

➤ Hearing Records ... HR (bills and resolutions)

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**WISCONSIN STATE
LEGISLATURE COMMITTEE
HEARING RECORDS**

2007-08

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on
Small Business,
Emergency
Preparedness,
Workforce
Development,
Technical Colleges &
Consumer Protection**

(SC-SBEPWDTCCP)

COMMITTEE NOTICES ...

➤ Committee Reports ... CR
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**INFORMATION COLLECTED BY
COMMITTEE FOR AND AGAINST
PROPOSAL ...**

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Name:

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➤ Hearing Records ... HR (bills and resolutions)
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Commerce Public Hearing Testimony
Senate Bill 289
Carbon Monoxide Detectors

Senate Committee on Small Business, Emergency Preparedness, Workforce
Development, Technical Colleges and Consumer Protection

October 24, 2007

Good Morning,

My name is Bob DuPont.

I am the Director of Program Development in the Safety and Buildings
Division of the Department of Commerce.

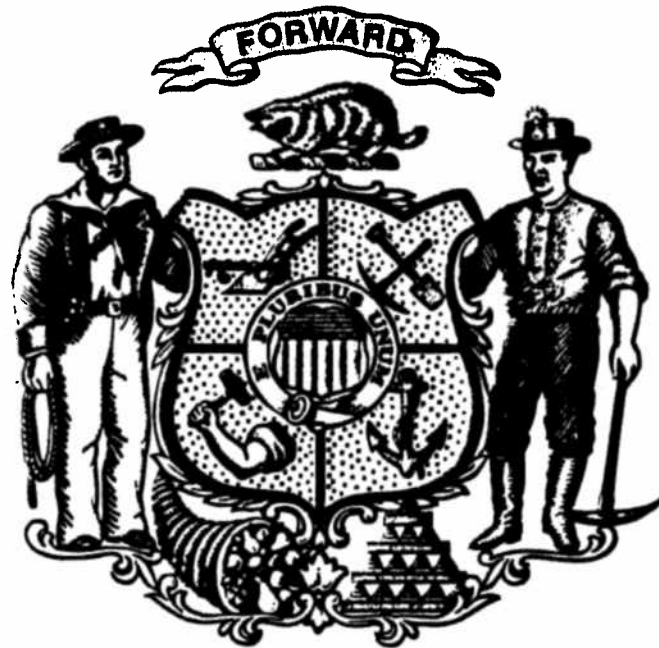
I am testifying on behalf of Secretary Burke.

The Department of Commerce supports Senate Bill 289, with an understanding
that an amendment is under development that will clarify who must conduct the
inspections under Commerce jurisdiction of certain sealed combustion fuel
burning appliances.

We support an amendment that would require inspections of sealed combustion
heating appliances be conducted by HVAC contractors registered by
Commerce under section 101.178 of the Statutes and by plumbers properly
licensed by Commerce under section 145.06 of the Statutes where the sealed
combustion unit is a water heater.

We believe that requiring carbon monoxide detectors will further public safety
and help protect Wisconsin residents from carbon monoxide poisoning.

We look forward to working with the legislature and other stake holders in
clarifying and implementing the safety improvements contained in SB 289.





Wisconsin State Fire Chiefs' Association, Inc.

Together We Can Make A Difference

- Education
- Prevention
- Safety
- Suppression
- EMS

DATE: October 24, 2007

TO: Senate Committee on Small Business, Emergency Preparedness, Workforce Development, Technical Colleges and Consumer Protection

FROM: Wisconsin State Fire Chiefs' Association

RE: Support ~~Sen~~ate Bill 289

The Wisconsin State Fire Chiefs' Association asks that you support Senate Bill 289. SB 289 will provide protection for all occupants of public buildings in the State of Wisconsin from accidental Carbon Monoxide poisoning.

