☞ 07hr_AC-Ho_Misc_pt07

Details: Correspondence (2008 – Pt. 3)

(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)

Becher, Scott

From: Lotto, Brian [BLotto@leviton.com]
Sent: Thursday, November 13, 2008 7:42 AM
To: Becher, Scott
Subject: FW: Industry facts on tamper resistant rules
Attachments: Final-Tamper_Rec_Presentation_3-9-07 Revision.ppt; TR code acceptance map #2.ppt

Misc

From: Lotto, Brian
Sent: Thursday, November 13, 2008 7:35 AM
To: 'Scottbecher@legis.wi.gov'
Cc: 'Hertel, Joe - COMMERCE'; Carden, Jeff; Longley, Jay
Subject: Industry facts on tamper resistant rules

Scott
Thank you for taking time out of your schedule Tuesday evening to discuss the Germane modification to comm.. 16 regarding the ruling on tamper resistant receptacle.

As shown in the attachment this ruling was developed for child safety. The NEC code addition was adopted based on a ten year study from the US Consumer Product Safety Commission.

Some of the facts on this adoption may have been left out of your discussion with your concerned party resulting in the Germane Modification.

1) Cost of a typical home is typically under $100.00
2) Approx. 7 children on the average get medical care daily due to these electrical burn issues and 71% of the incidents occur in the home.

We sincerely hope that the State of Wisconsin uses sound judgment when making these decisions.

I have also included a map on adoption of this code throughout the country on a state by state basis. As you can see almost all states have taken the NEC adoption of the 2008 NEC change based on the suggestions of experts within the industry

Please feel free to contact me at any time if you would like to discuss this further.

Regards,
Brian Lotto

LEVITON

Brian Lotto
Sales Representative

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F: 920-569-6532
C: 920-213-2929
blotto@leviton.com

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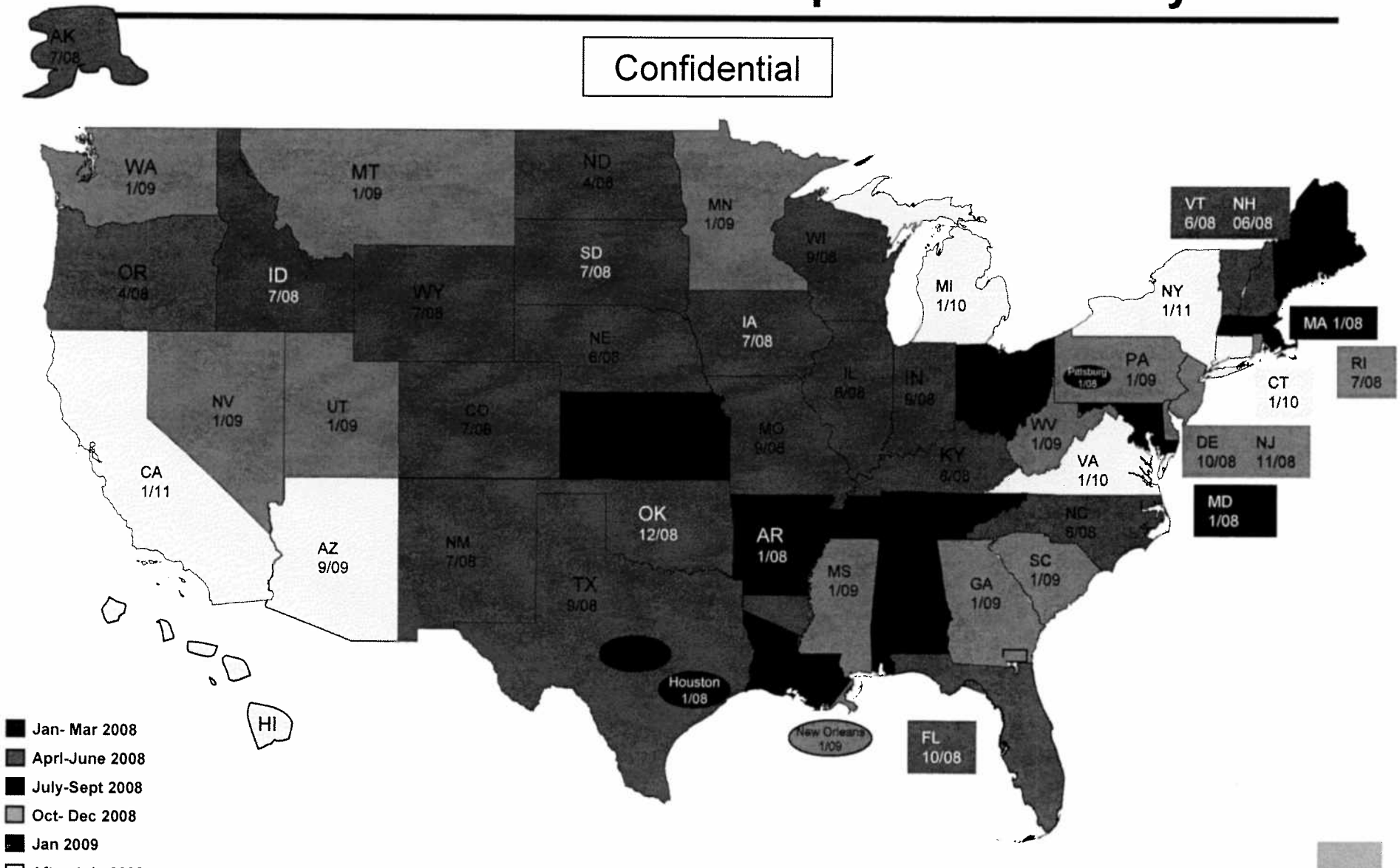
N5768 Foesch Road
Shawano, WI 54166
www.leviton.com

2008 NEC Code Acceptance Summary

Confidential



LEVITON

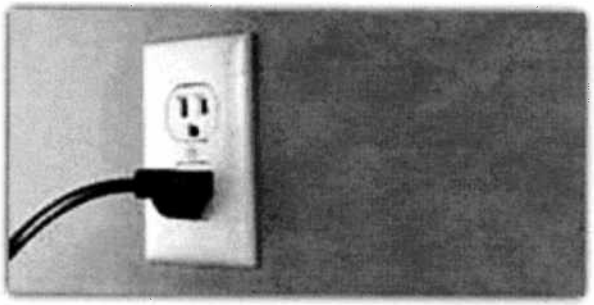
Children and Receptacles

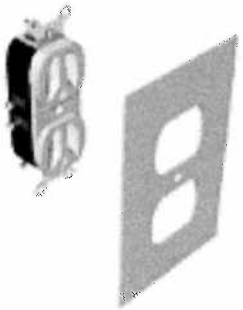
◆◆◆

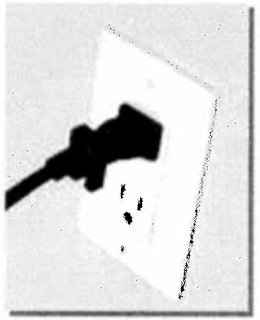
An Opportunity to Enhance Safety

Agenda

- Introduction
- The Problem at Hand







Introductions

Name:

Position:

Organization Affiliation:

Company representing NEMA

NEMA
Setting Standards for Excellence

NEMA represents 400 manufacturers and provides them a forum to:

- Develop technical standards that are in the best interests of the industry and the users of its products
- Establish and advocate industry policies on legislative and regulatory matters that might affect the industry and those it serves
- Collection, analysis, and dissemination of industry data

TAMPER RESISTANT RECEPTACLES REQUIRED IN 2008

- 406.11 Tamper Resistant Receptacles in Dwelling Units. In all areas specified in 210.52, all 125-volt, 15- and 20-ampere receptacles shall be listed tamper resistant receptacles.

The Unfortunate Facts

U.S. Consumer Product Safety Commission (CPSC)

- 10 year study (1991 – 2001) of National Electronic Injury Surveillance Systems (NEISS) data
- 24,000+ children under 10 years old were treated in Emergency Rooms for incidents related to electrical receptacles.

On average, this translates to about 7 children per day!

Note: See slide #28

The Unfortunate Facts

A similar study done by CHIRPP (Canadian Hospitals Injury Reporting and Prevention Program)

- 8 Year Study (1996-2003) from 14 CHIRPP Hospitals
- 465 children under 9 years old were treated in Emergency Rooms for incidents related to electrical receptacles
    - Close to 85% were under 4 years old

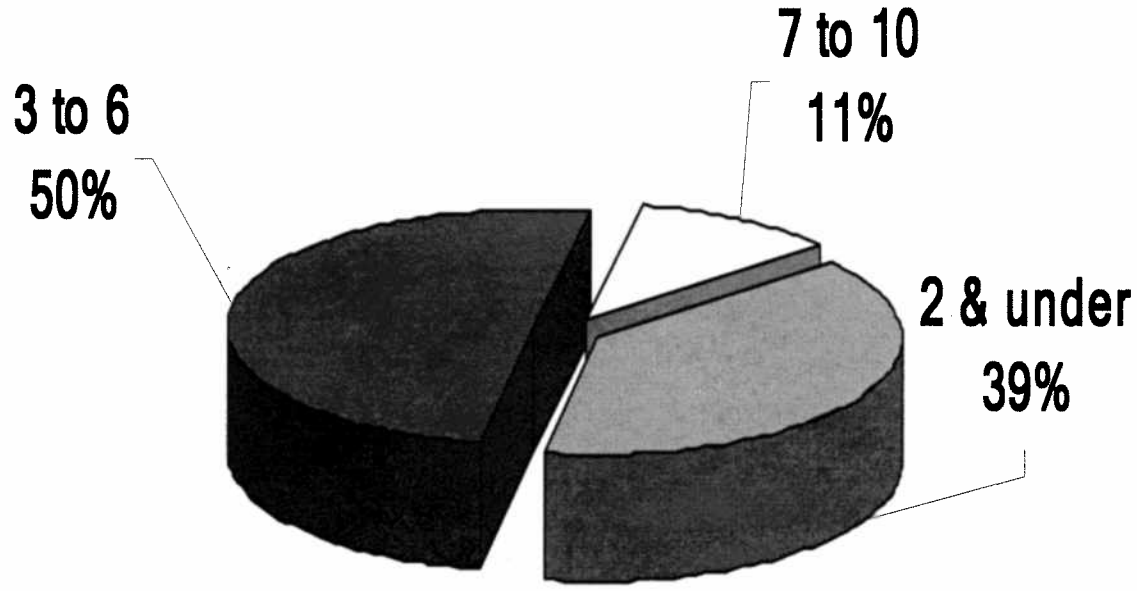
Note: See slide #28

Who We Are Trying to Protect

- Male
- 2 or 3 years old
- At home
- Using a hairpin
- Electric burn to finger
- 1st or 2nd degree burn
- Emotional trauma
- Treated & released from ER

