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Jim Doyle, Governor

Bruce Hoesly, Code Editor
Legislative Reference Bureau
Suite 200
1 East Main Street
Madison, Wisconsin 53703

Dear Mr. Hoesly:

**TRANSMITTAL OF WRITTEN NOTICE OF HEARING
AND LEGISLATIVE COUNCIL REVIEW**

RULE NO.: Comm 21.095 and 62.1200

RELATING TO: Carbon Monoxide Alarms

AGENCY UNIT RESPONSIBLE: Safety and Buildings Division

PUBLIC HEARING REQUIRED: YES NO

CONTACT PERSON: James Quast TITLE: Program Manager

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Pursuant to sections 227.14 (4m) and 227.17, Stats., agencies are required to transmit a written notice of submittal of proposed rules to the Legislative Council and a written notice of hearing to the Legislative Reference Bureau, for publication in the Administrative Register.

On the date on this letter the department is submitting proposed rules to the Legislative Council and is submitting the following material to you:

1. Notice of Public Hearing or 30-Day Notice of Proposed Rulemaking.
2. Fiscal Estimate.
3. Initial Regulatory Flexibility Analysis.
4. Draft of Proposed Rules.

Respectfully submitted,

Aaron Olver
Deputy Secretary

STATE OF WISCONSIN
DEPARTMENT OF COMMERCE

**NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that pursuant to ss. 101.02 (15), 101.149, and 101.63 (1), Stats., the Department of Commerce will hold a public hearing on proposed rules and the emergency rules under chapters Comm 21 and 62 relating to carbon monoxide alarms and affecting small business.

The public hearing will be held as follows:

Date and Time:

October 14, 2008
10:00 a.m.

Location:

Conference Room 3B
Thompson Commerce Center
201 W. Washington Avenue
Madison

Interested persons are invited to appear at the hearing and present comments on the proposed rules. Persons making oral presentations are requested to submit their comments in writing. Persons submitting comments will not receive individual responses. The hearing record on this proposed rulemaking will remain open until October 24, 2008, to permit submittal of written comments from persons who are unable to attend the hearing or who wish to supplement testimony offered at the hearing. Written comments should be submitted to James Quast, at the Department of Commerce, P.O. Box 2689, Madison, WI 53701-2689, or Email at jim.quast@wisconsin.gov.

This hearing is held in an accessible facility. If you have special needs or circumstances that may make communication or accessibility difficult at the hearing, please call (608) 266-8741 or (608) 264-8777 (TTY) at least 10 days prior to the hearing date. Accommodations such as interpreters, English translators, or materials in audio tape format will, to the fullest extent possible, be made available upon a request from a person with a disability.

The proposed rules and an analysis of the proposed rules are available on the Internet at the Safety and Buildings Division Web site at www.commerce.wi.gov/SB/. Paper copies may be obtained without cost from Roberta Ward, at the Department of Commerce, Program Development Bureau, P.O. Box 2689, Madison, WI 53701-2689, or Email at roberta.ward@wisconsin.gov, or at telephone (608) 266-8741 or (608) 264-8777 (TTY). Copies will also be available at the public hearing.

The small business regulatory coordinator for the Department of Commerce is Carol Dunn, who may be contacted at telephone (608) 267-0297, or Email at carol.dunn@wisconsin.gov.

INITIAL REGULATORY FLEXIBILITY ANALYSIS

Department of Commerce

RULE NO.: Comm 21.095 and 62.1200

RELATING TO: Carbon Monoxide Alarms

1. Types of small businesses that will be affected by the rules.

The proposed rules implement mandates imposed by 2007 Wisconsin Act 205 regarding the installation and maintenance of carbon monoxide alarms. The Act affects the owners of commercial buildings where people sleep or lodge and tourist room houses (rental cabins) where fuel burning appliances are installed. The types of commercial buildings affected include apartment buildings, condominiums, hotels, motels, fraternities, sororities, dormitories, convents, seminaries, community based residential facilities, home shelters and bed and breakfast establishments.

2. Reporting, bookkeeping and other procedures required for compliance with the rules.

There are no new reporting, bookkeeping and other procedures necessary for compliance with the rules.

3. Types of professional skills necessary for compliance with the rules.

There are no new types of professional skills necessary for compliance with the rules.

4. Rules have a significant economic impact on small businesses.

No Rules not submitted to Small Business Regulatory Review Board

Yes Rules submitted to Small Business Regulatory Review Board

NOTICE of ENVIRONMENTAL ANALYSIS

Department of Commerce

Rule No.: Comm 21.095 and 62.1200

Relating to: Carbon Monoxide Alarms

Notice is hereby given that the Department has considered the environmental impact of the proposed rules. In accordance with chapter Comm 1, the proposed rules are a Type III action. A Type III action normally does not have the potential to cause significant environmental effects and normally does not involve unresolved conflicts in the use of available resources. The Department has reviewed these rules and finds no reason to believe that any unusual conditions exist. At this time, the Department has issued this notice to serve as a finding of no significant impact.

FISCAL ESTIMATE
DOA-2048 (R06/99)

ORIGINAL
 CORRECTED

UPDATED
 SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
Comm 21.095 & 62.1200
Amendment No. if Applicable

Subject

Carbon Monoxide Alarms

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

Increase Existing Appropriation
 Decrease Existing Appropriation
 Create New Appropriation
 Increase Existing Revenues
 Decrease Existing Revenues

Increase Costs - May be Possible to Absorb Within Agency's Budget Yes No

Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:

Towns Villages Cities

2. Decrease Costs
 Permissive Mandatory

4. Decrease Revenues
 Permissive Mandatory

Counties Others _____

School Districts WTCS Districts

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

The rules implement mandates imposed by 2007 Wisconsin Act 205 regarding the installation and maintenance of carbon monoxide alarms in buildings accommodating residential type occupancies where people sleep or lodge, excluding hospitals and nursing homes. The rules will not increase the department's revenue or cost with respect to administration or enforcement over that imposed by the Act.

The Act and the rules affect the owners of commercial buildings where people sleep or lodge and tourist room houses (rental cabins) where fuel burning appliances are installed. The types of commercial buildings affected include apartment buildings, condominiums, hotels, motels, fraternities, sororities, dormitories, convents, seminaries, community based residential facilities, home shelters and tourist rooming houses (rental cabins). The department does not believe that the rules will increase the effect on owners over that imposed by the Act. Battery or plug-in type carbon monoxide detectors typically range in cost from \$25 to \$50. New construction installation costs for a hard-wired type carbon monoxide alarm with battery backup ranges in cost from \$65 to \$85 and \$90 to \$110 if interconnection is involved. Combination carbon monoxide alarms and smoke alarms are also available. The use of combination carbon monoxide alarms and smoke alarms should result in installation and labor cost savings over that for separate systems.

Long-Range Fiscal Implications

No long range fiscal implications are anticipated.

Agency/Prepared by: (Name & Phone No.)
Commerce/James Quast, 266-9292

Authorized Signature/Telephone No.

Date