have a fire sprinkler system and could potentially fall under the bill's requirements. The apartment facilities have

“resident managers” who are full-time undergraduate students or graduate students. In addition, any student on campus is eligible for a food services plan, but there is no food service area in this facility. Given the definition under this bill that requires “...attributes usually associated with a student residence hall or dormitory such as a food service plan or occupancy by a resident advisor,” it is unclear whether or not such a facility would be required to be retrofitted. It seems to be the intention that such a facility was not targeted for retrofitting, but we cannot be certain.

We believe that the single most challenging issue will be to meet the 60-month deadline. In recent years, Marquette University has enjoyed record enrollment, so much so that on occasion we have actually had to temporarily house students at local hotel sites. We are just about at capacity in terms of our residential housing situation. Student residents fill these facilities for nine months out of the year providing only a very brief annual opportunity for installation of a fire sprinkler system. The three “unoccupied” summer months also see extensive use of these buildings for special programs, community outreach activity and summer student housing. We will be on a tight timeline in which to retrofit our facilities. While Marquette University has the largest private college or university enrollment in the State of Wisconsin, it is likely that other private colleges and universities in Wisconsin would face this same difficulty.

The implementation of a project to retrofit an existing building with a fire sprinkler system is complex and time consuming. It requires study and design of piping

layouts, material procurement, design review by governing agencies and insurance carriers and permitting in preparation for construction.

The construction process is disruptive, invasive and extremely messy. This process requires access and extended activity in literally every sleeping, living, support and circulation space of the building. All the construction takes place at the ceiling level requiring the construction workers to be on ladders or scaffold. It will be impossible to implement the installation of fire sprinklers systems during any periods when the buildings are occupied. Given this reality, the proposed five-year installation window is actually less than a year and a half of actual work time. This simply is not an adequate period to meet the requirements of the bill.

As a result of this legislation, there will be an increased demand for retrofitting automated fire sprinkler systems. As such, we are also concerned that there may be a shortage of workers skilled in the installation process of retrofitting fire-sprinkler systems. Currently, there are only a handful of companies specializing in fire sprinkler retrofitting services in southeastern Wisconsin. Such legislation is likely to create a major bulge in the workload ordinarily experienced by the firms. In our past experiences with retrofitting facilities, such work requires careful attention available only with specialized training and real world experience. It would be unfortunate to be forced to use unskilled or improperly trained individuals to perform this work. As it is the intention of everyone to potentially save lives, we want this work to be done properly in the first place. Again, from our own experience, it takes a full summer break period to

completely retrofit an unoccupied building. The amount of time for retrofitting, difficulty of completing, the cost of a job and the potential for accidents are greatly increased in an occupied building. In addition, it is possible that increased demand for these services could accelerate the cost of such projects significantly as Wisconsin institutions of higher education compete against one another to meet the demands of this schedule. We have heard anecdotally that the costs of supplies involved in the retrofitting process significantly increased in the wake of such legislation in other states.

There is no doubt that fires can have serious and tragic consequences. There is also precedence for statewide action across the nation on this issue. Where this has happened, most of these States also provided a funding mechanism to help alleviate the high costs associated with retrofitting sprinkler systems in college dormitories. While it is difficult to put a cost on human life, this bill is an unfunded mandate. We realize that the State faces a difficult financial situation. Private colleges and universities too must balance their budgets. The estimated cost of retrofitting a building could total more than one million dollars. Unfortunately, only a fraction of such costs will be offset by correspondingly lower property and liability insurance premiums. Other states, such as New Jersey, have created "Dormitory Safety Trust Funds." This bill does not create such venues to access funding for this purpose and as such, is another reason the five year timeline imposed by this bill will be difficult to meet. Low interest loans may be an important component to raising significant capital even given a longer timetable.

