

☞ 07hr_CRule_06-120_AC-Ho_pt03



Details:

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on ... Housing (AC-Ho)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions
 - (**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: Mike Barman (LRB) (Aug/2010)

Steve Wieckert

From: Becher, Scott [Scott.Becher@legis.wisconsin.gov]
Sent: Monday, August 20, 2007 9:26 AM
To: swieckert@sbcglobal.net
Subject: FW: On Behalf of Secretary Mary Burke, Live Burn Demonstration by Madison Fire Department, August 21, 9:30AM, at 100 State Street.

From: Field, Adam
Sent: Monday, August 20, 2007 9:01 AM
To: Becher, Scott
Subject: FW: On Behalf of Secretary Mary Burke, Live Burn Demonstration by Madison Fire Department, August 21, 9:30AM, at 100 State Street.

From: Miller Fienen, Chandra - COMMERCE [mailto:Chandra.MillerFienen@wisconsin.gov]
Sent: Friday, August 17, 2007 1:52 PM
To: Rep.Wieckert
Subject: On Behalf of Secretary Mary Burke, Live Burn Demonstration by Madison Fire Department, August 21, 9:30AM, at 100 State Street.

The Madison Fire Department has confirmed the location of its Live Burn Demonstration on Tuesday, August 21 at 9:30AM. The demonstration will offer legislators and their staff the opportunity to see first-hand the fire patterns of a sprinklered versus non-sprinklered unit in preparation for the Assembly Committee of Housing's Executive Session on Commerce Clearinghouse Rule 06-120.

What: Madison Fire Department
Side-by-Side Live Burn Demonstration
When: Tuesday, August 21, 2007
9:30 AM
Where: 100 State Street

In light of the interest in the sprinkler rule, Secretary Mary Burke and the Department invite all legislators and their staff to witness the Fire Department demonstration.

If you have any questions about the demonstration or Clearinghouse Rule 06-120, please do not hesitate to contact me.

Sincerely,

Chandra Miller Fienen

From: Miller Fienen, Chandra - COMMERCE
Sent: Wednesday, August 15, 2007 5:27 PM
To: 'wi-assembly@lists.wi.gov'; 'wi-senate@lists.wi.gov'
Subject: On Behalf of Secretary Mary Burke, Notice of Side-By-Side Live Burn Demonstration by Madison Fire Department, August 21, 9:30AM

On Tuesday, August 21, the Assembly Committee on Housing will hold an executive session hearing on Commerce Clearinghouse Rule 06-120. The proposed rule would update the Wisconsin Fire Prevention Code to International

8/20/2007

Code Council standards by requiring automatic fire sprinkler systems in all new residential buildings of three or more dwelling units, excluding townhouse type dwellings.

Prior to the hearing, the Madison Fire Department will conduct a side-by-side live burn demonstration for all legislators and legislative staff to compare the fire patterns of a dwelling with sprinklers versus a dwelling without sprinklers.

The demonstration will take place at 9:30 AM either at the top of State Street (at the State-Mifflin-Carroll intersection) or at the MLK-Main intersection. We will update you on Friday morning as to the location as soon as the Madison Fire Department confirms the actual location.

Since there has been a significant interest in the rule, its safety benefits and costs, Secretary Mary Burke and the Department of Commerce hope that legislators and their staff will attend the Fire Department's side-by-side burn demonstration.

What: Madison Fire Department Side-by-Side Live Burn Demonstration
When: Tuesday, August 21, 2007
9:30 AM
Where: TBA (either Capital @ State Street or Capital @ MLK)

If you have any questions about the demonstration or Clearinghouse Rule 06-120, please do not hesitate to contact me.

Sincerely,

Chandra Miller Fienen

Chandra Miller Fienen

Executive Assistant
Office of the Secretary
Department of Commerce
608.266.2125

chandra.millerfienen@wisconsin.gov

Maintenance of equipment \$

Take effect: when 7/1/07 !!

Patents

Patents - specimens only ?

