

**2007 DRAFTING REQUEST****Senate Amendment (SA-SB289)**Received: **01/16/2008**Received By: **rkite**Wanted: **As time permits**

Identical to LRB:

For: **Robert Wirch (608) 267-8979**By/Representing: **Paula**This file may be shown to any legislator: **NO**Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - misc.**

Extra Copies:

Submit via email: **YES**Requester's email: **Sen.Wirch@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Agency inspection responsibilities, tourist rooming houses, and technical changes

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**Instructions:**

Same as LRBa0783 but also make sure to include cabins (tourist rooming houses) and instead of annual inspections, let agencies do regular inspections as specified in rules

---

**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>
/?							
/1	rkite 01/18/2008	jdye 01/18/2008	rschluet 01/18/2008	_____	sbasford 01/18/2008	sbasford 01/18/2008	

FE Sent For:

&lt;END&gt;

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/?	rkite	1/18 jld					

FE Sent For:

<END>

Notes from meeting at Sen. Wirch's office on 11/02/07:

1. Regarding inspections for compliance: Provide that DHFS will do its inspections at the same time that it does its "regular" inspections. Tie this to inspections under s. 254.64. Provide that Commerce must conduct annual inspections either itself or by using certified HVAC inspectors.

2. Retain the item in the simple amendment that clarifies that the required inspection of sealed combustion units only applies to those residential buildings in which the owner chooses not to install carbon monoxide detectors under the exception.

3. Redraft emergency rules. Require Commerce to submit proposed rules by the 1<sup>st</sup> day of the 12<sup>th</sup> month after the effective date and include a date when emergency rules expire. Talk to Bob DuPont on this issue.

4. With regard to the exceptions on page 5 of the sub., clarify the exceptions to cover situations where not all of the fuel-burning appliances are sealed units.

5. Allow plumbers to inspect water heaters.

6. Include provisions that would require an owner to make repairs if an inspection shows that there is a problem with a sealed combustion unit.

7. Redraft definition of "residential building" to ensure that places such as "tourist rooming houses" are covered.

8. Trisha Pugal of the Innkeepers Association and Bob DuPont are going to talk to experts in the industry to determine whether the "sealed" fireplaces in hotels are actually "sealed combustion units". Wait to hear from them to address this issue.

9. Get clarification on whether DHFS will also use HVAC inspectors to inspect sealed combustion units in buildings that it inspects.

10. Draft these changes as a new substitute amendment.

---

Per Paula -  
just draft amendment - not <sup>all</sup> changes from meeting  
use a 0783 but make sure to cover cabins  
also allow agencies to do "regular"  
inspections as determined by rule

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

LRBa0783/ldn  
RNK:bjk:rs

October 23, 2007

*Not for introduction*

*Commerce - inspection for compliance - will do this by fire inspections - at least annually*

*tie into these regular inspections 254.64*

This amendment does the following:

1. Clarifies the respective inspection responsibilities of the Department of Commerce and the Department of Health and Family Services. The amendment specifically requires each department to conduct annual inspections for compliance with the carbon monoxide installation and maintenance requirements of the bill.
2. Requires the Department of Commerce to authorize certified heating, ventilating, and air conditioning inspectors to conduct inspections of sealed combustion units in residential buildings other than hotels, tourist rooming houses, and bed and breakfast establishments.
3. For purposes of consistency, makes technical corrections to delete the term "fuel" in reference to "sealed combustion units."
4. Clarifies that the required inspection of sealed combustion units only applies to those residential buildings in which the owner chooses not to install carbon monoxide detectors under the exception specified in s. 101.149 (5). That is, the owner of a residential building may choose to install carbon monoxide detectors near sealed combustion units rather than have those units inspected.
5. Provides a deadline for the expiration of emergency rules. Although we did not discuss this item, I noticed this oversight as I was drafting this amendment. A deadline should be included in the emergency rule provision in order to ensure that permanent rules are ultimately promulgated.

If you have questions about item 5., or anything else in this amendment, please feel free to contact me.