Incidents by Age Group

- 89% are under 6 years old
- 50% are 2 to 3 years old (Highest Risk)
  - Over 12,000 toddlers in a 10 year period
- Boys are the highest risk, regardless of age



CPSC estimates for 10-year period, 1991-2001

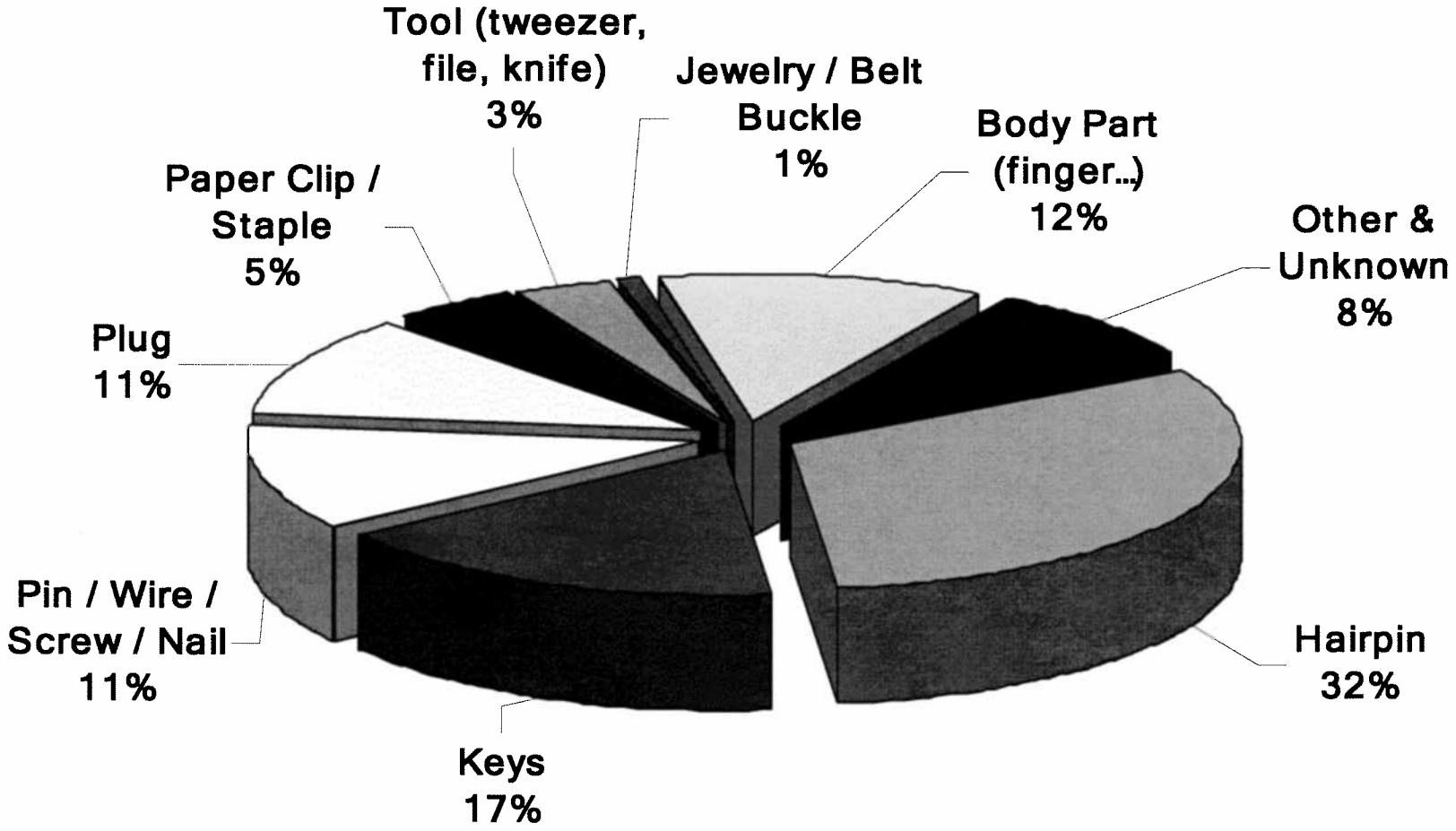
Typical Location of Incidents

LOCATION	%	10-year estimate
Home	**71%**	17,101
Schools & Public areas	4%	950
Unknown	25%	6,086
TOTAL	**100%**	**24,137**

The vast majority of incidents occur in the home, where adult supervision is typically present.

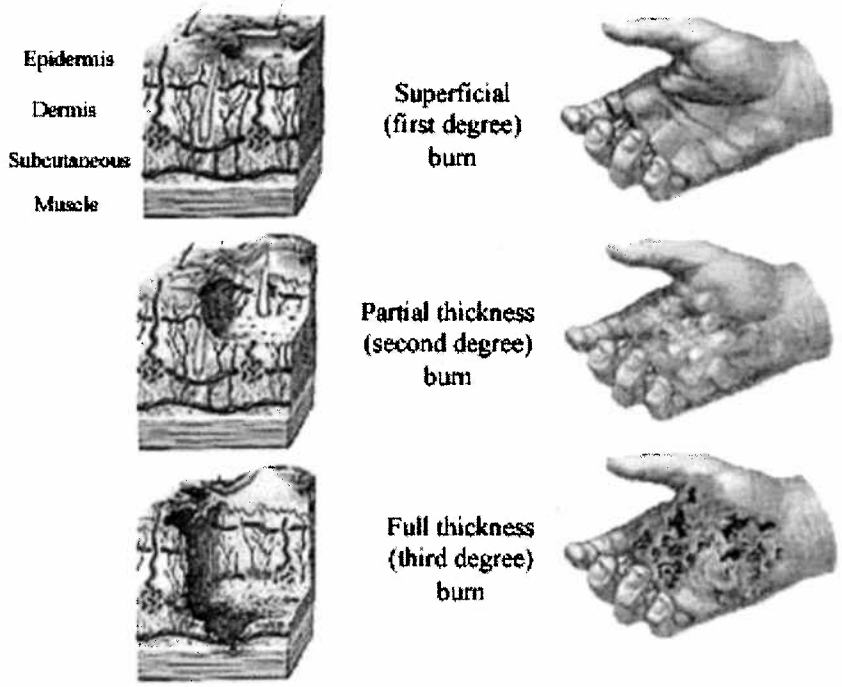
What Objects are Inserted ?

EVERYDAY HOUSEHOLD ITEMS - EASILY ACCESSIBLE



Types of Pediatric/Electrical Injuries Requiring Emergency Room Treatment

Type of injury	%	10-year estimate
1st degree burn	78%	18,828
2nd degree burn	13%	3,138
3rd degree burn	3%	724
Electric Shock	5%	1,207
Other	1%	241
TOTAL	100%	24,138



Injury Definition

A burn is a thermal (heat) injury to the skin. Burns are classified as:

1st degree - reddened skin without blisters (doesn't need to be seen).

2nd degree - reddened skin with blisters (takes 2 to 3 weeks to heal).

3rd degree - deep burns with white or charred skin. Skin sensation is absent. Usually needs a skin graft to prevent bad scarring if it is larger than a quarter (1 inch) in size.