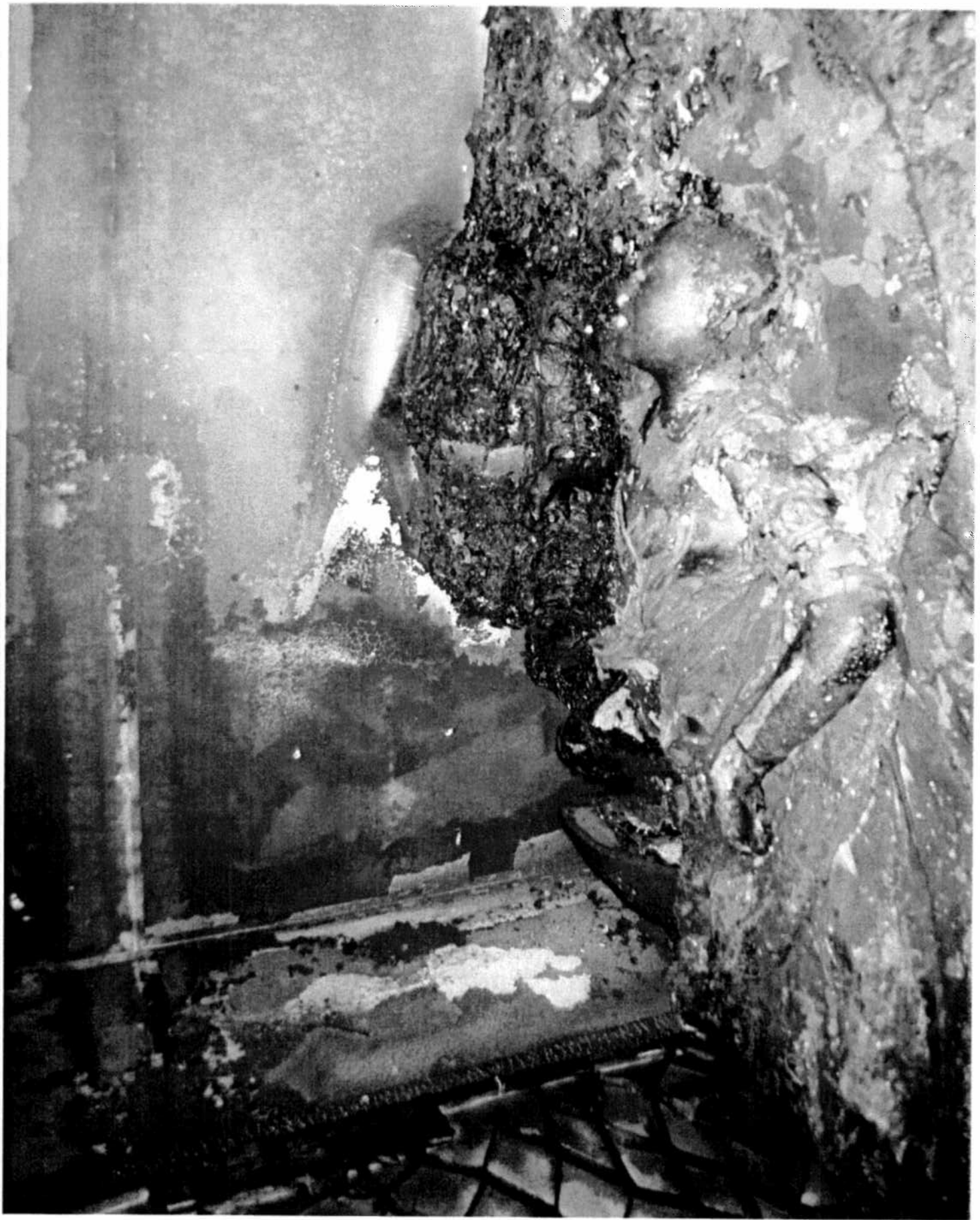


CRule 06-120?





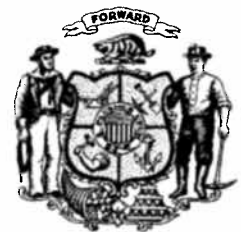








WISCONSIN STATE LEGISLATURE



For Representative Wieckert's Personal and Immediate Attention



URGENT !!

Constituent Action Form

Name:

CHIEF JACK BAUS

Time: 11:45 AM

Date: 8/20/07

Address:

MENOMONIE FIRE DEPARTMENT
116 W. MAIN ST.
MENOMONIE, WI

Phone:

54751

(715)232-2414

Request:

HE IS UNABLE TO ATTEND THE 8/21/07
PUBLIC HEARING, CHIEF BAUS IS IN FAVOR
OF THE FIRE SPRINKLER PROVISION IN THE
DEPT. OF COMMERCE 06-120 CLEARINGHOUSE RULE,

Mode of Contact:

Phone Call

Voice Mail

Visit

Fax

Email

to...

