

SENATE BILL REPORT

SB 6464

As Reported by Senate Committee On:
Local Government, January 28, 2020

Title: An act relating to state building code council membership.

Brief Description: Concerning state building code council membership.

Sponsors: Senators Wilson, L., Becker, Rivers and Van De Wege.

Brief History:

Committee Activity: Local Government: 1/23/20, 1/28/20 [DPS].

Brief Summary of First Substitute Bill

- Makes the four legislative members serving on the State Building Code Council (Council) voting members.
- Permits, but does not require, an employee of the electrical division of the Department of Labor and Industries to serve as an ex officio, nonvoting member on the Council.

SENATE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: That Substitute Senate Bill No. 6464 be substituted therefor, and the substitute bill do pass.

Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Staff: Bonnie Kim (786-7316)

Background: The State Building Code (Code) establishes minimum performance standards and requirements for construction and construction materials in the state, consistent with accepted standards of engineering, fire, and life safety. The Code comprises a number of model codes and standards, developed and published by international and national organizations, which are adopted by reference in the State Building Code Act (Act). Model codes and standards adopted in the Act include the International Building Code, the International Residential Code, and the Uniform Plumbing Code Standards.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Council is responsible for adopting, amending, and maintaining the model codes and standards adopted by reference in the act. Amendments to the model codes and standards adopted by the Council are codified in the Washington Administrative Code. The Council has 15 voting members appointed by the Governor who are, or represent:

- elected members or executives of county legislative bodies;
- mayors or elected members of city legislative bodies;
- a local government building code enforcement official;
- a local government fire service official;
- general construction, specializing in commercial and industrial building construction;
- general construction, specializing in residential and multifamily building construction;
- the architectural design profession;
- the structural engineering profession;
- the mechanical engineering profession;
- the construction building trades;
- manufacturers, installers, or suppliers of building materials and components;
- a person with a physical disability who represents the disability community; and
- the general public.

At least 6 of the 15 members must reside in Eastern Washington. Four legislative members—one member from each caucus in the Senate and House—and an employee of the electrical division of the Department of Labor and Industries (L&I) serve as ex officio, nonvoting members on the Council.

Each qualified member serves a three-year term. Members who represent a specific private sector industry must maintain sufficiently similar employment or circumstances throughout the term of office to remain qualified. Retirement or unemployment is not a cause for termination from the Council. If a member enters employment outside of the industry they represents, the member must be removed from the Council.

Summary of Bill (First Substitute): The four legislative members serving on the Council are now voting members. The Council may, but is no longer required to, include an employee of the electrical division of L&I to serve as an ex officio, nonvoting member on the Council.

EFFECT OF CHANGES MADE BY LOCAL GOVERNMENT COMMITTEE (First Substitute): Changes the appointment of legislative members from the Speaker of the House and the President of the Senate to the chairs of each of the two largest caucuses of the House and Senate.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: I was recently appointed as a legislative member on the building code council. The important issues considered by the building code council relate to affordable housing and other current issues. It is good to allow legislative members to have an official vote on these issues. This bill offers balanced representation that encourages members of the Legislature to actually attend council meetings. Not all council members are technical experts; local elected officials must also be there to represent the interests of their jurisdictions. The building code council process is confusing and excludes stakeholder involvement.

CON: Our largest concern with this bill is that legislative members may not be able to attend every meeting and voting requires a quorum of the entire council. The Legislature as a whole has oversight over the building code council's actions already because changes do not take effect until after the following legislative session.

OTHER: We believe keeping legislative members in an advisory capacity is appropriate. Changing their status to voting members could create slow-downs in the process because the council meets monthly and legislative members may not attend.

Persons Testifying: PRO: Senator Lynda Wilson, Prime Sponsor; Jan Himebaugh, Building Industry Association of Washington; Carolyn Logue, Washington Air Conditioning Contractors NW HPBA.

CON: Amy Brackenbury, Washington Association of Building Officials.

OTHER: Tony Usibelli, Shift Zero.

Persons Signed In To Testify But Not Testifying: No one.