Testimony by Senator Judy Robson
before the
Senate Committee on Public Health
relating to
Fire-Safe Cigarette Legislation (SB 379/AB 717)

10 am, Wednesday, January 23, 2008

I want to say thank you to Senator Carpenter for scheduling this hearing is such a timely manner.

I am delighted to be joined here today by my Assembly colleague and co-sponsor, Rep. Hines. And I want to thank him publicly for already scheduling the Assembly companion bill for a hearing in the Assembly Public Health committee a week from today.

Finally, I am pleased to be able to tell the members of this committee that these bills are a bipartisan … and a good example of the best way to affect real changes that helps real people.

These bills have the support of Republicans and Democrats from both houses.

With this strong legislative support, I believe that we can pass this legislation in both houses before the end of the current legislative session and get it to the Governor for his signature. If we accomplish that goal, Wisconsin could have this lifesaving law in place by September, 2009.

And it can't happen a minute too soon. As everyone knows --- if they read a newspaper or watch the nightly news -- fires caused by careless use of smoking materials happen much too often.

Since I first announced plans to introduce this legislation at two press conferences in Beloit and Madison on November 11, there have been two cigarette-related fire deaths in the city of Madison alone. In total, four of Madison's five fire-related deaths in 2007 were caused by cigarettes.

And the sad fact is that Madison's experience is not unique. We are joined here today by representatives of several fire departments and fire safety groups. They will confirm how important this legislation is for their own firefighters and for everyone across Wisconsin.

I'm impressed by the breadth of support these bills have received from every segment of the fire safety and emergency services community. The list at the top of the bill shows the strength of their support.

With this legislation, Wisconsin would join the 22 other states that have already enacted legislation to require that all cigarettes sold in their state must meet certain fire safety standards.

Over the last year or so, a growing number of states have joined this highly effective campaign to make fire-safe cigarettes the standard throughout the United States. We are following the model of Canada that passed a nationwide fire-safe cigarette law more than three years ago.

The proposal before you is designed to truly coincide with fire-safe cigarette laws in other states. With that in mind, I will be asking the committee to adopt a technical amendment to make sure that our bills are fully consistent with laws in place in other states. I will be providing the committee with that amendment.

Three out of four of Wisconsin's neighboring states have already passed fire safe cigarette legislation. This law went into effect in Illinois on January 1 of this year. A year from now, this law will be in effect in Minnesota and Iowa. This legislation has also been introduced in Michigan.

Even though nearly half of our states have passed this legislation, surprisingly few people know about these laws and these cigarettes.

We hope to change that as we advance this legislation and embark on the task of educating the public and legislators about the benefits of fire-safe cigarettes.

Under this proposal, every cigarette manufacturer that wishes to have its cigarettes sold in Wisconsin must certify to the state that their cigarettes meet all fire safety standards. In effect, the bill prohibits the sales of uncertified cigarettes in Wisconsin.

Specifically, the fire safety standards must require that cigarettes stop burning within a specified period of time, if the cigarette is not smoked.

In the cigarette industry, these laws are known as RCIP laws or "reduced cigarettes ignition propensity" laws. Whatever you call them, the technology for these cigarettes is readily available. Tobacco companies are already mass-producing less flammable cigarettes by altering the cigarette paper to slow down the rate at which it burns. For that reason, they are supporting this legislation in Wisconsin. I thank them for taking that thoughtful position.

There is abundant data to explain why we need to adopt this law.

- Cigarettes are the leading cause of fatal fires in the United States.
- Cigarettes are responsible for about 25% of all fire-related deaths.

- Cigarette-caused fires kill approximately 1,000 American each year and injure another 4,000.

- Cigarette-caused fires in this country cost approximately $4 billion per year.

With the help and cooperation of firefighters, fire chiefs, and a host of groups interested in public health and safety, I am confident that the Wisconsin Legislature will take this important step toward saving lives, prevent injuries and protecting property.

But you don't have to take my word for it. I invite you to listen to my colleague and collaborator on this bill, Rep. Doc Hines, who will talk about the prospects for this legislation in the Assembly.

Thank you for taking this issue seriously.

Wisconsin Chapter
American College of
Emergency Physicians

RECEIVED
JAN 14 2008
BY:

January 9, 2008

The Honorable Senator Judy Robson
Wisconsin State Senate
Room 211 South
State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Dear Senator Robson:

The Wisconsin Chapter of the American College of Emergency Physicians (WACEP) supports your proposed legislation that upon implementation, would require the state of Wisconsin to regulate fire safety standards for cigarettes by specifying that unsmoked cigarettes stop burning after a designated period of time.

Fires caused by careless use of cigarettes result in billions of dollars of property damage and kill and injure thousands of Americans every year. Laws such as the proposed Wisconsin bill that regulate fire safety standards for cigarettes have been effective in reducing these accidents: in New York in 2004, after two years of implemented fire safety standards, deaths from fires caused by cigarettes decreased by approximately 40%.