We realize that it is the intention of the authors of this legislation to prevent tragic events on college campuses. It is our understanding, again anecdotally, that the tragedies that have occurred on other campuses in the nation were in buildings made of wood or other combustible substances; in other words, buildings that would easily burn. On our campus, residence halls are constructed of structural reinforced concrete and non-combustible interior partitions. If there is a fire in one of these facilities, it is unlikely that the entire building will be engulfed in flames. This drastically reduces the chances of a similar tragedy. We also incorporate additional safety precautions and fire evacuation training that significantly reduce the effect of fire hazard. Alarm systems and active safety measures are equally important to reduce casualties even with the addition of passive sprinkler systems.

Finally, even under 1999 Wisconsin Act 43 relating to similar legislation for the University of Wisconsin System, the UW System was given more than five years to complete this process, and an exception was given to Ogg Residence Hall at UW-Madison until January 1, 2008.

For all of these reasons, we believe that allowing more than 60 months to meet this deadline is reasonable and critical.

As you know, the bill requires that “all student residential facilities that are operated by fraternities, sororities, or other organizations authorized or sponsored by an institution of higher education... must be fitted with an automatic fire sprinkler...” It is

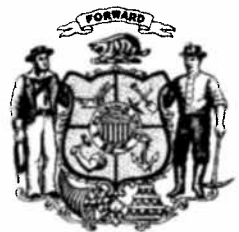


unclear whether the bill requires the university to comply with those provisions relating to an independent fraternity, sorority or other organization “authorized or sponsored by an institution of higher education.” Is the university liable for non-compliance or is the fraternity, sorority or other organization the liable party? What entity will determine whether or not compliance has been met, is it the university, the State, or local unit of government? At Marquette University, a number of the fraternities and sororities lease residential space from a private entity; the bill is unclear on where the responsibility lies in such situations. We have no authority to make significant structural changes to buildings we do not own. We believe this matter needs to be resolved before the bill moves forward.

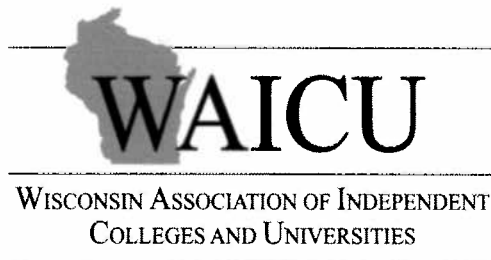
Again, Chairman Kreibich and Members of the Committee thank you for allowing me to testify before you today. I hope that we can work together to solve the issues I raised in my testimony. If you have any questions, I would be happy to answer them at this time.



# WISCONSIN STATE LEGISLATURE



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



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 Assembly Bill 544

By

Rolf Wegenke, Ph.D., President

Wisconsin Association of Independent Colleges and Universities

### Assembly Committee on Colleges and Universities

September 6, 2005

Representative Kreibich and members of the committee, my name is Rolf Wegenke. I am the President 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. These colleges and universities operate without taxpayer support and make a major contribution to the cultural and economic vitality of this state.

I am here today speaking in support of Assembly Bill 544. Testifying along with me are Mr. Ronald Ripley, Director of Facilities Services for Marquette University, and Dr. Mary Meehan, President of Alverno College in Milwaukee. Mr. Ripley has 30 years of experience in facilities management at Marquette and is well-qualified to address some of the practical and technical issues involved in retrofitting facilities with fire protection equipment. 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.

WAICU's 20 members unanimously put students first. We are deeply involved in ensuring the health and safety of our students. In the last legislative session we worked with this committee to help pass a bill that raised awareness among college students and their families about the dangers of meningitis and the availability of the vaccine to protect against contracting that potentially fatal disease. Fire protection is a key life-safety priority of WAICU members, and we look forward to working this committee on this important issue.

WAICU 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. Mr. Ripley and Dr. Meehan can speak more specifically about efforts at their colleges.

I 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.

Under 1999 Act 43, the institutions in the UW System were granted almost six years within which to complete retrofitting of existing residence halls (from the effective date of the bill in April 2000 to January 1, 2006). This bill gives private colleges a narrower window of just five years. We believe that amending the bill to provide a longer time period for compliance will not compromise safety for students, while giving our colleges a more reasonable time period over which to spread the costs, especially for those members with multiple facilities that would fall under the bill's mandate.

