

2007 DRAFTING REQUEST

Bill

Received: **11/20/2007**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Jerry Petrowski (608) 266-1182**

By/Representing: **Eric**

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

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - fire safety**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Petrowski@legis.wisconsin.gov**

Carbon copy (CC:) to: **rdupont@commerce.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Fire suppression equipment exemption for certain structures

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rkite 12/14/2007			_____			
/1	rkite 02/08/2008	kfollett 02/08/2008	jfrantze 02/08/2008	_____	cduerst 02/08/2008		
/2	rkite 02/12/2008	kfollett 02/12/2008	jfrantze 02/12/2008	_____	sbasford 02/12/2008		
/3	rkite	kfollett	pgreensl	_____	sbasford		

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	02/15/2008	02/15/2008	02/15/2008	_____	02/15/2008		
/4	rkite 02/19/2008	kfollett 02/19/2008	pgreensl 02/19/2008	_____	mbarman 02/19/2008	mbarman 02/19/2008	

FE Sent For:

<END>

↳ Not Needed

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/3	rkite	kfollett 14/1/08 2/1/08	pgreensl 2/19/08	_____ 2/19/08 _____ P8	sbasford		

PA5 -
Please
jacket the
14 Thanks
RNK

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Subject: Buildings/Safety - fire safety

Extra Copies: Bob DuPont
rdupont@commerce.state.wi.us

Submit via email: YES

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13 kf
2/15

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Extra Copies: Bob DuPont, Dept of Commerce
rdupont@commerce.state.wi.us

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FE Sent For:

12/14/07
2/12
2/12
J/NW
END

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/?	rkite	1/16/08 2/1/08	<i>[Signature]</i>	<i>[Signature]</i>			
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FE Sent For:

<END>

12/17/07
Cancel
RNK
Reviewed by requester on 1/8/08 RNK

Already Xed 12-17-07

11/20/07

Meeting w/ Rep. Petrowski & aide (Eric)

federal fire code (adopted by Commerce) requires fire suppression systems in cooking areas - this includes mobile trailers & tents problem is that these systems don't fit in the trailers & tents & if modified, the warranty becomes void

Rep. Petrowski wants an exemption for mobile trailers & tents - draft this narrowly because all other safety requirements must still apply (eg fire extinguishers) exemption applies only on fair grounds or to non-profit organizations conducting a fund raiser

O.K. to talk to Bob Du Pont @ Commerce Rep. Petrowski would like to get ~~the~~ draft soon so that the law can be in place before the next fair season

12-7-07

Per Joe Hertel - Commerce 6-5649

NFPA does not require fire suppression systems in vendor carts & tents but local fire dept. can be more strict

Wausau fire dept

12/14/07

Per Eric:

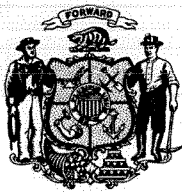
Cancel Request

2/8/08

Per Eric -

Draft should prevent locals from requiring fire suppression systems in mobile kitchens -
can discuss this w/ Bob DuPont

Per Bob DuPont -
should use the phrase "automatic fire suppression systems" because so that the language is not interpreted to allow the mobile kitchens to not have fire extinguishers



~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

D-Note
Gen

1 AN ACT ...; relating to: automatic fire suppression systems in, or as part of,
2 mobile kitchens.

Analysis by the Legislative Reference Bureau

Current law requires the Department of Commerce to make rules requiring owners of places of employment and public buildings to install fire detection, prevention, or suppression devices to protect the health, welfare, and safety of all employers, employees, and frequenters of those places. This bill provides that the rules may not require the owner or operator of a mobile kitchen to install or maintain an automatic fire suppression system in, or as part of, the mobile kitchen.

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

3 SECTION 1. 101.14 (4) (am) of the statutes is created to read:
4 101.14 (4) (am) The rules under par. (a) may not require the owner or operator
5 of a mobile kitchen to install or maintain an automatic fire suppression system in,
6 or as part of, the mobile kitchen.

7 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3497/dn

RNK:.....
gf

Date

x This draft specifies that the Department of Commerce's rules may not require an owner or operator of a mobile kitchen to install or maintain an automatic fire suppression system in, or as part of, the mobile kitchen. Do you want to limit this provisions to mobile kitchens of a specified size?

