



BUILDWITHSTRENGTH.COM

MONTHLY ACTIVITY REPORT





A COALITION OF THE NATIONAL READY MIXED CONCRETE ASSOCIATION

Timeline

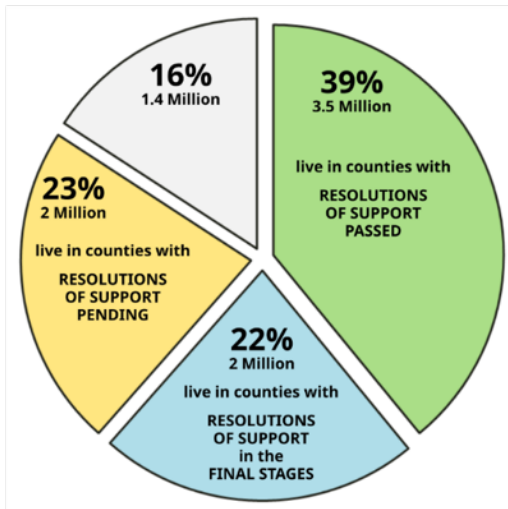
- Bills A 135 and S 1691 will amend the state code with our model language. Both are endorsed by Senate Pres. Steve Sweeney and Assembly Speaker Craig Coughlin, who will sign on to the bills shortly as co-sponsors.
- In June, a public roll-out of the bill is planned with the support of our entire coalition, and representatives of counties supporting the effort (see the map below)
- In June, we expect the bills to be assigned to committees and heard.
- In July and August, the legislature takes a recess and reconvenes in September.
- Beginning in September, our bills will be ready to move forward to final passage.

Coalition-Building

- All major building trades unions have now joined a Build With Strength coalition in support of the bills: contractors, carpenters, teamsters, bricklayers, IUPAT/painters, electrical workers, pipe- and sprinkler-fitters, and more.
- County-level resolutions in support of our efforts have been passed or are pending passage in a majority of counties statewide.



NEW JERSEY SUPPORTS BILLS A 135 & S 1261 FOR FIRE SAFE BUILDING



Soon we will have the support of 7 counties, representing 4.5 million people, equal to 61% of the population of New Jersey



A SOLUTION OF THE NATIONAL READY MIXED CONCRETE ASSOCIATION

- An ordinance containing our model code language is planned for introduction in Philadelphia, and supported by a broad-based coalition of building trades unions. See the attached letter from Building Commissioner David Perri outlining our inclusion in a fall update to Philadelphia’s building code requirements.
- Outreach and activity has occurred with the following groups to encourage them to join our coalition and support our efforts:
 - Center City Residents Association
 - Urban League
 - State Rep. Brian Sims, at a May 10th Affordable Housing Roundtable
- Four city-level affordable housing representatives, typically opponents to measures that would raise the cost of (wood) construction, have been educated on the model language and indicated either support or neutrality.





A COALITION OF THE NATIONAL READY MIXED CONCRETE ASSOCIATION

- An ordinance containing our model codes language is planned to be heard in the Planning and Land Use Management (PLUM) committee, where three of five members, including sponsor Bob Blumenfield, have indicated their support, guaranteeing its passage out of committee.
- As in New Jersey and Philadelphia, our coalition is based primarily in building trades union groups. Recently, we have garnered the full support of the Carpenters/Contractors Cooperation Committee (statewide) and the LA Building Trades with outreach.
- Our coalition also includes community groups representing Los Angeles residents. Outreach and activity has occurred with many new groups to encourage them to join our coalition and support our efforts.

GEORGIA WOOD BANS VS. HB 876

Municipal Wood Bans

- Sandy Springs, a small city of 100,000, banned wood construction over 3 stories for residential occupancies in 2016, following an apartment fire.
- Dunwoody, an adjacent town of 46,000, followed suit.
- Similar bans were in various stages of development in the Atlanta metro area, including Alpharetta, Brookhaven, Chamblee, Milton, Roswell, and Tucker.

HB 876 – Banning the Ban

- Introduced February 12th, 2018, this bill would bar municipalities from banning wood construction in buildings that would otherwise meet statewide codes. It would reverse Sandy Springs' ordinance banning wood buildings above 3 stories, and prevent other, similar ordinances in the future.
- Build With Strength worked with municipal officials, fire officials, The GA Association of Counties, and the GA Municipal League (and other coalition partners) to fight this bill, including a media campaign.
- The bill was signed by Gov. Deale into law May 8th, 2018.

Court Case over Home Rule

- Opponents of the bill, including our Build With Strength coalition, argued that the bill undermines the home rule guaranteed by the Georgia state constitution (Article 9, section B). Sandy Springs is pursuing a lawsuit against the state over the bill and has retained NRMCA's and SFIA's attorney, Ryan Teague.
- When the governor signed the bill on May 8th, 2018, he indicated neither support nor opposition, but chose to sign it so that the state Supreme Court could rule on its legality.
- Build With Strength is also considering filing an amicus brief in support of Sandy Springs and other municipalities that join the effort, as well as supplementing the legal fees for the affected municipalities. Attorney Teague will represent both our and the municipalities' interests.