Carbon monoxide is an invisible, odorless gas produced when carbon-based fuels like wood, oil, coal, kerosene and natural gas burn incompletely. Exposure to increasing levels of carbon monoxide can lead to headaches, nausea, dizziness, fatigue, shortness of breath, unconsciousness and death. CO detectors are the only way to detect dangerous levels of the gas. The fire service in Wisconsin responds to many carbon monoxide alarms each year. The detector has sounded in these buildings notifying the occupants of carbon monoxide levels beginning to build to a dangerous level. When the fuel burning appliances are checked an appliance, which needs repair is found and these building occupants lives are spared from illness or even death.

I have attached an informational flyer on carbon monoxide gas and detectors for your use. I have also attached a chart showing where Wisconsin ranks with other states in carbon monoxide deaths 1988 – 1996 from the CDC.

The Wisconsin State Fire Chiefs' Association would like to thank you for the consideration the Committee has given SB 289 and we urge you to consider voting in favor of this important legislation to support the safety of our residents and visitors to the state. If you have any questions please contact David Bloom, Legislative Liaison, Wisconsin State Fire Chiefs' Association at 608-444-3324.

2120 Fish Hatchery Rd. • Madison, WI 53713
Phone: 608-210-7261 • Fax: 608-210-7235
Email: bloomd@town.madison.wi.us





Serving the
Lodging Industry
for Over 100 Years

October 24, 2007

To: Senate Committee on Small Business, Emergency Preparedness,
Workforce Development, Technical Colleges, and Consumer
Protection
Senator Wirch, Chairman

From: Trisha Pugal, CAE
President, CEO

RE: SB 289 Carbon Monoxide Detector Requirements

The Wisconsin Innkeepers Association (WIA) is a non-profit trade association representing over 1,000 hotels, motels, resorts, inns, and bed & breakfasts throughout the state.

At the invitation of the bill sponsors of SB 289, we have met with interested parties in negotiating possible requirements for carbon monoxide detectors at lodging properties and other "residential buildings".

The vast majority of occurrences of carbon monoxide poisoning in our state do not occur at lodging properties. In fact we are aware of one fatality occurrence in our state to date, (involving two individuals in 2002) compared to multiple occurrences at other types of facilities or residences. However, with our ongoing interest in the safety of our guests, we have agreed to support requirements deemed to be reasonable in light of both the data on our industry as well as reasonable projections for future concerns.

SB 289, as introduced, is a compromise that we feel goes beyond data-based projections of concern for lodging properties, however it also would have been well more than sufficient to prevent the fatalities that occurred in 2002, and thus we have agreed to support SB 289 as introduced.

Cc; WIA Executive Committee
Kathi Kilgore

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Brookfield, WI 53005
262/782-2851
Fax# 262/782-0550
wia@execpc.com
<http://www.lodging-wi.com>







State of Wisconsin
Department of Health and Family Services

Jim Doyle, Governor
Kevin R. Hayden, Secretary

October 24, 2007

TO: Senate Committee on Small Business, Emergency Preparedness,
Workforce Development, Technical Colleges and Consumer Protection
FROM: Bill Otto, Chief of Health Hazard Evaluation, DHFS
RE: Senate Bill 289

Good morning Senator Wirch and committee members, thank you for this opportunity to appear in support of Senate Bill 289. My name is Bill Otto and I am Chief of the Health Hazard Evaluation Section in the Department of Health and Family Services. My section includes the indoor air program and among other things, for the past 30 years I have worked to reduce carbon monoxide hazards for Wisconsin residents.

Carbon monoxide is often called “the silent killer.” It is colorless and odorless, and hundreds of people die from accidental exposure each year across the country. *Because of our climate, Wisconsin has more than our share of those tragedies. Yet each and every one of these tragedies is avoidable. Most of us are aware that carbon monoxide exposure can cause death.