Appleton

Capitol

SKW Home

Other

Action:

SCOTT TALKED TO HIM BRIEFLY ABOUT
HE SUPPORT FOR THE FIRE SPRINKLER
PROVISION IN THE DEPT. OF COMMERCE
06-120 CLEARINGHOUSE RULE.

Date:

Steve Wieckert
State Representative
Wisconsin State Capitol
Room 16 West
Madison, WI 53708
608-266-3070
920-731-3000
1-888-534-0057
FAX 608-262-3657

IMPORTANT MESSAGE

FOR _____
DATE 8/20/07 TIME 11:45 A.M.
P.M.
M CHIEF JACK ~~BAUS~~ BAUS
OF MENOMONIE, WIS.
PHONE (715) 232-2414
 FAX AREA CODE NUMBER EXTENSION
 MOBILE AREA CODE NUMBER TIME TO CALL

TELEPHONED		PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		SPECIAL ATTENTION	

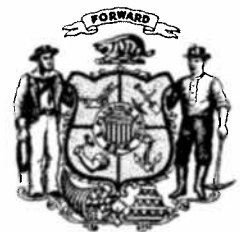
MESSAGE HE IS IN FAVOR OF
THE FIRE SPRINKLER
RULE IN CLEARINGHOUSE
RULE 06-120.

SIGNED _____





WISCONSIN STATE LEGISLATURE



Steve Wieckert

From: Becher, Scott [Scott.Becher@legis.wisconsin.gov]
Sent: Monday, August 20, 2007 12:13 PM
To: swieckert@sbcglobal.net
Subject: FW:Wisconsin Home Builder members coming to Tuesday's meeting

CRule
06-120
?

From: Brad Boycks [mailto:bboycks@wisbuild.org]
Sent: Monday, August 20, 2007 12:11 PM
To: Becher, Scott
Subject: members

Hi Scott-

Thanks for your message. I have 20 confirmed members and I believe around 15 members from Madison will be filling out a slip against but will likely not be sticking around too long.

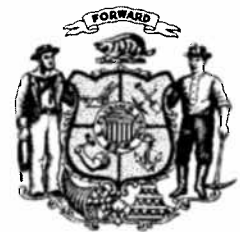
Brad

Brad Boycks
Director of Government Affairs
Wisconsin Builders Association ®
bboycks@wisbuild.org
888-285-9066, x16
Visit our web site: www.wisbuild.org

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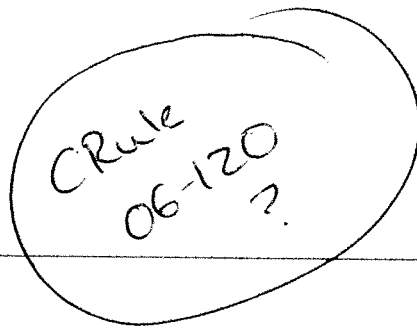


WISCONSIN STATE LEGISLATURE



Steve Wieckert

From: Becher, Scott [Scott.Becher@legis.wisconsin.gov]
Sent: Monday, August 20, 2007 12:14 PM
To: swieckert@sbcglobal.net
Subject: FW: cost info on fire sprinklers



CRule
06-120
?

From: Brad Boycks [mailto:bboycks@wisbuild.org]
Sent: Friday, August 17, 2007 3:59 PM
To: Becher, Scott
Subject: cost info

Brad Boycks
Director of Government Affairs
Wisconsin Builders Association ®
bboycks@wisbuild.org
888-285-9066, x16

Visit our web site: www.wisbuild.org

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FIRE SPRINKLER INSTALLATION INFORMATION

Sprinkler Installation:

Larger apartment (i.e.: 50 unit building-800 to 1,100 sq. ft. / unit) would be \$1,500 to \$1,800 per unit and pump if water supply does not have enough pressure.

Smaller apartment (i.e.: 6 unit building-900 to 1,200 sq. ft. / unit) would be \$3,000 to \$3,200 per unit.

Larger condo (i.e.: 4 unit building-2,000 to 2,200 sq. ft. / unit) would be \$6,800 to \$7,000 per unit.

Maintenance Cost

This cost will vary with age. However, there is an annual inspection that is required. Annual inspection fee: \$300 to \$400 per year.

