Wisconsin State Fire Chiefs' Association, Inc.

Together We Can Make A Difference

- Education
- Prevention
- Safety
- Suppression
- EMS

DATE: January 30, 2008

TO: Committee on Public Health

FROM: Wisconsin State Fire Chiefs' Association

RE: Please Support Assembly Bill 717

The Wisconsin State Fire Chiefs' Association is asking for your support of Assembly Bill 717. The Wisconsin State Fire Chiefs' Association has worked long and hard advocating "Safe Cigarette" legislation in Wisconsin. Our members have experienced the destruction to property, injuries and untimely deaths in fires caused by the careless use of cigarettes.

The 2002 – 2005 National Fire Protection Association report lists smoking related fires in homes and multifamily buildings as the number 3 cause of fires but it is the number 1 cause of civilian deaths in the same fires. The 2004 Wisconsin Burning report provides us with the most recent statistics on fire causes in Wisconsin. The leading cause of fires in 1 and 2 family buildings was smoking. The leading cause of fires in multifamily (apartment buildings) buildings was smoking. The leading cause of fires in restaurants and bars was smoking. These stats indicate why we need "Safe Cigarette" legislation in Wisconsin.

The Wisconsin Fire Chiefs Association has an additional interest in reducing smoking related fire and that is reducing injuries and deaths to our firefighters. Nationwide the fire service has more firefighters killed in residential fires than any other type of fire and residential fires are where we find the majority of fires caused by careless use of smoking materials.

Please support Assembly Bill 717 and help the Wisconsin Fire Service prevent fires from the careless use of smoking materials. If you have any questions please contact David Bloom, Legislative Liaison, Wisconsin State Fire Chiefs' Association at 608-444-3324.

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WISCONSIN ALLIANCE for FIRE SAFETY

Good morning Chairman Hines and committee members. I am Maylon Mitchell, Wisconsin Alliance for Fire Safety Summer Camp for Burn Injured Youth Director and veteran of 10 years with the Madison Fire Department. Those two positions make me very close to the issue of fire deaths and injuries, but also to the issue of education and prevention of fires.

I am here today on behalf of the Wisconsin Alliance for Fire Safety (WAFS) to give full support to Assembly Bill 717. I also want to especially recognize Senator Judy Robson and Chairman Hines for their efforts in drafting this life-safety policy.

The WAFS is a non-profit organization in existence since 1991 with a mission "to promote, encourage and foster fire safety, burn prevention and public fire prevention education along with sponsorship of the Summer Camp for Burn injured Youth."

The WAFS camp for young burn survivors is a week long fun experience that also helps campers understand that they are not alone in their burns. Volunteers from the fire service, burn care medical providers and many other benevolent people offer their precious time to be there for the kids who only want to feel like any other kid at any other camp. The campers attend for free as the week is financially sponsored by people and organizations statewide knowing that these children spent unwanted seconds in environments that resulted in life-long physical and emotional scars. Some of the campers attending our camps for the last thirteen years were injured by careless use of smoking materials.

I think we all can imagine instances in which a burning cigarette can start a fire, but it occurs far too often than the general public may realize. This legislation will not stop all fires, but it is a fantastic step forward – not only in preventing fires, but in educating the public how to reduce the chances of initiating a fire.

Common sense and a desire for fewer fire-related deaths have driven our support for this life-safety initiative. We are grateful for the cooperation of cigarette manufacturers, legislators and all fire safety advocates. On behalf of the hundreds of children in this state that either were terribly injured or died from careless smokers, the Wisconsin Alliance for Fire Safety and all its supporters urge your support.

Thank you for your time today. I would be happy to answer any questions you may have at this time.

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Commerce Public Hearing Testimony

Assembly Bill 717

Fire-safe Cigarettes

Assembly Committee on Public Health

January 30, 2008

Good Morning,

My name is Chandra Miller Fienen. I am the Executive Assistant at the Department of Commerce, and I am submitting written testimony today on behalf of Secretary Fischer and the Department of Commerce in support of AB 717.

The Department of Commerce supports Assembly Bill 717. The Safety & Building Division's mission is to promote the safety, health and welfare of the public and includes regulation and oversight of fire protection systems.

