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Assembly Bill 187 *Substitute Amendment 1*

Relating to: the use of historical barns for social purposes
Assembly Committee on Housing and Real Estate
January 10, 2018

Good Morning Chairman Jagler and Members of the Committee,

Thank you for allowing me to testify on behalf of Assembly Bill 187. I appreciate your consideration of this proposed legislation. Additionally, I am grateful to Senator Marklein for co-authoring this bill with me.

Wisconsin's proud agricultural heritage is one of our state's greatest strengths. My ancestors, and I am sure many of yours, came to this state and helped build it into what it is today through their dedication to family, commitment to their communities, and dogged perseverance.

Although we have fewer family farms and the means of production have changed drastically over the decades, the many historic barns that dot the country side remain as a reminder of our state's agrarian roots. Unfortunately, many of these barns have outlived their useful agricultural purpose, and because of this are at risk of falling into disrepair and eventually demolition. The loss of these buildings represents a loss of our heritage that I think should be preserved for our children and grandchildren.

Fortunately, there is a possibility of a second life for some of these historic barns. In recent years, these buildings have grown in popularity as venues for weddings, fundraisers, and other social events. Not only does this help to ensure these buildings exist into the future, but it can also provide secondary income streams to family farms.

Unfortunately, a patchwork of inconsistent rules and cost prohibitive state regulations have made it difficult to utilize historic barns for new purposes. This bill establishes a set of basic safety and accessibility standards for the use of barns built prior to 1965.

Using the feedback received following the State Senate Insurance, Housing and Trade Committee public hearing we worked with stake holders to craft Subsite Amendment 1 to address concerns brought up in the hearing.



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In order to help the committee better understand the changes to the original bill we asked legislative council to draft a memo, which everyone should have been provided. We believe that Substitute Amendment 1 strengthens and improves the original bill by adding additional safety features, clarity, and helps provide improved statewide uniformity for these types of structures to operate.

My hope is that you will support this unique opportunity to preserve our farming heritage and grow economic opportunities in our rural areas.

I sincerely appreciate the constructive input that we have received from the Tavern League, the Hotels and Lodging Association, Citizens for a Scenic Wisconsin, The Alliance for Regulatory Coordination, Wisconsin State Fire Chief's Association and from the many folks from across the state who contacted my office to help make this a better bill.

Thank you for your time and I would be happy to respond to your questions.



HOWARD MARKLEIN

STATE SENATOR • 17TH SENATE DISTRICT

January 11, 2018
Assembly Committee on Housing & Real Estate
Testimony on Assembly Bill 187

Good morning!

Thank you Chair Jagler and members of the committee for hearing Assembly Bill 187 (AB 187), which allows certain historic barns to be used to host wedding receptions and similar social events.

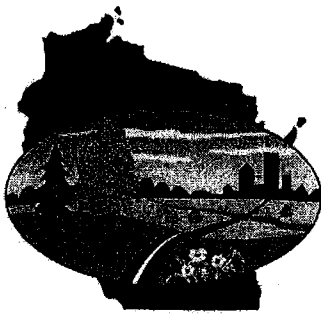
Wisconsin has a rich farming heritage and agriculture contributes over \$88 billion to our state's economy. Similar to many other industries, technology has changed the way farmers operate their businesses. This has led to a growing interest in preserving Wisconsin barns and historic farm buildings for other uses.

As Wisconsin moved from wheat growing to dairy farming in the late 1800s and early 1900s, the style of barns changed. Little log barns, so prevalent during the settlement years, were either torn down, remodeled or forgotten as new, larger barns appeared. Three-bay, frame barns became places to store hay and house dairy cattle. At the time, these new dairy barns were built often a 100 feet long and longer.

Today's modern dairy farms use a different style of barn, and often utilize a milking parlor. The novelty of these structures built before 1965, coupled with an aging farm population, (the average age for a principal farm operator is 56.5 years old) has inspired some farm operators to repurpose these historic barns. Converting the barn to a facility that may host wedding receptions or other social gatherings is a way for these farm operators to diversify.

As they phase out of day-to-day operation of the farm, repurposing buildings allows farmers to supplement their income without having to sell-off all of their buildings. Our intention with this legislation is to maintain basic safety requirements, while providing regulatory certainty for these individuals.

Thank you again for hearing AB 187.



Scenic Wisconsin

Citizens for a Scenic Wisconsin

To: Members, State Assembly Committee on Housing and Real Estate
Senator John Jagler, Chair

From: Gary R. Goyke, President, Citizens for a Scenic Wisconsin, Inc.
Rick Eggelston, CSW Board Member
Scott Becher, CSW Board Member

Date: January 11, 2018

Re: Support for AB 187, relating to Barns Used for Social Events

Chairman Jagler, thank you for holding this public hearing. And thank you and the members of the Committee for giving us this opportunity to speak with you today.

Citizens for a Scenic Wisconsin is a proud affiliate of Scenic America. In fulfillment of our mission statement, we are actively involved in the promotion and growth of the Rustic Road program in our state, we actively support the Wisconsin Department of Transportation Scenic Byway System, we believe in the preservation efforts for rural historic barns, we support and enhance agricultural tourism and we often join in the battle to fight the proliferation of billboards in our state and on our Interstate highway thoroughfares. In addition, we carefully monitor state legislation.

