

**BIA-HAWAII**  
**BUILDING INDUSTRY ASSOCIATION**

February 14, 2011

Representative Jerry Chang, Chair  
Committee on Water, Land, and Ocean Resource,  
State Capitol, Room 325  
Honolulu, HI 96813

RE: HB756, HD1, "Relating to Building Design for Persons with Disabilities"

Dear Chair Chang and Members of the Committee on Water, Land, and Ocean Resources:

I am Karen Nakamura, Executive Vice President & Chief Executive Officer of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA-Hawaii opposes HB756, HD1 "Relating to Building Design for Persons with Disabilities" With due respect to the Disability and Communications Access Board and their mandate to review all plans for state and county projects for compliance with the Americans with Disabilities Act (ADA), the building community will face increases in the cost of the projects and can anticipate delays. This may be the start of any number of additional fees that will be charged for governmental services.

Many of our members hire design and legal consultants to assure compliance with all applicable Federal, State and County laws. One member states that in most instances their consultants retain ADA consultants to assure compliance for their design. We believe that these consultants provide the expertise and experience to prevent any needless delays in the review and permitting process. We believe that giving the DCAB the ability to charge fees for their services and the magnitude of the fees would be duplicative of the fees our contractors pay to the design and legal professionals for their work to comply with ADA requirements.

While we understand that this bill is designed to generate funds to pay for the staffing of the DCAB and to offset general fund expenditures, in the end, it is the contractor who must pay additional funds for this effort.

Therefore, we cannot support HB756, HD1 "Relating to Building Design for Persons with Disabilities".

Thank you for the opportunity to share our views with you.

*Karen I. Nakamura*