In other states where a fixed deadline was imposed on colleges and universities, some contractors were alleged to have raised their prices, knowing that, under the law, higher education had no choice but to pay.

For all of these reasons, we would be happy to work with you, Representative Kreibich, and the other sponsors to determine what a reasonable timeframe for compliance might be.

I would also emphasize that when this mandate was imposed on the UW, a mechanism was in place for public funding to cover the costs. Other states have done the same for private colleges included under such a law. Absent such funding, this bill represents an unfunded mandate, the cost of which will be borne by students through tuition and fees.

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



# **Assembly Republican Majority**

## **Bill Summary**

**Contact:** Brad Hub, Office of Rep. Rob Kreibich

### **AB 544: Automatic Sprinkler Systems in Residential Halls and Facilities**

Relating to: automatic fire sprinkler systems in certain residence halls and other student residential facilities and granting rule-making authority.

By Representatives Kreibich, Krawczyk, Hines, Ott, McCormick, Molepske, Lamb, Vruwink, Cullen and Shilling; cosponsored by Senators Brown, Olsen, Risser, Lassa and Plale.

**Date:** November 10, 2005

### **BACKGROUND**

Under current law, all University of Wisconsin (UW) System residence halls and dormitories over 60 feet tall that were constructed before April 26, 2000, must be fitted with an automatic fire sprinkler system on each floor before January 1, 2006, with the exception of Ogg Residence Hall at UW-Madison. The requirement does not apply to that building until January 1, 2008.

### **SUMMARY OF AB 544 (AS AMENDED BY COMMITTEE)**

This bill creates automatic fire sprinkler requirements for residence halls and dormitories of other institutions of higher education and certain other student residential facilities. Under this bill, all residence halls and dormitories that are over 60 feet tall, that are owned or operated by an institution of higher education other than the UW System, and that are constructed before the bill becomes law must be fitted with an automatic fire sprinkler system on each floor by the first day of the 60th month after the bill becomes law. In addition, all student residential facilities that are operated by fraternities, sororities, or other organizations authorized or sponsored by an institution of higher education, and all privately owned and operated student residential buildings over 60 feet in height, that are constructed before the date on which the bill becomes law must be fitted with an automatic fire sprinkler system on each floor by the first day of the 60th month after the bill becomes law.

Under current law, all UW System residence halls and dormitories that are constructed on or after April 26, 2000, must be fitted with an automatic fire sprinkler system on each floor during construction. This bill creates a similar requirement applicable to residence halls and dormitories of other institutions of higher education and certain other student residential facilities. Under this bill, all residence halls and dormitories that are owned or operated by an institution of higher education other than the UW System, all student residential facilities that are operated by fraternities, sororities, or other organizations authorized or sponsored by an institution of higher education, and all privately owned and operated student residential buildings that are constructed on or after the date on which the bill becomes law must be fitted with an automatic fire sprinkler system on each floor during construction.

In addition, the bill requires that the already-existing buildings be retrofit by January 1, 2014.

### **AMENDMENTS**

**Assembly Amendment 2** to Assembly Bill 544, changes the effective date of the provision that requires retrofitting of already-existing buildings from five years after the effective date of the bill to January 1, 2014,

which is approximately eight years after the expected effective date of the bill [adopted 6-4-2 (Rep. Lamb and Rep Boyle absent)].

### **FISCAL EFFECT**

A fiscal estimate prepared by the University of Wisconsin System determined there is no fiscal effect to the state.

### **PROS**

1. The bill expands automatic sprinkler safety to all student residential facilities that are operated by fraternities, sororities, or other organizations authorized or sponsored by an institution of higher education.
2. Assembly Bill 544 ensures residence halls and dormitories that are owned or operated by other institutions of higher education have automatic fire sprinkler systems in place. (Currently applies to UW dorms and residence halls.)
3. The bill improves fire safety for more students around the state.