U.S Data Total for 10-year period, 1991-2001

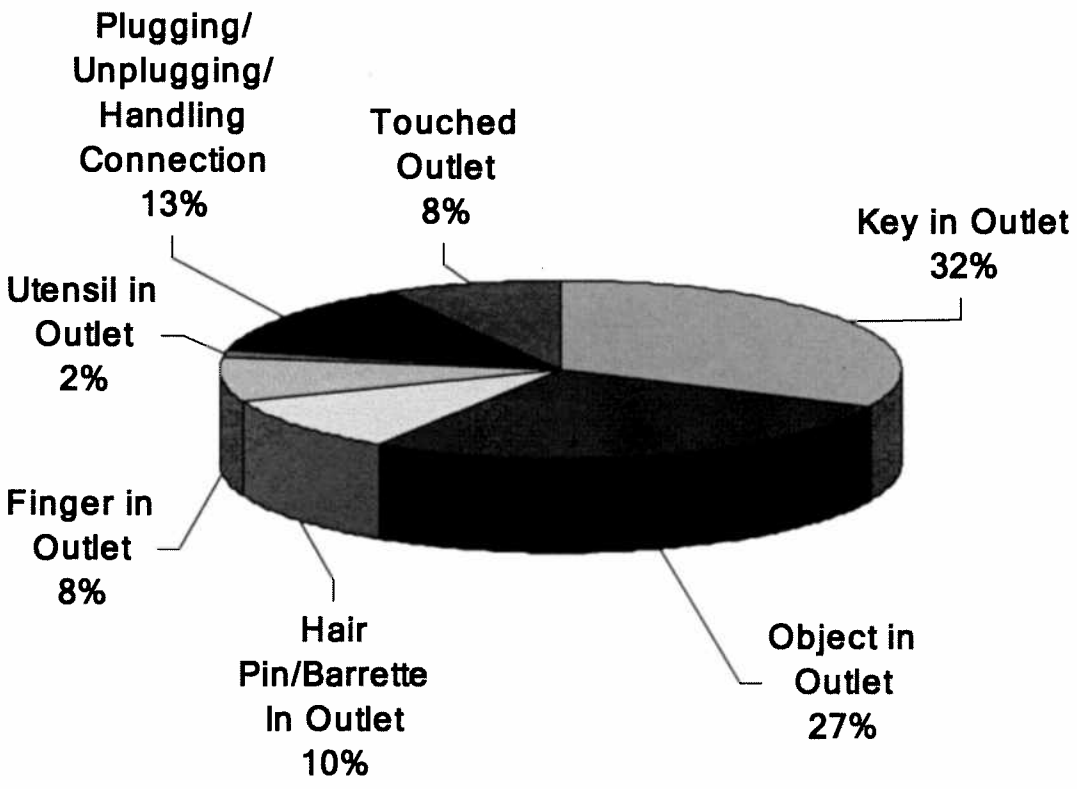
EVEN WORSE

- Thin skin, offers low resistance
- Saliva, often present and promotes conductivity
- Digits with small diameter
- 4th degree burns
  Destruction of nerve, muscle, bone
- Digit amputation can result

Stats from Canada: CHIRPP Study

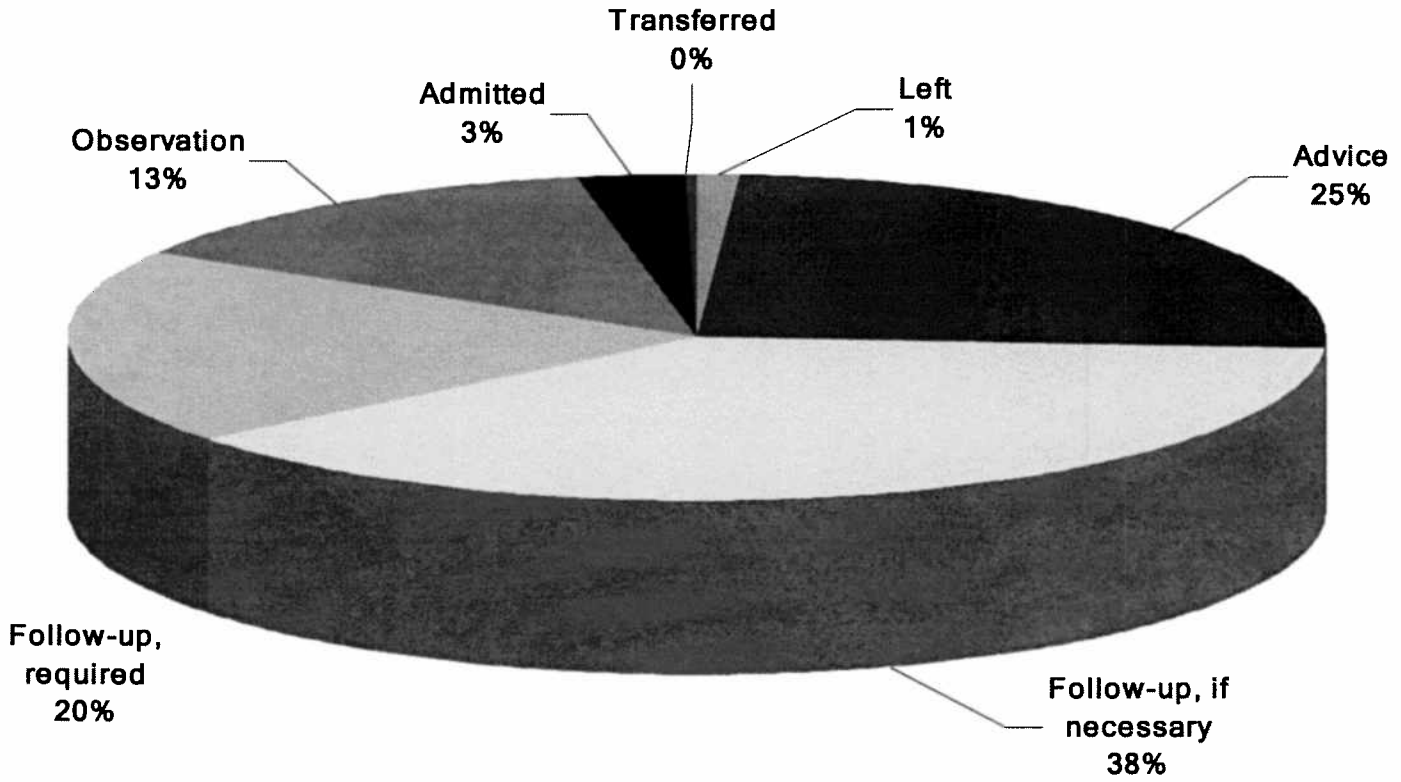
Canadian Hospitals Injury Reporting and Prevention Program 8 year (1996-2003) study reports:

- 40% between 3-6 years old
- 79% injured at home
- 69% were injured when an object was placed in an outlet

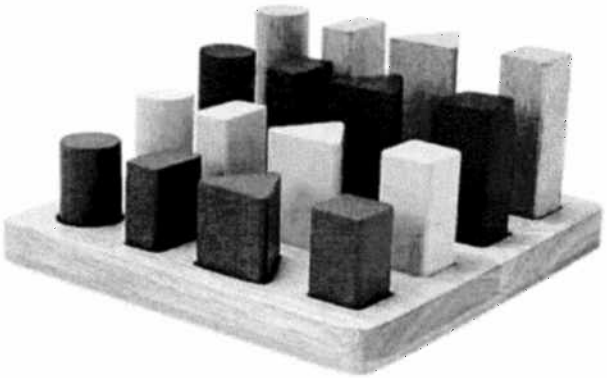


CHIRPP Study

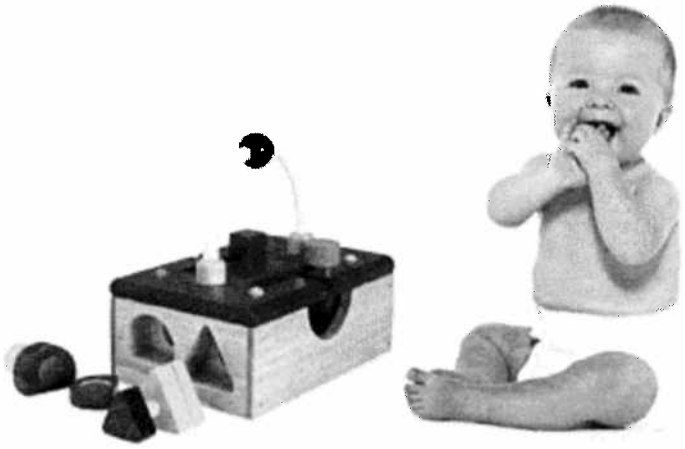
- Majority of cases required advice and follow-up
- 3% were admitted or transferred



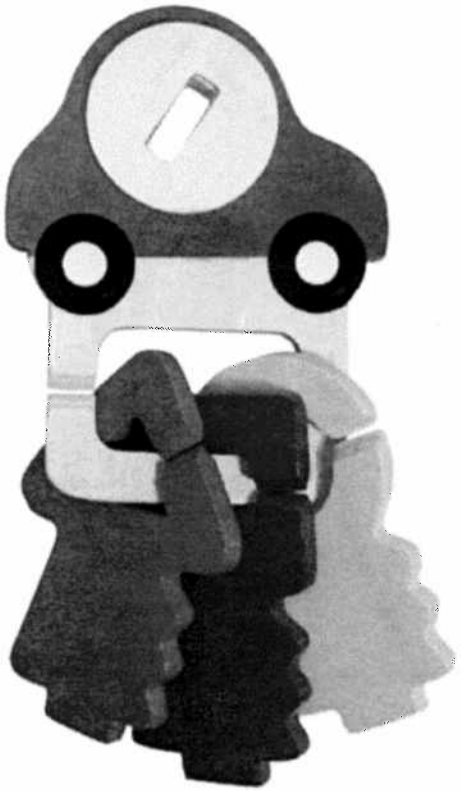
Curiosity: Normal and Favorable



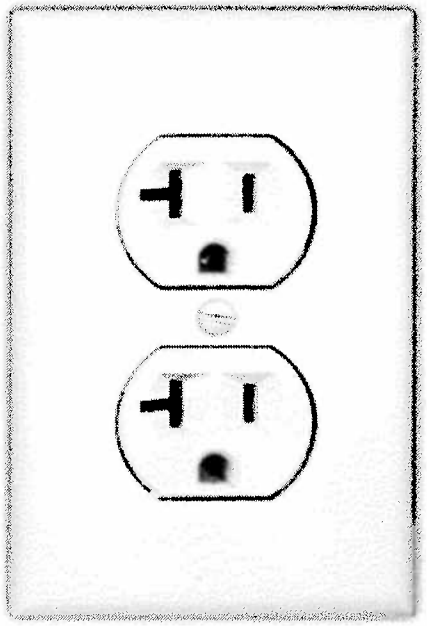
Normal development includes learning what fits where



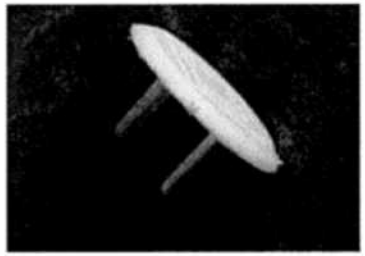
Continuous Active Supervision



Pre-exposure conditions unintentionally exist, 100% surveillance is not always possible.