Please feel free to contact me if you have any questions with regard to this draft.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3497/1dn
RNK:kjf:jf

February 8, 2008

This draft specifies that the Department of Commerce's rules may not require an owner or operator of a mobile kitchen to install or maintain an automatic fire suppression system in, or as part of, the mobile kitchen. Do you want to limit this provision to mobile kitchens of a specified size?

Please feel free to contact me if you have any questions with regard to this draft.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.wisconsin.gov

Kite, Robin

From: Bott, Eric
Sent: Monday, February 11, 2008 9:37 AM
To: Kite, Robin
Subject: Petrowski Draft - Fire Suppression Systems

Robin,

Over the weekend Rep. Petrowski spoke with Bob Dupont at Commerce about the best way to exempt small mobile kitchens from the fire suppression system requirements in the fire code. Bob and Jerry came up with the following:

Exempt from portable trailers the requirement over a cooking area for an automatic fire suppression system and hood. This exemption applies only to a portable trailer, used for cooking, if that trailer has an area of less than 305 square feet and is used less than 12 days a year.

According to Bob, there are a number of exemptions to fire codes already in statute. Bob thought that this exemption could be placed in the statutes with them.

Please talk with Bob about the best way to do this.

Thank you for your time and efforts.

Eric Bott
Office of Rep. Jerry Petrowski
(608) 266-1182

3497

exhaust hood

OK to send Bob Dupont a copy



2007 BILL

Regen

exempting certain mobile kitchens from rules requiring

1 AN ACT to create 101.14 (4) (am) of the statutes; relating to: automatic fire
2 suppression systems ^{and exhaust hoods} in, or as part of, mobile kitchens.

Analysis by the Legislative Reference Bureau

Current law requires the Department of Commerce to make rules requiring owners of places of employment and public buildings to install fire detection, prevention, or suppression devices to protect the health, welfare, and safety of all employers, employees, and frequenters of those places. This bill provides that the rules may not require the owner or operator of a mobile kitchen to install or maintain an automatic fire suppression system, in, or as part of, the mobile kitchen ^{insert analysis}

or an exhaust hood

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

3 SECTION 1. 101.14 (4) (am) of the statutes is created to read:

4 101.14 (4) (am) The rules under par. (a) may not require the owner or operator
5 of a mobile kitchen to install or maintain an automatic fire suppression system, in,
6 or as part of, the mobile kitchen.

or an exhaust hood

(END)

insert 1-6

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3497/2ins.
RNK:.....

INSERT ANALYSIS

no # if the mobile kitchen is less than 305 square feet in size and is used on fewer than 12 days a year for the purpose of cooking.

INSERT 1-6

if all of the following apply:

1. The mobile kitchen is less than 305 square[✓] feet in size.
2. The mobile kitchen is used on fewer than 12[✓] days a year for the purpose of cooking.

Kite, Robin

From: Bott, Eric
Sent: Thursday, February 14, 2008 1:59 PM
To: Kite, Robin
Subject: One change to LRB 3497/2

Robin,

Commerce would like to see our fire suppression system bill applied to 101.14 (1) (a) instead of 101.14 (4).

According to Bob Dupont, Commerce's jurisdiction over food carts comes from the authority granted to regulate "premises" found in 101.14 (1) (a). They think that this change would make a cleaner statute.

Bob will answer any questions on this.

Please get this draft back to us ASAP. We're ready to roll with it otherwise.

Thanks again for all of your help.

Eric Bott
Office of Rep. Jerry Petrowski
(608) 266-1182



Wanted: Today - 2/15

State of Wisconsin
2007 - 2008 LEGISLATURE

Rm nun
3
LRB-3497/2
RNK:kjf:ff

2007 BILL

Regen

1 AN ACT to create 101.14 (4) (am) of the statutes; relating to: exempting certain
2 mobile kitchens from rules requiring automatic fire suppression systems and
3 exhaust hoods. in mobile kitchens

Analysis by the Legislative Reference Bureau

(Commerce)

Current law requires the Department of Commerce to make rules requiring owners of places of employment and public buildings to install fire detection, prevention, or suppression devices to protect the health, welfare, and safety of all employers, employees, and frequenters of those places. This bill provides that the rules may not require the owner or operator of a mobile kitchen to install or maintain an automatic fire suppression system or an exhaust hood in, or as part of, the mobile kitchen if the mobile kitchen is less than 305 square feet in size and is used on fewer than 12 days a year for the purpose of cooking.