However, non-fatal CO poisoning can have serious lasting health effects. Low-level CO exposures can cause a throbbing headache, dizziness, fatigue, mental confusion and shortness of breath. Higher exposures result in severe headache, weakness, dizziness, nausea, irregular heartbeat, and unconsciousness. Occasionally, these symptoms can be mistaken for symptoms of the flu.**

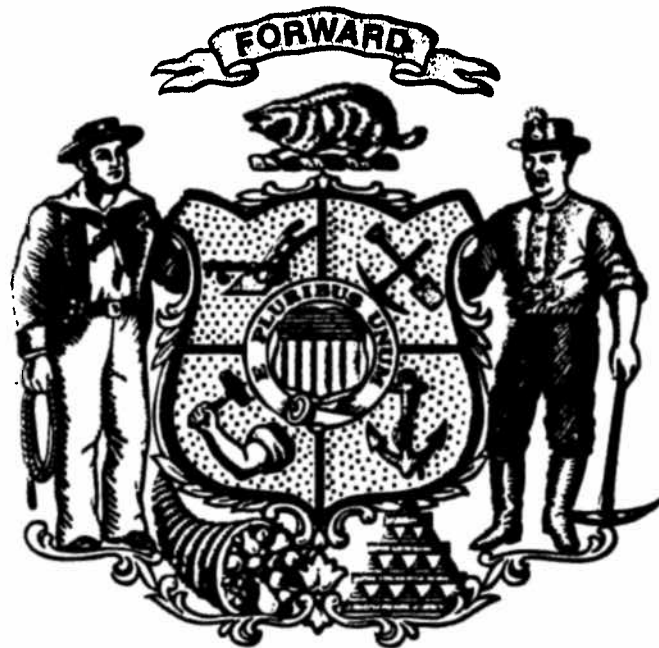
DHFS has long advocated for preventing carbon monoxide hazards. Each year, we work with local health departments statewide to raise awareness during this time of year. Yet each year, we lose cherished family and community members to this preventable hazard.

DHFS recognizes the important life saving value of a simple carbon monoxide detector. This bill takes a positive step toward providing this life-saving tool throughout the lodging industry. We are grateful to our industry partners for their support of this important public health measure and eager to work with them through the implementation details.

Thank you again for the opportunity to appear in support of Senate Bill 289. I’m happy to take questions that committee members may have.

* JAMA 8/2002 estimated 500 to 2,000 accidental deaths a year

**The American Association of Poison Control Centers reports 40,000 emergency room visits from suspected CO poisoning and 20,000 health-related injuries each year.



McGuire, Paula

From: Kite, Robin
Sent: Tuesday, January 22, 2008 10:54 AM
To: McGuire, Paula
Subject: LRBa1088

SAI
to SB 289

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Paula:

You requested an explanation of the referenced amendment. The amendment does the following:

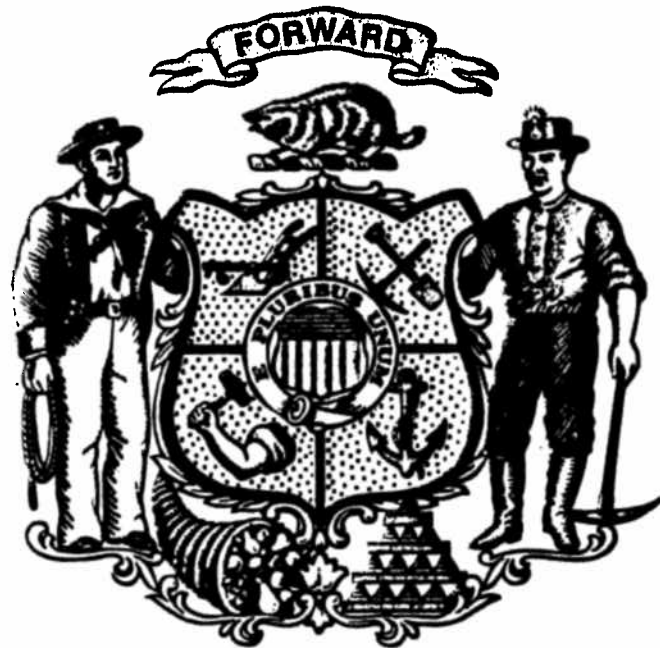
1. Clarifies the respective inspection responsibilities of the Department of Commerce and the Department of Health and Family Services. The amendment specifically requires each department to promulgate rules under which they are required to conduct regular inspections for compliance with the carbon monoxide installation and maintenance requirements of the bill.
2. Requires the Department of Commerce to authorize certified heating, ventilating, and air conditioning inspectors to conduct inspections of sealed combustion units in residential buildings other than hotels, tourist rooming houses, and bed and breakfast establishments.
3. For purposes of consistency, makes technical corrections to delete the term "fuel" in reference to "sealed combustion units."
4. Clarifies that the required inspection of sealed combustion units only applies to those residential buildings in which the owner chooses not to install carbon monoxide detectors under the exception specified in s. 101.149 (5). That is, the owner of a residential building may choose to install carbon monoxide detectors near sealed combustion units rather than have those units inspected.
5. Provides a deadline for the expiration of emergency rules. Although we did not discuss this item, I noticed this oversight as I was drafting this amendment. A deadline should be included in the emergency rule provision in order to ensure that permanent rules are ultimately promulgated.
6. Clarifies the scope of the bill so that it specifically includes "tourist rooming houses" (such as cabins and cottages) and "bed and breakfast establishments".

Please feel free to contact me if you have any questions.

Robin

Robin Kite, Senior Legislative Attorney
Wisconsin Legislative Reference Bureau
1 East Main Street, Suite 200
Madison, WI 53703
(608) 266-7291

The Bill allows the business (hotel, apartment, etc.) to choose to either install a detector or submit to regular inspections as determined by rule of the sealed combustion units.





State Representative

Samantha J. Kerkman

No
Date

Senate Bill 289

Installation of Carbon Monoxide Detectors in Certain Buildings

We've all heard the tragic stories of individuals being consumed by carbon monoxide. We've heard the stories in the paper or saw the reports on TV...but today we can put a face to those stories. The Hekenberger family lost their parents, their children's grandparents, and friends to many, while they vacationed at a cabin in Wisconsin. There is nothing worse than when a tragedy is needed to fuel change. Unfortunately, that is exactly why we are here today.

Senate Bill 289 requires the installation of carbon monoxide detectors in residential buildings. Although not necessarily a perfect product, this legislation is an excellent starting point for change. Requiring installation of carbon monoxide detectors will ensure that another family doesn't lose a loved one.

Due to the far reaching impact of the bill it was critical that we do all that we can to ensure that the legislation is workable. Thus, this legislation represents the tireless work of so many individuals. This legislation will require significant changes for many, and as legislators we needed to make sure the product before you was reasonable and not cost prohibitive. It is my hope that Senate Bill 289 will ensure the safety of individuals without creating a burden that will negatively impact business in our state.

Carbon monoxide poisoning is preventable -that is the ultimate tragedy here today. Thank you for the committee's consideration of Senate Bill 289.



Sen. Ulrich

Several years ago, I was approached by Patty Hekenberger from my district who shared with me a tragic event that occurred. Her in-laws were fatally overcome by carbon monoxide produced by a space heater while they slept in a cabin they rented during their annual fishing trip in northern Wisconsin. As a result of their loss, the Hekenberger family has become advocates for promoting education on the need for carbon monoxide detectors. They have also worked with myself and Representative Kerkman on legislation that would require carbon monoxide detectors in residential buildings. Similar legislation was previously introduced but faced opposition; I would like to thank Kathi and Trisha representing the Inn Keepers and Fire Chief Bloom for their diligence in working towards a compromise bill. I would also like to thank the Hekenberger family for their perseverance on this important issue, and I am glad they are here to testify today.