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

## 2007 SENATE BILL 289

October 11, 2007 – Introduced by Senators WIRCH and PLALE, cosponsored by Representatives KERKMAN, BERCEAU, A. WILLIAMS, GUNDERSON, A. OTT and HAHN. Referred to Committee on Small Business, Emergency Preparedness, Workforce Development, Technical Colleges and Consumer Protection.

1 AN ACT *to amend* 101.145 (2); and *to create* 101.149 and 254.74 (1) (am) of the  
2 statutes; **relating to:** the installation of carbon monoxide detectors in certain  
3 buildings, providing an exemption from emergency rule procedures, granting  
4 rule-making authority, and providing penalties.

---

### *Analysis by the Legislative Reference Bureau*

Current law requires the owner of a residential building to install smoke detectors in specified locations within the building. A “residential building” is any public building that is used for sleeping or lodging purposes. The term includes an apartment building, a rooming house, a hotel, a children’s home, a community-based residential facility, or a dormitory. The term does not include a hospital or a nursing home.

This bill creates a similar requirement concerning carbon monoxide detectors. The bill generally directs an owner of a residential building to install an electronic or battery-operated carbon monoxide detector, approved by an independent product safety certification organization, in the basement of the building, within 15 feet of each sleeping area, and in certain hallways and adjacent rooms. The requirement does not apply under certain limited circumstances, including where the building has no attached garage and no fuel-burning appliances. The bill also requires the Department of Commerce (Commerce) to promulgate rules establishing a procedure under which the owner of a residential building may apply for a waiver of the requirement to install carbon monoxide detectors. The bill requires the owner to maintain reasonably every carbon monoxide detector that is located in the building

**SENATE BILL 289**

but specifies that the owner is not liable for damages resulting from the failure of the carbon monoxide detector to operate properly if someone other than the owner tampered with, removed, or destroyed it. The bill allows occupants to notify an owner of a defective or missing carbon monoxide detector and requires the owner to repair or replace the carbon monoxide detector within five days after receipt of the notice.

The bill requires the Department of Health and Family Services (DHFS) to promulgate rules requiring the annual inspection of sealed combustion units for carbon monoxide emissions in hotels, tourist rooming houses, and bed and breakfast establishments. It requires Commerce to promulgate rules requiring the annual inspection of such units in other residential buildings.

The bill provides that if Commerce or DHFS discovers a violation upon inspection of a building, the respective department must give the building owner an opportunity to correct the violation before a penalty is imposed. If the owner does not correct the violation, he or she is subject to a \$50 forfeiture for each day of violation occurring after the date on which the correction was required to be made.

The bill prohibits tampering with an installed carbon monoxide detector and specifies that a person convicted of tampering is subject to a fine not to exceed \$10,000 or imprisonment for not more than nine months, or both, for a first offense and is guilty of a Class I felony for a second or subsequent offense. The bill also requires Commerce and DHFS to inspect sealed combustion units for carbon monoxide emissions.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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

---

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

1           **SECTION 1.** 101.145 (2) of the statutes is amended to read:

2           101.145 (2) APPROVAL. A smoke detector required under this section shall be  
3 approved by ~~underwriters laboratory~~ Underwriters Laboratories, Inc.

4           **SECTION 2.** 101.149 of the statutes is created to read:

5           **101.149 Carbon monoxide detectors. (1) DEFINITIONS.** In this section:

6           (a) "Carbon monoxide detector" means an electronic or battery-operated device  
7 that sounds an alarm when an unsafe level of carbon monoxide is in the air.

**SENATE BILL 289**

1 (b) “Residential building” has the meaning given in s. 101.145 (1) (a).

2 (c) “Sleeping area” has the meaning given in s. 101.145 (1) (b).

3 (d) “Unit” means a part of a residential building that is occupied by one or more  
4 persons as a home, residence, or sleeping place.

5 **(2) INSTALLATION REQUIREMENTS.** (a) Except as provided in par. (b), the owner  
6 of a residential building shall install a carbon monoxide detector in all of the  
7 following places not later than the date specified under par. (c):

8 1. In the basement of the building if the basement has a fuel-burning  
9 appliance.

10 2. Within 15 feet of each sleeping area of a unit that has a fuel-burning  
11 appliance.

12 3. Within 15 feet of each sleeping area of a unit that is immediately adjacent  
13 to a unit that has a fuel-burning appliance.

