



State Senator Sheila Harsdorf

Date: January 7, 2014
To: Senate Committee on Judiciary and Labor
Fr: Senator Sheila Harsdorf
Re: Senate Bill 379 – Review of Plans for Building Projects

Chairman Grothman and Committee Members:

Thank you for holding a public hearing on Senate Bill 379 (SB 379) which seeks to codify current administrative rules and procedures used by the Department of Safety and Professional Services (DSPS) to encourage a streamlined process for the review of plans for building projects.

DSPS has been updating and making improvements to the plan review process in an effort to respond to applicants seeking to build or expand their businesses in a timely manner. However, I have heard from businesses and individuals that have concerns with the response time to plan submissions and the inability to move forward on projects in a timely manner. Delays in construction caused by the plan review process can lead to losses in production, time, and money, as well as frustration by applicants.

Currently, the process to obtain a building permit falls under rules promulgated by DSPS. These rules allow a person to start the construction for the footings and foundations of a public building or place of employment before the plans have been approved provided prior authorization is granted by DSPS. DSPS has three days after receiving the plans to authorize the construction of the footings and foundations. DSPS must make a determination on overall construction plans within 15 days of receiving the plans for review. Also under current rules, a person may not operate a public swimming pool or water attraction unless DSPS has approved the plans for construction.

This bill would codify these administrative rules and procedures into statute. The bill also makes changes to the rules regarding construction footings and foundations by eliminating the requirement to obtain prior authorization from DSPS to begin construction. Additionally, the bill would now allow a person to include a public swimming pool or water attraction in the ability to begin construction on footings and foundations prior to DSPS authorization. One who elects to start the construction prior to approval from DSPS would do so at the person's own risk without assurance that the submitted plans will be approved.

In addition, working with DSPS, I have introduced Senate Amendment 1(SA1) that specifically details the plan review application process and notification period. Applicants would work with DSPS to determine a "review date." Applicants would be allowed to submit plans up to two days prior to this review date, but must have all required documents

submitted two days prior to the review date. The review date would begin a 15 day period in which DSPS would make a final determination. If DSPS determines the plan application is incomplete, the department would notify the applicant in writing and the time clock would stop. Once the missing information is submitted to DSPS the time clock would start from the day it stopped for the remainder of the 15 day review period.

I urge committee members to support this legislation in effort to ensure companies seeking to build or expand their businesses will have approval of plans in a timely manner. The ability to move forward with a project in a timely manner will reduce losses in production, time, money, and ultimately benefit both local and state economies. Thank you again for the opportunity to testify in support of this legislation. I welcome any questions you have.