

010099



CONSTRUCTION CODES
ADVISORY COUNCIL

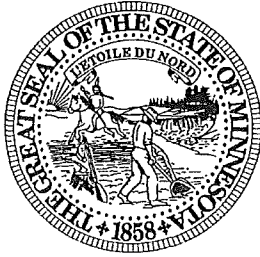
Government and the Construction Industry Working Together

CONSTRUCTION
CODES
ADVISORY COUNCIL

2000

Year-end Report

KFM
5859
.A1
M56
2000



CONSTRUCTION CODES
ADVISORY COUNCIL

Government and the Construction Industry Working Together

RECEIVED

FEB 08 2001

LEGISLATIVE REFERENCE LIBRARY
STATE OFFICE BUILDING
ST. PAUL, MN 55155

January 12, 2001

David Fisher, Commissioner
Department of Administration
50 Sherburne Avenue
St. Paul, MN 55155

Dear Commissioner Fisher:

The Construction Codes Advisory Council respectfully submits the enclosed "2000 Year-end Report" pursuant to Executive Order 96-7.

The Council was created in May 1996 by Governor Arne Carlson to bring various public and private interest parties together to discuss, debate, and provide the Governor, Legislature, and building construction regulatory agencies with advice on construction statutes, rules, standards, and licenses. This report provides some background about the Council and its membership. The report will also discuss the council's recent activities, goals in the year 2000, and its upcoming issues.

Please contact either of us if you have questions.

Thank you for your support of the Construction Codes Advisory Council.

Sincerely,

Handwritten signature of Dean Newins.

Dean Newins
Chair, Construction Codes
Advisory Council

Handwritten signature of Thomas R. Joachim.

Thomas R. Joachim
Vice - Chair, Construction
Codes Advisory Council

c: Legislative Reference Library

CONTENTS

BACKGROUND	1
CCAC MEMBERSHIP	2
2000 CONSTRUCTION CODE ADVISORY COUNCIL ACTIVITIES	3
YEAR 2000 KEY GOALS	6
UPCOMING ISSUES	12
APPENDICES	13

Cost to prepare this report: \$1,140

This document will be made available in alternative formats such as Braille or large type by calling Colleen D. Chirhart at (651) 296-4329 or TDD (800) 627-3529. For more information or copies of various reports noted in this document, contact the Minnesota Construction Codes Advisory Council.

BACKGROUND

The Construction Codes Advisory Council was created by statute to review and advise state agencies on issues relating to building construction in Minnesota. M.S. 16B.76 assigns the council to review laws, rules, standards, and licensing requirements relating to building construction. It also suggests that the council may:

- recommend ways to eliminate inconsistencies, to streamline construction regulation and construction processes, and to improve procedures within and among jurisdictions;
- review and comment on current and proposed laws and rules to promote coordination and consistency;
- advise agencies on possible changes in rules to make them easier to understand and apply; and
- promote the coordination, within each jurisdiction, of the administration and enforcement of construction codes.

The council is composed of:

- representatives from the four state agencies that administer construction codes — Administration's Building Codes and Standards Division, Health's Environmental Health Division, Public Safety's Fire Marshal Division, and Commerce's Energy Regulation and Resource Management Division;
- a licensed architect;
- a heating and ventilating contractor;
- a commercial building contractor;
- a plumbing contractor;
- a certified building official;
- a fire service representative;
- a licensed residential building contractor;
- a local government official;
- a member of the construction and building trades unions;
- a building owners and managers representative; and
- a licensed engineer.

The council is required to report on its activities at the end of each calendar year.

