



DISABILITY AND COMMUNICATION ACCESS BOARD

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January 29, 2010

TESTIMONY TO THE HOUSE COMMITTEE ON HEALTH

House Bill 2152 - Relating to Building Design for Persons with Disabilities

The Disability and Communication Access Board (DCAB) strongly supports House Bill 2152 to allow DCAB to charge a fee to defray expenses of review of construction plans to ensure compliance with the law. This bill will give DCAB the authority to charge a review/filing fee to keep the review process functioning and provides a revenue stream to offset general funds. This is a revenue-enhancing bill, primarily assessing the cost of the review to the CIP budget.

DCAB is required, per §103-50 Hawaii Revised Statutes (HRS), to review all plans and specifications for the construction of state and county buildings, facilities, and sites for compliance with federal accessibility guidelines to ensure access for persons with disabilities and minimize risk/liability for government. Private sector projects not receiving state funds are not covered under §103-50, HRS are not submitted to DCAB for a plan review.

The bill proposes a plan review fee based on the project's estimated construction cost. The proposed fee is comparable to the State of California's access compliance review fee schedule. We have met with various members of the architectural and engineering community to ensure a fair and reasonable fee schedule. The interim fee schedule in Section 3 of the bill would permit the generation of revenue beginning January 1, 2011 until such time as rules are established. With the six-month lead-time, departments will be able to plan to capitalize costs into construction budgets and DCAB would be able to develop an administrative mechanism for the collection of the fee.

DCAB reviewed 1,126 plan reviews in FY 2009 (680 non-duplicative reviews). Based on the number of reviews in FY 2009, the proposed plan review fee schedule is estimated to generate \$490,000 to the general fund and will be sufficient to offset salaries of 5.5 staff.

The passage of this bill will ensure that this compliance function pays for itself.

Thank you for the opportunity to testify on this important measure.

Respectfully submitted,

CHARLES FLEMING
Chairperson
Legislative Committee

FRANCINE WAI
Executive Director



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January 28, 2010

HOUSE OF REPRESENTATIVES
THE TWENTY FIFTH LEGISLATURE
Regular Session of 2010
COMMITTEE ON HEALTH

RE: House Bill No. 2152 RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES
For Friday January 29, 2010 at 9:30 a.m.
Letter of Testimony

To whom it may concern,

As a member of the architectural design community in Hawaii, I believe that the Disability and Communication Access Board provides an invaluable service to the State of Hawaii. The review process provided by this Board is an integral part of our design process and offers a means for consistency amongst many disciplines for the incorporation of the accessibility requirements required by law.

I support House Bill No. 2152 RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES

Sincerely,

A handwritten signature in black ink, appearing to read "Sundae G. Funai", is written over a light gray background.

Sundae G. Funai, AIA
President
TreeHouse HI Team, LLC

Cc: File

nishimoto2-Ashley-Nicole

From: Carolyn Allerdice [islarch@lava.net]
Sent: Wednesday, January 27, 2010 8:24 PM
To: HLTtestimony
Subject: HB 2152 Re Building Design for Persons with Disabilities

HOUSE OF REPRESENTATIVES COMMITTEE ON HEALTH

Friday, January 29, 2010 at 9:30 a.m.

We support DCAB review of State construction projects to insure compliance with the Americans With Disabilities Act.

We support the concept of review fees to provide continuation of these services, so long as the fees are capitalized into the project budget and are not expected to be absorbed by the design professional.

Sincerely,

Carolyn Allerdice, President
ISLAND PACIFIC ARCHITECTURE, INC.
808-521-3828
808-526-0579 fax

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HOUSE OF REPRESENTATIVES
THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2010

COMMITTEE ON HEALTH

Hearing January 29, 2010
Testimony on H.B. 2152
(Relating to Building Design for Persons with Disabilities)

Chair Yamane, Vice Chair Nishimoto and members of the Committee:

My name is Peter Fritz and while I am the current Chairperson of the Disability and Communication access Board ("DCAB"); however, I am testifying in my personal capacity **in support** of H.B. 2152.

The DCAB is required by §103-50 HRS, to review all plans and specifications for the construction of state and county buildings, facilities, and sites to ensure access for persons with disabilities.

Last session, the 5.5 positions budgeted to review plans and designs were deleted from the FY 11 budget with the intent that monies would be generated by fees would pay the expenses of plan review. Unfortunately, the bill that would provide authority to charge for plan review bill did not pass.

This bill will give the DCAB the authority to charge a review/filing fee to keep the review process functioning, provide a revenue stream, and the authority to establish a fee schedule.

Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in black ink, appearing to read "Peter L. Fritz". The signature is stylized and cursive.

Peter L. Fritz