

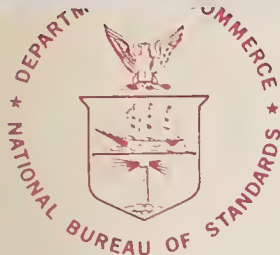
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NBS

PUBLICATIONS



# NBS SPECIAL PUBLICATION 429

U.S. DEPARTMENT OF COMMERCE / National Bureau of Standards

## Proceedings of the 7th Annual Conference of the National Conference of States on Building Codes and Standards

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No. 429

1975

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## NATIONAL BUREAU OF STANDARDS

The National Bureau of Standards<sup>1</sup> was established by an act of Congress March 3, 1901. The Bureau's overall goal is to strengthen and advance the Nation's science and technology and facilitate their effective application for public benefit. To this end, the Bureau conducts research and provides: (1) a basis for the Nation's physical measurement system, (2) scientific and technological services for industry and government, (3) a technical basis for equity in trade, and (4) technical services to promote public safety. The Bureau consists of the Institute for Basic Standards, the Institute for Materials Research, the Institute for Applied Technology, the Institute for Computer Sciences and Technology, and the Office for Information Programs.

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<sup>1</sup> Headquarters and Laboratories at Gaithersburg, Maryland, unless otherwise noted; mailing address Washington, D.C. 20234.

<sup>2</sup> Part of the Center for Radiation Research.

<sup>3</sup> Located at Boulder, Colorado 80302.

<sup>4</sup> Part of the Center for Building Technology.

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# Proceedings of the 7th Annual Conference of the National Conference of States on Building Codes and Standards

*Special publication, no. 429.*

Sandra A. Berry, Editor

Office of Building Standards and Codes Services  
Center for Building Technology  
Institute for Applied Technology  
National Bureau of Standards  
Washington, D.C. 20234

Held in Austin, Texas  
April 28 - May 3, 1974



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U.S. NATIONAL BUREAU OF STANDARDS, Ernest Ambler, Acting Director

Issued September 1975

**Library of Congress Catalog Card Number: 75-24777**

**National Bureau of Standards Special Publication 429**

Nat. Bur. Stand. (U.S.), Spec. Publ. 429, 129 pages (Sept. 1975)

CODEN: XNBSAV

**U.S. GOVERNMENT PRINTING OFFICE  
WASHINGTON: 1975**

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For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402  
(Order by SD Catalog No. C13.10:429). Price \$1.95 (Add 25 percent additional for other than U.S. mailing).



## ABSTRACT

The National Conference of States on Building Codes and Standards (NCSBCS) had its formal beginning in Wisconsin in 1967. Its formation represented a response by the States to recommendations for intergovernmental reforms in the area of building codes, prepared by the Advisory Commission on Intergovernmental Relations. The formative meeting held in Wisconsin was a direct outgrowth of an earlier exploratory meeting, involving several States, called by the National Bureau of Standards. At this meeting, the States represented discussed the idea of a national organization of the States similar to the National Conference of Weights and Measures, assisted by the National Bureau of Standards, leading to a cooperative solution regarding the multiple problems in the entire building regulatory system.

The Governor of Wisconsin issued an invitation to the States to gather in Wisconsin to address the problem, to develop an organization which could effectively respond to this national need, and to consider the offer of assistance of the National Bureau of Standards. Sixteen States attended this meeting and unanimously agreed to the formation of the NCSBCS and to accept the secretariat role of the National Bureau of Standards.

The Conference is structured to develop many technical and general recommendations in the field of comprehensive building code administration and its programs explore the entire system of this important segment of governmental regulatory service.

The secretariat of the National Conference of States on Building Codes and Standards is located in the Office of Building Standards and Codes Services, Center for Building Technology, National Bureau of Standards, Washington, D.C. 20234.

Key words: ASHRAE 90-P; building codes; mobile homes; NCSBCS.

## ACKNOWLEDGMENTS

The author appreciates the invaluable assistance rendered by the former Texas NCSBCS Delegate, Mr. Larry Crumpton, and Texas Conference Host, Mr. Charles Talmage in addition to the following members of the NBS Office of Building Standards and Codes Services: Gene A. Rowland, Francis T. Ventre, Charles T. Mahaffey, Bertram Vogel, Robert Dikkers, Patrick Cooke, Robert M. Eisenhard, Marla Holloway and Kathleen Pearce. The personal support of these individuals greatly helped to achieve a most successful Seventh Annual Conference of the National Conference of States on Building Codes and Standards.

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A PROGRAM OUTLINE  
for the  
NATIONAL CONFERENCE OF STATES ON BUILDING CODES AND STANDARDS

In Cooperation with the  
NATIONAL BUREAU OF STANDARDS  
of the  
U. S. DEPARTMENT OF COMMERCE  
1973-1974

AN OUTLINE of the programs of the National Conference of States on Building Codes and Standards for achieving reasonable national uniformity in the regulation of buildings and the acceptance of industrialized buildings crossing State lines.