CONSTRUCTION CODES ADVISORY COUNCIL MEMBERSHIP

Name	Representing
Dean Newins, chair	Licensed architect
Thomas Joachim, vice chair	Building Codes and Standards Division, Department of Administration
Janet Streff, secretary	Department of Commerce
Thomas Brace, executive committee member	State Fire Marshal Division, Department of Public Safety
Steven Tufenk, executive committee member	Construction and Building Trades Unions
Bill Barber	Certified building official
Patricia Bloomgren	Department of Health
Ted Ferrara	Heating and ventilating contractor
Katherine Gove	Fire service
Craig Holmen	Commercial building contractor
Duane Javens	Plumbing contractor
Leonard Pratt	Licensed residential building contractor
Terry Schneider	Local government
Kent Warden	Building Owners and Managers
John Youngstrom	Licensed engineer

2000 CONSTRUCTION CODE

ADVISORY COUNCIL ACTIVITIES

2000 LEGISLATIVE SESSION

The Construction Codes Advisory Council spent the early part of 2000 tracking legislation that would affect construction in Minnesota. Initially, the full council discussed and/or took action on key legislation, but then determined that using the CCAC's executive committee would be the quicker way to respond to legislators. From then on, the full council discussed and advised on legislation, but took no formal action. Key legislation the CCAC tracked included:

- H.F. 2652 - Border cities provided residential building energy code requirements exemption
This legislation failed to advance and was indefinitely postponed at the end of the session.
- H.F. 2570 - Energy code rules to remain in effect for specified residential buildings.
This legislation was passed and signed by the Governor and is in Chapter 407 of *Laws of Minnesota for 2000*.

To both pieces of legislation, the council adopted the following language as a response:

The Construction Codes Advisory Council believes that the State Building Code should be enforced in every city and county in the state and there should be uniform administration for the sake of health, safety and welfare. The council believes that within our concerns of health, safety and welfare, the energy code provisions were discussed and justified, with respect to added initial cost, through the rule-making process, and we are not recommending departure from the statewide uniform administration of the energy code.

- S.F. 2691 – Authority to develop the energy portions of the building code transferred from Public Service to Administration

In a response to the bill's introducer, the council stated: *The state building code would be best served under a single mechanism and [the Construction Codes Advisory Council] voiced that belief in its report to the Legislature in January 2000 on the legislative audit of the state building code. The Council voiced its intent to continue its work . . . on how the administration of the state building code could best be organized.*

The legislation was passed and signed by the Governor and is in Chapter 297 of *Laws of Minnesota for 2000*.

The council followed progression of the following legislation through the session. Each piece of legislation was passed and signed by the Governor.

- S.F. 3272 – Modifying requirements of bleacher safety – Chapter 417 of the *Laws of Minnesota for 2000*.
- S.F. 3354 – Clarifying the requirements for a limited dealer license for manufactured homes – Chapter 352 of *Laws of Minnesota for 2000*.
- S.F. 2547 – Selection of installation site for memorial to Minnesota firefighters – Chapter 380 of *Laws of Minnesota for 2000*.
- S.F. 624 – Establishing the board of firefighter training and education – Chapter 344 of *Laws of Minnesota for 2000*.

TAG RECOMMENDATIONS – CCAC ACTIONS

In 1998, the CCAC formed four technical advisory groups to discuss and submit reports and recommendations on assigned topics. These groups included the Codes Coordination and Procedures Technical Advisory Group, the Statewide Code Adoption Technical Advisory Group, the Fee Technical Advisory Group, and the Healthier Homes Technical Advisory Group. The Healthier Homes Implementation Technical Advisory Group was formed mid-1999 in an effort to suggest ways to implement the recommendations in the Healthier Homes Technical Advisory Group's report. This group reported its recommendations to the CCAC in early 2000.

In 2000, the council reviewed the work of four of the technical advisory groups and adopted a series of recommendations from those reports.

Healthier Homes Implementation TAG – An executive summary of the group's report to the council is in Appendix A.

Statewide Code Adoption TAG – The group was asked to explore the need for statewide building code adoption. The Minnesota State Building Code has been adopted and administered in the Twin Cities' seven-county metropolitan area and in larger cities in Minnesota for the past 27 years. As the public has become more safety-conscious, a new interest in building codes has emerged throughout the State of Minnesota. The issue is that the building-related codes are not adopted or not administered uniformly throughout the state. In most of Greater Minnesota, no code administration exists outside of the larger cities.