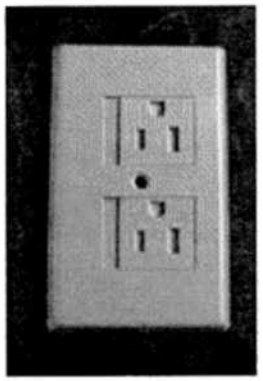
Preventative Measures



Plastic Outlet Caps

- Inexpensive method to "child-proof" a home
- Commonly used by new parents
- Typically effective for very young children (under 2 years old)
- Temple University Biokinetics Laboratory Study (1997)
  47% of the 4-years olds were able to remove one brand of cap
  For another brand of cap, 100% of the 2 and 4-years old were able to remove it, in many cases in less than 10 seconds !
- In addition adults often forget to reinsert the caps, which leaves the receptacle exposed. This is also the case if a child simply pulls out a lamp cord.

Preventative Measures



Tamper Resistant Wallplates

- Better level of protection than outlet caps

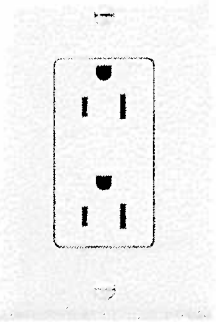
Most add extra layers of material between the plug blades and the receptacle contacts. This reduces the surface of contact between plug blades and contacts, causing potential heat rise or arcing.

UL has withdrawn listing from this type of plate.

Preventative Measures

Tamper Resistant Receptacles

Tamper resistant receptacles offer the best, most reliable solution. These devices have been mandated for use in Hospital Pediatric Wards for over 2 decades and are proven to effectively prevent electrical injuries.



Tamper Resistant Receptacles are:

Certified: they are subjected to severe and documented testing procedures defined by UL.

Permanent: once installed, they offer continuous protection, unlike plastic outlet caps that can be removed or forgotten.

Reliable: hard-wired solution means no need to worry about inserting, losing, or breaking them.

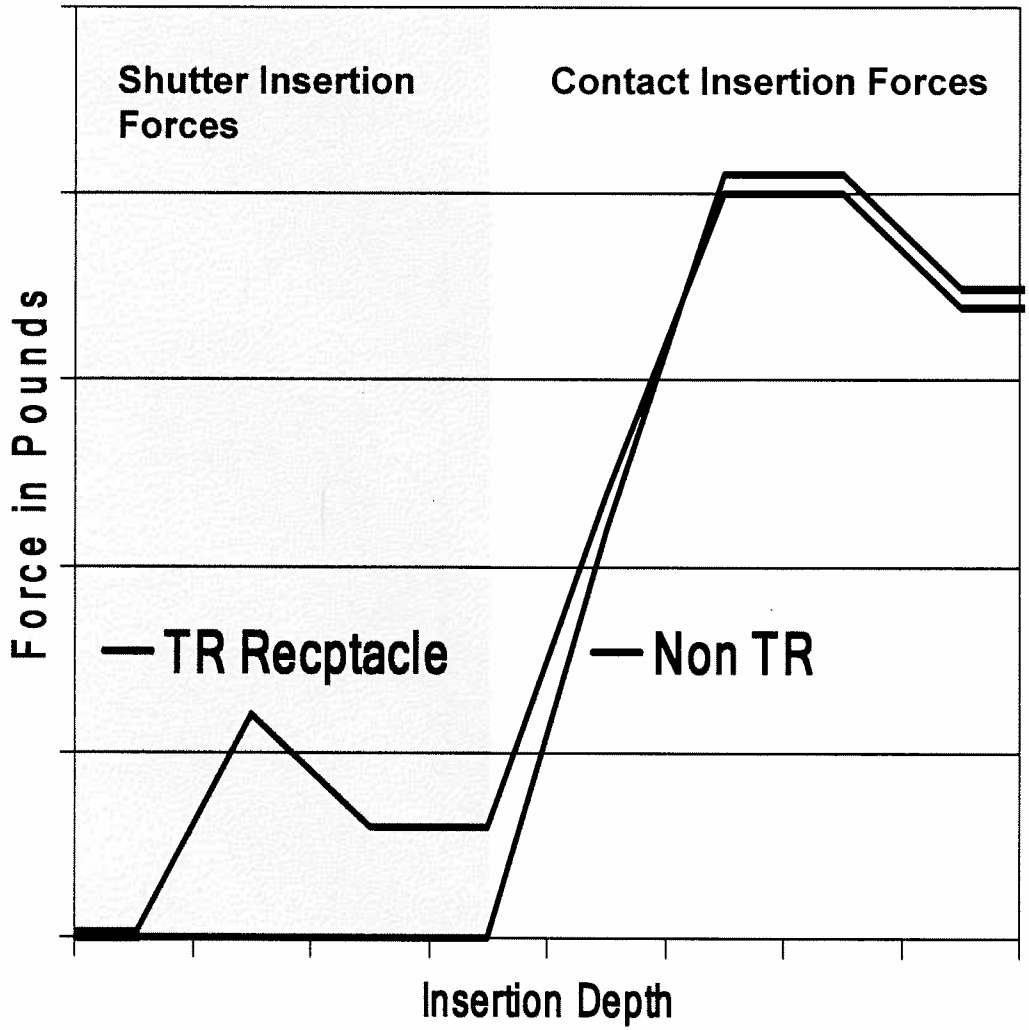
Automatic: even if a plug is removed, the protection is still there!

Cost Per House

According to NEMA Business Information Services

- Estimated average additional cost at retail level per tamper resistant receptacle is 50¢.
- Estimated increase per average new house estimated at $37.50 based on 75 receptacles.
- Estimated increase is less than 1/2% of total cost ($6,820) of electrical installation of an average new house.

NEMA MANUFACTURER'S TESTING



Insertion Sequence Profile

- No appreciable difference for insertion forces between TR and Non TR receptacles.
- Withdrawal forces are slightly lower than insertion.
- Average maximum insertion is ~20 lbs.

Summary

- Electrical injuries to children are physically devastating, financially expensive, and preventable

- Prevention is affected by a safe environment more than behavior modification

Conclusion

NEMA advocates adoption of the 2008 NEC including the new provision for Tamper Resistant receptacles

Where Does the Data Come From ?

- **Consumer Product Safety Commission - Washington, DC**. The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than $700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children.
- **National Electronic Injury Surveillance System - Washington, DC**. CPSC's National Electronic Injury Surveillance System (NEISS) is a national probability sample of hospitals in the U.S. and its territories. Patient information is collected from each NEISS hospital for every emergency visit involving an injury associated with consumer products. From this sample, the total number of product-related injuries treated in hospital emergency rooms nationwide can be estimated. See slide #28
- **Canadian Hospitals Injury Reporting and Prevention Program.** CHIRPP is a computerized information system that collects and analyzes data on injuries to people (mainly children) who are seen at the emergency rooms of the 10 pediatric hospitals and of 5 general hospitals in Canada. See slide #28
- **Temple University, Biokinetics Laboratory, Philadelphia, PA**. The mission of the Biokinetics Research Laboratory (BRL) is to conduct research pertaining to movement in and of the human organism. The mission is accomplished through independent and collaborative activities within the Department of Kinesiology's Behavioral and Somatic sciences. Temple University was founded in 1884 and is now the third largest provider of professional education in the country, including a strong medical focus. Temple U has over 34,000 students and 17 schools & colleges. In 1997, Temple U conducted a ground breaking study of outlet cap effectiveness.
- **National Electrical Manufacturers Association - Rosslyn, VA.** NEMA is the leading trade association in the United States representing the interests of electroindustry manufacturers. Founded in 1926 and headquartered near Washington, D.C., its 400 member companies manufacture products used in the generation, transmission and distribution, control, and end-use of electricity. Domestic shipments of electrical products within the NEMA scope exceed $100 billion annually.

NEISS Data

NEISS collects data from a statistically valid sample of hospitals nationwide. NEISS calculates historic estimates based on these samples using statistical tools (weights, sampling error, trend data, adjustment for changes in sampling frame...). NEISS provides at least 2 numbers for each query conducted on their web site:

•The first number is the actual sample for monitored hospitals. These are actual cases that were communicated to NEISS.

•The second number is the historic estimate calculated by NEISS as explained above.

For example, the attached 2002 NEISS report shows a sample count of 129 and a historical estimate of 3277.

For the purpose of this analysis, we calculated a ratio, based on 10 years of data, between sample and historic estimate (we queried outlet related incidents concerning children ages 1 month to 10 years old). We then applied this ratio to our analysis. The intent is not to provide exact values but to attribute weight to major topics (age, type of injury, objects used..). These estimates have been calculated to identify the major issues associated with children tampering with electrical receptacles.

CHIRPP Data

The study conducted by Canadian Hospitals Injury Reporting and Prevention Program (CHIRPP) reported similar data. For example: almost 80% of the Canadian incidents occurred in the home (compared with 71% in the US), 40% were 3-6 years of age (compared with 50% in the US). A recent presentation of the CHIRPP data concludes that "legislated standards for the manufacture and use of child safe outlets along with education for parents and children" was called for. Attached is the CHIRPP raw data for electrical injuries to children aged 9 or less for 1996 - 2003.