### **CONS**

1. The time frame for the phase-in could be problematic for some schools.

### **SUPPORTERS**

Mary Meehan, President, Alverno College, Rolf Wegenke, President, WI Association of Independent Colleges, Buddy Dewar, Tallahassee, 200 W. College Ave, Russ Stern, Madison, Ahern Fire Protection, Dana Christmas-McCain, Paterson, Chris Lyons, Columbus, Columbus Fire Dept., Debra Amesqua, Madison, Chief, City of Madison Fire Dept., Dan Lindstedt, Madison, Office of Sen Ron Brown, ED Ruckriegel, Madison, City of Madison Fire Dept., Ron Brown, Madison, Sen., 31st Senate District, David Bloom, Madison, WI State Fire Chiefs Assoc., Luther Olsen, Madison, Sen., 14th Senate District

### **OPPOSITION**

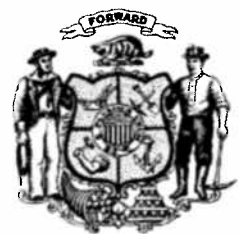
Bill Hantke, Alpha Gamma RHO.

### **HISTORY**

Assembly Bill was introduced on July 7, 2005, and referred to the Assembly Committee on Colleges and Universities. A public hearing was held on September 6, 2005. On October 4, 2005 the Committee voted 9-1-2 (Rep. Lamb and Rep. Boyle was absent) to recommend passage of AB 544 as amended.



# WISCONSIN STATE LEGISLATURE







## Testimony of State Senator Ron Brown Assembly Bill 544 – Fire Sprinkler Safety Act

Chairman Kreibich and Committee members, thank you for hearing Assembly Bill (AB) 544, legislation that would require private institutions of higher education to comply with the same fire safety standards that are in place for public colleges and universities.

Our state is known across the nation for the high level and quality of services that are provided to our citizens, among them, safety on our collegiate campuses. In 1999, Wisconsin passed Act 43 to help make UW System residential facilities safer. Act 43 required residence halls and dormitories greater than 60 feet in height to be retrofitted with automatic fire sprinklers and all those built after April 26, 2000 to install sprinkler systems on each floor. The 60 foot threshold was chosen because in almost all instances, fire ladders extend to a maximum height of 60 feet. As a result, sprinkler systems are critically important to saving lives and property in buildings that exceed this height.

AB 544 will ensure that private college students who live in on-campus residences 60 feet tall and higher, are afforded the same fire safety standards already in place for students who reside in those same residences at public institutions. AB 544 and its companion bill, Senate Bill (SB) 250, would also require all newly constructed fraternity and sorority residences greater than 60 feet in height to install fire sprinkler systems and retrofit any existing houses exceeding that threshold. While providing this protection comes at a cost, I believe it is one that we can afford.

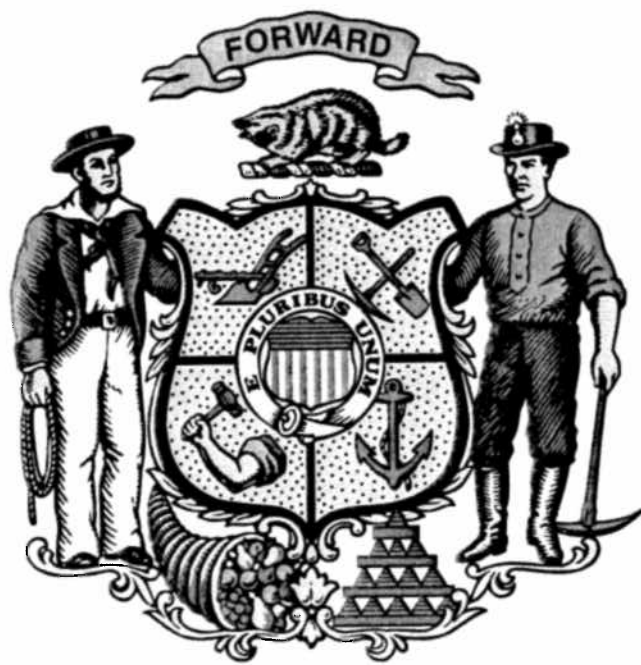
As we all know, budgets are about priorities and making difficult decisions. In these tight budget times, some may argue that public and private universities, along with fraternities and sororities, may not be able to afford the costs associated with the installation of a fire suppression sprinkler system. However, I believe that the average dorm room can be protected with a single sprinkler, and the cost to install sprinklers during construction runs about the same as carpeting. I understand that the cost for retrofitting existing rooms is between \$1.50 & \$2.50 per square foot but private colleges & universities and fraternities/sororities can capture significant insurance savings by installing these systems. These costs pale in comparison to losing a family member or friend when a student dies as a result of a fire in a residence hall.

