

Public Safety and Security Committee JOINT FAVORABLE REPORT

Bill No.: SB-846

AN ACT CONCERNING THE CERTIFICATION OF INDEPENDENT
INSPECTORS AND INSPECTION FIRMS TO PERFORM STATE BUILDING

Title: CODE INSPECTIONS.

Vote Date: 3/24/2021

Vote Action: Joint Favorable Substitute

PH Date: 2/11/2021

File No.:

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SPONSORS OF BILL:

Public Safety and Security Committee

REASONS FOR BILL:

Currently professional building inspectors are having a difficult time keeping up with some of the permit reviews and finalization of occupancy. This has led to some delays for completion of projects for contractors. The proposed legislation would establish a program to certify independent inspectors and inspection firms to perform inspections under the State Building Code. These additional resources may help expedite the finalization of the permit process. These resources may assist local municipalities, but these are concerns regarding the implementation of all safety standards.

RESPONSE FROM ADMINISTRATION/AGENCY:

Noel Petra, Deputy Commissioner, Department of Administrative Services – The written testimony submitted is in favor of the legislation. The testimony states that many towns and municipalities are having trouble performing building inspections in a timely manner. The resulting delays can cause public hazards because building codes violations are not being identified and addressed on a timely manner. The testimony authorizes DAS to create a three-step approach to the privatizing building inspections. The testimony further states that the proposed legislation would not affect public safety, cause the loss of revenue for municipalities, dilute the current statutory authority of local building officials or create a plan to substitute private building inspectors for the public officials.

NATURE AND SOURCES OF SUPPORT:

AGC of Connecticut – The testimony submitted supports this legislation. The use of third-party inspectors will help both municipalities as well as the building industry. Members of the organization have reported that Connecticut has experienced delayed inspections and building reviews, both at the state and local levels, due to lack of available qualified inspectors. The third-party inspector program will be at the discretion of each municipality to increase the timeliness of inspections – but the use of the program is voluntary. SB 846 calls for a robust and effective pre-qualification and certification system.

American Institute of Architects, Connecticut Chapter – The testimony submitted supports the legislation. The proposed legislation will lift some of the plan review burden, as well as expedite other services that many of the municipalities building departments perform. The organization also supports the oversight written into SB 846.

Connecticut Conference of Municipalities – The testimony submitted supports the proposed legislation. It notes that the program will be administered and overseen by the Department of Administrative Services. The testimony indicates this program would be an option for local municipalities to utilize and could potentially enhance the timing of inspections which could potentially increase local development. It was also commented on that many town officials are now taking on more responsibilities and at times are stretched thin – and find it a challenge to keep up with demand. This ultimately may cause delays for the contractor which would cause new construction delays and completion.

Gina Calabro, Executive Director, Home Builders and Remodelers Association of Connecticut, Inc. – The testimony supports the proposed legislation. They note that it is a piece of business-friendly legislation. Members have commented that they have experienced delays in projects due to the lack of timely inspections. This legislation could ultimately save the contractors and developers time and money, while they continue to work on insuring the safety and well-being of the residents. Often times the development and construction fields are very up and down – this legislation would allow municipalities to more quickly respond to market demands.

NATURE AND SOURCES OF OPPOSITION:

Zak Leavy, Legislative and Political Coordinator, AFSCME Council 4 – AFSCME's testimony is in opposition of this legislation. It is noted that currently all state and municipal inspectors are accountable to the public for the work and services performed. They go on to say that building inspectors should remain a public service rather than being part of the private sector. There will be no issues regarding increased revenues or profit motives. The testimony also points out that there are so many open questions and details, with few solidified answers.

Stephen Anderson, President, CSEA, SEIU Local 2001 – The testimony submitted by this organization opposes SB 846. This union represents the state building inspectors as well as many of the local building inspectors. SB 846 would take away the core governmental function of ensuring public safety from the dedicated professional building inspectors. The effective oversight of the public would be marginalized. The legislation remains silent on what the necessary standards and qualifications would need to be for a private inspector. It also

would require the State Building Inspector to administer and perform audits of this new program – and there are no funds included for this added responsibility.

