

2019 DRAFTING REQUEST

Bill

For: **Scott Allen (608) 266-8580** Drafter: **mgallagh**
 By: **Dan** Secondary Drafters:
 Date: **3/7/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Allen@legis.wisconsin.gov**
 Carbon copy (CC) to: **krista.pleviak@legis.wisconsin.gov**
michael.gallagher@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Fire alarm testing in the capitol building.

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 3/14/2019	kfollett 3/14/2019			
/P1	mkunkel 1/13/2020	kfollett 1/14/2020	dwalker 3/14/2019		
/P2	mgallagh 1/15/2020	kfollett 1/15/2020	mbarman 1/14/2020		
/1			lparisi 1/15/2020	lparisi 1/15/2020	

FE Sent For:

Not Needed

<END>

Gallagher, Michael

From: LRB.Legal
Sent: Wednesday, March 06, 2019 11:13 AM
To: Gallagher, Michael; Paczuski, Konrad
Subject: FW: Drafting request from Rep. Allen

Is this one for you two?

From: Hubert, Dan <Dan.Hubert@legis.wisconsin.gov>
Sent: Wednesday, March 06, 2019 11:10 AM
To: LRB.Legal <lrblegal@legis.wisconsin.gov>
Subject: Drafting request from Rep. Allen

Rep. Allen would like a bill which limits fire alarm testing in the Capitol to quarterly tests and limited to before 8 am.



P1
JF

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

64 Fri
3 - 15

1 **AN ACT ...; relating to:** testing audible devices of fire alarm systems in the state
2 capitol building.

Analysis by the Legislative Reference Bureau

This bill prohibits the Department of Safety and Professional Services from promulgating or enforcing a rule, and prohibits a city, village, or town from enacting or enforcing an ordinance, related to fire safety that requires the testing of audible devices of fire alarm systems in the state capitol building more frequently than quarterly or later than 8 a.m.

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

3 **SECTION 1.** 101.02 (1m) of the statutes is renumbered 101.02 (1m) (intro.) and
4 amended to read:

5 101.02 (1m) (intro.) Notwithstanding sub. (1) (b), the department may not
6 promulgate or enforce a rule related to fire safety that prohibits does any of the
7 following:

1 (a) Prohibits the seasonal placement of a Christmas tree in the rotunda of the
2 state capitol building or in a church.

History: 1971 c. 185 ss. 1 to 5, 7; 1971 c. 228 ss. 16, 42; Stats. 1971 s. 101.02; 1975 c. 39, 94; 1977 c. 29; 1981 c. 360; 1983 a. 410; 1985 a. 182 s. 57; 1987 a. 343; 1989 a. 31, 56, 139; 1991 a. 39, 269; 1993 a. 27, 184, 252, 414, 492; 1995 a. 27 ss. 3631 to 3649r, 9126 (19); 1995 a. 215; 1997 a. 191, 237; 1999 a. 9; 2001 a. 61; 2005 a. 251, 456; 2007 a. 20 ss. 2609 to 2613, 9121 (6) (a); 2007 a. 63, 203; 2009 a. 16, 28, 209, 373; 2011 a. 32, 120, 146; 2013 a. 20, 36; 2013 a. 151 s. 28; 2013 a. 168, 270; 2015 a. 55, 176, 333; 2017 a. 59, 317, 330; 2017 a. 331 ss. 11 to 20, 47; s. 13.92 (2) (i).

Cross-reference: See also SPS, Wis. adm. code.

Cross-reference: See s. 66.0119 for a provision authorizing special inspection warrants.

3 **SECTION 2.** 101.02 (1m) (b) of the statutes is created to read:

4 101.02 (1m) (b) Requires the testing of audible devices of fire alarm systems
5 in the state capitol building more frequently than quarterly or later than 8 a.m.