I. CODES, STANDARDS, TESTING AND EVALUATION

(Standards and Evaluation Committee--  
Kenneth C. Henke, Jr., Chairman)

- A. Promote the activities of MCSC in the establishment of a national consensus standard development project (including timetable goals) to produce:
  - 1. standard definitions used in building codes
  - 2. standard building code occupancy classifications
  - 3. standard types of construction
  - 4. standard format for building code use.
- B. Develop support as may be needed for the continued study of the HUD-FHA performance standards document as a NCSBCS/CABO draft that could be used for the development of a national consensus standard useful as a supplement to building codes for the evaluation of innovative housing systems.
- C. Promote the development of national consensus standards for regulatory reference in conserving energy used in new buildings.
- D. Promote the speedy completion of the ASTM E32 and E36 standards making sure that this standards activity accurately reflects the needs of the States.
- E. Investigate the feasibility of establishing a consensus standard development project related to the material emanating from the NBS Coordinated Evaluation System (CES) research project.
- F. Encourage the adoption of recognized model building codes and consensus standards, discouraging the development and/or use of standards that duplicate existing model building codes and consensus standards.

- G. Support the development and promotion of recommendations that will resolve the overlap of fire codes and/or building security requirements, with those of building codes.

- H. Continue NCSBCS participation in the A119 standards activity and the ANSI Construction Technical Advisory Board (CTAB), including the development and timely introduction of agenda items for each that are of special interest to the States.

- I. Identify other building standards activities of special significance to the States and recommend an appropriate NCSBCS relationship to each.

- J. Promote the completion of the study of model building codes, identifying: those subject areas for which there are no consensus reference standards; those subject areas where the model codes differ from existing consensus standards; priorities among regulatory standards needs.

- K. To review the role of building regulations relative to disaster mitigation (earthquakes, extreme winds and similar dynamic hazards).

II. EDUCATION AND QUALIFICATION OF ENFORCEMENT PERSONNEL

(Education and Qualification Committee--Glen R. Swenson, Chairman)

- A. Develop minimum criteria for qualifying various types and grades of code enforcement officers and support the implementation of programs utilizing the criteria.



- B. Participate in the finalization of model legislation and model rules and regulations for the registration of code enforcement officers. Direct the committee's energies toward obtaining approval of this model legislation by the NCSBCS, the Council of State Governments and the States.
- C. Develop model educational programs for code enforcement officers and support the implementation of such programs.
- D. Maintain an up-dated compilation of education and training programs, and instructional materials for code enforcement officers, and prepare a compendium of curricula for code enforcement officers being offered at various educational and training institutions.
- E. Develop model procedures to permit interstate reciprocity for the registration of code enforcement officers, including the possibility of the establishment of a "national council of State code enforcement officers registration boards."
- F. Cooperate with other appropriate interested organizations in carrying out the above tasks.

### III. MANAGEMENT AND REGULATORY PROCEDURES (Management and Regulatory Procedures Committee--Charles J. Betts, Chairman)

- A. Recommend and support the development and establishment of management and regulatory procedures, and documents which will provide the states with appropriate models for efficient code administration and enforcement.
- B. Gather and report appropriate statistical and background information and data on the administration and technical operations of code enforcement programs.
- C. Provide sample organization models and staffing patterns for use by the States for State, County and municipal code enforcement bodies.
- D. Provide suggested model procedures and documents (form, checklists, reports) pertaining to the evaluation, approval and inspection of buildings, building components and products.

- 1. Encourage the adoption of building permit applications containing the uniform core information derived by the U.S. Bureau of the Census.
- E. Provide suggested remuneration and fee schedules, general budgetary information, and fiscal procedures.
- F. Support the development and adoption of uniform information collection and storage systems (manual, microform and computers) in order to achieve administrative effectiveness and efficiency, and to promote nationwide exchange of statistical information relating to building regulation and failures (fire, structural, electrical, mechanical).
  - 1. Promote the adoption of a uniform fire incident reporting system utilizing the coding system set forth in NFPA Standard 901 and containing uniform core information developed by the NBS in the National Fire Data System project.
- G. Encourage the development and maintenance of a technical library--codes and standards, product approvals, system approvals, fire ratings; and a library of pertinent legal opinion, case history and law on code enforcement.
  - 1. Recommend suggested outlines and procedures for prosecution of code violators.

### IV. INTERSTATE RECIPROCITY FOR MANUFACTURED BUILDING (Reciprocity Committee--Herbert W. Meyer, Chairman)

- A. In cooperation with the S&E Committee, identify and encourage uniformity of recognized model codes and standards which can serve as a basis for interstate reciprocity for manufactured building and components.
- B. Promote development and maintenance of operational rules and criteria for agencies which are qualified to perform one or more of the following functions:

1. evaluation of prototypes and systems;
  2. performance of the necessary tests required by the standards;
  3. inspection and compliance assurance at the point of manufacture.
- C. Promote the development and operation of a cooperative monitoring program to assure that evaluation, testing and inspection agencies are performing properly.
- D. Promote the adoption of the model acts by the States in order to encourage interstate uniformity.
- E. Develop procedures for uniform interpretations, uniform amendments, and uniform dates for adoption of the model codes and standards by the States.
- F. In cooperation with other committees of the NCSBCS, promote acceptance of the above programs among the States and throughout the building industry.