While current Wisconsin law fails to establish any fire safety standards for cigarettes, WACEP additionally supports the creation of a certification process in which the Department of Commerce follows defined testing procedures for all cigarettes sold in the state of Wisconsin. Requiring cigarette manufacturers to notify retailers and consumers of certification by written notice and marked packaging will more adequately ensure compliance with fire safety standards.

As emergency physicians, members of WACEP often see first hand the devastating injuries that result from fires caused by cigarettes. We certainly believe any reasonable regulation that reduces the possibility of these injuries is well worth the effort. Please feel free to call on us if there is something we can do to help advance your bill.

Sincerely,

Richard Paul
Executive Director

Administrative Office: **10 W. Phillip Rd., Suite 120, Vernon Hills, IL 60061-1730**
Phone: **(800) 798-4911 ❖ *Fax:* (847) 680-1682 ❖ *Email:* WACEP@aol.com ❖ *Internet:* www.wacep.org**

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Fatal fire blamed on discarded smoking materials

November 27, 2007

City of Madison fire investigators have determined that discarded smoking materials caused the fatal blaze that killed a 23-year-old man at 123 N. Bedford Street on Nov. 18.

Peter J. Talen, a former UW-La Crosse student, was visiting his brother Andrew Talen, a UW-Madison student who lived at the house with four other students on the weekend that the fire occurred. Three occupants were injured.

Investigators believe someone had been smoking on or near a couch in the living room adjacent to the porch. The fire was reported by a passerby at 5:35 a.m.

Madison Fire Chief Debra Amesqua on Tuesday reminded residents that improperly discarded smoking materials remains the leading cause of fire fatalities.

"This is the city's third fire fatality in 2007 resulting from careless use of smoking materials, which is very easily preventable," she said.

Investigators also found no working smoke detectors in the home. They are still trying to determine if alcohol use was a factor in the fire.

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City of Madison Fire Department

News Release

Date: January 9, 2008

Released By: Lori Wirth – Public Information Officer
Office: (608) 266-5947 Cell: (608) 575-4943

Discarded Smoking Materials Caused Cedar St. Fire

City of Madison Fire Investigators believe the fire that killed 57-year-old James Ranzen was the result of discarded smoking materials.

Ranzen was found in a front bedroom of the home located at 620 Cedar Street after firefighters were called to the scene shortly after 3:00 a.m. on Sunday, December 30.

Ranzen's mother escaped from the home with minor injuries and was transported to St. Mary's Hospital by MFD Paramedics. She notified firefighters that someone else was inside the home.

Firefighters were called after occupants of a neighboring residence saw flames and notified 9-1-1. Ladder Company #6 was first on scene and reported that the fire could be seen from the end of the block. As they arrived at the house, flames had broken through the windows on both sides of the single-story home, and had spread throughout the home. At that point, the fire extended across the driveway, but firefighters kept it from spreading to neighboring homes.

Ranzen was the fifth fire fatality in the City of Madison in 2007, and the fourth to die in a fire caused by discarded smoking materials.

--END--

Gratz, Nadine

From: Sam Gratz [samgratz@tds.net]
Sent: Friday, January 04, 2008 4:41 PM
To: Gratz, Nadine
Subject: Fire-safe cigs?

From the Milwaukee Journal-Sentinel

FRIDAY, Jan. 4, 2008, 4:37 p.m.
By John Dobberstein

Cigarette likely cause of Fox Point fire

A fire that killed a Fox Point woman on Christmas Eve may have been caused by careless use of smoking materials, Fox Point Police Chief Tom Czaja said.

The fire broke out in a sleeper sofa in a bedroom of a second-floor apartment at The Porticos of Fox Point, 500 W. Bradley Road, the North Shore Fire Department said.

Jeanne Kalupa, 76, who lived in the apartment, died during the fire.

Czaja said the state fire marshal's office and North Shore Fire Department determined during their investigation that the careless use of smoking items "could not be ruled out."

Fire-Safe Cigarette Bills (SB 379/AB 717) Gains Bipartisan Legislative Support

Senators

Judy Robson
Dave Hansen
Mark Miller
John Lehman
Fred Risser
Spencer Coggs
Rob Cowles
Carol Roessler
Jim Sullivan

Representatives

J. A. Hines
Sheldon Wasserman
Leon Young
Al Ott
Christine Sinicki
Chuck Benedict
Terese Berceau
Tamara Grigsby
Louis Molepske

Health & Safety Community Demonstrates Strong Grassroots Support for Fire-Safe Cigarette Bills (SB 379/AB 717)

WI Fire & EMS Legislative Leadership Coalition comprised of:

- Professional Firefighters of WI
- WI State Fire Chief's Association
- WI State Firefighters Association
- WI EMS Association
- WI Chapter: International Association of Arson Investigators
- WI Fire Chief's Education Association
- WI Society of Fire Service Instructors
- WI State Fire Inspectors Association
-