No
Date

Carbon Monoxide is a colorless, odorless, poisonous gas. Carbon Monoxide kills by robbing the body of oxygen. Victims first experience headaches, dizziness and nausea. Serious poisoning causes collapse, unconsciousness and death. According to the Consumer Product Safety Commission, every year over 200 people in the United States die from carbon monoxide produced by fuel-burning appliances and several thousand people go to hospital emergency rooms for treatment for carbon monoxide poisoning.

Over a dozen states have passed legislation related to mandatory carbon monoxide detectors. A majority of these states require carbon monoxide detectors in new residential construction, and several states mandate detectors in child care facilities. Many county and local governments have also established requirements for carbon monoxide detectors. In Wisconsin, the Village of Brown Deer passed an ordinance in 2001 requiring mandatory carbon monoxide detectors in one or two family homes.

Senate Bill 289, which is based on smoke detector law, requires the installation of carbon monoxide detectors in a residential building.

-A residential building is any public building used for sleeping or lodging purposes and includes an apartment building, rooming house, hotel, children's home, community-based residential facility or dormitory.

-Carbon monoxide detectors would be required in the:

*basement of a building that has a fuel-burning appliance

*within 15 feet of each sleeping area of unit with a fuel burning appliance

*In each room that has a fuel burning appliance and in certain hallways and adjacent rooms.

*In multi-unit buildings only one carbon monoxide detector would be required per unit.

-Requires the owner to maintain every carbon monoxide detector, but is not liable for damages resulting from the failure of the carbon monoxide detector if it is tampered with, removed or destroyed.

-Requires the Department of Commerce and the Department of Health and Family Services to promulgate rules requiring the annual inspection for compliance with the carbon monoxide detector installation and maintenance.

-Penalties for noncompliance

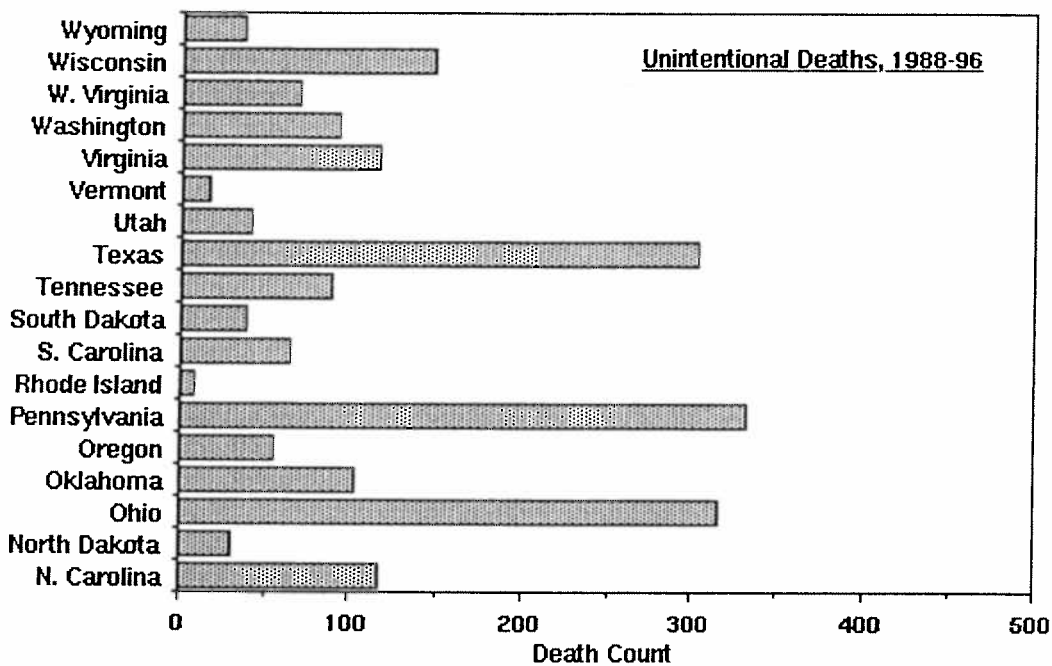
First offense-Warning

Second offense-\$50 forfeiture for each day of violation occurring after the date on which the correction was required to be made

-Fiscal Note-The Department of Health and Family Services can incorporate into its current workload inspections of carbon monoxide detectors to ensure they are functioning. The cost of this additional requirement to the Department is indeterminate but not expected to be significant.