V. INTERSTATE EXCHANGE OF INFORMATION  
(Conference Officers and Executive Committee-Bernard E. Cabelus, Chairman)

- A. Conduct annual meetings of the Conference to provide:
1. opportunity for personal acquaintance and exchange of views with key code people from other States;
  2. opportunity for personal acquaintance and exchange of views with key building industry people;
  3. opportunity to contribute to development of interstate programs to assist individual States to reach goals of reasonable national uniformity;
  4. 4. reports and recommendations of the working committees and the Executive Committee.
- B. Organize publications program to include:
1. approvals and evaluations of interstate interest;
  2. general newsletters.

VI.

STAFF ASSISTANCE AND SECRETARIAT  
(National Bureau of Standards-Conference Executive Secretary-Gene A. Rowland)

- A. Organization and operation of administrative details of meetings.
- B. Research and assistance for standing committees and other authorized NCSBCS activities.
- C. Operation of Conference reference and publications system for the benefit of the States.

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April 1974

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\* Not an official delegate; receiving mail until official delegate appointed.  
\*\* Official State Delegate Alternate

## Abbreviations

The following abbreviations are used throughout the text.

A/E-----	Architect/Engineer
AIA-----	American Institute of Architects
ANMC-----	American National Metric Council
ANSI-----	American National Standards Institute
ASCE-----	American Society of Civil Engineers
ASTM-----	American Society for Testing and Materials
ASHRAE-----	American Society of Heating, Refrigerating, and Air-Conditioning Engineers
ASME-----	American Society of Mechanical Engineers
AGC-----	Associated General Contractors
BOCA-----	Building Officials and Code Administrators, International
CTAB-----	Construction Technical Advisory Board
CEC-----	Consulting Engineers Council
CPSC-----	Consumer Product Safety Commission
CES-----	Coordinated Evaluation System
CABO-----	Council of American Building Officials
DCPA-----	Defense Civil Preparedness Agency
E&Q-----	Education and Qualification Committee
HUD/FHA-----	U.S. Department of Housing and Urban Development, Federal Housing Administration
ICBO-----	International Conference of Building Officials
LEAP-----	Laboratory Evaluation and Accreditation Program
M&RP-----	Management and Regulatory Procedures Committee
MCSC-----	Model Codes Standardization Council
NACA-----	National Academy of Code Administration
NCSBCS-----	National Conference of States on Building Codes and Standards
NEISS-----	National Electronic Injury Surveillance System
NFDS-----	National Fire Data System
NFPA-----	National Fire Protection Association
NIBS-----	National Institute of Building Sciences
OSHA-----	Occupational Safety and Health Administration
SBCC-----	Southern Building Code Congress
S&E-----	Standards and Evaluation Committee
UL-----	Underwriters' Laboratories, Inc.



EXCERPT OF  
SEVENTH ANNUAL MEETING  
AFTERNOON SESSION  
May 1, 1974  
OFFICIAL OPENING

CHAIRMAN CABELUS: We will now call to order the Seventh Annual Conference of the National Conference of States on Building Codes and Standards. We're going to have a roll call of States. As we call your State's name, we ask that you stand up, identify yourself and, if you make any comments about your state, please keep them brief--within about two or three words.

MR. ROWLAND: Alabama.

(No response.)

MR. ROWLAND: Alaska.

MR. HENDRIE: Ron Hendrie.

MR. ROWLAND: Arizona.

(No response.)

MR. ROWLAND: Arkansas.

(No response.)

MR. ROWLAND: California.

MR. BAHR: Russell Bahr, State of California.

MR. ROWLAND: Colorado.

(No response.)

MR. ROWLAND: Connecticut.

MR. CABELUS: Bernard E. Cabelus, Connecticut, and I'm glad Alaska is here.

MR. ROWLAND: Delaware.

(No response.)

MR. ROWLAND: Florida.

MR. YELVINGTON: M. A. Yelvington.

MR. ROWLAND: Georgia.

MR. BULLOCK: George Bullock.

MR. ROWLAND: Hawaii.

(No response.)

MR. ROWLAND: Illinois.

MR. STERNSTEIN: Jerry Sternstein, Department of Local Government Affairs.

MR. ROWLAND: Indiana.

MR. BETTS: Charles Betts, State Building Commissioner.

MR. ROWLAND: Iowa.

MR. HENKE: Kenneth Henke.

MR. ROWLAND: Kansas.

MR. KRUEGER: Louis Krueger.

MR. ROWLAND: Kentucky.

(No response.)

MR. ROWLAND: Louisiana.

MR. OLIVER: Raymond Oliver.

MR. ROWLAND: Maine.

MR. BROWNRIGG: Brownrigg.

MR. ROWLAND: Maryland.

(No response.)

MR. ROWLAND: Massachusetts.

MR. RENICK: Douglas Renick.

MR. ROWLAND: Michigan.

MR. HILPRECHT: Robert Hilprecht.

MR. ROWLAND: Minnesota.

MR. MEYER: Herbert Meyer. I'm so glad Alaska is here.

(Laughter.)

MR. ROWLAND: Mississippi.

(No response.)

MR. ROWLAND: Missouri.

(No response.)

MR. ROWLAND: Montana.

MR. THURBER: Delmont Thurber, representing the State of Montana, the new adopted home of Chairman Bernard Cabelus.

(Laughter.)

MR. ROWLAND: Nebraska.

MR. BRAZIE: Charles Brazie representing Nebraska, the "Big Red."

MR. ROWLAND: Nevada.