OTHER STATE LEGISLATION

8 WINS	4 ONGOING EFFORTS	2 LOSSES
4 Supported bills passed 4 Opposed bills defeated (1 by amendment)	2 Bills supported 2 Bills opposed	2 Supported bills failed

CALIFORNIA: 3 bills

AB 2518

Status: In 2nd Chamber

Position: **OPPOSED**

Summary:

This bill orders the Department of Forestry and Fire Protection (CAL FIRE) to "explore markets, including export markets, for milling, development, and expansion of innovative forest products and mass timber." It does not specify a date by which the department must publish a report, or any guidelines, budget, or desired results of this "exploration." It authorizes the department to collaborate with other governmental agencies and with private entities such as apprenticeship programs and community colleges.

Actions:

State affiliate sent a letter of opposition to the Assembly Natural Resources Committee on [3/28/2018](#) and to the primary sponsor on [3/29/2018](#). Build With Strength sent written testimony on [4/3/2018](#). Both opposed the bill on the following grounds:

1. There is an overwhelming scientific consensus that cutting dead and small-diameter trees is ineffective in reducing the risk of wildfires, which are mostly dependent upon weather patterns. Increasing the state's sawmill capacity will not accomplish the state fire safety objectives.
2. Mass timber is a combustible fire risk, especially for wildfires, and the stimulus of mass timber building proposed in this bill would expose residents of those buildings to the risk of displacement, injury, or death.

AB 2842

Status: In 1st Chamber

Position: **SUPPORT** as amended

Summary:

This bill creates the California Wood Innovations Small Grants Program under the Governor's Office of Business (GO-Biz), for grants and loans to "entities that expand the use of wood products and increase in-state wood product processing and manufacturing". Grants are available to research, development, and demonstration projects. Loans are available to sawmill facility creation, expansion, and equipment procurement. This program was originally funded for \$20 million.

This bill justifies the need for this program with claims that the state does not currently have the in-state sawmill capacity to process timber that results from forest management projects. These forest management projects mainly aim to cut dead and small-diameter trees away from dense forests, which proponents claim reduces the risk of wildfires.

As of May 1, 2018, following Build With Strength testimony, the original \$20 million appropriation has been removed from the bill. It now only authorizes the program, and a separate, future appropriation must fund it, to a maximum of \$20 million. Build With Strength supports the bill in this form, as it limits the size of the program and presents an annual opportunity to eliminate its funding.

Actions:

State affiliate sent a letter of opposition to the primary sponsor on 3/29/2018. Build With Strength sent written testimony on 4/3/2018. Both opposed the bill on the following grounds:

1. There is an overwhelming scientific consensus that cutting dead and small-diameter trees is ineffective in reducing the risk of wildfires, which are mostly dependent upon weather patterns. Increasing the state's sawmill capacity will not accomplish the state fire safety objectives.
2. Mass timber is a combustible fire risk, especially for wildfires, and the stimulus of mass timber building proposed in this bill would expose residents of those buildings to the risk of displacement, injury, or death.

AB 2911

Status: In 1st Chamber

Position: **SUPPORT**

Summary:

This bill would require the State Fire Marshal, no later than January 31, 2020, in consultation with the Director of Forestry and Fire Protection and the Director of Housing and Community Development, to recommend updated building standards that provide for comprehensive site and structure fire risk reduction. For existing buildings, they must recommend low-cost retrofits to prevent the spread of fires to structures from nearby vegetation. "Structure" fire risk reduction recommendations are not outlined in the bill, except that they may include "building design and construction requirements that use fire resistant building materials," and standards to reduce the risk of ignition on projections and openings. "Site" fire risk reduction retrofits are outlined in the bill, and require removal of flammable vegetation and fuel sources near structures.

Actions:

Build With Strength delivered written testimony in support to the bill to the Assemble Local Government Committee.

FLORIDA – 1 bill

HB 2911

Outcome: **Withdrawn - WIN**

Position: **SUPPORT**

Summary:

This bill would have reduced the Florida Building Commission from 27 to 11 members. It would have removed some positions key to the industry, such as several municipal- and county-level building code and fire officials, a LEED-accredited green building representative, and a representative of the building products industry.

Actions:

Build With Strength brought this bill to the attention of the state affiliate, who testified in opposition before the Senate Technology and Commerce Committee. The bill was withdrawn from consideration by its primary sponsor.

HAWAII – 1 bill

SB 3006

Outcome: Failed Sine Die – WIN

Position: OPPOSED

Summary:

This bill would mandate the state building code council to create an alternative to the state building code for public buildings, which must be more “cost-effective” than the current code. The new, alternative code “must not negatively affect the performance of the project or public safety and health.” Despite this requirement, this bill can easily be used to discount durability, energy efficiency, and life cycle costs in favor of first costs or short term savings. In its current form, the bill will not take effect until July 1, 2050.

Actions:

The state affiliate has publicly indicated opposition. The Hawaii State Building Code Council (SBCC) has unanimously indicated opposition for the above reasons.

