

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2/16/00
BILL NO. AB 606
OR
SUBJECT B+B Addition

MARIAN KORTH
(NAME)
2722 Highland Dr
(Street Address or Route Number)
Cambridge 53523
(City and Zip Code)

Wisconsin Bed + Breakfast Assoc.
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2/16/00
BILL NO. AB 606
OR
SUBJECT _____

Marian (min) Jacobson
(NAME)
2722 Highland Drive
(Street Address or Route Number)
Cambridge, WI 53523
(City and Zip Code)

Self
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.

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State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2-16-2000
BILL NO. AB 606
OR
SUBJECT DTM

SHUMWAY
(NAME)
(Street Address or Route Number)
(City and Zip Code)

(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

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State Capitol - B35 South
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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2-16-2000

BILL NO. AS 606
OF

SUBJECT _____

Barb Lynton
(NAME)

44 E. Main #1070
(Street Address or Route Number)

Madison 53703
(City and Zip Code)

WS Innkeepers.
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

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SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2/16/00

BILL NO. AS 606
OF

SUBJECT _____

CHRIS SPOONER
(NAME)

DEPT. OF COMMERCE
(Street Address or Route Number)

MADISON
(City and Zip Code)

DEPT. OF COMMERCE
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

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Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2/16/00

BILL NO. AB 606
OF

SUBJECT _____

Bob DuPont
(NAME)

DEPT. OF COMMERCE
(Street Address or Route Number)

MADISON
(City and Zip Code)

DEPT. OF COMMERCE
(Representing)

Speaking in Favor:

Speaking Against:

Registering in Favor:
but not speaking:

Registering Against:
but not speaking:

Speaking for information only; Neither for nor against:

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Senate Sergeant-At-Arms
State Capitol - B35 South
P.O. Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: FEB. 16, 2000
BILL NO. AB 606
OR
SUBJECT RELATING TO R & B
ESTABLISHMENTS

JAMES P. CLARK
(NAME)
5675 MARY LAKE RD
(Street Address or Route Number)

WAUNAKEE WI 53597
(City and Zip Code)
WIS. ENVIRONMENTAL HEALTH ASSOC
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
SEE TESTIMONY
Speaking for information only; Neither for nor against:

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P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2-16-00
BILL NO. AB 606
OR
SUBJECT _____

REP. REYNOLDS, MARK
(NAME)
219 W 2ND ST
(Street Address or Route Number)

LAOYSAUTH 54848
(City and Zip Code)
SECC
(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

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P.O.Box 7882
Madison, WI 53707-7882

SENATE HEARING SLIP

(Please Print Plainly)

DATE: 2-16-00
BILL NO. AB 606
OR
SUBJECT Bed + Breakfast
Bill

JOAN WADE SPILLER
(NAME)

(Street Address or Route Number)

(City and Zip Code)

(Representing)

Speaking in Favor:
Speaking Against:
Registering in Favor:
but not speaking:
Registering Against:
but not speaking:
Speaking for information only; Neither for nor against:

Please return this slip to a messenger PROMPTLY.
Senate Sergeant-At-Arms
State Capitol - B35 South
P.O.Box 7882
Madison, WI 53707-7882

ROGER BRESKE

STATE SENATOR

12th District

Capitol Address:
State Capitol
P.O. Box 7882
Madison, WI 53707-7882
(608) 266-2509



Home Address:
8800 Hwy. 29
Eland, WI 54427
(715) 454-6575

Legislative Hotline:
1 (800) 362-9472

COMMITTEE MEETING/AGENDA**THE CAPITOL – ROOM 201SE**

February 16, 2000

I. CALL TO ORDER

“The hour of 10AM having arrived, I will call this meeting of the Senate Insurance, Tourism, Transportation and Corrections Committee to order. The clerk will take the role.”

II. Senate Bill 362 Relating to: fiscal estimates for bills containing criminal penalty provisions, establishing a corrections special reserve fund and making appropriations.

By Senators Panzer, Breske, Huelsman, George, Schultz, Risser, Roessler, Plache, Rosenzweig, Baumgart, Cowles, Erpenbach and Darling; cosponsored by Representatives Krug, Goetsch, Balow, Ladwig, Plouff, M. Lehman, Lassa, Olsen, Ryba, Bock, Boyle, Pocan, Hebl, Colon, Richards, Miller, Riley, Carpenter, Berceau, Gunderson and Sherman.