Plumbing Contractor for Water Lines:

To install 6" or 8" water main up to a 50' setback. (To include main supplies, T's, tap charges, valves, ductile, trenching, etc) would be \$10,000 to \$12,000. If the system has pristine in, you have to drain and refill every five years.

Municipal Meter Costs:

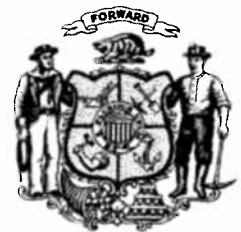
Most municipalities don't have meter charges; however they do have quarterly charges of \$50 to \$75 per quarter for 6" line or \$75 to \$100 per quarter for 8" line.

Fire Department Inspection Costs:

There needs to be a quarterly inspection at \$100 to \$150 per quarter, or an employee can take a class for \$250 to \$300 and learn how to do this inspection.

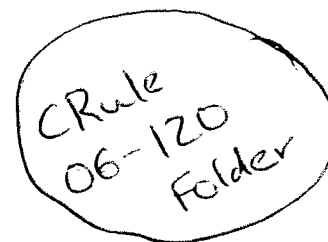


WISCONSIN STATE LEGISLATURE



Field, Adam

From: Phillips, Susan [sPhillips@Town-Menasha.com]
Sent: Monday, August 20, 2007 12:21 PM
To: Rep. Wieckert
Subject: Sprinkler Provisions in State Code



Mr. Wieckert,

I was informed by a professional associate that you were spearheading the effort to defeat the sprinkler provisions in the upcoming state building code adoption. This is very disappointing to say the least. At risk is the wellbeing of the citizens in the State not to mention the lives of firefighters to respond to emergencies in their communities.

I have read the comments from the December public hearings and quite frankly the arguments by those opposing the inclusion of residential sprinklers were not based on fact nor were they quantifiable. Ten years or so ago, the industry gave the same arguments when smoke detectors were included in building code, but now we realize that they have been effective in notifying people of fires in their residences. But what they don't do is protect occupants from the products of fire. The occupants must first recognize the detector sound and take appropriate action, which frequently they do not. A residential sprinkler system does not take any special action on the part of the occupant.

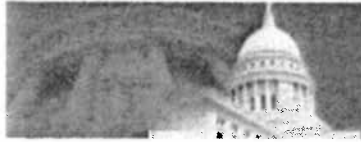
A properly installed sprinkler system will work whether they are home or not and results in less property damage and never a loss of life. Documented results throughout the country in multi-family dwellings proves the success of residential sprinklers. On New Years Eve in 2000, the Town of Menasha responded to an apartment fire where fireworks projected through an apartment window and started the bedding on fire. A single sprinkler head activated and stopped a potentially serious fire because the occupants were not home. Had this complex not had a sprinkler system there could have been a potential sixteen families displaced from the fire because it would not have been quickly discovered.

The technology behind the systems have improved as well so that installation costs have dropped from \$2.00-\$3.00 per square foot to less than \$1.00 per square foot. An ideal argument for the effectiveness of residential sprinklers can be found in the City of Scottsdale, AZ who for over 15 years has had a residential sprinkler ordinance in all residential structures including one and two family dwellings. They have reduced there community's property loss due to fire and have not had any loss of life in sprinklered structures.

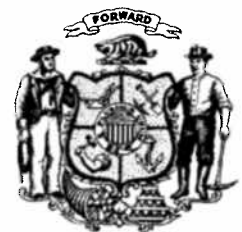
Their success can be realized here in Wisconsin as well. Although the fire departments will always have the battle with existing structures, there is no logical reason that people who invest in our communities and State should not be responsible and make an investment where it really counts ... the safety our our citizens and firefighters who strive to protect them.

I ask that you please reconsider your position on this issue and support the inclusion of residential sprinklers in our building code. Do this for those that expect the elected officials in the Fox Valley to look out for their best interest and provide a safe place to live.