To Learn More

- To query for statistics of incidents in the USA: www.cpsc.gov/library/neiss.html
- For the CPSC data-sheet of electrical safety: www.cpsc.gov/cpscpub/pubs/524.html
- To query for statistics of incidents in Canada: www.phac-aspc.gc.ca/injury-bles/chirpp
- For the Consumers Union Report on Outlet Caps: http://www.consumersunion.org/products/childsafeny698.htm
- For State Farm report on home electrical safety: http://www.statefarm.com/learning/child_safety/learning_childsafety_elec.asp

For More Information, Contact:

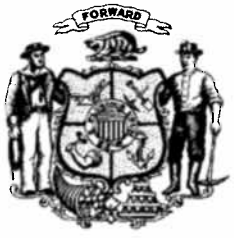
Andrei Moldoveanu

NEMA

Tel: 730-841-3287

Email: and_moldoveanu@nema.org

WISCONSIN STATE LEGISLATURE



Becher, Scott

From: Sanders, Russ [RSanders@NFPA.org]
Sent: Thursday, November 13, 2008 1:11 PM
To: Sanders, Russ
Subject: Electrical Code

Dear Honorable Members:

My name is Russ Sanders and I am the Central Regional Manager for the National Fire Protection Association (NFPA). With a approximately 80,000 members from throughout the word, NFPA is the worldwide leader in providing fire, electrical, building and life safety to the public. It has come to my attention that when the state of Wisconsin adopts the state electrical code it will delay until January 1, 2010 the requirement for arch-fault circuit interrupters (AFCIs) and it will delete in its entirety the requirement for tamper resistant receptacles (TRRs). Based on current estimates, that means approximately 15,000 new homes will be built in Wisconsin without life-saving AFCIs and all new homes built in the future will be without TRR protection.

As a life-long fire and life safety advocate, I urge you to reconsider these recommended amendments. According to the United States Fire Administration (USFA), each year home electrical problems cause 70,000 fires, resulting in 485 deaths and $868 million in property loss. The United States Consumer Product Safety Commission (CPSC) estimates that AFCIs would prevent 50% of these fires. And, according to the CPSC, each year approximately 2,400 children suffer severe shock and burns when they stick items into the slots of electrical receptacles. The cost of a TRR adds approximately $0.50 – 0.75 to the cost of an unprotected receptacle. Based on current statistics, the average home has about 75 receptacles resulting in an overall added cost of approximately $50.

I ask that you please reconsider these proposed changes that will reduce fire and life safety for the citizens throughout the state of Wisconsin for decades to come.

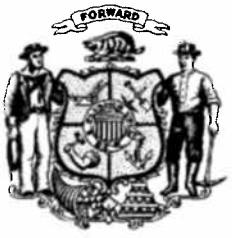
If I can offer additional information or be of further assistance, please don't hesitate to contact me.

Sincerely,

Russ

Russell E. Sanders
NFPA
3257 Beals Branch Road
Louisville, KY 40206
TEL: +1 502-894-0411
FAX: +1 502-894-0519
U.S.A.
rsanders@nfpa.org
www.nfpa.org

WISCONSIN STATE LEGISLATURE



Misc

Decher, Scott

From: Clarke, Malilia [Mal_Clarke@nema.org]

Sent: Thursday, November 13, 2008 1:43 PM

To: Rep.Wieckert

Cc: Leinenkugel, Dick J - COMMERCE; Sen.Plale; Rep.Roth; Rep.Townsend; Rep.Honadel; Rep.Hebl; Rep.Young; Rep.WilliamsA; Hertel, Joe - COMMERCE

Subject: "WI Electrical Code modifications to decrease level of home safety"

November 13, 2008

Representative Steve Wieckert
57th Assembly District
Room 16 West
State Capitol
P.O. Box 8953
Madison, WI 53708

Re: GERMAINE MODIFICATION TO WISCONSIN'S ELCTRICAL CODE

Dear Rep. Wieckert:

I'm writing to express my concern and disappointment over the Germaine Modification that was made to Comm 16 – Electrical Code on November 5, 2008, in particular to the exception that was placed on the National Electrical Code requirement 210.12, which pushed its effective date to January 1, 2010.

It's my understanding the modifications to the electrical code resulted from a meeting between you, in your role as chair of the Assembly Committee on Housing, and the Department of Commerce, and that no public discussion and/debate was heard at that time. As you may be aware, the premise of the *National Electrical Code (NEC)* is and will always be to "safeguard persons and property from hazards arising from the use of electricity." As representatives of homeowners and their families throughout Wisconsin, the Housing Committee is charged with helping to ensure that premise is upheld. However, the modifications that were made to these very important code requirements don't reflect that commitment.

The *NEC* is the country's most universally adopted installation code, with a more than 100-year track record of providing electrical safety for millions of Americans through regular and thorough revisions that incorporate the latest in safety technology – with minimal cost impact.

NEC 210.12 expands the use of an innovative form of circuit breaker – called an arc fault circuit interrupter – that detects and prevents a leading cause of electrical fires in the home and a condition that standard circuit breakers do NOT detect. While the proven safety device has been required by the *NEC* since the 1999 edition, Wisconsin remains the **ONLY** state in the U.S. NOT to have adopted any requirement of its own for AFCIs, despite its life-saving potential and overwhelming support for its use from fire and electrical safety experts throughout the country.

While I commend the Assembly Committee on Housing for helping bring Wisconsin up to the safety standards already in place in other states, keeping this potentially life-saving technology out of new homes until 2010 is not a precedent that should be set, especially by state officials charged with keeping the best interest of homeowners in mind.

Home electrical fires kill about 360 people, injure more than 1,000 and destroy close to $1 billion in property each year in the U.S. The 2008 *NEC* expanded requirement for AFCIs to additional living areas of the home will give the home's electrical system a level of protection no other device can provide – clearing the way for a potentially dramatic decrease in the number of electrical fires that occur annually, as well as a potential decrease in the millions of tax dollars used to battle these fires.

Despite this overwhelming potential, the new electrical code requirement for AFCIs is being opposed by some special interest groups, in particular the National Association of Home Builders and its Wisconsin-based chapters, who believe that a minor economic impact, not safety, should be the driving force in establishing new building code requirements. *AFCI Safety – Page 2*

The costs to homeowners to have builders add this important protection to the home is insignificant when compared to the hundreds of deaths, thousands of injuries and nearly billion dollars lost in electrical fires each year. In this case, the cost for the average new home would increase by $160-$240 to achieve complete 2008 compliance – which not only includes the expanded AFCI requirement, but also the requirement for tamper resistant receptacles and ground fault circuit interrupters - according to a comprehensive cost analysis conducted by the Ohio chapter of the International Association of Electrical Inspectors (IAEI). For Wisconsin, that cost increase equates to an approximate cost increase of **one-tenth of one percent** of the average cost of a Wisconsin home (National Association of Realtors), and is significantly less than many "non-safety related" upgrades that home builders push on their customers, such as marble countertops and expensive kitchen cabinets and doors.

More than 20 state code adoption panels, including the Minnesota Board of Electricity, have already moved to adopt the 2008 NEC expanded AFCI requirement. I respectfully ask that the Assembly Committee on Housing and Senate Committee on Commerce, Utilities and Rail review the facts presented by fire and electrical safety experts, look at the eye-opening statistics and reverse the decision to modify Wisconsin's electrical code.

Fire and electrical experts overwhelmingly agree that AFCIs are a technological leap forward in home safety. Its expanded use as outlined in the 2008 *NEC* has the full support of a growing list of prominent fire and electrical safety groups. This list includes, among others, the National Fire Protection Association, the Electrical Safety Foundation International, the International Association of Electrical Inspectors, the National Association of State Fire Marshals, the Independent Electrical Contractors Association and the U.S. Consumer Product Safety Commission (CPSC). In fact, the CPSC believes that AFCIs, if installed in all homes, could prevent more than 50 percent of the 68,000 electrical fires that occur every year.

Cutting these important safety requirements is not the direction Wisconsin should be heading, and frankly, it's not fair to Wisconsin families.

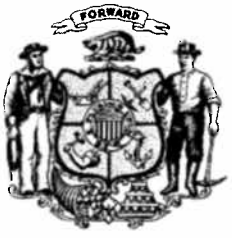
We appreciate your devotion and hard work in making Wisconsin a safer place to live.

Respectfully,

Gerard Winstanley
Program Manager
The National Electrical Manufacturers Association

cc:
Secretary Dick J. Leinenkugel, Wisconsin Department of Commerce
Senator Jeff Plale, 7th Senate District; chair, Senate Committee on Commerce, Utilities and Rail


WISCONSIN STATE LEGISLATURE


FORWARD

Misc

Becher, Scott

From: Clarke, Malilia [Mal_Clarke@nema.org]
Sent: Thursday, November 13, 2008 1:46 PM
To: Sen.Plale
Cc: Leinenkugel, Dick J - COMMERCE; Rep.Wieckert; Sen.Wirch; Sen.Hansen; Sen.Kreitlow; Sen.Cowles; Sen.Harsdorf; Sen.Kedzie; Hertel, Joe - COMMERCE
Subject: "WI Electrical Code modifications to decrease level of home safety"
Importance: High

November 13, 2008

Senator Jeff Plale
Room 313 South
State Capitol
P.O. Box 7882
Madison, WI 53707-7882

RE: GERMAINE MODIFICATION TO WISCONSIN'S ELCTRICAL CODE

Dear Senator Plale:

I'm writing to express my concern and disappointment over the Germaine Modification that was made to Comm 16 – Electrical Code on November 5, 2008, by the Assembly Committee on Housing, in particular to the exception that was placed on the National Electrical Code requirement 210.12, which pushed its effective date to January 1, 2010.

It's my understanding the modifications to Comm 16 resulted from a meeting between the chair of the Assembly Committee on Housing and the Department of Commerce, without public discussion and/or debate. The premise of the *National Electrical Code (NEC)* is and will always be to "safeguard persons and property from hazards arising from the use of electricity." As representatives of homeowners and their families throughout Wisconsin, the Housing Committee is charged with helping to ensure that premise is upheld. However, the modifications that were made to these very important code requirements don't reflect that commitment.