14 4. In each room that has a fuel-burning appliance and that is not used as a  
15 sleeping area. A carbon monoxide detector shall be installed under this subdivision  
16 not more than 75 feet from the fuel-burning appliance.

17 5. In each hallway leading from a unit that has a fuel-burning appliance, in  
18 a location that is within 75 feet from the unit, except that, if there is no electrical  
19 outlet within this distance, the owner shall place the carbon monoxide detector at the  
20 closest available electrical outlet in the hallway.

21 (b) If a unit is not part of a multiunit building, the owner of the residential  
22 building need not install more than one carbon monoxide detector in the unit.

23 (c) 1. Except as provided under subd. 2., the owner of a residential building  
24 shall comply with the requirements of this subsection before the building is occupied.

**SENATE BILL 289**

1           2. The owner of a residential building shall comply with the requirements of  
2 this subsection not later than the first day of the 18th month beginning after the  
3 effective date of this subdivision .... [revisor inserts date], if construction of the  
4 building was initiated before the effective date of this subdivision .... [revisor inserts  
5 date], or if the department approved the plans for the construction of the building  
6 under s. 101.12 before the effective date of this subdivision .... [revisor inserts date].

7           (d) Any carbon monoxide detector that bears an Underwriters Laboratories,  
8 Inc., listing mark or similar mark from an independent product safety certification  
9 organization satisfies the requirements of this subsection.

10           (e) The owner shall install every carbon monoxide detector required by this  
11 subsection according to the directions and specifications of the manufacturer of the  
12 carbon monoxide detector.

13           **(3) MAINTENANCE REQUIREMENTS.** (a) The owner of a residential building shall  
14 reasonably maintain every carbon monoxide detector in the residential building in  
15 the manner specified in the instructions for the carbon monoxide detector.

16           (b) An occupant of a unit in a residential building may give the owner of the  
17 residential building written notice that a carbon monoxide detector in the residential  
18 building is not functional or has been removed by a person other than the occupant.  
19 The owner of the residential building shall repair or replace the nonfunctional or  
20 missing carbon monoxide detector within 5 days after receipt of the notice.

21           (c) The owner of a residential building is not liable for damages resulting from  
22 any of the following:

23           1. A false alarm from a carbon monoxide detector if the carbon monoxide  
24 detector was reasonably maintained by the owner of the residential building.



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1           2. The failure of a carbon monoxide detector to operate properly if that failure  
2 was the result of tampering with, or removal or destruction of, the carbon monoxide  
3 detector by a person other than the owner or the result of a faulty detector that was  
4 reasonably maintained by the owner as required under par. (a).

5           **(4) TAMPERING PROHIBITED.** No person may tamper with, remove, destroy,  
6 disconnect, or remove batteries from an installed carbon monoxide detector, except  
7 in the course of inspection, maintenance, or replacement of the detector.

8           **(5) EXCEPTIONS.** Subsections (2) and (3) do not apply to the owner of a  
9 residential building if the residential building does not have an attached garage and  
10 any of the following applies:

11           (a) The residential building does not have any fuel-burning appliances.

12           (b) All of the fuel-burning appliances in the residential building have sealed  
13 combustion units that are covered by the manufacturer's warranty against defects.

14           (c) All of the fuel-burning appliances in the residential building have sealed  
15 combustion units that are inspected annually by the department or the department  
16 of health and family services as provided in the rules promulgated under sub. (6) (b)  
17 or s. 254.74 (1) (am).

18           **(6) RULES.** (a) The department shall promulgate rules establishing a procedure  
19 under which the owner of a residential building may apply to the department for a  
20 waiver of the requirements under sub. (2).

21           (b) The department shall promulgate rules, in consultation with the  
22 department of health and family services, under which the department of commerce  
23 shall conduct annual inspections of sealed combustion units for carbon monoxide  
24 emissions in residential buildings other than hotels, tourist rooming houses, and bed  
25 and breakfast establishments. The rules shall specify conditions under which it may

*address  
comb  
situations*

*fix*

*or authorized hvac to conduct*

*plumbers to do water heaters*

**SENATE BILL 289****SECTION 2**

1 issue orders as specified under sub. (8) (a). The rules may not require the department  
2 of commerce to inspect sealed combustion units during the period in which the sealed  
3 fuel combustion units are covered by a manufacturer's warranty against defects.