III. Assembly Bill 590 Relating to: qualifications for endorsements authorizing the operation of a school bus.

By Representatives Brandemuehl, Spillner, Ryba, La Fave, Kestell, Ladwig, Sykora, Stone, Musser, Hasenohrl, Kedzie, Owens, Albers, J. Lehman, Olsen, Kelso, Freese, Colon, Gronemus, Petrowski, Seratti and Vrakas; cosponsored by Senators Rosenzweig, Huelsman, Breske and Roessler.

IV. Assembly Bill 606 Relating to: expanding the definition of “bed and breakfast establishment.”

By Representatives Spillner, Porter, Reynolds, Ward, Hutchison, Seratti, Olsen, Hundertmark, Goetsch, Gunderson, Jeskewitz, Kaufert, Kelso, Klusman, Musser, Nass, Skindrud, Stone and F. Lasee; cosponsored by Senators Baumgart, Burke, Decker, Huelsman, Rosenzweig, Rude and Breske.

V. Assembly Bill 385 Relating to: time limits on the service of process on the commissioner of insurance (suggested as remedial legislation by the office of the commissioner of insurance).

Law Revision Committee.

VI. Senate Bill 381 Relating to: special distinguishing registration plates associated with Ducks Unlimited, Inc., and making an appropriation.

By Senator Wirch; cosponsored by Representatives Kreuser, Seratti, Handrick, Steinbrink, Turner, Kreibich, Lassa, Hoven and Hutchison.

VII. For discussion purposes only, I have included Trans 233 on our calendar today. This rule relates to the division of land abutting a state trunk highway or connecting highway.

- The next meeting of this committee will take place next Wednesday in Reedsburg.
- Thanks to Sen. Schultz for helping to make the arrangements.

VIII. CLOSE PUBLIC HEARING.

IX. CALL TO ORDER – EXECUTIVE SESSION

X. CLERK WILL TAKE THE ROLL

XI. Chair would entertain a motion to recommend Senate Bill 362 Relating to: fiscal estimates for bills containing criminal penalty provisions

XII. Chair would entertain a motion to concur in AB590 – qualifications for school bus operators.

XIII. Chair would entertain a motion to concur in AB606 – bed and breakfast bill.

XIV. Chair would entertain a motion to concur in AB385 – Law revision bill.

XV. Chair would entertain a motion to recommend SB381 – Ducks Unlimited License Plate.

XVI. Chair would entertain a motion to adopt Senate Substitute Amendment 1 to SB257 – the pre-need funeral bill. Copies were circulated earlier this week to all of your offices.

Chair would entertain a motion on final passage for SB257 as amended.

XVII. Chair would entertain a motion for concurrence in AB188 – a companion to SB177 which we passed unanimously previously in this committee. Bill relates to septic haulers and certain weight limits.

Joan Wade Spillner

S T A T E R E P R E S E N T A T I V E • 4 2 N D D I S T R I C T

DATE: February 15, 2000

To: Members of the Senate Committee on Insurance, Tourism,
Transportation and Corrections

From: State Representative Joan Wade Spillner

Re: AB 606

On February 2nd, 2000, the Assembly passed Assembly Bill 606 on a voice vote. This vote included Assembly Substitute Amendment 1.

Under AB 606, Bed and Breakfast Establishments will continue to abide by paragraphs (a-e) to the current definition of Bed and Breakfast Establishments. This piece of legislation seeks only to make exemptions to paragraph (f) of the current definition.

Current Law Reads:

524.61(1)(a-e)

.....(f)Has had completed, before May 11th, 1990, any structural additions to the dimensions of the original structure, including by renovation, except that a structural addition including a renovation may, after that date, be made *within the dimensions of the original structure.*

AB 606 allows additions to Bed and Breakfast Establishments constructed at least fifty years before initial or renewal applications for permits to operate a Bed and Breakfast Establishment, may be made either: (1) within the dimensions of said structure; or (2) added on to the original structure. In either case, only the structural addition, not the remainder of the building will be subject to the Uniform Dwelling Code.