The *NEC* is the country's most universally adopted installation code, with a more than 100-year track record of providing electrical safety for millions of Americans through regular and thorough revisions that incorporate the latest in safety technology – with minimal cost impact.

NEC 210.12 expands the use of an innovative form of circuit breaker – called an arc fault circuit interrupter – that detects and prevents a leading cause of electrical fires in the home and a condition that standard circuit breakers do NOT detect. While the proven safety device has been required by the *NEC* since the 1999 edition, Wisconsin remains the **ONLY** state in the U.S. NOT to have adopted any requirement of its own for AFCIs, despite its life-saving potential and overwhelming support for its use from fire and electrical safety experts throughout the country.

While I commend the Assembly Committee on Housing for helping bring Wisconsin up to the safety standards already in place in other states, keeping this potentially life-saving technology out of new homes until 2010 is not a precedent that should be set, especially by state officials charged with keeping the best interest of homeowners in mind.

Home electrical fires kill about 360 people, injure more than 1,000 and destroy close to $1 billion in property each year in the U.S. The 2008 *NEC* expanded requirement for AFCIs to additional living areas of the home will give the home's electrical system a level of protection no other device can provide – clearing the way for a potentially dramatic decrease in the number of electrical fires that occur annually, as well as a potential decrease in the millions of tax dollars used to battle these fires.

Despite this overwhelming potential, the new electrical code requirement for AFCIs is being opposed by some special interest groups, in particular the National Association of Home Builders and its Wisconsin-based chapters, who believe that a minor economic impact, not safety, should be the driving force in establishing new building code requirements.

The costs to homeowners to have builders add this important protection to the home is insignificant when compared to the hundreds of deaths, thousands of injuries and nearly billion dollars lost in electrical fires each year. In this case, the cost for the average new home would increase by $160-$240 to achieve complete 2008 compliance – which not only includes the expanded AFCI requirement, but also the requirement for tamper resistant receptacles and ground fault circuit interrupters - according to a comprehensive cost analysis conducted by the Ohio chapter of the International Association of Electrical Inspectors (IAEI). For Wisconsin, that cost increase equates to an approximate cost increase of **one-tenth of one percent** of the average cost of a Wisconsin home (National Association of Realtors), and is significantly less than many "non-safety related" upgrades that home builders push on their customers, such as marble countertops and expensive kitchen cabinets and doors.

More than 20 state code adoption panels, including the Minnesota Board of Electricity, have already moved to adopt the 2008 NEC expanded AFCI requirement. I respectfully ask that the Senate Committee on Commerce, Utilities and Rail review the facts presented by fire and electrical safety experts, look at the eye-opening statistics and reverse the decision to modify Wisconsin's electrical code.

Fire and electrical experts overwhelmingly agree that AFCIs are a technological leap forward in home safety. Its expanded use as outlined in the 2008 *NEC* has the full support of a growing list of prominent fire and electrical safety groups. This list includes, among others, the National Fire Protection Association, the Electrical Safety Foundation International, the International Association of Electrical Inspectors, the National Association of State Fire Marshals, the Independent Electrical Contractors Association and the U.S. Consumer Product Safety Commission (CPSC). In fact, the CPSC believes that AFCIs, if installed in all homes, could prevent more than 50 percent of the 68,000 electrical fires that occur every year.

Cutting these important safety requirements is not the direction Wisconsin should be heading, and frankly, it's not fair to Wisconsin families.

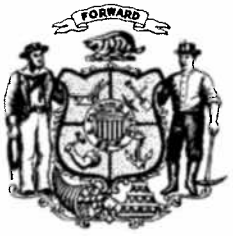
We appreciate your devotion and hard work in making Wisconsin a safer place to live.

Respectfully,

Gerard Winstanley
Program Manager
The National Electrical Manufacturers Association

cc:
Secretary Dick J. Leinenkugel, Wisconsin Department of Commerce
Rep. Steve Wieckert, 57th Assembly District; chair, Assembly Committee on Housing

WISCONSIN STATE LEGISLATURE



Becher, Scott

From: Iverson, Don [Don.Iverson@Nema.org]
Sent: Friday, November 14, 2008 8:08 AM
To: Rep.Wieckert
Subject: Wisconsin 2008 NEC Adoption

Dear Representative Wieckert,

My name is Don Iverson and I am with the Midwest Field Representative for the National Electrical Manufacturers Association (NEMA). I am writing you in regards to Wisconsin's adoption of the 2008 National Electric Code (NEC). NEMA is a trade association of choice for the electrical manufacturing industry. Founded in 1926 and headquartered near Washington, D.C., its approximately 450 member companies manufacture products used in the generation, transmission and distribution, control and end-use of electricity. It has come to my attention that the State of Wisconsin is adopting the 2008 NEC and it will delay until January 1, 2010 the requirement for arc-fault circuit interrupters (AFCIs) and will delete the requirement for tamper-resistant receptacles (TRRs).

I strongly urge you to reconsider these recommended amendments. The United States Fire Administration (USFA), each year home electrical problems cause approximately 70,000 fires, resulting in 485 deaths and $838 million in property loss. The United States Consumer Product Safety Commission (CPSC) estimates that AFCIs would prevent 50% of these fires. And, according to the CPSC, each year approximately 2,400 children suffer severe shock and burns when they stick items into the slots of electrical receptacles. Based on the current statistics, the average home has about 75 receptacles resulting in an overall added cost of approximately $50.

Again, I strongly urge you to please reconsider these proposed changes that will reduce fire and life safety for the citizens of Wisconsin.

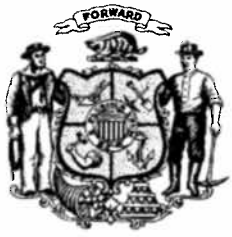
If I can offer further information, please don't hesitate to contact me.

Sincerely,

Don

Don Iverson
NEMA
Midwest Field Representive
1102 S. Eifert Rd
Mason, MI. 48854
Blackberry (517) 648-0939
Office (517) 628-2505
don.iverson@nema.org

WISCONSIN STATE LEGISLATURE



Misc

Becher, Scott

From: Longley, Jay [JLongley@leviton.com]
Sent: Friday, November 14, 2008 12:24 PM
To: Becher, Scott
Cc: Rep.Wieckert; jhertel@commerce.state.wi.us
Subject: FW: CORRECTION: Georgia Officials Say "Yes" to Better Child Electrical Safety

Scott,

Thank you for taking the time to speak with me yesterday. After our conversation, I did receive this information regarding the State of Georgia accepting the tamper resistant receptacles (see below). I think this press release explains the importance of tamper receptacles as well as the video website listed below. As you can see many states have/or will be adopting tamper resistant receptacles and would hope that the State of Wisconsin will be on that list.

Please feel free to contact me with any questions or further information.

Regards,
Jay

LEVITON

Jay Longley
Sales Representative

T: 608 846-1747
F: 608 237-2550
C: 608 358-0529
jlongley@leviton.com

Leviton Mfg. Co.
59-25 Little Neck Pkwy
Little Neck, NY 11362
www.leviton.com

Georgia Officials Say "Yes" to Better Child Electrical Safety

Tamper-Resistant Outlet Requirement to be Included in State Electrical Code

ATLANTA, Ga. Nov. 11, 2008 – The Georgia Department of Community Affairs Board has voted to adopt the 2008 *National Electrical Code®* (*NEC*) without amendments, incorporating the *NEC* into the State Minimum Standard Codes. *Code* enforcement is scheduled to begin Jan. 1, 2009.

Before approving the 2008 *NEC* without amendments at its Nov. 5 meeting, the Board heard testimony both favoring and opposing *Code* adoption and reviewed submitted documentation.

The *NEC* makes several new electrical safety provisions, including Section 406.11, stating that all 125-volt 15- and 20-ampere electrical outlets (receptacles) in new residential construction must be tamper-resistant. Each year, thousands of children suffer injuries caused by inserting objects into electrical outlets, and tamper-resistant receptacles protect against such incidents.

Using a built-in shutter system, tamper-resistant receptacles prevent foreign objects from touching electrically live components when they're inserted into the slots, but plugs can be inserted and removed just as with standard electrical outlets. Unlike plastic outlet caps, which can be removed or forgotten, tamper-resistant receptacles offer automatic, continuous and permanent protection against electrical burns.

"Having the Department of Community Affairs Board vote to adopt the NEC without amendments marks a tremendous advancement for the electrical industry, for home safety, and especially for families," said Andrei Moldoveanu, technical director at the National Electrical Manufacturers Association (NEMA). "The tamper-resistant receptacle requirement gives Georgia children the most reliable means of protection against electrical injuries, and at an affordable cost for compliance."

NEMA estimates that tamper-resistant receptacles would add less than $70 to the cost of a new home's electrical system.

As of Nov. 1, the *Code* had taken effect in Arkansas, Colorado, Idaho, Maine, Massachusetts, New Hampshire, New Mexico, North Dakota, South Dakota and Wyoming. Several Alabama, Illinois and Texas jurisdictions had also begun enforcement. The states of Georgia, Iowa, Minnesota, Oregon, Rhode Island and Utah are scheduled to adopt the *Code* on or before January 1, 2009.

Parents, homeowners, and building and electrical professionals wanting to learn about tamper-resistant receptacles, child safety statistics, and Code details can view an informational video and other resources at NEMA's Real Safety Web site: www.childoutletsafety.org. Additional information can be found at Electrical Safety Foundation International: www.esfi.org.

The NEC is an American National Standard developed by electrical safety experts under strict rules to ensure openness and broad representation by all interests. NEC adoption takes place on a state-by-state basis.