MR. BAST: Richard Bast representing Nevada.

MR. ROWLAND: New Hampshire.

(No response.)

MR. ROWLAND: New Jersey.

MR. TARR: Chuck Tarr, Department of Community Affairs. I'd like to formally introduce Bill Connolly.

MR. ROWLAND: New Mexico.

MR. BERNTSEN: Robert Berntsen from Santa Fe, New Mexico, where we expect to see you all next year.

MR. ROWLAND: New York.

MR. NIELSEN: Louis Nielsen.

MR. ROWLAND: North Carolina.

MR. CHURCH: Kern Church.

MR. ROWLAND: North Dakota.

(No response.)

MR. ROWLAND: Ohio.

MR. ROSMARIN: Herbert Rosmarin, Division of Factory Building Inspection, representing Melvin Mull.

MR. ROWLAND: Oklahoma.

MR. ISOM: Allie Isom.

MR. ROWLAND: Oregon.

MR. BAKER: Harry Baker.

MR. ROWLAND: Pennsylvania.

MR. FRAMBACH: Robert Frambach, Pennsylvania.

MR. ROWLAND: Rhode Island.

MR. TURANO: Frank Turano, Department of Community Affairs, representing Frederick C. Williamson.

MR. ROWLAND: South Carolina.

(No response.)

MR. ROWLAND: South Dakota.

(No response.)

MR. ROWLAND: Tennessee.

MR. KIMSEY: Edward Kimsey, the great "Volunteer" State of Tennessee.

MR. ROWLAND: Texas.

MR. TALMAGE: "Hookem Horns" and "Gigem Aggies," Charles Talmage.

(Laughter.) (Applause.)

MR. ROWLAND: Utah.

(No response.)

MR. ROWLAND: Vermont.

(No response.)

MR. ROWLAND: Virginia.

MR. MULLEN: Sutton Mullen from the second home of George Washington.

(Applause.)

MR. ROWLAND: Washington.

MR. HEWITT: John C. Hewitt, Washington.

MR. ROWLAND: West Virginia.

MR. SMITTLE: Walter Smittle, West Virginia.

MR. ROWLAND: Wisconsin.

MR. WENNING: John Wenning, the delegate from Wisconsin. I'd like to welcome the Virgin Islands and I think we should incorporate them a little bit more into what the organization does.

MR. ROWLAND: Wyoming.

(No response.)

MR. ROWLAND: Puerto Rico.

(No response.)

MR. ROWLAND: Virgin Islands.

MR. SUAREZ: George Suarez, Virgin Islands; not as big as Texas, but every bit as good.

(Laughter.) (Applause.)

MR. ROWLAND: District of Columbia.

(No response.)

MR. THORNE: Arizona is here.

MR. ROWLAND: Has anyone else come in?



FROM THE FLOOR: Glen Swenson from Utah is on his way.

MR. GRAFF: Kentucky is here.

MR. FAULCONER: Frazier Faulconer, Kentucky, home of beautiful women and fast horses.  
(Laughter.)

MR. ROWLAND: Mr. Chairman, I have a count of 38 in attendance.

CHAIRMAN CABELUS: I think we have a few people missing. Someone said a couple of nights ago we had 41 States represented. I don't know whether that's been increased, but if this is a true number, I think this is our best attendance ever.

We are going to have a slight change in our program. We are going to have Gene Rowland introduce our next speaker. You will get an opportunity to question the speaker following his presentation.

MR. ROWLAND: At the Executive Committee meeting in Salt Lake City we felt that since NBS had made a presentation to the Sixth Annual Conference in Connecticut, that it would be appropriate for you to hear from other Federal agencies that may affect what you are doing in building codes.

It's through this direction that Bernie wrote a letter to Dr. Kushner to address this group today. For some background, I might say that he was a Deputy Director of the NBS Institute for Applied Technology (IAT) when John Eberhard (then IAT Director) went to Wisconsin in 1967. Dr. Kushner moved from that position to Director of the Institute, and then Deputy Director of the Bureau. Just recently he has been appointed as a Commissioner of the Consumer Product Safety Commission, one of the five Commissioners developing the policy, the program, the staffing, and the future for that particular new agency.

I am sure that you, as well as myself, want to listen to what Dr. Kushner has to say to us. I want to address him as Commissioner Kushner now.

He said that he will welcome questions after he has completed his formal presentation. So, Larry, please come to the microphone.

#### PRESENTATION ON BEHALF OF THE CONSUMER PRODUCT SAFETY COMMISSION

COMMISSIONER KUSHNER: I hope that if someday somebody writes the history of the National Conference of States on Building Codes and Standards, that history will reflect my support of the Conference from its earliest days. While I was at the National Bureau of Standards, I was convinced that an organization of State officials was the most promising way that this Country could go about the business of building code reform and putting our whole set of building regulations into a coherent form. I am delighted that you're now holding your 7th Annual Conference and that practically all the States have sent representatives.

Let me give a little background on why I'm here.

The story goes back to the mid-sixties. It begins with the efforts of Ralph Nader and his associates to highlight the problems associated with automobile safety. In time, they stimulated a general interest in product safety and in a few years, Congress had directed attention to a number of problems in addition to the automobile. Following enactment of the automobile safety legislation, laws concerning toy safety, fabric flammability, child resistant packaging for hazardous household substances, and radiation safety, among others, were passed. In short, ad hoc responses to a series of specific problems were undertaken by Congress.