Our Board of Directors went to Platteville to interview several people involved in the issues included in AB 187. We met with the local media, and with the Assembly author of the bill. I am happy to say our Board voted unanimously to support this legislation. I am also leaving the Committee a book on barns that we use to promote this type of cultural preservation and rural tourism. We urge the Committee to adopt the substitute created to help showcase the value of these structures throughout our state.

Thank you for your time and attention. We view this matter very seriously.

Citizens for a Scenic Wisconsin (CSW) is a 501(c) 3 organization, dedicated to preserving and enhancing the scenic character of Wisconsin communities.



DATE: January 11, 2018

TO: Members, Assembly Committee on Housing and Real Estate
The Honorable John Jagler, Chair

FROM: Nate Yahn, Legislative Advisor
Wisconsin Department of Safety and Professional Services

SUBJECT: Assembly Bill 187 (certain buildings used for social events)

Chairman Jagler and Committee Members:

The Wisconsin Department of Safety and Professional Services (DSPS) would like to provide some important background information to committee members as you consider 2017 Wisconsin Assembly Bill 187 (AB 187). AB 187 proposes to provide an exemption from the state's existing commercial building code requirements for buildings historically used for farming (i.e. barns), built before 1965, and used principally for wedding receptions and similar social events.

DSPS is focused on its mission of promoting economic growth and stability, while protecting the safety of Wisconsin's public. To help protect the health, safety and welfare of individuals across the state, the Wisconsin Commercial Building Code establishes minimum standards for the design, construction, maintenance and inspection of public buildings and places of employment. With limited exceptions, state law requires all buildings into which the public or employees enter to be in compliance with existing building code requirements. It is important to note that repurposed agriculture buildings (e.g., barns) being used only for personal use are *not* required to become compliant with the commercial building code. If a building owner wishes to use their building for public use or as a place of employment on a temporary basis, they may also pursue obtaining a temporary use permit from their local municipality.

Wisconsin has a long and proud farming history. While we certainly understand the desire of repurposing one of the many historical barns located throughout our state, for use in wedding receptions or similar social events, the Department has some concerns on the bill as it relates to the following three areas:

- 1) The requirement in the bill for a building to have smoke detectors does not specify the locations within the building where a smoke detector must be installed, nor does it specify that they must be functional or provide any sort of audible and/or visual occupant notification, which are standard fire protection provisions required for buildings containing similar types of occupancies.
- 2) Under the bill, the Department would be responsible for covering all costs associated with performing any structural analysis deemed necessary following a building inspection. These costs, however, are currently covered by the building's owner and are representative of typical business practice.

- 3) Currently, under the Wisconsin Commercial Building Code, all plans for building alterations or additions, that meet a certain square footage, are required to be submitted for review, in order to ensure that the plans are compliant with existing health and safety standards. The bill, as introduced, would exempt barns from this requirement – a requirement that would still apply to all other commercial buildings.

Note: The Department believes that these concerns outlined above have been adequately addressed in Assembly Substitute Amendment 1 (ASA 1), to AB 187, which was recently introduced on January 2nd by the bill's author.

DSPS recognizes the significance of Wisconsin's rich and historic agricultural heritage, and remains dedicated to working with the many individuals interested in using a barn for conducting wedding receptions and similar social events. To maintain public safety, it is important to achieve an appropriate balance between an individual's desire to repurpose their barn building for use in social events and the need and responsibility of the Department to protect the safety and welfare of Wisconsin's public.

If you have any questions, please contact me at (608) 267-9794.



Alliance for Regulatory Coordination

Testimony for Information about Assembly Bill 187

Before the Assembly Committee on Housing and Real Estate

January 11, 2018

Greetings!

I am Bob DuPont, founder of the Alliance for Regulatory Coordination. Today, I am testifying for information on behalf of the Alliance.

The ARC is a consortium of 18 organizations involved in building design, construction and regulatory services. Alliance membership consists of business, labor, professional, advocacy, and governmental groups; numbering thousands of members, all committed to promoting more coordinated and efficient regulatory services for citizens and businesses of Wisconsin.

The Alliance thanks Representative Tranel for offering Assembly Substitute Amendment 1, to Assembly Bill 187. We believe the substitute amendment represents a significant improvement in promoting public safety as compared to the original bill draft.

We applaud Representative Tranel for his willingness to listen and react to concerns, and we appreciate the time he and his staff have devoted to improving this bill.

Thank you for this opportunity to offer testimony on this Bill. I would be happy to answer any questions you may have.

Please see reverse side for list of Alliance members.

Alliance for Regulatory Coordination

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www.4arc.org



Alliance for Regulatory Coordination

Classic Members

Associated Builders and Contractors of Wisconsin

International Association of Electrical Inspectors, Wisconsin Chapter

International Brotherhood of Electrical Workers, WI State Conf.

National Electrical Contractors Association, Wisconsin Chapter

Northwest Wisconsin Building Inspectors Association

Plumbers Union Local 75

Plumbing-Heating-Cooling Contractors, Wisconsin Association

Southwestern Wisconsin Building Inspectors Association

Water Quality Association of Wisconsin

Wisconsin Code Officials Alliance

Wisconsin Electrical Trades Council

Wisconsin Fire Protection Coalition

Wisconsin State Fire Chief's Association

Wisconsin State Fire Inspectors Association

Associate Members

Professional Fire Fighters of Wisconsin

Wisconsin Electric Cooperative Association

Wisconsin Propane Gas Association

Supporting Members

International Code Council