###

NEMA is the trade association of choice for the electrical manufacturing industry. Founded in 1926 and headquartered near Washington, D.C., its approximately 450 member companies manufacture products used in the generation, transmission and distribution, control, and end-use of electricity. These products are used in utility, medical imaging, industrial, commercial, institutional, and residential applications. Domestic production of electrical products sold worldwide exceeds $120 billion. In addition to its headquarters in Rosslyn, Virginia, NEMA also has offices in Beijing, São Paulo, and Mexico City.

###

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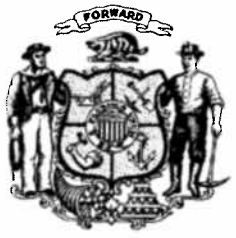
Visit our website at www.nema.org


WISCONSIN STATE LEGISLATURE


FORWARD

Becher, Scott

From: MattVLorenz@eaton.com
Sent: Friday, November 14, 2008 2:13 PM
To: Rep.Wieckert
Subject: AFCI - Letter of Concern
Attachments: WieckertAFCI111408.doc

Steve,

I would appreciate your review of the attachment.

And thank you,

Matt Lorenz
Eaton Corporation
Vice President and General Manager
Industrial Control Division, Milwaukee WI

Letters were also sent to Jeff Plale and Jason Fields

EATON
Powering Business Worldwide

Eaton Corporation
Industrial Control Division
4201 North 27th Street
Milwaukee, WI 53216

Representative Steve Wieckert
Room 16 West
PO Box 8953
Madison, WI 53708

Dear Representative Wieckert,

It is with great concern I am writing you regarding the germane modification to Comm 16. Per Comm 16.210, it has come to our attention that the State of Wisconsin intends to delay the adoption of Arc Fault Circuit Interrupter protection. Arc Fault Circuit Interrupters (AFCI) are fire safety devices that can reduce the incidence of electrical fire and are specified by the 2008 NEC. Delaying the implementation of 210.12(b) (expansion of AFCI to all dwelling areas) and eliminating 406.11 (tamper resistant receptacles in dwelling units) will greatly affect the safety of current and future citizens of Wisconsin.

The process followed for the development of the National Electric Code is comprehensive and includes input from various agencies including manufacturers, safety agencies, home builders and the public. Changes to the National Electric Code require substantiation by logical reasoning, research, data and statistics which support safeguarding of persons and property from hazards arising from the use of electricity. This is a multi-year process with ample opportunity for all interested parties to debate the merits of the recommendation. The latest revision went through no less than two years of review and was approved August 15, 2007.

AFCI's provides preventive protection as part of the building's mechanical systems. In the United States each year there are 67,800 residential electrical fires, causing 485 deaths, 2,300 injuries and $868 million in property losses. Without these changes to the State building Code, the citizens of Wisconsin will not be afforded the protection that advanced technology provides to help save lives and property. By delaying the adoption of 210.12(b) to 2010, the 15,000 new homes anticipated to be built in Wisconsin in 2009 will not be protected from fires due to electrical arcing.

A study by the International Association of Electrical Inspectors (IAEI) concludes that the cost increase of a house built to the 2008 NEC would incur a cost increase of approximately $350. This is a reasonable cost to incur to ensure the safety of the citizens of Wisconsin. This study was performed for the State of Ohio who has undergone the same vetting process that Wisconsin is experiencing currently. Ohio has reviewed the cost data and has subsequently approved the 2008 NEC for adoption.

We are encouraged by conversations that we have had with the Joseph Hertel, Program Manager at the Safety and Building Division of the Department of Commerce regarding the adoption of NEC 210.12. Mr. Hertel supports AFCI technology and its significant additional fire protection provided by the new code.

It should be noted that Eaton Corporation has nearly 500 employees in the state of Wisconsin that develop and manufacture safe and reliable electrical components, playing an integral part in the development of the Arc Fault Circuit Interrupter. Eaton

Powering Business Worldwide

Eaton Corporation
Industrial Control Division
4201 North 27th Street
Milwaukee, WI 53216

Corporation's AFCI technology was designed in Eaton's Milwaukee Research and Technology Center and the electronics portion of the circuit interrupter is manufactured in Eaton's Watertown, Wisconsin manufacturing plant.

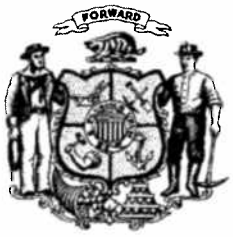
Adoption of 2008 NEC without amendment will allow, Wisconsin to join 49 other states that either mandate or recommend the use of AFCI technology. The proposed changes to the code will ensure that AFCI technology will be used in newly constructed residential homes in Wisconsin to prevent fires and save lives for generations to come. Should you require further information, we would be happy to answer any questions or host you at either of our Wisconsin facilities. You may also visit our web page www.fireguard.info for additional information.

As a world leader in the sale of efficient and safe energy distribution products, we wanted to express our concern with the germane modification to Com 16. Thank you for your time and consideration of this important matter and your leadership for the citizens of the great State of Wisconsin.

Sincerely,

Matt Lorenz
Vice President and General Manger, Industrial Control Division
(Office) 414-449-7309

WISCONSIN STATE LEGISLATURE



Misc

Becher, Scott

From: RonPReshel@eaton.com
Sent: Friday, November 14, 2008 2:19 PM
To: Rep.Wieckert
Subject: Comm 16 Gremane Modification Adoption
Attachments: Comm 16 Germane Modification.pdf

<<Comm 16 Germane Modification.pdf>>
Representative Wiekert,

Please see the attached letter detailing concerns we have regarding the failure to adopt the 2008 NEC Code, which requires arc fault circuit interrupter technology be installed in new residential dwellings.

Your immediate assistance with this matter is greatly appreciated.

Very truly yours,

Ron Reshel
Area Sales Manager
Eaton Corporation
Electrical Group
2350 W Pershing Street, Suite H
Appleton, WI 54914
(Ph) 920-380-2405
(Fx) 920-380-2420
(Cell) 920-540-0265
email: ronpreshel@eaton.com
www.eaton.com

Cutler-Hammer, Inc.

Eaton Electrical

2350 W Pershing Street, Suite H
Appleton, WI 54914
Tel: 920-380-2405
Fax: 920-380-2420
Email: RonPReshel@eaton.com

CORRESPONDENCE

Powering Business Worldwide

Friday, November 14, 2008

Mr. Steve Wieckert
State Representative – 57th District
3033 Spencer Street
Appleton, WI 54914

Ref: Comm 16.210 Germane Modification Concerns

Dear Representative Wieckert:

It is with great concern I am writing you regarding the germane modification to Comm 16. Per Comm 16.210, it has come to our attention that the State of Wisconsin intends to delay of adoption Arc Fault Circuit Interrupter protection. Arc Fault Circuit Interrupters (AFCI) are fire safety devices that can reduce the incidence of electrical fire. By delaying the adoption of the 2008 National Electric Code, 210.12(b) (expansion of AFCI to all dwelling areas) and eliminating 406.11 (tamper resistant receptacles in dwelling units), will greatly affect the safety of the citizens of Wisconsin.

AFCI's provides preventive protection as part of the building's mechanical systems. In the United States each year there are 67,800 residential electrical fires, causing 485 deaths, 2,300 injuries and $868 million in property losses. Without these changes to the State building Code, the citizens of Wisconsin will not be afforded the protection that advanced technology provides to help save lives and property. By delaying the adoption of 210.12(b) to 2010, the new homes anticipated to be built in Wisconsin in 2009 would not be protected from fires due to electrical arcing.

Eaton Corporation has nearly 500 employees in the state of Wisconsin that develop and manufacture safe and reliable electrical components, including the Arc Fault Circuit Interrupter. Eaton Corporation's AFCI technology was developed in Eaton's Milwaukee Research and Technology Center and the electronics portion of the circuit interrupter is manufactured in Eaton's Watertown, Wisconsin manufacturing plant.

Adoption of 2008 NEC without amendment will allow Wisconsin to join 36 other states that mandate the use of AFCI technology. The number of states is expected to grow in 2009 after the respective legislature's meet to discuss the adoption of this code.

The following agencies have formally endorsed the AFCI technology: The Consumer Product Safety Commission (CPSC), Underwriters Laboratories (UL), The United States Fire Administration (USFA), Electrical Safety Foundation International (ESFI) and the National Association of State Fire Marshals (NASFM).

We are encouraged by conversations that we have had with the Joseph Hertel, Program Manager at the Safety and Building Division of the Department of Commerce regarding the adoption of NEC 210.12. Mr. Hertel supports the new Combination AFCI Technology and its significant additional fire protection over the existing Branch Feeder Technology. The proposed changes to the code will ensure that AFCI technology will be used in newly constructed residential homes in Wisconsin to prevent fires and save lives.

As a world leader in the sale of efficient and safe energy distribution products, we wanted to express our concern with the germane modification to Com 16. We would welcome the opportunity to meet with you to discuss the AFCI technology and explain to you why the adoption of this code is critical to the safety of Wisconsin homeowners.

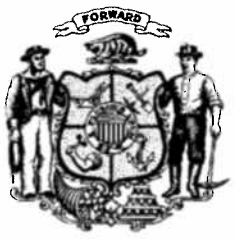
Thank you for your time and consideration of this important matter and your leadership for the citizens of the great State of Wisconsin.