4 **(7) INSPECTION.** To ensure compliance with subs. (2) and (3), the department,  
5 or a building inspector certified by the department, may inspect all of the following:

6 (a) The common area of a residential building.

7 (b) A unit within a residential building, at the request of the owner of the  
8 residential building or an occupant of the unit to be inspected.

9 **(8) PENALTIES.** (a) If the department of commerce or the department of health  
10 and family services determines after an inspection of a building under this section  
11 that the owner of the building has violated sub. (2) or (3), the respective department  
12 shall issue an order requiring the person to correct the violation within 5 days or  
13 within such shorter period as the respective department determines is necessary to  
14 protect public health and safety. If the person does not correct the violation within  
15 the time required, he or she shall forfeit \$50 for each day of violation occurring after  
16 the date on which the respective department finds that the violation was not  
17 corrected.

18 (b) If a person is charged with more than one violation of sub. (2) or (3) arising  
19 out of an inspection of a building owned by that person, those violations shall be  
20 counted as a single violation for the purpose of determining the amount of a forfeiture  
21 under par. (a).

22 (c) Whoever violates sub. (4) is subject to the following penalties:

23 1. For a first offense, the person may be fined not more than \$10,000 or  
24 imprisoned for not more than 9 months, or both.

25 2. For a 2nd or subsequent offense, the person is guilty of a Class I felony.

*make sure  
that there  
is requirement  
to order  
these leaks  
& detectors  
to be fixed*

**SENATE BILL 289**

*(regular (see notes))*

1       **SECTION 3.** 254.74 (1) (am) of the statutes is created to read:

2           254.74 (1) (am) Promulgate rules, in consultation with the department of  
3 commerce, under which the department of health and family services shall conduct  
4 ~~annual~~ inspections of sealed combustion units for carbon monoxide emissions in  
5 hotels, tourist rooming houses, and bed and breakfast establishments. The rules  
6 shall specify conditions under which it may issue orders as specified under s. 101.149  
7 (8) (a). The rules may not require the department of health and family services to  
8 inspect sealed combustion units during the period in which the sealed fuel  
9 combustion units are covered by a manufacturer's warranty against defects.

10       **SECTION 4. Nonstatutory provisions.**

11           (1) EMERGENCY RULES. Using the procedure under section 227.24 of the statutes,  
12 the department of commerce shall promulgate as emergency rules the rules required  
13 under section 101.149 (6) of the statutes, as created by this act and the department  
14 of health and family services shall promulgate as emergency rules the rules required  
15 under section 254.74 (1) (am) of the statutes, as created by this act. Notwithstanding  
16 section 227.24 (1) (c) and (2) of the statutes, the emergency rules promulgated under  
17 this subsection may remain in effect until the date on which the permanent rules  
18 required under sections 101.149 (6) and 254.74 (1) (am) of the statutes, as created  
19 by this act, take effect. Notwithstanding section 227.24 (1) (a) and (3) of the statutes,  
20 neither the department of commerce or the department of health and family services  
21 is required to provide evidence that promulgating rules under this subsection as  
22 emergency rules is necessary for the preservation of the public peace, health, safety,  
23 or welfare and is not required to provide a finding of emergency for the rules  
24 promulgated under this subsection.

*require  
submission  
to Leg.  
Council  
1 day of 13<sup>th</sup>  
month*

*→  
tell to  
Bob Dupont  
about date*



Commerce Public Hearing Testimony  
Senate Bill 289  
Carbon Monoxide Detectors

Senate Committee on Small Business, Emergency Preparedness, Workforce  
Development, Technical Colleges and Consumer Protection

October 24, 2007

Good Morning,

My name is Bob DuPont.

I am the Director of Program Development in the Safety and Buildings  
Division of the Department of Commerce.

I am testifying on behalf of Secretary Burke.

The Department of Commerce supports Senate Bill 289, with an understanding  
that an amendment is under development that will clarify who must conduct the  
inspections under Commerce jurisdiction of certain sealed combustion fuel  
burning appliances.