Insert Analysis

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

4 SECTION 1. 101.14 (4) (am) of the statutes is created to read:
5 101.14 (4) (am) The rules under par. (a) may not require the owner or operator
6 of a mobile kitchen to install or maintain an automatic fire suppression system or an
7 exhaust hood in, or as part of, the mobile kitchen if all of the following apply:

the department

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3497/3ins.
RNK:.....

INSERT ANALYSIS

no \$
+ reasonable orders for the repair or removal of any building or structure that is especially liable to fire and which is so situated as to endanger other buildings or property. It also requires Commerce to make reasonable orders for the repair or removal of any explosive material or inflammable conditions that are dangerous to the safety of any building or its occupants.

Kite, Robin

From: Bott, Eric
Sent: Tuesday, February 19, 2008 11:36 AM
To: Kite, Robin
Subject: Submitted: LRB 07-3497/3 Topic: Fire suppression equipment exemption for certain structures?body=

Robin,

A couple questions for you...

Am I correct in thinking that this bill will not require a fiscal?

Has this been jacketed? I clicked the jacket button in Sarah Basford's email yesterday but it seems that sometimes that doesn't go through. The reason I ask is that Jerry just dropped a bomb on me. He just learned that the VFW's mobile kitchens are 360 square feet and he would like them to be covered by this bill. I'm hesitant to have a /4 drafted as the co-sponsorship memo is already out.

Could you please prepare an amendment changing the square feet requirement from 305 square feet to 365 square feet?

We will be introducing this bill Thursday afternoon and it will get an AB # after that. We would need the amendment before next Wednesday at 9:00 AM when this bill will have a public hearing in the State Affairs Committee.

Thank you,

Eric Bott
Office of Rep Jerry Petrowski
(608) 266-1182

Kite, Robin

From: Bott, Eric
Sent: Tuesday, February 19, 2008 12:00 PM
To: Kite, Robin
Subject: RE: Submitted: LRB 07-3497/3 Topic: Fire suppression equipment exemption for certain structures?body=

Please redraft it to include 365 square ft instead of 305. Then have it jacketed please.

Thank you,

Eric

From: Kite, Robin
Sent: Tuesday, February 19, 2008 11:55 AM
To: Bott, Eric
Subject: RE: Submitted: LRB 07-3497/3 Topic: Fire suppression equipment exemption for certain structures?body=

Eric:
The bill has not been jacketed. Do you want me to redraft it or do you want me to have the bill jacketed and then do an amendment?

The bill does not require a fiscal estimate.

I will wait to hear from you.

Robin

From: Bott, Eric
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Office of Rep Jerry Petrowski
(608) 266-1182



2007 BILL

Regen

1 AN ACT *to create* 101.14 (1) (am) of the statutes; **relating to:** requirements for
2 automatic fire suppression systems and exhaust hoods in mobile kitchens.

Analysis by the Legislative Reference Bureau

X
Current law requires the Department of Commerce (commerce) to make reasonable orders for the repair or removal of any building or structure that is especially liable to fire and which is so situated as to endanger other buildings or property. It also requires Commerce to make reasonable orders for the repair or removal of any explosive material or inflammable conditions that are dangerous to the safety of any building or its occupants. This bill provides that the rules may not require the owner or operator of a mobile kitchen to install or maintain an automatic fire suppression system or an exhaust hood in, or as part of, the mobile kitchen if the mobile kitchen is less than ~~305~~ square feet in size and is used on fewer than 12 days a year for the purpose of cooking. 365

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

3 SECTION 1. 101.14 (1) (am) [✓] of the statutes is created to read:

4 101.14 (1) (am) ^W Notwithstanding par. (a), the department may not require the
5 owner or operator of a mobile kitchen to install or maintain an automatic fire

BILL

1 suppression system or an exhaust hood in, or as part of, the mobile kitchen if all of
2 the following apply:

- 3 1. The mobile kitchen is less than ~~305~~³⁶⁵ square feet in size.
4 2. The mobile kitchen is used on fewer than 12 days a year for the purpose of
5 cooking.

6 (END)