American College of Emergency Physicians
Smoke-Free Wisconsin
WI Association of Local Health Departments & Boards
WI Public Health Association
Professional Ambulance Association of WI
City of Beloit Fire Chief Brad Liggett
City of Janesville Fire Chief Larry Groroud
City of Milwaukee Fire Chief Douglas Holton
City of Madison Fire Chief Deborah Amesqua

Commerce Public Hearing Testimony

Senate Bill 379

Fire-safe Cigarettes

Senate Committee on Public Health, Senior Issues,
Long Term Care and Privacy

January 23, 2008

Good Morning,

My name is Chandra Miller Fienen. I am the Executive Assistant at the Department of Commerce, and am here today to testify on behalf of Secretary Fischer and the Department of Commerce in support of SB 379.

With me is Bob DuPont. Bob DuPont is the Director of Program Development in the Safety and Buildings Division at the Department.

The Department of Commerce supports Senate Bill 379. 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 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 SB 379, 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 SB 379 on a national level.

Wisconsin State Fire Chiefs' Association, Inc.

Together We Can Make A Difference

- Education
- Prevention
- Safety
- Suppression
- EMS

DATE: January 23, 2008

TO: Committee on Public Health, Senior Issues, Long Term Care and Privacy

FROM: Wisconsin State Fire Chiefs' Association

RE: Please Support Senate Bill 379

The Wisconsin State Fire Chiefs' Association is asking for your support of Senate Bill 379. 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 Senate Bill 379 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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Phone: 608-210-7261• Fax: 608-210-7235
Email: bloomd@town.madison.wi.us

WISCONSIN
FIRE PROTECTION
COALITION

Testimony before the Senate Committee on Public Health, Senior Issues, Long Term Care and Privacy

Dan Gengler, Regional Manager, National Fire Sprinkler Association

January 23, 2008

10:00 am

Thank you Chairman Carpenter and members for taking the time to hear my testimony in support of SB 379. SB 379 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 sprinklerfitters 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 for her 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 SB 379. I would be happy to answer any questions you may have at this time.

7 NORTH PINCKNEY STREET, SUITE 300 • MADISON, WI 53703 • P 608.259.1212 • F 608.259.1213

Good morning Chairman Carpenter and committee members. I am Mahlon 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 Senate Bill 379. I also want to especially recognize Senator Judy Robson for her 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.

Wisconsin Alliance for Fire Safety
P.O. Box 1442
Brookfield, Wisconsin 53008
(800) 342-0911
www.wafs.org

City of
BELOIT, Wisconsin

Bradley J. Liggett, *Fire Chief*

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Equal Opportunity Employer

January 23, 2008

Senator Tim Carpenter, Chair
Wisconsin Senate Committee on Public Health, Senior Issues, Long Term Care and Privacy
Wisconsin State Capitol
Madison, WI

Dear Senator Carpenter:

I am Fire Chief Brad Liggett of the city of Beloit Fire Department. I have been in the fire service for twenty three years and I have been Chief of the Department for five. I also represent the Wisconsin State Fire Chiefs Organization as a Trustee, representing over seven hundred chief officers in Wisconsin. I want to thank the committee for the opportunity to speak today on fire safe cigarette legislation.

In 2005, there were an estimated 82,400 smoking-material fires in the U.S., up from 69,500 in 2004. These fires resulted in an estimated 800 civilian deaths, 1,660 civilian injuries and $575 million in direct property damage. Mattresses, bedding, and upholstered furniture are the first items ignited for most home structure fatal fires started by smoking materials. One out of four fatal victims of smoking-materials is not the smoker whose cigarette started the fire. More fatal smoking-material fires start in living rooms, family rooms, and dens than in bedrooms. In recent years, Canada and nearly half of U.S. states, including the three most populous – California, Texas, and New York – have passed legislation requiring that all cigarettes sold be "fire safe," that is, have sharply reduced ignition strength (ability to start fires), as determined by ASTM Standard E2187-04.

The fire service has a vision that all of our public will behave safely when it comes to fire and its use in various forms. It is our mission to make fire prevention of equal or greater importance than our mission of firefighting. Regulating social behavior is very difficult. We as a society have implemented environmental controls to protect the public from the impact of social behavior on many occasions, i.e, smoke detector laws, air bag and seatbelt requirements, drinking ages. Instituting fire safe cigarette legislation in Wisconsin is an integral component to these environmental controls and it will reduce the impact of fire on communities and families.

On behalf of the Wisconsin State Fire Chief Association, the City of Beloit, and the Beloit Fire Department we would like to offer our strong support of SB 379 and its companion bill AB 717. I want thank Senator Judy Robson and the bills sponsors for moving forward with our request to bring this legislation for consideration.

Sincerely,

Bradley J. Liggett
Fire Chief

C: City Manager Larry Arft