This change to current law will allow additions to Bed and Breakfast Establishments to exceed the original footprint of the structure as long as these additions meet current Department of Commerce building codes.

If you have any questions or concerns with this Bill, please feel free to contact my office. Thank you for your time and consideration with this matter.

Joan Wade Spillner 266-7746

TESTIMONY

TO: Chairman Roger Breske and
Members of the Senate Tourism Committee

FROM: Wisconsin Bed & Breakfast Association (WBBA)
Kris Ullmer, Administrator

RE: AB 606
Structural Additions for Bed & Breakfast Establishments

The Wisconsin Bed & Breakfast Association, with 250 member Bed & Breakfasts located throughout Wisconsin, supports AB 606. In Wisconsin, a Bed & Breakfast is licensed and defined as having a maximum of 8 guest rooms, serving only breakfast to guests, and is the owner's personal residence. Structural additions outside of the building's original dimensions, for any purpose, have been prohibited since 1990.

This legislation allows structures at least 50 years old that are either potential or operating Bed & Breakfasts to add on, outside of the structure's original dimensions, with the new addition meeting the Uniform Dwelling Code for 1 and 2 family dwellings.

AB 606 will:

- promote preservation of historic homes/buildings by renovation for use as a Bed & Breakfast;
- allow operating and potential B&B's to renovate to accommodate the handicapped;
- allow a B&B to add guest rooms (maximum total of 8) to generate additional income, resulting in additional sales and use taxes;
- allow a B&B to add guest gathering areas, or better serve guests with convenient kitchen and laundry facilities used by the owner; and
- allow a B&B to add/expand the owner's quarters ... many families leave the B&B business or do not enter it at all because of a cramped living area in the historic property.

Of the 269 licensed Bed & Breakfasts represented by the Wisconsin Bed & Breakfast Association membership of 1999-2000, 78% of them are at least 50 years old, and therefore, 211 small businesses would benefit from this legislation. In Wisconsin, there are just under 500 licensed B&B's; if the building profile mirrors that of the WBBA membership, 390 small businesses stand to benefit from this legislation.

We thank you for your consideration of AB 606 and for your efforts to enable Wisconsin's Bed & Breakfasts to safely accommodate the needs of guests and owners while contributing to the tourism economy.

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We thank you for your consideration of AB 606 and for your efforts to enable Wisconsin's Bed & Breakfasts to safely accommodate the needs of guests and owners while contributing to the tourism economy.



AB 606 ?

Country Comforts Bed & Breakfast

2722 Highland Drive
Cambridge, Wisconsin 53523

1-608-423-3097 or 1-877-771-1277 (toll-free)

Email: info@country-comforts.com
Website: www.country-comforts.com

February 16, 2000

To: Chairperson Roger M. Breske and
Members of the Insurance, Tourism, Transportation and Corrections Committee

We would like to voice strong support in favor of changing the law related to Bed & Breakfast establishments to allow additions outside the original dimensions of the structure.

We are owners of Country Comforts Bed & Breakfast in Cambridge. We converted the old farmhouse where Marian grew up into a 2-guest room B&B. The farmhouse had been built in 1890. The farm has been in Marian's family since 1908, when her grandparents bought it.

We were licensed as a B&B in 1998. This past year, we decided to put a first floor addition onto our B&B in order to add a wheel-chair accessible guest suite. (Our two original guest rooms are upstairs.) We believe there is a real need for universally accessible B&Bs. As of the 1999 Wisconsin Bed & Breakfast Directory, only 6 percent of member B&Bs are wheelchair accessible. We know there are many people with physical limitations who want to stay in B&Bs, but they can't because the B&Bs are not universally accessible.

By current laws, building a universally accessible addition onto our B&B was extremely difficult. We were required to follow commercial building code for the addition, which resulted in slowing the project down by about a month, and increasing our costs significantly. We were also given a lot of contradictory information by the Department of Commerce, simply because they had difficulty applying codes written for hotels and factories to a 3-guest room B&B.

We understand that the driving force behind this change in legislation is historical preservation, not universal accessibility. However, since most houses that have been turned into B&Bs are more than 50 years old, most B&Bs will benefit by this change if they should want to add a universally accessible guest room that requires construction outside the original dimensions of the structure.

