

State of Misconsin 2015 - 2016 LEGISLATURE

LRB-4158/1 KRP&RNK:amn

2015 ASSEMBLY BILL 648

January 7, 2016 – Introduced by Representatives Kremer, Vos, Thiesfeldt, T. Larson, Horlacher, Nygren, Jarchow, Murphy and Born, cosponsored by Senator Nass. Referred to Committee on State Affairs and Government Operations.

AN ACT to amend 101.14 (2) (b); and to create 101.02 (1m) and 101.02 (7e) of the statutes; relating to: seasonal placement of a Christmas tree in the rotunda of the state capitol building or in a church.

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 prohibits the seasonal placement of a Christmas tree in the rotunda of the state capitol building or in a church. This bill also creates a presumption applicable to fire safety inspections that the seasonal placement of a Christmas tree in the rotunda of the state capitol building or in a church is not a fire hazard.

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

- **SECTION 1.** 101.02 (1m) of the statutes is created to read:
- 5 101.02 (1m) Notwithstanding sub. (1), the department may not promulgate or
- 6 enforce a rule related to fire safety that prohibits the seasonal placement of a
- 7 Christmas tree in the rotunda of the state capitol building or in a church.

ASSEMBLY BILL 648

1

 $\mathbf{2}$

3

4

5

6

7

8

9

10

11

12

13

14

15

α	101 00	(F)	C . 1	1 1 1	•	, 1		1
Section 2.	-101.02	(7e)	of the	statutes	18	created	to	read:

- 101.02 (7e) (a) Notwithstanding sub. (7) (a), no city, village, or town may enact or enforce an ordinance related to fire safety that prohibits the seasonal placement of a Christmas tree in the rotunda of the state capitol building or in a church.
- (b) If a city, village, or town has in effect on the effective date of this paragraph [LRB inserts date], an ordinance that prohibits the seasonal placement of a Christmas tree in the rotunda of the state capitol building or in a church, the ordinance does not apply and may not be enforced.

Section 3. 101.14 (2) (b) of the statutes is amended to read:

101.14(2) (b) The chief of every fire department shall provide for the inspection of every public building and place of employment to determine and cause to be eliminated any fire hazard or any violation of any law relating to fire hazards or to the prevention of fires. For purposes of this paragraph, the seasonal placement of a Christmas tree in the rotunda of the state capitol building or in a church is presumed not to be a fire hazard.

16 (END)