

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

2005-06

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on
Housing
(AC-Ho)

(Form Updated: 11/20/2008)

COMMITTEE NOTICES ...

➤ Committee Reports ... CR

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➤ Executive Sessions ... ES

**

➤ Public Hearings ... PH

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➤ Record of Comm. Proceedings ... RCP

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INFORMATION COLLECTED BY COMMITTEE
FOR AND AGAINST PROPOSAL ...

➤ Appointments ... Appt

**

Name:

➤ Clearinghouse Rules ... CRule

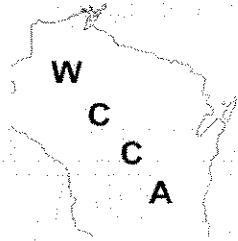
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➤ Hearing Records ... HR (bills and resolutions)

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➤ Miscellaneous ... Misc

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**Wisconsin
County Code
Administrators**

Representative Steve Wieckert
Chair-Committee on Housing
Room 16 West
State Capitol
PO Box 8953
Madison, WI 53708

April 4, 2006

Re: Opposition to AB 929 (companion bill SB 505)

Dear Representative Wieckert:

I am writing on behalf of the Wisconsin County Code Administrators (WCCA). WCCA is an association of county planning, zoning and sanitary code officials throughout the State of Wisconsin who administer land use and environmental health regulations.

WCCA is **strongly opposed** to Assembly Bill 929 and its companion bill, Senate Bill 505..

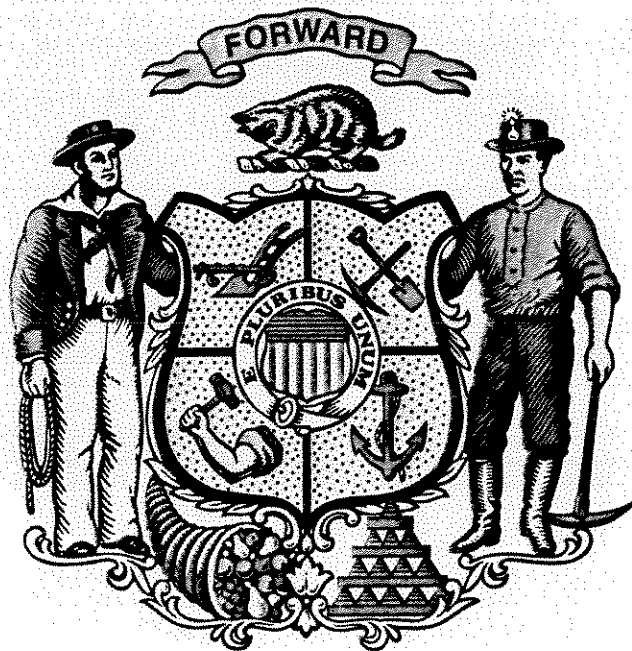
This proposed bill undermines the state's uniform dwelling code by creating an exemption based on religious affiliation. This is not only a potential public safety issue as it would cause dwellings to be eventually marketed without meeting basic construction codes, but it also creates an exemption for a class of individuals that is essentially indefinable.

Please enter this as public testimony against Assembly Bill 929 and its companion, Senate Bill 505.

Sincerely,

Scott A. Godfrey
Second Vice-President, Wisconsin County Code Administrators
Iowa County Planning Director
222 N. Iowa Street
Dodgeville, WI 53533
608-935-0398

Cc: WCCA Executive Board
Wisconsin Counties Association
file





Wisconsin State Senator

Ron Brown

District 31

Testimony of State Senator Ron Brown
Senate Bill 505 – Providing an exemption from one-and 2-family dwelling code
for members of a bona fide religious denomination

Chairman Wieckert and Committee members, thank you for hearing Senate Bill (SB) 505, which would grant an exemption from the one-and two-family dwelling code for members of religious denominations that prohibit the use of certain tools, devices or designs that are necessary to comply with the code and who find the inspection an intrusion of their religious beliefs.

I drafted this bill at the request of my constituent, Mr. Harvey Kurtz, who is a member of an Old Order Amish community in Augusta, Wisconsin. Members of the community were making an addition to a home, when they received a letter informing them that an inspection was required by state law. Members of the Old Order Amish view this inspection as an invasion of their privacy and against the teachings of their religion.

Several types of exemptions have been made in the past for the Amish. In 1972, the U.S. Supreme Court ruled in Wisconsin vs. Yoder, that it was unconstitutional to force Amish into high school. There are also precedents regarding exemptions to Wisconsin building codes, as was the case in a 1993 exemption, offered by Senator Dave Zien, which exempted rural school buildings from health and safety laws and regulations.

SB 505 would provide an exemption from the one-and two-family dwelling code *if*:

1. The home is located in a city, town, or village with a population of 2,500 or less; and
2. The home is constructed or added to by its owner without the use of contractors; and
3. The owner is a member of a religious denomination that prohibits the use of certain tools or devices necessary to comply with the code.

In addition, the bill requires a notification to be filed with the Register of Deeds, stating that the home was not inspected for UDC compliance, thereby informing any future buyer that the home is not up to code. This section was added to ensure consumer protection and full disclosure for any future buyers looking to purchase an exempted home.

I ask that you support passage of SB 505 and allow Old Order Amish to live in accordance with their religious beliefs. The Amish are devoted to their faith, family and community. These are three things worth protecting. Thank you for your consideration of this bill.