We support an amendment that would require inspections of sealed combustion  
heating appliances be conducted by HVAC contractors registered by  
Commerce under section 101.178 of the Statutes and by plumbers properly  
licensed by Commerce under section 145.06 of the Statutes where the sealed  
combustion unit is a water heater.

We believe that requiring carbon monoxide detectors will further public safety  
and help protect Wisconsin residents from carbon monoxide poisoning.

We look forward to working with the legislature and other stake holders in  
clarifying and implementing the safety improvements contained in SB 289.

**Kite, Robin**

---

**From:** DuPont, Robert - COMMERCE [Robert.DuPont@Wisconsin.gov]  
**Sent:** Monday, October 29, 2007 1:59 PM  
**To:** Kite, Robin  
**Cc:** Miller Fienen, Chandra - COMMERCE  
**Subject:** SB 289

Hi Robin,

I attended the legislative committee hearing on this bill last Wednesday.

One area of the bill that still needs clarification, in my opinion, is on page 3, lines 21 and 22.

From hearing testimony it is apparent to me that the proponents of this bill want it to apply to individual "fishing cabins" at resorts. However, under the bill as drafted, such individual cabins would not be subject to the requirements for installing carbon monoxide detectors or for inspections in lieu of detectors.

That's because of the definition of "residential building" in s. 101.145 (1) (a), stats. That definition starts off by saying that "Residential building" means any public building ... (emphasis added)

The term "public building" is defined in s. 101.01 (12), stats., and it does not include buildings with fewer than three tenants.

Therefore, a single family or two-family cabin would not be a public building and would not be regulated by SB 289.

I hope this information is of help to you and the authors and proponents of this bill.

## Kite, Robin

---

**From:** McGuire, Paula  
**Sent:** Wednesday, January 16, 2008 8:57 AM  
**To:** Kite, Robin  
**Subject:** RE: drafter's note

Lets go with the inspection on a regular basis as established by rule

The point of this legislation is to prevent the tragedy that happened to our constituents--I wasn't involved in the bills previous incarnations, and I don't know why residential building was used--but we want a definition that covers hotels, overnight tourism rental facilities--cabins, and apartments.

*254.61(6)  
four~~est~~ rooming house*

---

**From:** Kite, Robin  
**Sent:** Tuesday, January 15, 2008 5:56 PM  
**To:** McGuire, Paula  
**Subject:** RE: drafter's note

Cabins are not necessarily like hotels. Take a look at s. 101.01 (12) in current law. That is the relevant definition of "public building". It means, among other things, a structure used by the public or by 3 or more tenants. I think that the Department of Commerce takes the position that a "cabin" is not a structure used by the public and it may be used by a single tenant. So it is arguably not covered. You might want to talk to Bob DuPont on this issue.

As to the issue of inspection, the amendment can provide that the department provide inspection on a regular basis, as established in rules.

Robin

---

**From:** McGuire, Paula  
**Sent:** Tuesday, January 15, 2008 5:47 PM  
**To:** Kite, Robin  
**Subject:** RE: drafter's note

Can regular inspection be defined in the rules process?

As for the definition--it says public building and includes hotels in the analysis--aren't cabins that are rented out equal to hotels?

---

**From:** Kite, Robin  
**Sent:** Tuesday, January 15, 2008 4:54 PM  
**To:** McGuire, Paula  
**Subject:** RE: drafter's note

As a practical matter, there is no penalty in the bill if the department falls behind on the inspections. But you can, if you prefer, change the language to require something like "regular inspection by the department" and leave it to the department to decide what that means.

Also, I want to remind you about an important issue that came up at the last meeting. The bill defines "residential building" by using the definition under s. 101.145 (1) (a) in current law. That definition specifically refers to certain buildings that are "public buildings". "Public buildings" under current law are buildings that are "used by the public or by 3 or more tenants." It is my understanding that the Department of Commerce interprets all of this to mean that the definition in the bill does not include such places as a one or 2 family cabin. So, do you want me to revise the definition to include such places?

Robin

---

**From:** McGuire, Paula  
**Sent:** Tuesday, January 15, 2008 4:36 PM  
**To:** Kite, Robin  
**Subject:** RE: drafter's note

Items 2-5 are good.