By the end of the decade Congress believed it could not continue in this piecemeal fashion. A two-year study of the broad subject of consumer product safety was commissioned. Completed in 1970, it was an excellent study presenting to Congress an array of facts bearing on the safety of consumers in their use of a wide variety of products. That study recommended to Congress that a new independent, regulatory agency was needed; one that would have broad authority to regulate the safety of all consumer products.

Congress bought that idea, and in October of 1972 enacted and the President signed the Consumer Product Safety Act of 1972.

What did that Act do?

The Act did, in fact, set up a new Federal regulatory agency, the Consumer Product Safety Commission. Let me emphasize that this is a regulatory agency. It is not a study commission. It is not to be confused with the National Commission on Product Safety which made the two-year study, wrote its report and recommendations, and then went out of existence.

The Consumer Product Safety Commission is equivalent to the other independent, regulatory agencies such as the Federal Trade Commission, the Federal Power Commission, the Federal Communications Commission, the Interstate Commerce Commission, and the Securities and Exchange Commission. The agency has its policy set by five Commissioners who are nominated by the President and confirmed by the Senate.

The mission of the Consumer Product Safety Commission is simple. It is to reduce the hazards that our citizens face in their use of consumer products. A consumer product is defined broadly as any article manufactured for, or intended for use by, a consumer in or around the home, at school, in recreation, or otherwise.

Does the Commission have the power to deal effectively with the hazards it finds? Before I get into specifics, let me tell you what other people have said about that.

Nation's Business, September 1973

"Many veteran government watchers believe it is potentially the most powerful federal regulatory agency ever created.

Congressman Jamie L. Whitten, in appropriations hearings on the Commission:

"The Commission has so much power here its really unbelievable...You've got life or death over whether consumers have anything to consume.

...more power than a good man wants or a bad man should have."

James J. Kilpatrick, syndicated columnist:

"It must have been quite a moment for Dr. Frankenstein when his monster got off the table and walked...The Congress might well have put itself in the same fix with the Consumer Product Safety Commission."

These estimates of the power of the Commission may be exaggerations, but basically they are on track. They arise from the range of products covered, the range of regulatory options available to the Commission, and the penalties that the law provides.

The Commission has the choice, depending on the nature of the product hazard, of a ban, seizure, mandatory standard, voluntary standard, or reliance on consumer education. Which is used depends on the nature of the specific case. The Commission can, under

certain circumstances, force manufacturers to recall, repurchase, repair, or replace defective products even if they are not subject to a standard, if, because of the defect, they could present a substantial hazard.

The Commission's mandatory standards have the force of law. The penalties that can be imposed for violation of a mandatory standard or other product safety regulation promulgated by the Commission are substantial--civil penalties up to \$500,000 and criminal penalties of \$50,000 and/or a year in jail. It's really the criminal penalties that are important. It's no problem for a corporation to pay a fine, but corporations don't go to jail, people go to jail. And people run corporations and are ultimately responsible for what a corporation does.

Do we have the resources to use these authorities effectively? Yes, we do. This is our first year of operation; the Commission became operational last May so we are approaching our first anniversary. In this first year we have had a budget in excess of \$30,000,000 and a staff of approximately 750. The President's budget for FY 1975 requests more than \$40,000,000 and a staff of about 900. More than half of this staff is distributed in 14 area offices around the Country. These people are inspectors and investigators. They are, in effect, the muscles and sinew of the compliance and enforcement arm of the Commission.

It has not been my intention to come here and threaten or boast about the authority that the Commission has. The Commissioners are cognizant that they have a lot of authority. They are determined to use it judiciously in a spirit of cooperation with all parties that are legitimately concerned with the same issues. We are keenly aware of the adverse impact we can have if we use this authority unwisely. I hope you will be convinced of our intentions in this regard.

One of the reasons that Congress created an agency that had authority over a broad range of consumer products was that it wanted one that could deal with hazardous products on a rational, prioritized basis. This has been a keystone in the development of the Commission's programs. We want to deal with the most important hazard first.

I believe we have an excellent system that gives us knowledge of which products are causing the biggest problems. We have a system called NEISS (the National Electronic Injury Surveillance System). This system involves 119 hospital emergency rooms selected to give us a statistically and demographically significant picture for the entire Country. These 119 hospital emergency rooms are tied through a computer network to our Bureau of Epidemiology in Washington. Daily, we get from each one reports of all injuries coming in for treatment that have involved consumer products. We get over 1,000 such injury reports a day. We now have well over half a million reports in our computerized data base.

Each of these reports identifies the product, the nature of the injury, the age and sex of the victim and other relevant information having to do with the accident.

In order to display this information in useful form for the Commission or for anybody else who may be interested, we have developed something we call our Consumer Product Hazard Index. This Index ranks nearly 400 different categories of consumer products on the basis of both the frequency with which the product is cited in accident reports and the seriousness of the injuries involving it. We double-weight those accidents involving children under 10 years of age.

This Consumer Product Hazard Index is public information. The first version was issued last October and many copies have already been distributed. We are eager for companies to see how their products are doing and perhaps do something voluntarily to improve their safety record before a problem becomes critical.