6 **SECTION 3.** 101.02 (7e) (a) of the statutes is renumbered 101.02 (7e) (a) (intro.)
7 and amended to read:

8 101.02 (7e) (a) (intro.) Notwithstanding sub. (7) (a), no county, city, village, or
9 town may enact or enforce an ordinance related to fire safety that prohibits does any
10 of the following:

11 1. Prohibits the seasonal placement of a Christmas tree in the rotunda of the
12 state capitol building or in a church.

History: 1971 c. 185 ss. 1 to 5, 7; 1971 c. 228 ss. 16, 42; Stats. 1971 s. 101.02; 1975 c. 39, 94; 1977 c. 29; 1981 c. 360; 1983 a. 410; 1985 a. 182 s. 57; 1987 a. 343; 1989 a. 31, 56, 139; 1991 a. 39, 269; 1993 a. 27, 184, 252, 414, 492; 1995 a. 27 ss. 3631 to 3649r, 9126 (19); 1995 a. 215; 1997 a. 191, 237; 1999 a. 9; 2001 a. 61; 2005 a. 251, 456; 2007 a. 20 ss. 2609 to 2613, 9121 (6) (a); 2007 a. 63, 203; 2009 a. 16, 28, 209, 373; 2011 a. 32, 120, 146; 2013 a. 20, 36; 2013 a. 151 s. 28; 2013 a. 168, 270; 2015 a. 55, 176, 333; 2017 a. 59, 317, 330; 2017 a. 331 ss. 11 to 20, 47; s. 13.92 (2) (i).

Cross-reference: See also SPS, Wis. adm. code.

Cross-reference: See s. 66.0119 for a provision authorizing special inspection warrants.

13 **SECTION 4.** 101.02 (7e) (a) 2. of the statutes is created to read:

14 101.02 (7e) (a) 2. Requires the testing of audible devices of fire alarm systems
15 in the state capitol building more frequently than quarterly or later than 8 a.m.

16 **SECTION 5.** 101.02 (7e) (c) of the statutes is created to read:

17 101.02 (7e) (c) If a county, city, village, or town has in effect on the effective date
18 of this paragraph [LRB inserts date], an ordinance that requires the testing of
19 audible devices of fire alarm systems in the state capitol building more frequently

Kunkel, Mark

From: LRB.Legal
Sent: Friday, January 10, 2020 5:06 PM
To: Kunkel, Mark
Subject: FW: Draft review: LRB -2362/P1

Hey Mark, Some more work for you! Sorry.
Please see comments below per this draft.

Have a great weekend!

Lori Parisi
Senior Program Assistant
State of WI Legislative Reference Bureau
(608)504-5801

*The foolish man seeks happiness in the distance;
the wise grows it under his feet.*
- J. Robert Oppenheimer

From: Rep.Allen <Rep.Allen@legis.wisconsin.gov>
Sent: Friday, January 10, 2020 5:00 PM
To: LRB.Legal <lrblegal@legis.wisconsin.gov>
Subject: RE: Draft review: LRB -2362/P1

In examining this, Rep. Allen is unsure that we would definitely accomplish our intent. We believe DOA could simply choose to continue to test fire alarms after 8am.

Instead, could we say that state agencies like (DSPA or DOA) and local governments can't have a rule or ordinance that "allows" testing of fire alarms later than 8am?

Thanks,
Dan

From: LRB.Legal <lrblegal@legis.wisconsin.gov>
Sent: Thursday, March 14, 2019 2:52 PM
To: Rep.Allen <Rep.Allen@legis.wisconsin.gov>
Subject: Draft review: LRB -2362/P1

Following is the PDF version of draft LRB -2362/P1.



on TUES
1-14

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

P 2

gen cat
INSERT 1-4
INSERT 1A

1 **AN ACT to renumber and amend** 101.02 (1m) and 101.02 (7e) (a); and **to create**
2 101.02 (1m) (b), 101.02 (7e) (a) 2. and 101.02 (7e) (c) of the statutes; **relating**
3 **to:** testing audible devices of fire alarm systems in the state capitol building.