The CCAC adopted the following recommendations:

- *The Minnesota State Building Code (MSBC) should be adopted as the construction standard for all new or remodeled construction projects throughout the state. The MSBC would be applicable to all commercial/industrial and residential facilities throughout the state. Farm residences and any attached garages would be included.*

- *The administration of the Minnesota State Building Code should be voluntary for those counties, cities and townships that are not currently administering the MSBC for three years after Legislative approval. Administration of the MSBC should become mandatory throughout the state after three years.*
- *The Minnesota State Building Code snow loads, wind loads and use of structural concrete should apply to all new agricultural buildings. The definition of agricultural building should be updated for clarification.*
- *The licensed design professionals and the licensed residential building contractors statutes appear to require compliance to [the] state building code in code and non-code enforcement areas of the state. The CCAC recommends the coordination of the intent of all licensing laws.*

Fee TAG – The group was asked to examine the use of building construction fees by the local units of government and make recommendations regarding: the present state of construction fees and use in local units of government; what fees are required by construction codes; the amounts of fees; allowance for dollar carryover from year to year due to swings in the economy; guidelines for use of fees for inspection plan review; and, time line for implementation.

The CCAC adopted the following recommendations:

1. *Permit and plan review fees should be based on direct and indirect costs of providing the service.*
2. *A time line of three years effective from the date of legislation should be established for all budget cycles, to be adjusted by state/local government.*
3. *A mechanism (that is, a designated fund) or appropriate tracking procedure should be established to carry over funds. The size of the fund balance should be determined by local government jurisdiction, but will be open to public disclosure.*

Coordination and Procedures TAG – This group was formed to examine the coordination of code adoption, code enforcement, and interrelationship of the various codes regulating construction activity within the State of Minnesota. The council reviewed and discussed the recommendations from the group. Two key issues on the certification of inspectors and the licensure of contractors were discussed by the council, and a suggestion was made to have a TAG develop recommendations on these issues. The council still needs to take formal action on these issues.

YEAR 2000 KEY GOALS – CODE ADOPTION and CODE OPERATION and ADMINISTRATION STRUCTURE

Meeting with commissioners and State Board of Electricity – The council invited the commissioners and executive director of affected agencies to its Aug. 3, 2000, meeting. The purpose of the meeting was to give an overview of the council and its history, explain the members' dedication to their task, and open a dialogue between the council and these agencies.

The council invited the commissioners of Administration; Health; Labor and Industry; and Public Safety; and the executive director of the State Board of Electricity. These four state agencies and one state board are responsible for the major construction codes in Minnesota.

Of all the past work of the council, two issues remained that the members felt needed to be addressed. To fully address these issues, the council, the commissioners, and the State Board of Electricity need to establish and maintain good communication and work together to address these topics. Further, it was the council's belief that the agencies need to hear the industry's concerns and issues.

Aug. 3 meeting – At the August meeting, the council updated the commissioners on the work of the CCAC, but spent most of the time on two areas of concern. These issues get to the heart of trying to unravel the complex interrelationship between the codes and the way they are administered.

The first area is the consistency and relationship among the various codes. The council believes that all codes need to have some level of coordination and compatibility. This led the CCAC to adopt the International Code as a standard. Further, the council understands the need for flexibility. It therefore allows for the agency advisory committees to adopt an alternative code but requires justification for this change and an explanation as to coordination with other Minnesota codes. Discussion at the meeting offered advice and support for this viewpoint, but also raised opposition to it.

The second area of concern is the crafting of a code administration structure that simplifies for the user the operation of code provisions and allows for a more efficient, effective administration of the various codes. This area of concern did not receive full discussion at the meeting, but is also very complex and has a major impact on construction in Minnesota.

At the end of the meeting, the council acknowledged the comments and suggestions from the participants and offered to continue to work to address these key issues and concerns. The council also extended an invitation to the Board of Electricity to attend future council meetings and has added the board to the council's mailing list of activities and actions.

In October, the council sent a letter outlining the issues to the commissioners and executive director who attended the meeting and asked the agencies to work together and with the council to address these concerns. A copy of the letter is in Appendix B.