Carl Chisem, President, CEUI, SEIU Local 511 – The testimony is opposed to this bill and notes that they stand with CSEA. The testimony states that this bill compromises the public building inspection process and ultimately puts the public safety at risk. Shifting responsibility for building inspections to the private sector may put the interests of the private sector ahead of the safety of the residents. The testimony states that rather than privatize these positions, the state and municipalities should be recruiting and retaining inspectors that are necessary to fill vacant positions. By maintaining the inspection process in the public arena, inspections will be maintained at the highest level while continuing to insure public safety.

Allan duFreund, Assistant Project Manager, State of Connecticut Department of Administrative Services Construction Service (DAS CS) – The testimony provided opposes the legislation. As written, the legislation lacks clarity – it is not concise. Questions such as how the private building inspectors will be held accountable? Also, how will disagreements between private building inspectors and town officials be handled? SB 846 will require additional staffing to keep track of private building inspectors. There are no additional funds earmarked for this additional staffing in the bill.

Benjamin Funk, CEUI, SEIU Local 2001 – The testimony submitted opposes SB 846. The testimony asks if this legislation will cause municipalities to lay off licensed building inspectors. It also notes that there will be additional expenses for the private building inspectors even after the homeowner has paid for a building permit, which includes a public inspection. Would the use of private building inspectors increase a municipalities liability? The testimony points out so many of the open ended questions contains in SB 846.

Kimberly Glassman, Director, Foundation for Fair Contracting of Connecticut, Inc. – This testimony opposes SB 846. The testimony calls into question the unintended consequences of workplace injuries and the potential diluting of safety standards. Also, how big will the standard gap be between the public and private inspectors, and how will that be addressed and managed. It goes on to say that construction is a dangerous business and by potentially changing the standards there may be an increase in workplace injuries and fatalities. The testimony recommends an increase the budget of DAS, so as allow DAS to hire additional state building inspectors.

Sal Luciano, President AFL – CIO – This testimony opposes SB 846. The testimony states that the public building inspectors perform many functions such as permit approval inspections as well as maintaining a d protecting the safety of the public. Much of the language is vague about responsibilities and qualifications of private inspectors. SB 846 adds additional responsibilities for the State Building Inspectors, without adding any additional funding. In conclusion, the testimony urges the Committee to work with DAS to create strategies to recruit and retain new building inspectors.

Daniel Wagoner, Associate Project Manager, The Department of Administrative Services – The testimony opposes SB 846. The testimony states that building inspectors work tirelessly to complete all their inspections on a timely, professional and thorough manner. The proposed legislation does not speak to the practical realities of the safety needs

of a properly conducted inspection. It is also noted that not a single state building inspector vacant position has been advertised or filled over the past few years.

David Wlodkowski, CSEA, SEIU Local 2001 – This testimony opposes SB 846. The proposed bill does not specify on how this fundamental change in building inspections (private vs. public) will be executed. A fundamental change in public policy would require the legislature to spell out how this change will be met – the health, safety and welfare of public necessitates nothing less. SB 846 also makes a discussion about additional reasonability's of some employees, which may cause corresponding expenses, without a plan for how those expenditures will be met.

Anthony DeNapoli, CSEA, Local 2001 – This testimony opposes SB 846. The proposed legislation compromises the inspection process and puts public safety at risk. There is a significant lack of detail in how to implement this legislation. By shifting inspectors from the public sector to the private sector you move away from the fundamental interest of the inspector from safety to private industry revenues. This bill does not address who will be upholding the standards of the private inspectors. Also privatizing inspections could cost the loss of jobs at the state and local level. As written, this proposed legislation has many holes and unanswered questions in it. A better answer maybe to recruit and retain qualified inspectors for currently vacant state and local positions.

Reported by: Richard O'Neil

Date: 4/2/21