



730 North Main
Wichita, Kansas 67203

316-265-4226
Fax: 316-265-5964

Monday, February 19th, 2018

To: House Committee on Commerce, Labor and Economic Development
From: Wichita Area Builders Association, Wess Galyon, President/CEO
Re: Testimony on HB 2741

Dear Chairman Mason, and Members of the Committee.

I want to thank you for the opportunity to submit testimony on behalf of the Wichita Area Builders Association (WABA) in **opposition to HB 2741**, the fire sprinkler industry act. WABA is a not-for-profit trade association affiliated with the Kansas Building Industry Association, and the National Association of Home Builders.

Our membership consists of 970 individual members which represents 635 companies engaged in all phases of residential and light construction in the counties of Sedgwick, Harvey, Butler, Sumner, Cowley, Harper, and Kingman.

In presenting this testimony, we want to make it clear that our "opposition" to HB 2741 has little to do with creating a framework to regulate the proper installation and inspection of the fire sprinkler industry in our state. To the contrary, however, it has everything to do with what we view as efforts of the Office of the Fire Marshall to gain more authority than it presently has, "in fact full authority over the adoption of building and trades on a statewide level." To allow this to occur would result in a major change in state policy and undermine the authority and ability of local units of government to adopt versions of the ICC, or other acceptable codes they deem sufficient to address the respective concerns of their communities. Such authority has not existed previously, and we stand absolutely opposed to such authority being given.

WABA, and other related entities in our area, spend a good deal of time on an ongoing basis working with building, trades, and fire code officials reviewing versions of ICC codes, and others, for adoption in South Central Kansas. The review groups consist of code officials, builders, remodelers, tradesmen, architects, and others who compare the content of all presently adopted codes with new versions of codes developed by the code making bodies, to determine what provisions contained in the codes should be

adopted; adopted with amendments to address specific concerns; or deleted as not relevant to our area. These reviews take a lot of time to conduct; have been ongoing for years; and, in fact, are ongoing now due to the recent release of new versions of codes. All involved with these reviews are committed to the continuation of the detailed review process.

We are also disappointed that the Kansas Fire Marshal has apparently decided not to keep an earlier commitment he made as a result of concerns expressed by affected stakeholders and legislators at a meeting of the Joint Committee on Administrative Rules and Regulations conducted on August 2, 2017. At that time the Fire Marshal agreed to reopen his rules and regulations and take input from all interested stakeholders. If that commitment still exists it seems, due to invitations sent to some stakeholders but not others, that the Marshal's office may be cherry picking participants in order to improve the Marshall's chances of getting support for his position.

It is also extremely troubling to see language included in Section 20 of the bill that would:

- grant the Marshall's office new authority to require the installation of residential fire sprinkler systems in newly constructed one and two family residential housing throughout the state;
- override current statutory language that prohibits units of government from requiring residential fire sprinkler systems in newly constructed one and two family residential housing throughout the state;
- override current statutory language that prohibits units of government from requiring residential fire sprinkler systems in newly constructed one and two family residential housing areas as a condition to platting and zoning approvals;

In closing, we would again reiterate our **opposition to HB 2741** as an attempt by the Marshal's office to overreach, and extend, its current authority, and ask you to consider our concerns related to this matter.

Sincerely,



Wess Galyon, President/CEO
Wichita Area Builders Association