INDIANA – 1 bill

SB 393

Outcome: Failed Sine Die – WIN

Position: OPPOSED

Summary:

Requires an individual applying for a building permit for a Class 1 or Class 2 structure after June 30, 2018, to disclose the use of advanced structural components on the building permit application. Requires the building commissioner to notify the local fire department and local 911 call center of a Class 1 or Class 2 structure's use of advanced structural components not later than 90 days after issuing a building permit.

Actions:

Build With Strength brought this bill to the attention of the state affiliate, who formed a coalition and testified in favor of this bill in two committee hearings:

1. Senate Commerce and Technology Committee on 1/25/2018
2. Senate Veterans' Affairs and Public Safety on 2/13/2018

MAINE – 1 bill

LD 1068

Outcome: Failed – WIN

Position: OPPOSED

Summary:

This bill would mandate the use of wood products, including CLT, where feasible and permitted by the building code, in all state public projects.

Actions:

Build With Strength assisted a proposed product-neutral re-write of the bill to remove preferences for wood. This version was not posted, because the bill was voted down in committee, which kills the bill per Maine legislative procedures.

MICHIGAN – 1 bill

LD 1068

Status: In 1st Chamber

Position: OPPOSED

Summary:

This bill would eliminate the code requirement for the construction of storm shelters in public schools and government emergency operations buildings from current and future building codes.

Actions:

Build With Strength sent a letter of opposition to the chair of the House Regulatory Reform Committee. The bill has not moved since its introduction, and has no hearings scheduled.

MISSISSIPPI – 2 bills

HB 887

Outcome: Passed – WIN

Position: SUPPORT

Summary:

This bill extends the "Comprehensive Hurricane Damage Mitigation Program" through July 1, 2021. It was set to expire July 1, 2018. The program funds home retrofitting for hurricane resilience through multiple methods.

1. It funds home inspection and certification of retrofits, which allows owners to qualify for other state programs such as tax rebates.
2. It authorizes direct financial grants to home and building owners to retrofit their buildings for hurricane resistance. The program also funds education and consumer awareness.

Actions:

Build With Strength met with the state insurance commissioner in fall 2017, who put the bill forth to the legislature. Build With Strength also assisted the state affiliate with testimony in favor of the bill.

SB 2465

Outcome: Passed – WIN

Position: SUPPORT

Summary:

This bill offers a state-wide tax rebate for residential properties built to the Fortified for Safer Living standard, to resist catastrophic windstorms. This was originally available in only the five southernmost counties in the state (Harrison, Hancock, Jackson, Stone, and Pearl River counties).

Actions:

Build With Strength met with the state insurance commissioner in fall 2017, who put the bill forth to the legislature. Build With Strength also assisted the state affiliate with testimony in favor of the bill.

WASHINGTON – 4 bills

HB 2320

Outcome: Failed Sine Die – **LOSS**

Position: **SUPPORT**

Summary:

This bill would have created a working group to study the scope of existing disaster mitigation and resiliency efforts, and make recommendations to the legislature regarding the need for new resiliency measures. Wildfires were highlighted as a major and worsening natural disaster to which mitigation and resiliency efforts must respond. SB 6036 was a companion bill in the Senate.

Actions:

Build With Strength submitted written testimony to the bill’s sponsors, and the House Community Development, Housing and Tribal Affairs Committee in support. The bill died sine die at the end of the session on March 8th, 2018.

SB 5450

Outcome: Passed – **WIN**

Position: **SUPPORT** as amended

Summary:

Before amendment, this bill ordered the building code council to adopt rules for the use of cross-laminated timber (CLT) in residential and commercial applications.

After amendment, the bill defines CLT as a type of mass timber, and orders the building code council to adopt rules for the use of mass timber at large, with national and international standards taken into consideration. This means that CLT will not be treated separately from other, weaker types of mass timber, or get any special concessions as a building material.

Actions:

Build With Strength met with the state building code council to oppose the bill in its introduced form. Building code council members submitted testimony in opposition, after which the bill was amended.

SB 6036 & HB 2320

Outcome: Failed Sine Die – LOSS

Position: SUPPORT

Summary:

This bill (and its House companion bill) would have created a working group to study the scope of existing disaster mitigation and resiliency efforts, and make recommendations to the legislature regarding the need for new resiliency measures. Wildfires were highlighted as a major and worsening natural disaster to which mitigation and resiliency efforts must respond. These bills died after the legislature adjourned (sine die) on 03/08/2018.

Actions:

Build With Strength submitted written testimony to the bill's sponsors, and the Senate Ways and Means Committee in support.

Model Code language

This model code would affect multi-residential structures built with light-frame wood, defined as:

- Light-frame: Vertical, horizontal, and/or load-bearing elements are primarily made from combustible materials, including all wood truss and joist construction.
- Multi-residential: R-occupancy structures containing more than two sleeping or dwelling units. This covers apartments, hotels, and multi-use buildings with residential units, etc.
- Single-family dwellings and townhouses are exempt, where townhouses are defined as three or more adjacent but separated units, which extend foundation-to-roof and are open on at least two sides each.

Read more here: <https://www.nrmca.org/PROMOTION/lmr.asp>