CODE ADOPTION ISSUE

Currently, four state agencies (Administration, Health, Public Safety, and the State Board of Electricity) administer nine major codes (Electrical, Accessibility, Manufactured Housing, Elevators, Fire, Plumbing, Building, Mechanical, and Energy) in Minnesota. Not all of the codes are compatible and not all of the agencies fully coordinate with each other. At times, there is good reason for supporting one code over another. Further, there is the agency's commitment to a concept or code that has the potential to create conflicts with another agency. Many of these issues can be traced to each individual code's being created independently, amended independently, and administered independently for years, if not decades. Blend with that the experience, beliefs, and a passion for working with a specific code and it is understandable why this is such a complex, interwoven topic.

Policy statement – At its June meeting, the council discussed the need to have the various codes work together as a coordinated set of documents. It drafted and approved policy language that would create a process to coordinate the codes. The council also initiated dialogue with the agencies to attempt to implement the policy and address any issues that may arise. This statement was distributed at the Aug. 3 meeting with the commissioners and executive director of key state agencies:

The Construction Codes Advisory Council acknowledges:

- 1. The Council supports use of a set of coordinated, compatible model codes for the State of Minnesota.*
- 2. The International Codes should be the standard of comparison for all other codes. The Council encourages all agency advisory committees to review and consider the International Code. If an agency advisory committee chooses to recommend an alternative code, then the committee needs to justify why the other code(s) should be adopted instead of the International Code. Further, if an alternative code is recommended, the advisory committee needs to identify how the alternative code will be coordinated with all codes in Minnesota.*
- 3. The Construction Codes Advisory Council, based on its makeup, acts as the clearinghouse for the coordination, cooperation, and resolution of conflict between codes and code personnel.*

Agency advisory committees – The council believes that all of the codes need to have some level of coordination and compatibility. The CCAC concentrated on the International Code as the standard. This code's broad application and ability to bring in new techniques made it a logical initial choice. The statement that the council offered encourages each agency, through an agency advisory committee, to review the International Code. If an agency advisory committee chooses to recommend an alternative code, then the committee must justify why the other code(s) should be adopted instead of the International Code. Further, if an alternative code is recommended, the advisory committee must identify how the alternative code will be coordinated with all other codes in Minnesota. The council believed this was a good first step in building a set of coordinated, compatible model codes for the State of Minnesota. Discussion at the meeting offered advice and support for this viewpoint, but opposition to it was also voiced.

Criteria – At the August meeting, the council heard criticism, issues, and a need to provide better direction to the agencies on how to work with the policy. At the council's next meeting in September, it developed the following criteria to be used as necessary by the council, state agencies, and other affected parties to develop and review a set of coordinated, compatible construction codes in Minnesota:

- *The State of Minnesota needs a set of coordinated, compatible construction codes and a streamlined review and approval process.*
- *The codes should call for minimum safety standards and minimum construction cost.*
- *The codes need input from and endorsement by the government and industry parties that would be most affected.*
- *The codes should encourage statewide consistency and work toward nationwide consistency.*
- *The codes should facilitate and promote innovation and technology in construction practices.*

The council will continue to work with the state agencies and other interested parties to develop and implement a set of workable, coordinated codes in Minnesota.

CODE OPERATION and ADMINISTRATION STRUCTURE

As mentioned earlier, four state agencies (Administration, Health, Public Safety, and the State Board of Electricity) administer nine major codes (Electrical, Accessibility, Manufactured Housing, Elevators, Fire, Plumbing, Building, Mechanical, and Energy) in Minnesota. The administration of the codes lies primarily in the departments of Public Safety (fire code) and Administration (building code). The building code, however, is a compilation of several code provisions, some of which call for administration in other agencies. The primary building code provisions handled by other agencies are the plumbing code in the Department of Health and the electrical code in the State Board of Electricity. To complicate matters, the codes have been developed by both state agencies and national organizations over time; some of them date back to the 1930s, while the most recent were enacted in the 1990s. Administration of these codes is a complex task involving compilation of closely related, sometimes overlapping, provisions that may apply to various types of buildings, depending on location.