Fire-safe cigarettes are an effective defense against the grim effects of accidental fires. According to the U.S. Fire Administration National Fire Incident Reporting System (NFIRS), there were over 82,000 fires in 2005 caused by smoking-material, resulting in 800 deaths, 1,660 injuries, and $575 million in direct property damage.

To date, twenty-nine (29) states have passed legislation, similar to AB 717, to require fire-safe cigarettes. States in the heart of tobacco country, such as Kentucky and North Carolina, have enacted fire-safe cigarette laws, and Virginia is presently considering similar legislation. Canada has adopted the same New York standard proposed in AB 717 on a national level.

Implementing design changes to make cigarettes fire-safe carries a modest cost that is well worth the safety benefits. Last October, R.J.

Reynolds voluntarily announced that it would convert all of its cigarettes to a fire-safe design by the end of 2009.

Assembly Bill 717 will improve fire safety in buildings throughout Wisconsin, especially in homes, apartments, hotels and motels where people live and sleep.

We feel that passage of Assembly Bill 717 will reduce the number of deaths and injuries in Wisconsin as well as reduce the amount of property damage caused by fires originating from smoking materials.

While we understand that Assembly Bill 717 is based on model legislation and adopts the New York standard, the Department has some minor concerns regarding a lack of clarity in the bill's present language.

For example, the definition of a manufacturer subject to the certification requirements includes a manufacturer who intends its cigarettes will be sold in Wisconsin and a first purchaser of cigarettes whose manufacturer did not intend its cigarettes to be sold domestically. However, under the bill, a first purchaser is subject to the bill's requirements if it intends to sell the cigarettes "in the United States," rather than "in Wisconsin."

Another example is that the bill requires a certification for each "type" of cigarette, but does not include a definition as to what constitutes a "type of cigarette."

Finally, one section of the bill permits the use of a "substitute test method" when doing so will not change the percentage of cigarettes that have full length burns under the standard test. However, a separate section of the bill permits the use of an "alternative test method" when the standard method cannot be used. It is unclear whether "alternative test method" means the same as "substitute test method."

We would be willing to discuss these minor drafting issues with the author of AB 717 and look forward the passage and implementation of the legislation.

WISCONSIN
FIRE PROTECTION
COALITION

Submitted Testimony before the Assembly Public Health, 328-NW
Dan Gengler, Regional Manager, National Fire Sprinkler Association
January 30, 2008; 10:00 am

Thank you Chairman Hines and Assembly Committee members for your time today. AB 717 is important life-safety policy that will help reduce the possibilities of fire resulting from a burning cigarette. My name is Dan Gengler and I am here today representing fire sprinkler contractors and sprinkler fitters through the Fire Protection Coalition. We work in conjunction with fire safety advocates to support initiatives that help reduce fire deaths, injuries and resulting property damage.

Our coalition also works closely with and supports organizations like the Wisconsin Alliance for Fire Safety, which hosts the Camp for Burn Injured Youth each summer. From my first-hand experience with those kids, I want to urge you to endorse legislation that will reduce the chance of another child qualifying for burn camp.

Part of our efforts is to encourage active fire prevention practices. Specifically, we use the U.S. Fire Administration Formula for Home Fire Safety and Survival:

- Practice fire prevention throughout the entire home every second of every day.
- Install early warning devices that are interconnected and are properly maintained according to manufacturers instructions.
- Practice exit drills in the home on a regular basis to familiarize the family and give them a chance when disaster strikes.
- Invest in a residential fire sprinkler system to offer the optimum in fire and life safety in the home.

The deaths and injuries these kids and all Wisconsin citizens sustain can be preventable. As a former fire fighter, I have witnessed numerous fires resulting from all sources, including burning cigarettes. While this bill cannot prevent all fires, this legislation is a step forward in education and prevention of fires and fire-related deaths.

I want to especially recognize Senator Judy Robson and Chairman Hines for their efforts in drafting this life-safety public policy. I also want to recognize the fire service, legislative co-sponsors, cigarette manufacturers and community leaders that are standing with us; and I ask you to do the same. Please support Assembly Bill 717. I would be happy to answer any questions you may have at this time.

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