Very Truly Yours,

e-mailed

Ron Reshel
Area Sales Manager
Eaton Corporation


WISCONSIN STATE LEGISLATURE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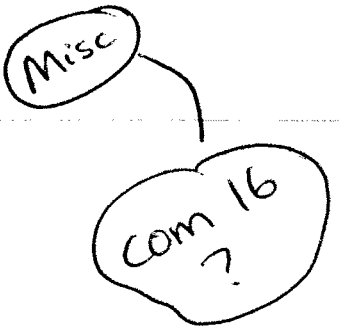


Becher, Scott

From: DickieP [dickiep@charter.net]
Sent: Friday, November 14, 2008 3:12 PM
To: Rep.Wieckert
Subject: Tamper-Resistant Receptacles
Attachments: WCIAEI Letter Tamper-Resistant Receps 1.doc

I would request that you please read the attached document. My understanding is that action on this matter has to take place no later than Tuesday November 18, 2008. If you have any questions, please contact me at home: 715.387.0913 or at work: 715.387.1344.

Thank you for your consideration,

Richard E Pokorny
President
Wisconsin Chapter International Association of Electrical Inspectors

WISCONSIN CHAPTER

INTERNATIONAL ASSOCIATION OF ELECTRICAL INSPECTORS

114 Charleen Lane, Madison, WI 53714-2612

November 14, 2008

Representative Steve Wieckert
Chair – Assembly Committee on Housing

Senator Jeffrey Plale
Chair – Senate Committee on Commerce, Utilities & Rail

Dick Leinenkugel
Secretary – Department of Commerce

RE: Tamper-Resistant Receptacles

It has come to our organization's attention that changes have been made to the proposed Chapter Comm 16 draft that lessens electrical safety. The Wisconsin Chapter of the International Electrical Inspectors Association (WCIAEI) supports the 2008 National Electrical Code's adoption of Section 406.11 that would require tamper-resistant receptacles in all new construction in dwelling units. This organization consists of approximately 1500 contractors, electricians and inspectors whose main purpose is to promote electrical safety. The issues at this point are just that, simply electrical safety.

There is a vast amount of national data that is supportive of the need to reduce the hazard of persons – especially children – from unknowingly inserting metal or other conductive objects into receptacle outlets. This type of "accident" is preventable by this requirement on newer installations or replacement of the existing devices in future remodeling work. The following is a quote from the Electrical Safety Foundation International:

"Approximately 2,400 children receive emergency room treatment every year for injuries caused by inserting objects into electrical receptacles, according to a 10-year report released by the U.S. Consumer Product Safety Commission (CPSC). This equates to about seven children each day. Even more alarming is that the report found that over 70% of these electrical incidents occur at home, with adult supervision typically present."

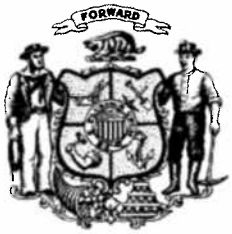
Please note that this data was brought forth by the CPSC. Their website states: "The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction." This agency brought forth the need for this type of product, not manufacturers as may be the case in many instances of code changes.

The WCIAEI requests that the Wisconsin Legislature maintain the original Department of Commerce's proposed code draft, in that it did not propose to modify or delete this section of the NEC. At the very least we request a hearing be held so that the public may provide input on this sudden change in the proposed code rules. As a number of comments on this proposed product's use have been cost, perhaps a change to enact a delay in this code section's requirement to January 1, 2010 would help all parties on this issue. By then manufacturers will have "geared up" for the nation's adoption of this important code, and provide further reductions in costs to installers.

Sincerely,

Richard E Pokorny
President
Wisconsin Chapter International Association of Electrical Inspectors


WISCONSIN STATE LEGISLATURE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Eaton Corporation
Industrial Control Division
4201 North 27th Street
Milwaukee, WI 53216

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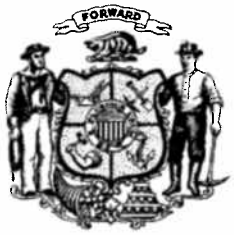
Sincerely,

Matt Lorenz

Matt Lorenz
Vice President and General Manger, Industrial Control Division
(Office) 414-449-7309


WISCONSIN STATE LEGISLATURE


FORWARD

ESFi
Electrical Safety Foundation International

1300 N. 17th St. Suite 1752
Rosslyn, VA 22209

Misc

FACSIMILE

 # PAGES (Including Cover Sheet) 3

TRANSMIT: Representative Steve Wieckert (Chair)
COMPANY: 608-282-3657
FAX:

FROM: Electrical Safety Foundation International
FAX:
PHONE:

Comment:

...see attachment

IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION
PLEASE CALL Rodney Core @ 703.841.3229

ESFi
Electrical Safety Foundation International

Mr. Brett Brenner, President
Electrical Safety Foundation International
1300 North 17th Street, 17th Floor
Rosslyn, VA 22209
November 14, 2008

Representative Steve Wieckert, Chair
Committee on Housing
Wisconsin State Legislature

Dear Mr. Wiecker:

The Electrical Safety Foundation International (ESFI) was originally established in 1994 through the joint efforts of organizations such as the Consumer Product Safety Commission and Underwriters Laboratories. Our foundation is focused solely on reducing electrically-related deaths, injuries and property loss. As president of the foundation, I ask that you carefully consider the safety provisions which the 2008 edition of the National Electrical Code (NEC) offers and support the adoption of these provisions which will benefit homeowners in Wisconsin for decades to come.

One of the most important lifesaving provisions in the new Code relates to Arc Fault Circuit Interrupters (AFCIs). Combination AFCIs are advanced electronic circuit breakers that detect parallel and series arcing faults in a home's wiring. When an arcing fault is detected, these devices immediately cut the power to the circuit before a fire can start. Arcing faults are the primary source of ignition in an estimated 30,000 home fires each year in the United States. These fires annually kill and injure hundreds of people and cause more than $750 million in direct property damage. Since the probability of electrical fires increases as homes age, states adopting the 2008 NEC are making important decisions now which will protect homes and families throughout the average home's lifespan. Additionally, the United States Fire Administration reports that the elderly, the very young, and the economically challenged are far more likely than the general population to perish in a home fire. As time will testify, adoption of the AFCI provisions in the 2008 NEC will help to protect these vulnerable populations.

The lifesaving capacity of combination AFCIs is widely recognized. Millions of hours of field testing have been undertaken by manufacturers to ensure the reliability and the performance of these devices. Additionally, this technology is endorsed by the United States Fire Administration, the National Fire Protection Association, the Consumer Product Safety Commission, and the National Association of State Fire Marshals, as well

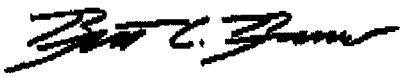
as other safety and fire fighting organizations across the country. The U.S. Department of Housing and Urban Development's Healthy Homes report lists the lack of AFCIs among the primary residential hazards associated with burns and fire-related injuries. With such overwhelming evidence to support the efficacy of AFCIs, a delay in adopting the 2008 National Electrical Code will result in fires and fatalities that could have otherwise been prevented.

The 2008 NEC also contains important provisions relating to tamper-resistant outlets. A Consumer Product Safety Commission (CPSC) report showed that in a ten year period more than 24,000 children had been treated in hospitals for burns and other injuries sustained from contact with electrical outlets. The vast majority of these incidences involved children under the age of six who should have been protected from this type of electrical danger. As most parents can attest, temporary "solutions" such as plastic caps can easily be removed by small children. The advantage of tamper-resistant outlets is that they provide automatic and continuous protection of children every time. Tamper-resistant receptacles look like any other electrical outlet except they have a built-in shutter system that prevents children from sticking objects into the slots, but allows plugs to be inserted and removed as usual. These outlets are so effective at preventing injuries that for over two decades hospitals have been required to use them.

The current debate over AFCIs and tamper-resistant receptacles in several states is very similar to one that took place in the 1970's over the initial introduction of Ground Fault Circuit Interrupters (GFCIs). However, just 25 years after the GFCI was introduced, the number of accidental consumer-appliance related electrocutions in the United States has been cut in half even though home energy consumption has dramatically increased. AFCIs and tamper-resistant receptacles will have an even better track record of saving lives and property if the 2008 NEC is adopted.

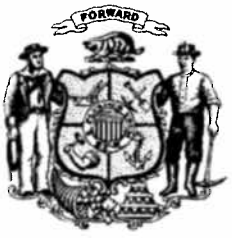
I strongly encourage you to support the adoption and implementation of the 2008 National Electric Code with all of its lifesaving provisions so that communities in Wisconsin can start benefiting now from the protection they offer.

Best regards,



Brett Brenner
President


WISCONSIN STATE LEGISLATURE


FORWARD

Misc

Becher, Scott

From: Terry Maier [tmaier@ci.west-allis.wi.us]

Sent: Tuesday, November 18, 2008 7:35 AM

To: Rep.Wieckert; Rep.Roth; Rep.Townsend; Rep.Honadel; Rep.Hebl; Rep.Young; Rep.WilliamsA; Sen.Plale; Sen.Wirch; Sen.Hansen; Sen.Kreitlow; Sen.Cowles; Sen.Harsdorf; Sen.Kedzie; Leinenkugel, Dick J - COMMERCE; Hertel, Joe - COMMERCE

Subject: WI Comm. 16 update, objection to revised safety code

Per the email updates received from the Dept of Comm. I was informed that Comm. 16 has been revised. This revision includes:

a. Arc fault receptacles rule will not go into effect until January 1, 2010.
b. Tamper resistant receptacles rule has been dropped.

I object to this revision.

I would like to know why we have a process set up with committees, public hearings and dept. reviews, only to trash the system and let politicians do what they want. The only reason given is to save money. Did you do any research on the amount of emergency room visits due to kids inserting objects into electrical outlets (according to CPSC, it is around 7 accidents per day).

There is more documentation which if you are interested I can forward to you.
I do ask that the revision is rescinded and the Comm. 16 presented to the legislature for adoption, is left intact.

Thank-You,

Terry T. Maier
Electrical Inspector
City of West Allis, WI
414-302-8406