The council has discussed code use and interpretation, code administration and structure, and overall responsibility and accountability for code operations over the past few years. It has reviewed various options for the structure of code operation and has looked at other states for ideas. In its most recent action, the Construction Codes Advisory Council, in its 1999 Response to the Legislative Auditor's January 1999 Program Evaluation Report on the State Building Code, recommended:

That a mechanism responsible for coordinating the operation of all construction codes in Minnesota be created. That the council be charged, over the next year, with crafting this mechanism and presenting it to the appropriate administrators and/or lawmakers early in 2001.

The outcome identified for this mechanism would be simplified operation of code provisions for the user, or customer. In addition, this mechanism could better focus administration of the various codes and the staff responsible for implementing these codes.

Mechanism criteria – At the October meeting of the council, members asked the following questions related to the “structure” issue:

What do you want this structure to accomplish? What outcome(s) do you want it to achieve? What do you want the mechanism to look like? How would it operate? For you, what would make a good code system work in Minnesota?

The members responded to the questions by identifying the following items and grouping them into areas of common focus. At the Nov. 2, 2000, meeting of the council, they further discussed and identified the key characteristics of a grouped area or titled the area where appropriate.

I. STRUCTURE

A. Construction codes “executive director” – Key characteristics and/or responsibilities

- § Broad base and understanding of construction codes
- Knowledge and skills in conflict resolution on code interpretations
- Review and approval of code changes for compatibility
- Strong communication skills; internal and external communication
- Knowledge of state government process
- Knowledge of code process
- Accountability
- Freedom to act; remove only for cause; outside of political appointment process
- Works with and answers to construction codes council

B. Coordinated codes operation

- § Coordination of operation of all construction codes
- § Communication between key parties, code officials
- § Clarity in understanding code organization structure
- § Goodwill in the desire for this structure to work
- § Cooperation among/between key parties
- § Ease and accessibility of operation to everyone involved
- § Reasonable sense of urgency; timeliness in getting the operation put together
- § Funding to do this; ability to get the budget in place

II. OUTCOMES

A. Customer service focus

- § Focus on the needs of those being served
- § Take time to show what is needed
- § Know and communicate expectations of “customers”
- § Serve someone who “walks in the door” – one place to get questions answered and be told what to do to comply in a timely manner
- § User-friendly

B. Set of coordinated, compatible construction codes

- § The State of Minnesota needs a set of coordinated, compatible construction codes and a streamlined review and approval process.
- § The codes should call for minimum safety standards and minimum construction cost.
- § The codes need input from and endorsement by the government and industry parties that would be most affected.
- § The codes should encourage statewide consistency and work toward nationwide consistency.
- § The codes should facilitate and promote innovation and technology in construction practices.

C. Minimum (base line) safety standards balanced with minimum (cost-effective) construction costs

- § Cost-effective codes C balance of regulation and safety
- § Reduce administrative/government operation costs
- § Affordable housing
- § Process of evaluation; conscientious cost-benefit analysis

III. STRATEGY

A. Political will

B. Transition

- § Industry knows the structure now. Why change it?
- § Status quo with increased coordination and communication

Council actions – The Construction Codes Advisory Council, following the mechanism criteria discussion, made the following recommendation:

The structure for the operation of codes in Minnesota is led by a qualified authoritative executive director supported by a construction codes council composed of a balance of industry and

government representatives. To facilitate coordination and a possible transition between the current operation and a consolidation of agencies involved in code operation, the executive director will work with an interagency management committee composed of, at least, a representative of the leadership positions from each of the four current codes administration areas (Departments of Administration, Health, Public Safety, and the Board of Electricity).

UPCOMING ISSUES

The Construction Codes Advisory Council will continue its work on many of the same issues it has worked on for the past year. The key issues of statewide code adoption, the relationship, coordination, and operation of the various codes in Minnesota, appropriate use of building construction fees, and indoor air quality will remain the primary focus for the council. Further, the council is interested in hearing the recommendations on certification of inspectors and licensure of contractors from its TAG.

The council is interested in working with the legislature and being a resource on reviewing and addressing issues related to construction in Minnesota.

APPENDICES

A. Healthier Homes Implementation Technical Advisory Group Report to the Construction Codes Advisory Council April 6, 2000 - Report Summary

The Healthier Homes Implementation TAG was formed in spring 1999 as a follow-up advisory group in response to the December 1998 Healthier Homes TAG report. The new TAG was given the charge to review the report, extrapolate and categorize recommendations, and prioritize the recommendations.