Deaths from Carbon Monoxide Poisoning by State, for the period 1988-1996. (based on CDC data)



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Folder

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Other Sources for Information on Carbon Monoxide

National Fire Protection Agency
Center for Disease Control
Local Emergency Management
Local Fire Department

Websites

Information

www.coheadquarters.com/CO1.htm

<http://commerce.wi.gov/SBdocs/SB-UDCCommentary23.pdf> (HVAC code)

www.carbon-monoxide-poisoning.com/

Detectors & Services

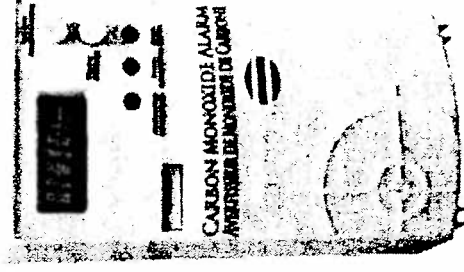
www.smokesign.com/codetectors.html

www.homeinspections-usa.com/carbon.php



Carbon Monoxide Education

What is Carbon Monoxide and
what you need to know to get
out alive!!



This document was produced for
you by:

Jamie K. Barnes
Fire Fighter/Paramedic
Town of Madison Fire
Department

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SB 289
Folder

No
date

What is Carbon Monoxide?

Carbon Monoxide is a colorless, odorless & tasteless gas. It's produced by incomplete combustion (and normal combustion) of some fuels. Carbon Monoxide is commonly referred to as CO, shorthand for it's chemical components. Carbon Monoxide is also known as a "Silent Killer" because of it being practically undetectable to human senses.

Where does CO come from?

Some common sources are vehicles running in garages for lengthy times, malfunctioning chimneys (or clogged,) malfunctioning furnaces or gas appliances. The danger of CO asphyxiation goes up in the winter because homes tend to be shut up and sealed from the cold weather more.

How is CO dangerous?

CO has a 200% higher affinity (attraction) to the hemoglobin on red blood cells than oxygen. That means that your body would rather have CO than oxygen when given the choice. The result is that body cells start

dying. CO can harm in very small quantities. According to the CDC about 500 Americans/year die as a result of accidental CO asphyxiation. About 2,000 Americans/year die as a result of suicide by CO asphyxiation.

- 25-40% of accidental deaths died from acute exposure.
- 15-40% of survivors suffered immediate or delayed neuropsychological deficit.

How do I know if CO is affecting me?

The best detection of carbon monoxide is by a detector. Carbon monoxide detectors are readily available and affordable. Other signs and symptoms of CO poisoning include: nausea, vomiting, dizziness, lightheadedness, severe headaches & sleepiness. More severe symptoms are unconsciousness, permanent brain damage or death.

What do I do if there's a CO problem?

If you don't know for sure, Call 911!! Get every one out of the house and to fresh air. Short-term exposure

to low amounts of CO will not permanently damage the body. Re-entering a building with high CO concentrations can cause permanent damage very quickly. Ventilating the space will dissipate the CO, but it will not stop the problem. Whatever the source is, it needs to be fixed by a professional.

What can I do to Prevent CO problems?

Most CO problems are from malfunctioning gas appliances. Proper installation, maintenance and operation of these appliances are an important step to keep safe. Don't leave your car running in the garage. Get a carbon monoxide detector!! In the state of Wisconsin right now it is not required that a land-lord supply a tenant with a CO detector, so there most likely is not one!

Where do I put my CO detector?

Follow the manufacturer's guidelines for installation of the detector. Many sources suggest having one near the sleeping area in a home, one on each level and one within six feet of each sleeping area.