Residence halls at UW System campuses and their private school counterparts have fortunately been spared any *major* loss of life or property damage resulting from fire. Unfortunately though, the National Fire Protection Association (NFPA) reports that each year an average of 1,500 fires cause \$9 million in damage to university residence halls and Greek housing. However, the NFPA has never been able to document a single instance of a multiple loss of life in a building with a sprinkler system that is fully functional and adequately designed in the 100+ years that these systems have been in use. This statistic speaks volumes and demonstrates the benefits of AB 544.

*September 6, 2005*  
*Testimony of State Senator Ron Brown*  
*Assembly Bill 544 – Fire Sprinkler Safety Act*  
*- Page 2 -*

As a former fire chief, I have first-hand experience and knowledge of the unmatched measure of fire protection that sprinkler systems offer in any building, but especially in high-rise structures. I have witnessed the wreckage and carnage from fires that this bill seeks to prevent. I wish that such systems were not needed, but I do not want to take that chance. Based on my personal and professional experience, this legislation will make Wisconsin students safer.

I ask that you support the safety of students who reside in residence halls at colleges and universities throughout Wisconsin, and vote to recommend AB 544 for passage. Thank you for your consideration.





**NATIONAL  
FIRE  
SPRINKLER  
ASSOCIATION, INC.**

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Chairman Rob Kriebich, Members  
Assembly Colleges & Universities Committee

I am Buddy Dewar, Director of Regional Operations for the National Fire Sprinkler Association. I have been a firefighter, a fire ground commander, a fire chief, the Superintendent of the Florida State Fire College and during the 1980's I was Director of Florida's State Fire Marshal's Office.

Student Housing fire safety has been a national issue for decades and our nation is just now coming to grips with the issue. A National Student Housing Symposium was held earlier this year in the Longworth House Office Building in Washington, DC. Foremost experts in student housing fire safety were present to discuss the student housing fire safety; the problem and the solutions. The problem is far-reaching. Approximately 76% of fire deaths occur in off-campus housing (solution H.R.1131); 13% in on-campus housing (Solutions Private H.R. 1131 and Public budget allocations; and 11% in Greek Letter Housing (solutions S. 1246 and H.R. 1131). Also discussed were causes and contributing factors to these fires. The leading cause of fires as reported by the National Fire Protection Association is arson, then cooking appliances, smoking is nearly falling off the screen but is slightly ahead of candles. The major contributing factor to these deaths is alcohol caused impairment. The annual average is 1,700 fires in on-campus dormitories and fraternity and sorority housing. Over 50 fire deaths occurred in on-campus dormitories and fraternity and sorority housing during the past decade. Half of the fires and 75% of the fire deaths occurred in fraternity and sorority housing. The top three priorities coming from this Symposium were: 1. require fire sprinklers for new and existing; 2. require hands-on smoke training for all students; 3. Create a major public awareness site where parents can visit to obtaining fire safety ratings of educational institutions.

Immediately following a tragic fraternity house fire in Chapel Hill, NC, where five young lives were loss in a tragic early morning fire on graduation day and Mother's Day, NFSA has taken an active role in student housing fire safety issues. One of our Board members was present at this fire and witnesses first hand the deep emotions following such a senseless loss of life, something our fire services experience on an all to frequent basis. The very first fire I ever fought as a firefighter was fatal fire.