Susan Phillips, EFO
Deputy Fire Chief/Fire Marshal
Town of Menasha Fire Department
1326 Cold Spring Road
Neenah, WI 54956
920-729-0931
920-720-7986 (Fax)



WISCONSIN STATE LEGISLATURE



Steve Wieckert

From: Becher, Scott [Scott.Becher@legis.wisconsin.gov]
Sent: Monday, August 20, 2007 2:42 PM
To: swieckert@sbcglobal.net
Subject: All the calls and letters in favor of the fire sprinkler rule today-3 total



CRule
06-120
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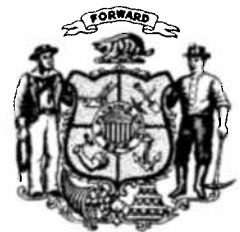
<<20070820143046110.pdf>> <<20070820143037548.pdf>> <<20070820143028286.pdf>>

Here are all the calls and letters in favor of the fire sprinkler rule received today. One call from the Menomonie Fire Chief and two letters-one from the City of Milwaukee Chief and the Town of Menasha Deputy Fire Chief.

Scott



WISCONSIN STATE LEGISLATURE



Becher, Scott

From: Jerry J. Deschane [JDeschane@axley.com]
Sent: Monday, August 20, 2007 3:08 PM
To: Becher, Scott
Subject: RE: MN Sprinkler Code

CRule
06-120
Folder

Scott, for what it's worth, if the limit is 9,250 square feet, that translates roughly to anything larger than an 8-unit apartment building.

From: Becher, Scott [mailto:Scott.Becher@legis.wisconsin.gov]
Sent: Monday, August 20, 2007 2:34 PM
To: Jerry J. Deschane
Subject: FW: MN Sprinkler Code

From: Kate Marks [mailto:kate.marks@ncsl.org]
Sent: Monday, August 20, 2007 2:29 PM
To: Becher, Scott
Subject: FW: MN Sprinkler Code

Scott,

Below is information from the Minnesota Fire Marshall's office.

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

From: Swanson, John
To: Glen.Andersen@ncsl.org
Sent: Monday, August 20, 2007 1:09 PM
Subject: FW: MN Sprinkler Code

Glen,

Your e-mail was forwarded to me from Dan Kaiser.

The Minnesota State Fire Code (MSFC) requires any Group R occupancy over 9,250 square feet to be sprinkled. Individual Group R-3 occupancies (or single family homes) are exempt from the sprinkler requirements. Here is the exact language from the MSFC.

903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2, or 903.3.1.3 shall be provided throughout all buildings containing a Group R occupancy where one of the following conditions exists:

1. The combined area on all floors, including mezzanines, exceeds 9,250 square feet (859.3 m²); or
2. The Group R fire area is located more than three stories above grade plane.

Exceptions:

1. Group R-3 single dwelling unit buildings.
2. Group R-3 or R-4 occupancies containing a facility licensed by the state of Minnesota shall be provided with a fire suppression system as required by the applicable licensing provision or this

section, whichever is more restrictive.

3. Group R-3 attached garages need not be sprinklered throughout if a dry sprinkler is installed within 5 feet (1524 mm) of the door opening between the garage and attached residence.

For the purposes of this section, fire walls, party walls, or attached multiple fire-resistive exterior walls shall not constitute separate buildings.

Exception: Fire walls, party walls or attached multiple fire-resistive exterior walls separating other occupancies not accessory to the Group R.

John Swanson

Deputy State Fire Marshal

State Fire Marshal Division

John.Swanson@state.mn.us

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

From: Glen Andersen [mailto:glen.andersen@ncsl.org]

Sent: Monday, August 20, 2007 12:19 PM

To: Fire.Sprinklers@state.mn.us

Subject: MN Sprinkler Code

Hi,

I'm wondering what the MN requirements are for sprinklers in apartments and condos. I realize these codes are often local, but is there a statewide code, or has MN adopted the universal building code or NFPA requirements. If you could email me at your earliest convenience that would be great.

Regards,

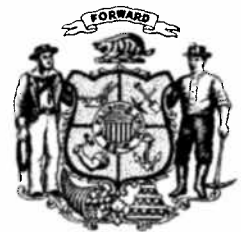
Glen Andersen, Program Principal
Environment, Energy and Transportation Program
National Conference of State Legislatures
303.364.7700 ext. 1341
glen.andersen@ncsl.org

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WISCONSIN STATE LEGISLATURE



Field, Adam

From: Becher, Scott
Sent: Monday, August 20, 2007 3:18 PM
To: Field, Adam
Subject: FW: On Behalf of Secretary Mary Burke, Notice of Side-By-Side Live Burn Demonstration by Madison Fire Department, August 21, 9:30AM

Please put this on the schedule..

