



House Bill 5483

AN ACT ESTABLISHING AND TRANSFERRING VARIOUS FUNCTIONS TO A DIVISION OF FIRE SERVICES ADMINISTRATION WITHIN THE DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION AND REVISING THE POWERS AND COMPOSITION OF THE COMMISSION ON FIRE PREVENTION AND CONTROL

Testimony of the Department of Administrative Services

Public Safety and Security Committee

March 12, 2024

Senator Gaston, Representative Boyd, Senator Cicarella, Representative Howard, and distinguished members of the Public Safety Committee. We thank you for the opportunity to submit testimony on **House Bill 5483: *An Act Establishing and Transferring Various Functions to a Division of Fire Services Administration Within the Department of Emergency Services and Public Protection and Revising the Powers and Composition of the Commission on Fire Prevention and Control.***

House Bill 5483 proposes establishing a Division of Fire Services Administration within the Department of Emergency Services and Public Protection (DESPP), and transferring the functions of the Office of the State Fire Administrator, and the Department of Administrative Services' (DAS) Office of the State Fire Marshal (OSFM) and Office of Education and Data Management (OEDM) to that new division. Moving the DAS functions to DESPP would be costly, and would break processes, cause delays, and make coordination of the state building and fire codes less effective if not impossible. Ultimately, we believe such a change would be harmful to the future of building and fire safety in Connecticut.

Under current law, DAS houses the Regulatory Compliance Division, which is made up of three teams:

- Office of Education and Data Management (OEDM);
- Office of the State Building Inspector (OSBI); and
- Office of the State Fire Marshal (OSFM).

The proposal would transfer two of these three teams (OSFM and OEDM) and not the other (OSBI). These three teams have always been closely allied under one agency, which is critical to the continued effectiveness of them. Until 2011, all three teams were placed in the Department

of Public Safety, before being transferred to the short-lived Department of Construction Services and soon after to the Department of Administrative Services (DAS).

The Office of the State Fire Marshal (OSFM) should remain closely allied with the Office of the State Building Inspector (OSBI), because:

- The state fire safety, fire prevention and building codes are developed and published on a three-year cycle and with close collaboration between OSFM and OSBI. The placement of OSFM and OSBI in different agencies will significantly weaken that process and lead to disconnects between the various codes and ultimately impact the design and construction industries through potential confusion and delays with projects.
- The fire safety code and building code adoption process is required by statute to be done jointly with the Codes and Standards Committee, the administrative and legal support for which resides in the broader DAS team. The placement of OSFM and OSBI in different agencies will require duplicative administrative and legal support to be established, and additional coordination efforts to be managed. This is likely to result in delays and missteps, making an already difficult requirement to adopt new model codes with 18-months of their publication virtually impossible to meet.
- Under a single point of leadership in DAS, the OSFM and OSBI teams have been moving towards a more coordinated and effective code adoption strategy that reduces the number of conflicts between different national code making bodies – largely the International Code Council and the National Fire Protection Association.
- The OSFM and OSBI teams both have statutory responsibility for review and approval /denial of code modifications (like waivers) and in a significant number of cases a dual application is required to both OSFM and OSBI. In those cases, the teams collaborate closely to coordinate responses. The placement of OSFM and OSBI in different agencies will significantly weaken that coordination and lead to disconnects in the decision-making process and ultimately impact the design and construction industries through potential confusion and delays with projects. The intake, process management, tracking and reporting and output of those modifications is currently done through a common administrative team and software solution, supported by administrative staff that would not transfer with OSFM and would therefore have to be duplicated.
- The OSFM and OSBI teams work closely in the review of construction documents for and the inspection of state construction projects, including those administered by DAS on behalf of other agencies but also large projects administered directly by other agencies, such as UConn, DOT and the Connecticut Airport Authority. They utilize a common administrative team and software system and supplement each other when common issues are required to be inspected. Separating these teams will require significant duplication of efforts in the management of the review and inspection processes, potentially resulting in confusion, delays and additional costs for the state construction projects, and the need to establish new software at DESPP.
- Housing OSFM and OSBI in DAS also ensures they are well positioned to provide comprehensive technical support to the construction project management team in DAS, which manages approximately \$1.5B of projects for mostly other agencies. Moving one or both of these teams to DESPP will weaken the effectiveness of this support and potentially cause delays and additional costs for state construction projects. This is one of the principal reasons for moving the teams from the, then, Department of Public

Safety, to the Department of Construction Services (formerly the Department of Public Works) in 2011.

- The OSFM team also inspects existing state buildings, the records for which are contained in the same software system at DAS as the state construction projects, therefore additional costs would arise out of the need to migrate to a DESPP software.

The Office of Education and Data Management (OEDM) should remain closely allied with the Office of the State Building Inspector, because:

- The responsibility for the education of building officials and fire marshals is placed on the commissioner of DAS, and an administrative decision was made to establish the OEDM team to perform those functions. Moving OEDM but not OSBI would create a significant negative administrative and fiscal impact due to those administrative functions of OEDM needing to be duplicated in both DAS and DESPP.
- The OEDM team and all of its training programs are funded from a portion of building permit fees paid to municipal building departments. That funding stream would have to be split or replaced if OEDM were to be moved to DESPP. Either an increase in permit fees paid to municipalities or an increase to the personal services (PS) budget line at DAS and/or DESPP would be required
- The OEDM team reviews the applications of candidates for pre-licensure training and licensing examinations on behalf of the State Building Inspector. That function would have to be replicated in DAS at significant cost.
- The OEDM team provides a comprehensive, in-person, six-month-long, pre-licensure training program for prospective building officials, which is serviced on the front line by two building code trainers, but, like all other OEDM functions, is supported by a number of other team members (see below).
- The OEDM team has two fire code trainers and two building code trainers, as well as another e-learning trainer who serves both codes. The rest of the team of leadership and administrative staff supports both the building code and fire code training efforts and cannot be split without duplication and additional expense.

Thank you for the opportunity to submit testimony and share our thoughts with the Committee.