We don't regard the Consumer Product Hazard Index as a priority list in that we've got to take care of number 1 first, then number 2, number 3 and so on. This Index tells us which products are generally toward the top of the list and thus warrant the expenditure of our own resources. Those toward the bottom of the list may not require very much by way of resources from the Commission. Voluntary industry action may suffice.

Before deciding how to deal with any particular product on the list, the Commission studies carefully and in depth a representative sampling of the accidents in our data base which have involved that product. We need to find out exactly what happened. What was the nature of the injury? What was the nature of the hazard? Only with this kind of knowledge can we understand the hazard and deal intelligently with it.

When the list first came out last October, I was surprised by what it showed. I wasn't surprised that bicycles, or power mowers, or matches were high on the list. But I was surprised that out of the top twenty, six were items that are structural components of the home or built-in appliances or equipment. These are the kinds of things that are supposed to be regulated by our system of building codes and standards.

It is clear that our present regulatory system does not deal effectively with many of the aspects of safety of the home with which the Commission is concerned. Stairs, ramps and landings turned out to be number 2 on the hit parade; followed closely by doors, number 3. Architectural glass, bathtubs and shower enclosures, cooking ranges and ovens are in the top 20. Hot water heaters, furnaces, floors and flooring materials are not far behind. Clearly, the home presents a number of safety problems to which the Commission must direct attention.

It remains to be seen what specific actions would be appropriate for the Commission to take. But it is obvious that the present system is letting an awful lot get by that perhaps could be eliminated. On the basis of our statistics, one can project 3/4 of a million injuries per year that involve these elements of the home and will be treated in hospital emergency rooms. Since we know that only about 40% of all injuries requiring medical attention go to hospital emergency rooms, one can multiply by a factor of 2.5 to approximate a total national projection.

Being honest about it, these numbers represent injuries in which one of these features of the home was cited as being involved, not necessarily as having caused the accident. But even if only 1/2 or 1/3 of those accidents were actually caused by the product, it doesn't follow that the Commission's interest in the product should also be divided by 2 or by 3.

It doesn't pay to dwell on whether or not the Commission has authority to regulate these features of the home. The legislative history is quite clear that we do--with specific reference to architectural glass and aluminum wiring. Although the Commission does not have authority over the basic structure of the mobile home as a unit, the legislative history does make clear "...that the term 'consumer product' would include any component, equipment or appliance sold with or used in or around a mobile home."

Now what is the Commission doing in this area:

The Commission, in response to a petition from the Consumer Safety Glazing Committee, is about to begin the development of a mandatory standard that will be applicable to architectural glass in residences.

We are dealing with the aluminum wire situation on two levels. One is to eliminate the problem in future homes. This ultimately involves making the judgment whether or not the present state of technology of aluminum wire and of the devices used with it in branch circuits in homes is such as to give the Commission confidence that they can be used without presenting unusual risks in the future. This is a technical judgment which we have not yet made. We need to know how good the new testing and evaluation techniques are.



We are also concerned about the retrospective aluminum wire problem. Nearly 2 million homes in the U. S. already have aluminum-wired branch circuits. I have the impression, based on the information presented at the Commission's public hearings in Washington, D. C., and Los Angeles, that a substantial fraction of those homes may put their occupants at special risk. Such information as is available to us appears to show that a person who lives in a house that was built in the 1960's and has aluminum branch circuit wiring in it probably faces a risk of fire from a failure in the branch circuits which is substantially greater than that faced by the resident of a home with copper-wired branch circuits. This is a serious problem, and the Commission is trying to come up with recommendations that would be useful.

The Commission has research projects underway at the National Bureau of Standards that are designed to give us the information we need in order to make intelligent decisions on stairs, ramps and landings, floors and flooring materials, and doors.

The Commission has over \$2.5 million under contract this fiscal year at the National Bureau of Standards involving over 50 manyears of effort. In addition, the Commission has its own staff of experienced and competent engineers. We don't yet have our own laboratory facilities for mechanical and electrical testing, but we do have the nucleus of an excellent engineering staff. We have a fine toxicology group which can hold its head up in any company. The decisions of the Commission involve technical considerations in many ways, and we want to get the very best technical advice we can.

Let me return to the aluminum wiring problem. Since you are regulators, it should be of particular concern to you people. It has arisen in spite of the existence of a regulatory "system" that is designed to prevent just such an occurrence. The fact of the matter is I used the wrong word when I referred to this regulatory "system." It's a regulatory "non-system."

The basic document is the National Electrical Code, which was developed and is maintained by a committee under the auspices of the National Fire Protection Association. The committee consists of representatives of manufacturers, electrical inspectors, testing laboratories and code officials, among others. The code itself, has all the good features of a consensus standard--and all the bad features of a consensus standard. No single group takes responsibility for it.

The "system" relies very heavily on certification by private bodies, principal among them being Underwriters' Laboratories, that have no direct public accountability and are not necessarily independent financially of the companies whose products they certify.

The actual installation of the wiring and the devices is performed by people with a variety of levels of skill--from essentially none to apprentice, journeyman, or master electrician. The qualifications requirements vary from code jurisdiction to code jurisdiction or from region to region. Only the unions appear to have a training program for apprentices, but most residences may not be constructed with union labor. Building inspectors have limited access to continuing education and training. Inspection suffers from all the faults typical of understaffed, underfunded regulatory programs at all levels of government. And enforcement is correspondingly weak.