From our perspective of wanting to make it easier for B&Bs to add universally accessible guest rooms, the 50 year provision should not be written into the law. However, even with that provision, the proposed changes to the legislation are still a very good first step in the right direction of permitting B&Bs to become universally accessible if they so desire.

Sincerely,

Marian Korth

Miriam Jacobson

February 16, 2000

To whom this matter concerns:

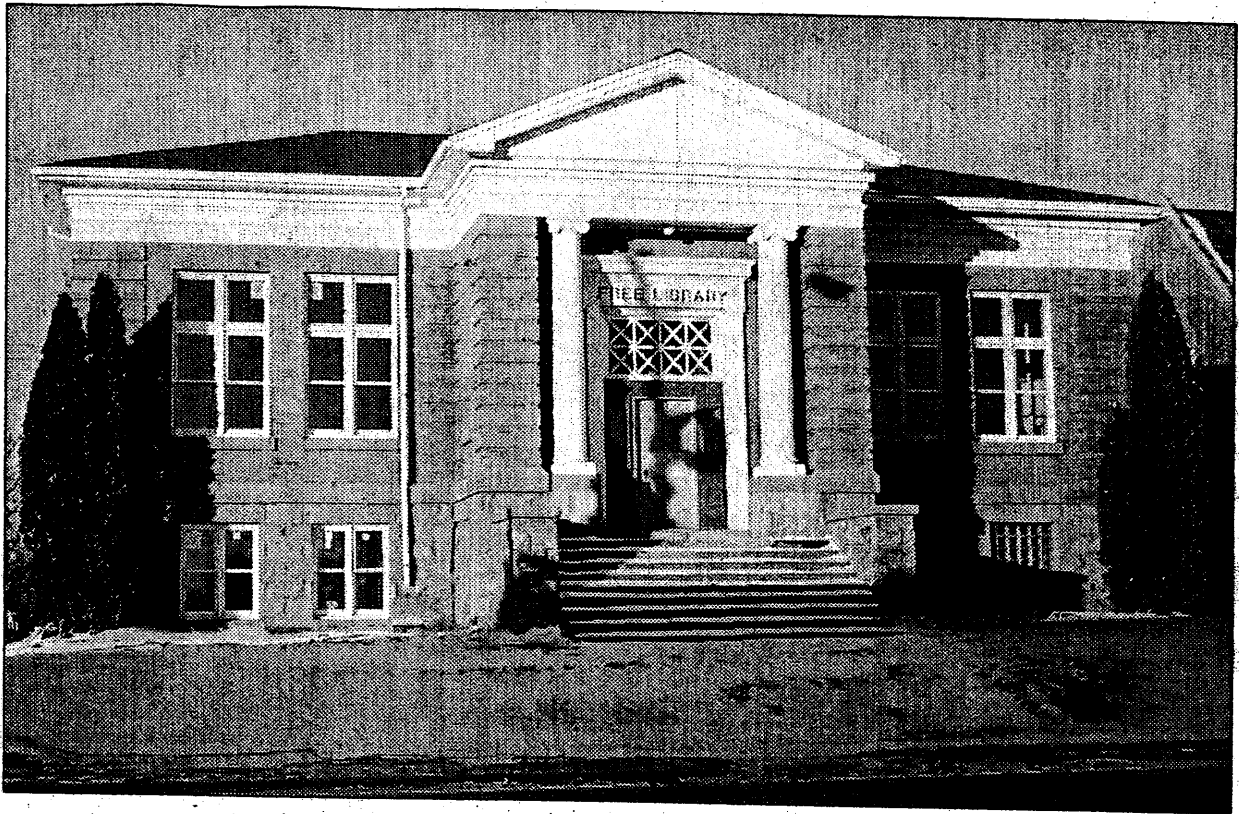
Although my husband and I would like to see this addressed to all structures regardless of age we support this amendment.

We choose B&B's for a variety of reasons. They are more like staying with friends at their homes. They provide a variety of persons for conversations. They offer a quieter more conducive atmosphere to de-stress, read, heal or just plain remove yourselves from the fast paced society we have become. Until recently this has not been a challenge for us...that is until Cancer for my husband and a muscular condition for me.