The TAG's goal was to use the expertise of the collective group to make specific recommendations for action based on the first report; to suggest how these recommendations could be implemented; and to attempt to assign a plausible cost estimate to bring each recommendation to fruition.

The report was a continuation of the first Healthier Homes TAG. The recommendations are based on the first report and put in a succinct way to bring them forward and suggest ways to implement them. The group tried to put a dollar amount on the recommendations. The dollar amounts are estimates and subject to actual amounts. In the first four recommendations, education is the theme.

Recommendation 1. *Statewide Enactment of the Building Code*

TAG members stated this first, because they think it is really important. The recommendations are rated in descending order; they were rated on a consensus basis.

Recommendation 2. *Licensing or Certification of Mechanical Contractors, Technicians, and Building Code Inspectors*

The consensus of the group was on educating people in the field, which was the focus of the recommendation.

Recommendation 3. *IAQ/Healthier Homes Information Center, Statewide Publicity Blitz and Related Information Resource Development and Distribution*

- 1. People with questions tend to get lost. The Health Department is overwhelmed. They fielded 750 calls in March. We need an information center. The Department of Commerce Energy Information Center is not the appropriate place. The group asked the Energy Information Center what their budget is, and the cost estimation is based on that.*
- 2. Website development is a necessity. The Educational Media Blitz is aimed at how to get information out. A lot of information is already available.*

- 3. *We need to have one big blitz, covering TV and radio. We need to tie the advertising campaign into the center.*
4. *Point of Sale Information: A good time to contact people is when they're purchasing a new home. We can give them information they will refer to later. We suggested that this recommendation provide a sunset clause for concerns, such as formaldehyde, that are no longer a big issue.*
5. *Information Resource Development*

Recommendation 4. Continuing Education Opportunities for Building Professionals, Homebuyers, and Occupants

The focus for this recommendation was on single-family homes. The TAG believed it is critical to develop existing resources, of which there are many. A lot of good delivery services are in place already. We can use some of the groups that are already in place.

Recommendation 5. Research

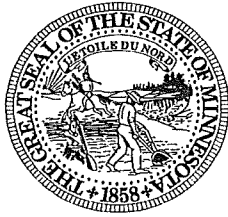
The TAG notes that there should be actual studies to back up the recommendations and to collaborate with medical authorities.

1. *It is the consumer pushing house tightness, not the codes. We don't know how tight they are, and we need to examine that issue more closely. It is sometimes difficult to get access to homes for studies.*
2. *How well are existing ventilation systems performing?*
3. *We don't have very good information on typical relative humidity in homes. The challenge is to take a dynamic look at these houses. We need a measuring instrument in homes over a period of time.*
4. *Because the health of the occupants is the most important issue, structural moisture information is critical. Was the moisture identified when the house was occupied? The conditions depend on who wrote the study.*
5. *Concerning biological measurements in houses, the question is: Where do we go from here? This is a difficult measurement to make.*
6. *There is a connection between carbon monoxide incidents in homes, starting cars in attached garages, and depressurization in homes.*

TECHNICAL ADVISORY GROUP for HEALTHIER HOMES IMPLEMENTATION

Marilou Cheple, chair	University of Minnesota, Cold Climate Housing Program
Paul Berg	Minnesota Mechanical Contractors Association
Mary Cich	American Lung Association
David Jones	Minnesota Department of Health
Merwyn Larson	City of Minneapolis
Bruce Nelson	Minnesota Department of Commerce
Laura Oatman	Minnesota Department of Health
Dave Olson	City of St. Paul
Kathie Pugaczewski	Builders Association of Minnesota
Mary Turner	Minnesota Department of Commerce
Ted Ferrara	Codes Advisory Group Liaison

APPENDIX B.