I have a question on #1--We generally want annual inspections, but what if the Department falls behind on the inspections--and they take place every 14 mon. or 16 mon. instead of 12 mon--is there a way to leave this to the rule making process?

---

**From:** Kite, Robin  
**Sent:** Tuesday, January 15, 2008 4:08 PM  
**To:** McGuire, Paula  
**Subject:** drafter's note

Paula:

Here is the drafter's note we discussed.

<< File: 07a0783/1dn >>

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Robin Kite, Senior Legislative Attorney  
Wisconsin Legislative Reference Bureau  
1 East Main Street, Suite 200  
Madison, WI 53703  
(608) 266-7291





PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SENATE AMENDMENT,  
TO 2007 SENATE BILL 289

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 5: after that line insert:

3 "(ag) "Bed and breakfast establishment" has the meaning given in s. 254.61  
4 (1)." ✓

5 2. Page 2, line 6: delete "(a)" and substitute "(am)". ✓

6 3. Page 3, line 1: delete that line and substitute:

7 ✓ "(b) "Residential building" means a tourist rooming house, a bed and breakfast  
8 establishment, or any public building that is used for sleeping or lodging purposes.  
9 "Residential building" does not include a hospital or nursing home." ✓

10 4. Page 3, line 2: after that line insert:

11 "(cm) "Tourist rooming house" has the meaning given in s. 254.61 (6)." ✓

insert  
1-11 →

1           **5.** Page 7, line 4: delete that line and substitute “regular inspections of sealed  
2 combustion units, as required under s. 101.149 (5) (c), for carbon monoxide emissions  
3 in”.

4 ✓           **6.** Page 7, line 4: delete “annual” and substitute “regular”. ✓  
5

(END)

Insert  
2-4

**SENATE AMENDMENT ,  
TO 2007 SENATE BILL 289**

INSERTS

INSERT 1-11

1 At the locations indicated, amend the bill as follows:

- 2 **1.** Page 5, line 15: delete lines 15 to 17 and substitute <sup>g</sup> "combustion units that  
3 are inspected as provided in the rules promulgated by the department under sub. (6)  
4 (b) or in the rules promulgated by the department of health and family services under  
5 s. 254.74 (1) (am)."<sup>✓</sup>
- 6 **2.** Page 5, line 23: delete that line and substitute <sup>g</sup> "shall authorize certified  
7 heating, ventilating, and air conditioning inspectors to conduct <sup>✓</sup> ~~annual~~ <sup>regular</sup> inspections  
8 of sealed combustion units, as required under par. (5) (c), for carbon monoxide."<sup>✓</sup>
- 9 **3.** Page 6, line 2: delete "inspect" and substitute "authorize inspection of".
- 10 **4.** Page 6, line 3: delete "fuel".
- 11 **5.** Page 6, line 5: delete lines 5 to 8 and substitute <sup>g</sup> "or a building inspector  
12 certified by the department, shall ~~annually~~ <sup>g</sup> inspect the common area of residential  
13 buildings other than hotels, tourist rooming houses, <sup>✓</sup> and bed and breakfast <sup>✓</sup>
- ↓

*Insert 1-11  
Continued*

1 establishments and may inspect a unit within such buildings at the request of the  
2 owner or occupant of the unit to be inspected." ✓

3 **6.** Page 6, line 10: after "section" insert "or s. 254.74 (1g)". ✓ (end ins 1-11)

4 **7.** Page 7, line 4: after "units" insert ", as required under s. 101.149 (5) (c)."

*Insert 2-4*

5 **8.** Page 7, line 8: delete "fuel". ✓

6 **9.** Page 7, line 9: after that line insert:

7 "SECTION 3m. ✓ 254.74 (1g) of the statutes is created to read:

8 254.74 (1g) The department shall annually inspect hotels, tourist rooming  
9 houses, and bed and breakfast establishments to ensure compliance with s. 101.149  
10 (2) and (3)."

11 **10.** Page 7, line 17: after "until" insert "January 1, 2009" or until".

12 **11.** Page 7, line 19: after "effect" insert ", whichever is sooner". ✓ (end ins)

~~(END)~~