Most of the places we have visited over the years are not accessible to us now without further strain on our limited energy. Climbing up the stairs in the older Victorian B&B's is all but a sweet memory in a painful present and future. We are becoming among those who would not be able to utilize a facility that is really ideal for those in ill health. By amending the current laws you will not only be creating a legal avenue for owners to acquire Universal Accessibility for patrons but you will be doing the right thing.

In our fast paced world we are leaving behind avenues of choice to those who can't keep pace. Older laws need to be re-examined and amended to accommodate the public as it is now, not how it was. Persons of differing abilities are far more mobile than in the past and would be most apt to seek the comforts of a B & B with structural changes to meet their needs. Please re-open a door by voting to amend this restrictive law. See it as it applies to us today...not how it applied when it was written. It would certainly provide additional access to B&B's for many.

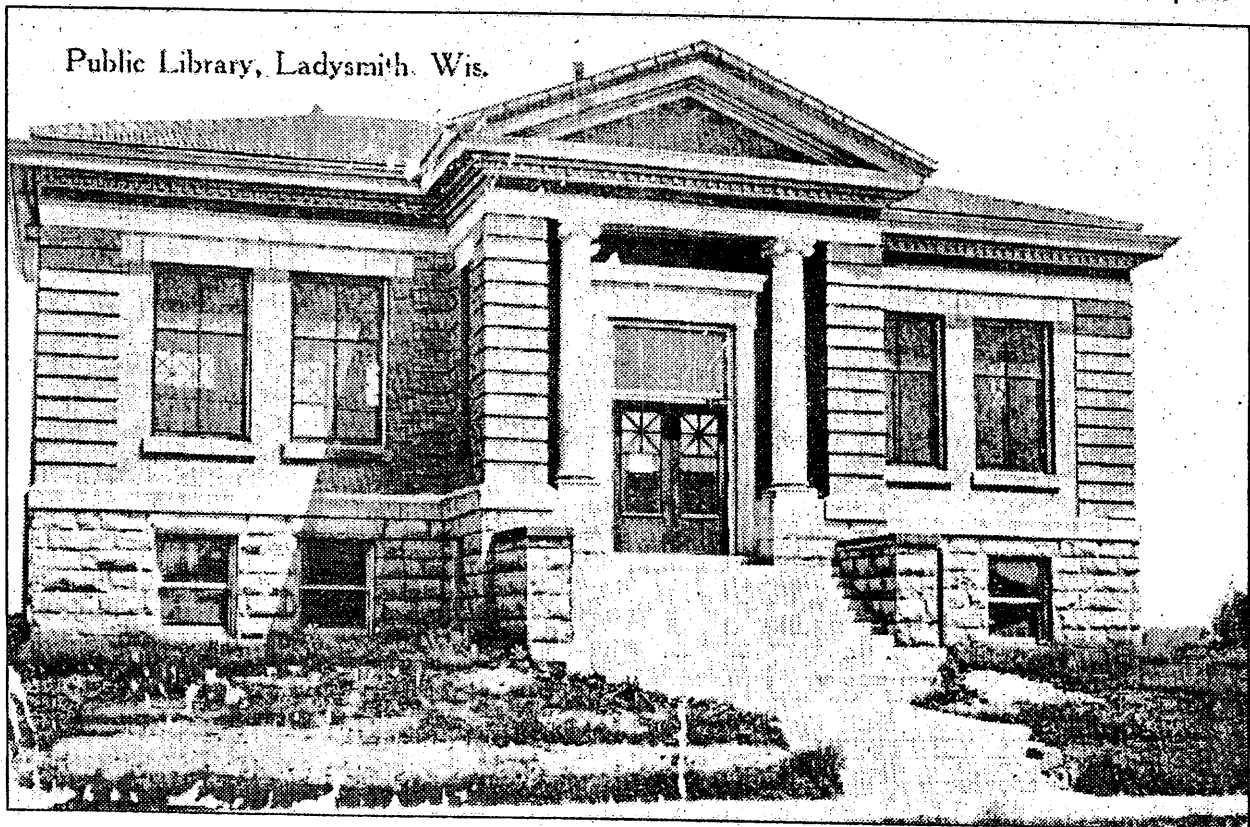
Sincerely yours,
Patrick S. and Jeanne Barnes
Madison



RESTORATION — As seen above, new windows have been installed in the former Carnegie library in Ladysmith as part of a restoration being undertaken by Patricia and Marty Reynolds. They closely match the original windows of the library (below), the only difference being the lower level windows. The original

windows had mullions on the top portion that matched that seen over the door. The mullions are painted a dark color in the view below, but the design can be seen in the north windows, which are visible through the south windows. The Reynolds plan to transform the building into a bed and breakfast.