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. An example, we recently reviewed bid documents for a fraternity house in Knoxville, TN. There were major differences with the bids. They were favoring the low bid but we found an omission on underground piping which would have led to a significant and costly change order; the low bidder was asked to add the cost for the underground piping as other bidders had included the underground work in their bids. The low bidder was now the high bidder. We saved a fraternity in PA over \$20,000; we saved a sorority from inclosing their landmark monumental staircase; the list is very long. This weekend I will be in Scottsdale, AZ meeting with the Phi Kappa Psi Housing Corporation executives. Nationally owned fraternities own very few houses; almost all Greek Letter houses are owned and managed by local Alumni Housing Corporations. The Phi Psi meeting agenda in Scottsdale consists of my presentation "how to specify bid requests for fire sprinklers," followed by a presentation by Phi Psi's insurance carrier basically advising they can no longer take the multi-million dollar fire losses; that sprinklers contained the fire to one room and minimized damage; then the final speaker is from the professional fund raising company under contract with national Phi Psi to help the Local Alumni Housing Corporations. Phi Psi actions is typical, this same program was presented to risk managers representing 140+ fraternities and sororities at a recent meeting in Indianapolis. Thus, the structure is in place for Greek Letter organizations to favorably respond to the substance of AB 544.

It is unconscionable that any new building would be built without fire sprinklers, particularly one housing students. Today's construction codes allow trade-offs of some items when fire sprinklers are installed; fire draft stopping in the attic every 9,000 square feet instead of 3,000 square feet is an example. If a new building is designed taking advantage of the code allowances for fire sprinklers then it can be constructed at a lower cost per square foot after paying for the fire sprinklers. Because of these code allowances, Florida passed a law in 1993 requiring all new buildings three stories and above to be protected with an automatic fire sprinkler system. While it took some time for the old plans to be redrawn taking advantage of the code allowances for fire sprinklers, the law has been effective when one looks at the reduction in fire deaths when rapid growth in Florida continues; Florida is growing at 1,700 new residents each day. Requiring fire sprinklers in new construction actually saves the developer or owner money so should not be at issue.

Retrofitting is may be viewed differently but the solutions are the same. It is significant to understand that retrofitting and existing building cannot occur in 30 days and proper time allowances must be provided. AB 544 is generous in this area. Secondly it must be understood that just because a building was built in compliance to an earlier edition of a code does not exempt the building from future fire and life safety systems. A U.S. Supreme Court decision *QUEENSIDE HILLS REALTY CO. v. SAXL*, 328 U.S. 80 (1946) 328 U.S. 80, the court opined applying newer editions of the codes should be prohibited except when fire and life safety is at issue and then government not only has the right to impose new code requirements on buildings that met the provisions of older codes when fire and life safety is at issue, they have an obligation to do so. So any argument that a building should be considered "grandfather" or exempt from new code requirements holds water except when fire and life safety code provisions are at issue. There was a case of a fire death in a building

built in 1965. The building owner argued that they were “grandfathered” meaning they met the old code and therefore were exempt. During litigation they were asked if smoke detectors were present to which the owners responded positively. Then came the argument that the owner selectively applied the new provisions of the codes as smoke detectors were not a code requirement in 1965 – why did not the owner select fire sprinklers?

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. The issue was quickly decided by its risk managers department. The issue is simply that of liability avoidance. Vanderbilt University is requiring the retrofit of all Greek Letter housing, some on university owned land under a long-term lease. The issue here is liability avoidance as they felt advertising a Greek Life community, employing a Greek Life Advisor, that there is a liability linkage.

Also, enclosed in your packet is a letter from Ed Comeau, Director of Campus Fire Safety and also a significant letter of support from Rich Jungman, from Kirklin Insurance, the major insurer of fraternities.

AB 544 is the correct path to follow and we strongly encourage its passage.