This is the set of circumstances that permitted a number of homes approaching 2 million to have a wiring system that is judged to be relatively unsafe, and has presented a situation which is very, very difficult to know how to undo or redress. Where does one assess liability? Whose responsibility is it that there are nearly 2 million homes this way?

It is not my intention to berate UL as a participant in this "non-system." The safety of consumers would be much less than it is were it not for UL. But the fact of the matter is that UL is a private organization. It can't be too independent. It has no public accountability. In the final analysis it is accountable to those who pay for its services. Yet, it has come to play the critical role in providing confidence in the system--not by evil design or intent, but by inattention and disorganization in the rest of the system.

You can look forward to the Commission getting involved in these home safety areas in a thoughtful and not in an overbearing fashion. I hope that there will be genuine cooperation between the Commission, NCSBCS and all organizations that are part of the regulatory apparatus. Our mutual goal is the health and safety of the people who live in these homes. This shouldn't be a "this is our territory--you guys keep out" kind of situation. All of the Commission's policies and procedures are intended to offer the opportunity for participation by and cooperation with all interested parties.

In the final analysis, the Commission's rules preempt anybody else's rules dealing with the same hazard. We will seek your assistance in writing whatever regulations we decide are reasonable and necessary. If our regulations make sense--and they should with your help--then you should be interested and eager to help enforce them. I think this is the right way to go.

The Consumer Product Safety Commission has no interest in developing a staff of field inspectors that duplicates your own capabilities. You have the resources. You have the people. You have the skills and you have the experience to continue doing that job.

I don't have definitive answers to all of the specific questions that can be posed about the detailed interaction of the Commission and this group. The Consumer Product Safety Act requires the Commission to cooperate with State and local bodies. We are, even now, setting up mechanisms through which this cooperation can come about.

We are just getting into the building safety problem and we're walking very, very carefully. That after all, is why I'm here. It is useful for you and the Commission to get involved in a continuing dialogue. But we all have the same interest--to secure the safety of our citizens in their homes. Bearing that in mind, I don't think we are going to have more difficulty than we can contend with. Thank you.

(Applause.)

COMMISSIONER KUSHNER: Now I'll be happy to try to answer any questions that you'd like to put to me. Let me first find out whether or not there is time.

CHAIRMAN CABELUS: Go right ahead.

FROM THE FLOOR: Your talk indicates that you identify a hazard or define a hazard as being associated with life safety rather than damage to property. Is that correct?

COMMISSIONER KUSHNER: That is correct.

MR. FERGUSON: Is the risk index that you referred to weighted by exposure or is that purely statistically based on the number of incidents reported?

COMMISSIONER KUSHNER: As of this moment, there are only three factors that are involved in the index. All that I am prepared to say is that there is a basic set; the frequency of the citation of a product in accident reports, the severity of the injury and then whether or not the injury involved someone less than 10 years old.

The whole problem of setting a set of priorities does involve such things as exposure. You need to take into account how often the person is likely to come in contact with this particular hazard.



It also involves whether or not the hazard is assumed voluntarily or involuntarily; whether it's assumed knowingly or unknowingly. There are many factors that need to go into the determination as to what is the appropriate level of concern on the part of the Commission.

MR. FERGUSON: You indicated surprise that the top 20 list contained a lot of items that related to the home where, obviously, all of us have spent at least half of our day and probably somewhat more than that. Why were you surprised?

COMMISSIONER KUSHNER: Because I didn't expect to see it. It's just that simple. I was surprised. You know, you're quite right. People walk up and down the stairs all day long. You would expect to find a lot of accidents. That doesn't make it any less of a problem, does it?

MR. FERGUSON: I think it does.

COMMISSIONER KUSHNER: Well, there's a point of disagreement there.

MR. CONNOLLY: You mentioned something that sounded very interesting. You indicated that you had a very substantial budget to take care of this problem. It didn't really sound like a lot of money to me, concerning the breadth of the problem. You said you wanted to cooperate with people who are already in the field of enforcing health and safety standards. Could you talk a little bit more on that or about when we could expect that to happen?

COMMISSIONER KUSHNER: Let me try to take it piece-by-piece. Thirty million dollars in the first year of an agency's existence going up to something like \$40 million seems like a lot to somebody who came from an agency that got up to \$60 million in 80 years. I am referring to the National Bureau of Standards.

The point I want to make is that Congress has been supporting the Commission and I believe that if we find a need for substantially more money, I am reasonably optimistic about our being able to get it.

On the other hand, I think it is probably more important that we do establish cooperation with agencies and groups that already have substantial resources that can be brought to bear on it.

Our effort to get together with the states has been, in a sense, on a parallel to the effort reflected in this Conference. This May we are having a conference of state officials concerned with consumer product safety. To the best of my knowledge, all of the states will be represented by appropriate officials at the state level.

I think each of you should try to find out in your own state who it is that is representing the state in this area and make your presence felt, at least, insofar as the Commission's and your concerns overlap in connection with home safety.

This is just an exploratory meeting with the state people. As I say, it will be held some time this month. I would check to find out who in your state is going to be representing your state at this conference.