From: Field, Adam
Sent: Thursday, August 16, 2007 9:18 AM
To: Becher, Scott
Subject: FW: On Behalf of Secretary Mary Burke, Notice of Side-By-Side Live Burn Demonstration by Madison Fire Department, August 21, 9:30AM

From: Miller Fienen, Chandra - COMMERCE [mailto:Chandra.MillerFienen@wisconsin.gov]
Sent: Wednesday, August 15, 2007 5:27 PM
To: Rep.Wieckert
Subject: On Behalf of Secretary Mary Burke, Notice of Side-By-Side Live Burn Demonstration by Madison Fire Department, August 21, 9:30AM

On Tuesday, August 21, the Assembly Committee on Housing will hold an executive session hearing on Commerce Clearinghouse Rule 06-120. The proposed rule would update the Wisconsin Fire Prevention Code to International Code Council standards by requiring automatic fire sprinkler systems in all new residential buildings of three or more dwelling units, excluding townhouse type dwellings.

Prior to the hearing, the Madison Fire Department will conduct a side-by-side live burn demonstration for all legislators and legislative staff to compare the fire patterns of a dwelling with sprinklers versus a dwelling without sprinklers.

The demonstration will take place at 9:30 AM either at the top of State Street (at the State-Mifflin-Carroll intersection) or at the MLK-Main intersection. We will update you on Friday morning as to the location as soon as the Madison Fire Department confirms the actual location.

Since there has been a significant interest in the rule, its safety benefits and costs, Secretary Mary Burke and the Department of Commerce hope that legislators and their staff will attend the Fire Department's side-by-side burn demonstration.

What: Madison Fire Department Side-by-Side Live Burn Demonstration
When: Tuesday, August 21, 2007
9:30 AM
Where: TBA (either Capital @ State Street or Capital @ MLK)

If you have any questions about the demonstration or Clearinghouse Rule 06-120, please do not hesitate to contact me.

Sincerely,

Chandra Miller Fienen

08/20/2007

Chandra Miller Fienen

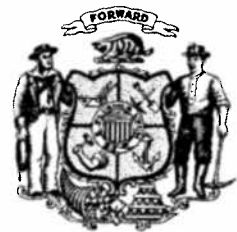
Executive Assistant

Office of the Secretary

Department of Commerce

608.266.2125

chandra.millerfienen@wisconsin.gov



DEPT. OF COMMERCE
RESPONSE TO WIS.
BUILDERS ASSOC. CLAIM
OF THE DEPT. OF
COMMERCE EXCEEDING
175 AUTHORITY

Aug 20
2007

CRule
06-120

L 3:32 PM

Becher, Scott

From: Miller Fienen, Chandra - COMMERCE [Chandra.MillerFienen@wisconsin.gov]
Sent: Monday, August 20, 2007 3:32 PM
To: Wieckert, Steve
Cc: Becher, Scott; Field, Adam
Subject: On Behalf of Commerce Sec. Burke re Sprinkler Rule

Dear Representative Wieckert,

Tomorrow, Commerce Secretary Mary Burke will testify before the Assembly Committee on Housing regarding Commerce's proposed "sprinkler rule" (Clearinghouse Rule 06-120). The rule would require automatic fire sprinklers in all new residential buildings of three or more units, excluding townhouse-type residential buildings.

The Wisconsin Builders Association (WBA) and its members have been contacting legislators asserting that the sprinkler rule is somehow "illegal" on the theory that it exceeds Commerce's rule-making authority. The WBA's unsupported assertion ignores that the rule is authorized under Commerce's general authority according to:

- **the Department's Legal Counsel** who found the authority for the sprinkler rule to be "clearly granted." This opinion was provided to both the WBA and JCRAR. (http://commerce.wi.gov/sprinkler_rule/Opinion.pdf, 3/27/06)
- **the Legislative Counsel** whose report indicated no issues relating to Commerce's statutory authority to promulgate the sprinkler rule. (http://commerce.wi.gov/sprinkler_rule/Report.pdf, 12/05/06)
- **the Wisconsin Court of Appeals** who found that Commerce can exercise its general authority to promulgate rules that exceed—but do not conflict with—express statutory limitations. (http://commerce.wi.gov/sprinkler_rule/1000Friends.pdf, 5/9/02)
- **the past position of the WBA** who as a co-defendant in the *1000 Friends* case, agreed that Commerce has the general authority to enact rules, such as the proposed sprinkler rule, that go beyond, but do not conflict with, express statutory limitations.