Sincerely,

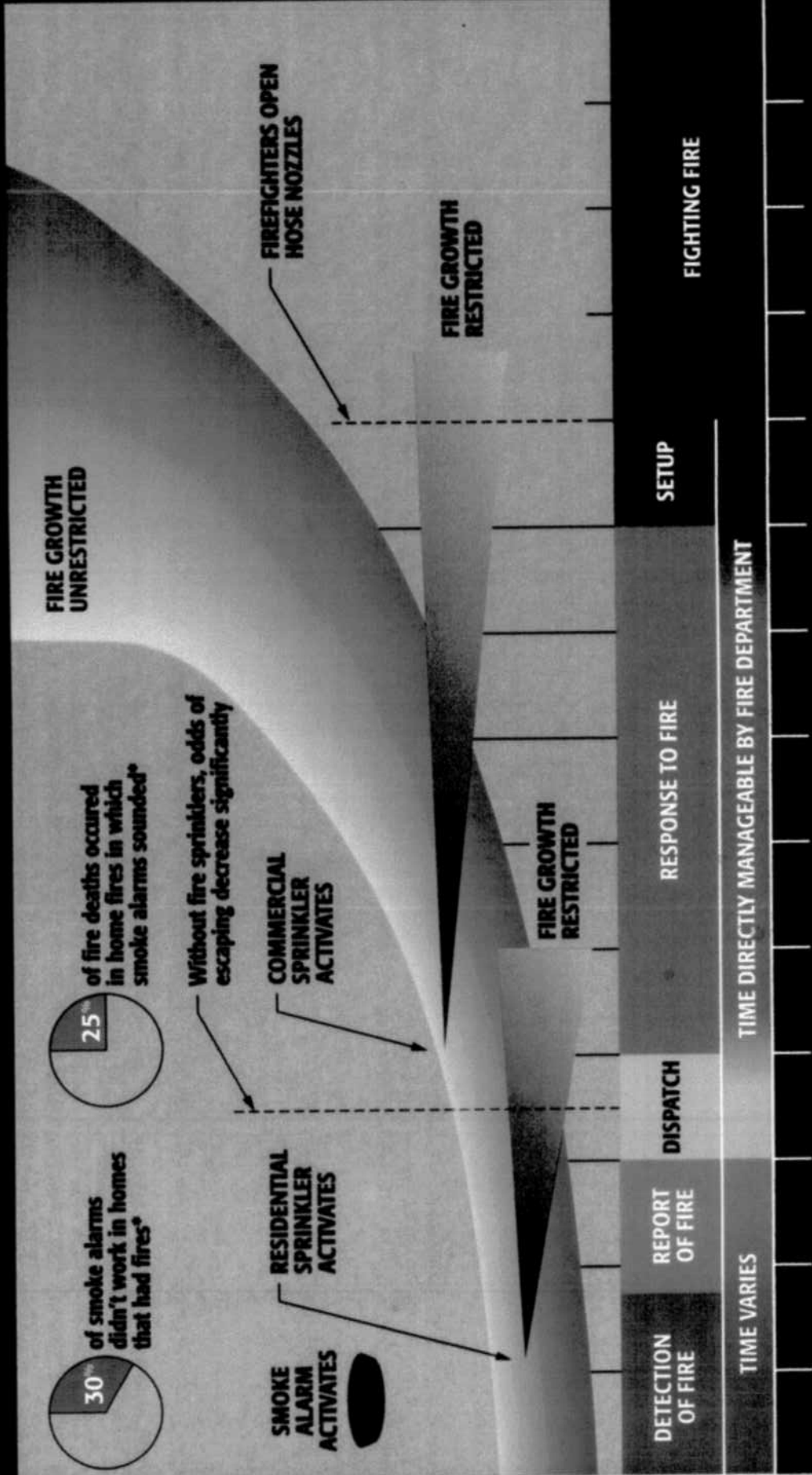
Buddy Dewar  
Director of Regional Operations



# TIME VS. PRODUCTS OF COMBUSTION

## FLASHOVER

No one survives flashover



0 1 2 3 4 5 6 7 8 9 10 TIME (in minutes)

Based upon national averages

### ACTIONS BEFORE FIRE

- 1) TEST SMOKE ALARMS
- 2) CONDUCT FIRE ESCAPE DRILLS



The Wisconsin Chapter of  
**THE NATIONAL  
FIRE SPRINKLER  
ASSOCIATION, INC.**



www.nfsawi.org

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\*U.S. Experience With Smoke Alarms and Other Fire Alarms. NFPA, September 2001.

NOTE: See NFPA Fire Protection Handbook for time and temperature information.