Analysis by the Legislative Reference Bureau

This bill prohibits the Department of Safety and Professional Services from promulgating or enforcing a rule, and prohibits a city, village, or town from enacting or enforcing an ordinance, related to fire safety that requires the testing of audible devices of fire alarm systems in the state capitol building more frequently than quarterly or later than 8 a.m.

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

4 **SECTION 1.** 101.02 (1m) of the statutes is renumbered 101.02 (1m) (intro.) and
5 amended to read:

6 101.02 (**1m**) (intro.) Notwithstanding sub. (1) (b), the department may not
7 promulgate or enforce a rule related to fire safety that prohibits does any of the
8 following:

1

INSERT 1A:

This bill prohibits cities, villages, towns, and counties (political subdivisions) and state agencies from requiring the testing of audible devices of fire alarm systems in the state capitol building later than 8 a.m. If a political subdivision or state agency has adopted an ordinance or promulgated a rule that imposes such a requirement, the bill provides that the ordinance or rule does not apply and may not be enforced.

2

INSERT 1-4:

3

SECTION 1. 16.841 of the statutes is created to read: ✓

4

16.841 Fire alarm testing in state capitol. (1) In this section:

5

(a) "Political subdivision" means a city, village, town, or county.

6

(b) "State agency" has the meaning given in s. 20.001 (1). ✓

7

(2) No state agency or political subdivision may require the testing of audible

8

devices of fire alarm systems in the state capitol building later than 8 a.m. If a state

9

agency or political subdivision has promulgated a rule or adopted an ordinance that

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is in effect on the effective date of this subsection ... [LRB inserts date],¹ and the

11

ordinance or rule requires the testing of audible devices of fire alarm systems in the

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state capitol building later than 8 a.m., the rule or ordinance does not apply and may

13

not be enforced.

Kunkel, Mark

From: Barman, Mike
Sent: Wednesday, January 15, 2020 10:41 AM
To: Kunkel, Mark
Subject: Re-draft request ... LRB -2362/P2

From: Rep.Allen <Rep.Allen@legis.wisconsin.gov>
Sent: Wednesday, January 15, 2020 10:39 AM
To: LRB.Legal <lrblegal@legis.wisconsin.gov>
Subject: RE: Draft review: LRB -2362/P2

Could you please jacket this for the Assembly?

Thanks,
Dan

From: LRB.Legal <lrblegal@legis.wisconsin.gov>
Sent: Tuesday, January 14, 2020 9:40 AM
To: Rep.Allen <Rep.Allen@legis.wisconsin.gov>
Subject: Draft review: LRB -2362/P2

Following is the PDF version of draft LRB -2362/P2.



Today

THANKS!

LRB-2362/P2

MDK:kjf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

MPC

11

1 **AN ACT to create** 16.841 of the statutes; **relating to:** testing audible devices of
2 fire alarm systems in the state capitol building.

Analysis by the Legislative Reference Bureau

This bill prohibits cities, villages, towns, and counties (political subdivisions) and state agencies from requiring the testing of audible devices of fire alarm systems in the state capitol building later than 8 a.m. If a political subdivision or state agency has adopted an ordinance or promulgated a rule that imposes such a requirement, the bill provides that the ordinance or rule does not apply and may not be enforced.

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

3 **SECTION 1.** 16.841 of the statutes is created to read:
4 **16.841 Fire alarm testing in state capitol.** (1) In this section:
5 (a) "Political subdivision" means a city, village, town, or county.
6 (b) "State agency" has the meaning given in s. 20.001 (1).
7 **(2)** No state agency or political subdivision may require the testing of audible
8 devices of fire alarm systems in the state capitol building later than 8 a.m. If a state

1 agency or political subdivision has promulgated a rule or adopted an ordinance that
2 is in effect on the effective date of this subsection [LRB inserts date], and the
3 ordinance or rule requires the testing of audible devices of fire alarm systems in the
4 state capitol building later than 8 a.m., the rule or ordinance does not apply and may
5 not be enforced.

6 (END)