Secretary Burke looks forward to testifying at the hearing tomorrow about how the proposed sprinkler rule will save lives, protect Wisconsin fire fighters, and reduce property damage cause by fire.

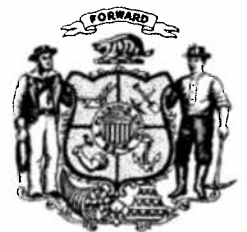
Please do not hesitate to contact me if you have any questions about the sprinkler rule or the Madison Fire Department's Live Burn Demonstration, which will take place at 9:30 AM Tuesday, August 21, at 100 State Street.

Chandra Miller Fienen
Executive Assistant
Office of the Secretary
Department of Commerce
608.266.2125
chandra.millerfienen@wisconsin.gov

8/20/2007

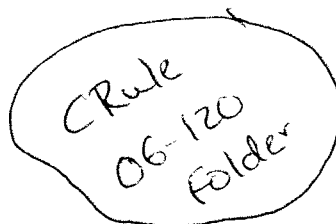


WISCONSIN STATE LEGISLATURE



Becher, Scott

From: Brad Boycks [bboycks@wisbuild.org]
Sent: Monday, August 20, 2007 3:33 PM
To: Becher, Scott
Subject: Line up



Hi Scott-

We would ask that after Commerce does their testimony that myself and our attorney, Laurie Lubinsky of Axley come up next.

After that John Eagon will be available to testify on the most recent revisions to the code to improve fire safety.

Don Esposito is our GA Chair and probably would be good to go next (if he plans on testifying against, which I believe he is).

After that you can go in the order you receive slips.

Heather Robinson will be there a little last I believe, she will be talking specifically about costs matters.

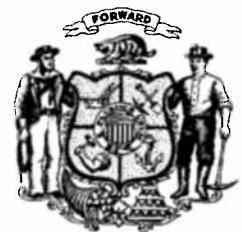
Brad Boycks
Director of Government Affairs
Wisconsin Builders Association ®
bboycks@wisbuild.org
888-285-9066, x16

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WISCONSIN STATE LEGISLATURE

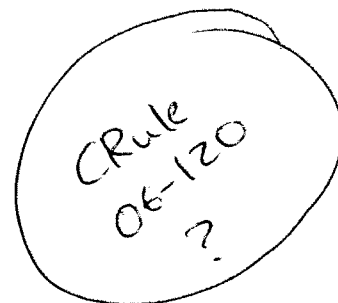


Becher, Scott

From: Brad Boycks [bboycks@wisbuild.org]
Sent: Monday, August 20, 2007 3:48 PM
To: Becher, Scott
Subject: Chicago

Looks like they passed something that required retro fitting and a phase in over time:

http://www.firesprinklerassoc.org/High_Rise/BOMA.pdf



Brad Boycks
Director of Government Affairs
Wisconsin Builders Association ®
bboycks@wisbuild.org
888-285-9066, x16

Visit our web site: www.wisbuild.org

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FIRE SPRINKLERS AND CHICAGO HIGH-RISES

HERE ARE THE FACTS

Fact #1:

Chicago now requires that almost all commercial high-rise buildings be retrofitted with fire sprinklers. One-third of each building must be sprinklered by 2009, with the second third completed by 2013. The entire building must be protected with a fire sprinkler system by January 1, 2017.

Fact #2:

While the new high-rise ordinance excludes landmark and historical high-rise buildings, these buildings should also be retrofitted according to NFPA Life Safety Code 101 2000 Edition, adopted by the Illinois Office of the State Fire Marshal. The State's Life Safety Code requires existing high-rise buildings in excess of 75 feet in height be equipped with fire sprinkler systems.

Fact #3:

Only fire sprinkler systems will meet the State's Life Safety Code requirements and can qualify for significant insurance savings.

Fact #4:

All high-rise fire sprinkler system installations must be done by a licensed fire sprinkler contractor. The State of Illinois passed the Fire Sprinkler Contractors License Act last year, and it is enforced by the Office of the State Fire Marshal.

To find out more about the life-saving benefits of fire sprinklers,
call NIFSAB toll-free at 1-866-2NIFSAB.



**Northern Illinois
Fire Sprinkler
Advisory Board**
www.firesprinklerassoc.org