CONSTRUCTION CODES ADVISORY COUNCIL

Government and the Construction Industry Working Together

Oct. 13, 2000

Commissioner
Agency
Address
St. Paul, MN Zip

Dear _____,

I would like to thank you for attending the Aug. 3, 2000, meeting of the Construction Codes Advisory Council and update you on the progress the council has made over the past two months. Your participation and insight during the meeting were informative and valuable. We hope that this will not be a one-time update but the first of many dialogues between your agency and the council as we address key issues. We will ask that you, in your role in a key agency affected by our work, meet with the other key commissioners to make recommendations on the critical issues facing the council and code operation in Minnesota. The Department of Administration has agreed to take the initiative in setting up these meetings. This letter outlines our plan and we will be happy to provide you with any further information that may benefit your deliberations.

As you may know, the Construction Codes Advisory Council was created by Minnesota Statute 16B.76, which directs the council to review and advise state agencies and the legislature on issues relating to building construction in Minnesota. Council membership consists of representatives from various building construction occupations or entities, plus state and local government construction code officials.

At the August meeting, we briefly updated you on council actions, but spent most of the time on two areas of concern. The first area is the consistency and relationship among the various codes. The second area is the crafting of a code administration structure that simplifies for the user the operation of code provisions and allows for a more efficient, effective administration of the codes.

Currently, four state agencies (Administration, Health, Public Safety, and the State Board of Electricity) administer nine major codes (Electrical, Accessibility, Manufactured Housing, Elevators, Fire, Plumbing, Building, Mechanical, and Energy) in Minnesota. Not all of the codes are compatible and not all of the agencies fully cooperate with each other. At times, there is good reason for supporting one code over another. Further, there is the agency's commitment to a concept or code that has the potential to create conflicts with another agency. Many of these issues can be traced to each individual code's being created independently, amended independently, and administered independently for years, if not decades. Blend with that the experience, beliefs, and passions of working with a specific code and it is understandable why this is such a complex, interwoven topic.

The two issues brought up at the August meeting get to the heart of trying to unravel this complexity. First, all the codes need to have some level of coordination and compatibility. The council concentrated on the International Code to be this standard. This code's broad application and ability to bring in new

techniques made it a logical initial choice. The statement that the council offered encourages each agency, through an agency advisory committee, to review the International Code. If an agency advisory committee chooses to recommend an alternative code, then the committee needs to justify why the other code(s) should be adopted instead of the International Code. Further, if an alternative code is recommended, the advisory committee needs to identify how the alternative code will be coordinated with all other codes in Minnesota. The council believed this was a reasonable first step in building a set of coordinated, compatible model codes for the State of Minnesota. As you heard from the discussion, there is opposition to this viewpoint.

The second area of concern is the crafting of a code administration structure that simplifies for the user the operation of code provisions and allows for a more efficient, effective administration of the various codes. This area of concern, while it received fewer comments, is also very complex and has a major impact on construction in Minnesota.

The council heard your comments and those of others affected by its work, has worked over the past two months to speak to those comments, and will continue to work to address key issues and concerns. The council extended an invitation to the Board of Electricity to attend future council meetings and has added the board to the council's mailing list of activities and actions.

The council, at its September meeting, developed criteria or drivers to operate as the basis for its decision making on the code relationship or code adoption issue. A copy of the criteria is attached for your review. From these criteria, the council will determine how detailed it wants to make recommendations on specific codes. We request that you review the draft, meet to develop recommendations on this issue, and report those recommendations back to the council.

Further, at its most recent meeting in October, the council initiated a discussion to develop similar criteria for discussion and decision making on the structure for coordinating the operation of codes in Minnesota. The council will continue the discussion on structure criteria at its November meeting and will distribute them to you and the other commissioners when they have been approved. Again, we request that you meet regarding this topic and make recommendations to the council. Our plan is to report to the legislature and make recommendations on these topics at the start of the 2001 session.

The Construction Codes Advisory Council has been working for more than three years to make the codes system in Minnesota more effective and efficient for our customers and for those that administer it. As an agency leader, you are key to the success of implementing the coordination of codes effort. We have made significant strides in our effort, but difficult and complex issues still face us. We appreciate your input and feedback as we struggle to provide the best service to our customers. Thank you for your attention and interest.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean S. Newins", written in a cursive style.

Dean S. Newins, AIA, Chairperson

Attachment