



Testimony of Josh Young  
American Chemistry Council  
Uniform Construction Code Task Force  
Before the Pennsylvania Senate  
Labor & Industry Committee  
September 24, 2013

Good Afternoon Senator Gordner and members of the Committee. The American Chemistry Council (ACC) appreciates the opportunity to submit comments in support of **SB 1023**, legislation that reforms the Pennsylvania Construction Code Act and Uniform Construction Code Review and Advisory Council (RAC).

We want to acknowledge Senator McIlhinney's efforts to fix what has clearly become a problem in the way that Pennsylvania reviews and adopts building codes in the state. This legislation is a comprehensive approach to improving the way construction and safety regulations are measured and will allow the Commonwealth to again be a leader in energy efficiency in the industrial, commercial and residential sectors.

I wanted to take just a few moments to explain why this issue is of such importance to the chemical and larger manufacturing community in the Commonwealth. The chemical and plastic industry is essential to Pennsylvania's economy, providing nearly 46,000 direct jobs, \$3.6 billion in payroll expenditures and nearly \$12.5 billion in federal and state tax revenue. Our member companies and their employees and families, who are a part of Pennsylvania's building and construction community, contribute to the production of energy-saving products that have made Pennsylvania a national leader in building safety and energy efficiency. We believe Pennsylvanians, who create these products, should be able to purchase buildings that contain them.

Unfortunately with the passage of Act 1 in 2011, changes were made to the RAC process which made it extremely difficult to adopt new nationally recommended model codes such as International Energy Efficiency Code (IECC) and the International Construction Code (2011).

The law prior to 2011 required that two-thirds of the RAC to vote to "exclude" a particular model code provision or it would be automatically adopted in the Uniform Construction Code (UCC). The law now requires a two-thirds RAC vote to "include" a code provision or it is automatically excluded from the law. As close to one thousand changes were to be considered in the 2012 ICC and because individual votes were required for each, a task that was not physically possible, the RAC simply adopted a motion to **exclude all 2012 proposed changes.**

It appears very clear that the RAC, by rejecting all the proposed updates to the state's outdated building code, needs reform. If reform of this process is not made, we predict the RAC will reject all of the proposed 2015 code changes as well, pushing Pennsylvania even further behind as a leader in adopting energy efficient building codes.

As you consider Senator McIlhinney's bill, we wanted to point out some key components and much-needed changes to the building code review process, including:

- Switching the voting provision of the RAC for both commercial and residential construction so that the hundreds of non-controversial proposed changes that would benefit housing consumers as well as the owners of new commercial buildings be updated instead of the current system that requires a two-thirds vote to include every proposed change;
- Requiring the RAC to take a second look at the 2012 codes and consider them under this revised voting procedure;
- Adding an additional year to the code adoption process, giving the RAC and the Department of Labor and Industry a total of two years to review the proposed triennial ICC code changes and adopt them.

During a slow economic recovery, we should be encouraging, not discouraging energy efficiency and the adoption of the latest building codes. For the sake of homeowners and businesses in Pennsylvania and for the state's economy, we encourage you to work on the state's building code adoption process.

**Senate 1023** is worthy of your support. The American Chemistry Council believes that Pennsylvania's housing consumers as well as its commercial building consumers deserve this legislation's benefits.

Sincerely,

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