—News photo



Feb 2000 Hearing

AB 606 ?



SEN. ROGER BRESKE, CHAIR
INSURANCE, TOURISM, TRANSPORTATION AND CORRECTIONS COMMITTEE
ROOM 300 SOUTHEAST – STATE CAPITOL

February 16, 2000

RE: AB 606 – Relating to Expanding the Definition of “Bed and Breakfast Establishment”

Dear Sen. Breske and Committee Members,

I am here today on behalf of the Wisconsin Environmental Health Association (WEHA). WEHA is the state organization representing over 300 environmental health professionals working in a wide variety of disciplines, both in the public and private sector, throughout Wisconsin. The WEHA Executive Board voted on February 14, 2000, to oppose the amendments that are being proposed by AB 606 for the following reasons.

The bed and breakfast facilities originated in Wisconsin in 1985. At that time it was presented as a mechanism for “empty nesters” to operate a cottage industry that would help offset their property taxes. The legislature granted exemptions from the state building code and state restaurant code to these establishments since they ostensibly would not be lodging and feeding guests in large numbers. Thus the risks to the public would be minimal. Limitations on these operations included the requirements that there could be no more than 4 sleeping rooms, the facility had to be the operator’s primary residence and only a breakfast could be served to the lodging guests.

The focus of this industry changed quite rapidly. In 1990 an exemption was sought, and was approved, that allowed the expansion from 4 bedrooms to 8 bedrooms, with a limit of 20 guests. The expansion was restricted to alterations inside the envelope of a structure that was primarily used as a residence prior to 1990. Although this was a major shift from the original intent, the exemptions from the building codes and food safety codes were extended to these larger facilities.

In 1993 the regulations were amended again to allow a waiver for bed and breakfast facilities, which allows additions to the structure that are not within the original envelope of the structure. While these additions are not exempt from the building code regulations, the food service in the expanded facility is still exempt from the food code requirements.

Another exemption was granted in 1997. This action allowed operators to serve breakfast to guests that are lodged on the same premises as the bed and breakfast establishment, even if they are not lodged in the bed and breakfast establishment. This expanded the number of meals served by bed and breakfast establishments, which are not subject to any food code regulations.

It was hard to argue that the exemptions granted under the original proposal for bed and breakfast facilities would present much of a risk to public health or safety. However, the exemptions that

have been sought and approved since then have significantly changed the focus of this enterprise from a "mom and pop" sideline to a "for profit" venture.

AB 606 will further expand the exemptions, allowing even more establishments to offer food and lodging to the public without the benefit of the protections included in the state codes for public health and safety. Those codes were originally enacted to provide these very safeguards to the consuming public. The fact that a major foodborne illness or other tragedy has not yet occurred should not be cause for complacency on these issues.

The public at large in Wisconsin has come to appreciate and expect the protections afforded by the state building codes and food protection codes. Those of us that are employed by the State, City and County agencies that are involved in the administration of the building and food protection codes are perplexed why the legislature has apparently not seen fit to provide the same protections to lodgers at bed and breakfast facilities that are extended at all other lodging establishments in Wisconsin.

As you can see, the history of the bed and breakfast industry includes a subtle but distinct metamorphosis from its original intent to the current status as virtual stand-alone businesses. Since this sector of the lodging business in Wisconsin has been so successful, we urge you to consider restoring the protections of the pertinent codes to the public patronizing these facilities, rather than granting further exemptions.

We urge you to recommend disapproval of AB 606 in the interest of public health and safety.

Thank you for providing this opportunity for us to express these concerns. If you have any questions, I can be reached at (608) 242-6491 between 7:45 AM and 4:30 PM, Monday –Friday.

Sincerely,



James P. Clark, R.S., Chair
Legislative Committee
Wisconsin Environmental Health Association