MR. FERGUSON: You don't mean to preempt enforcement?

COMMISSIONER KUSHNER: I don't see any reason why one should need to. It would be kind of foolish for us to begin putting inspectors in the field if there are already inspectors in the field.

MR. KIMSEY: We have a total electric inspection program in the State whereby all electrical installations are inspected prior to service. I am quite interested in your comment on the 75 times greater hazard in those homes that have aluminum wiring over copper. How did you arrive at those figures?

COMMISSIONER KUSHNER: These are statistics that have been presented to the Commission over a period of time and also presented to the Commission at a public hearing held last month in Washington. There was another one held out on the West Coast in Los Angeles.

This is on the basis of analyses of data that we have gotten from fire marshals at various places around the Country. I really don't want to hang my hat on those particular figures, but on the other hand, I am personally convinced that aluminum wiring in branch circuits, as installed in years past, presents a substantial hazard to the people that have them.

I don't know if it's 75 or 150, I don't know if it's 30 times. These sketchy statistics would appear to suggest somewhere around 75. As I say, these statistics are obtained basically from fire marshals as the result of an Underwriters' Laboratories survey. I'll be happy to have you write to me and I'll send you all the information we have on that.

MR. BEARDMORE: To whom is the Commission responsible or accountable?

COMMISSIONER KUSHNER: We are an independent regulatory agency which means, in effect, you are accountable to all three branches of the government in a sense. You're certainly accountable to Congress through the oversight that they provide the agency and through Congress's control of your budget.

You're accountable to the judiciary in the sense that all of the Commission's decisions are reviewable in the courts. We can be taken into court. The Executive Branch, that is the President, gets his input when he nominates the Commissioners.

MR. DOWLING: It's a matter of public record in the last six months that some speakers from the Commission have stated that, if necessary, they will write a building code. Could you elaborate on that a little bit?

FROM THE FLOOR: Elaborate a lot, if you will.

(Laughter.)

COMMISSIONER KUSHNER: Well, let the guy who said that defend it. I didn't say it. I said that the Commission had a legitimate interest in the home because of our responsibilities in connection with consumer safety. That is, the individual safety of our citizens.

I think the Commission would be foolish to write a national building code. First of all, building codes do involve many factors which you all know better than I, factors that are not particularly the business of the Consumer Product Safety Commission.

I don't see any need to have a national building code to take care of the problems that we foresee because, as I say, if push comes to shove and we write a rule and it preempts the building code with respect to that particular hazard, I wouldn't see any difficulty or reluctance to have local inspectors enforce a Federal rule rather than what the building code might have said with respect to that specific hazard.

I can foresee a situation in which there continues to be a basic structure of building codes that we have today, but that some specific hazards would be regulated according to a Federal rule. That's a situation with which I can live.

I don't know whether or not the rest of the people here can. With respect to a national building code, we have other things to do.

MR. BERINGER: You outlined the problem of aluminum wire. Would you please share with us what your Commission intends to do about the problem?



COMMISSIONER KUSHNER: What we have done about it up until now is simply tried to become as well informed as we possibly can about the extent of the problem and what the options are that the Commission might take.

As I mentioned, we held public hearings both on the East Coast and West Coast within the past month to try to get as much information as we could from individuals from industry who are concerned with it who wanted to present information to us; either for or against--on one side or the other with respect to the safety of aluminum wiring.

We've been trying to get expert opinion on the likelihood that present developments in connection with switches and outlets and new types of aluminum alloys for wire and whether or not these developments promise to provide safety for the future if they are used.

What we are trying to do is to understand the problem, try to understand the options that are available to the Commission and hopefully, within a few months make some decisions as to where we think we ought to go.

MR. CHURCH: It seems to me that your organization could be a big asset to the local officials in trying to protect the element of safety. We are in the process. On the other hand, it seems to me that it would be detrimental, depending on the situation of two-way communications.

In developing the standards themselves, it would be very useful for the model codes or any other standard-writing organization, states or cities, to get to some of these problems and correct them before you even get to them.

COMMISSIONER KUSHNER: It's all public. You can write to us too.

MR. CHURCH: Well, I was going to suggest something to you. Maybe these things could be communicated to the delegates and members. Perhaps you could put us on a mailing list. This would be very helpful.

The other thing is, as you mentioned, you probably wouldn't do anything about the enforcement. I don't think any of us need to be told, time and time again, that we don't have good and adequate enforcement of all of our codes throughout the Country.

I haven't heard you say anything about anything that's going to help that immediately. For instance, the aluminum wiring. We have had quite a problem with that, but it's mostly enforcement, not being installed properly with the proper type of interface connections. If you do it right, it's going to be cheaper and easier than copper. Anyway, we have to wrestle with it as a legal agency before we can outlaw aluminum wiring.

What you're saying is that if your Commission took the position that this was really the case, it would make it easier for us to correct at the State and local level.

CHAIRMAN CABELUS: If, in effect, we find that this aluminum wire becomes a problem and you all make a recommendation, who is going to enforce those particular recommendations? The departments of consumer protection or the building code sections of the various states and cities?

This is the key point we're getting to here, because if you're going to go to the normal consumer protection departments, they're not equipped to qualify.

COMMISSIONER KUSHNER: I guess the best answer I could say is depending on what the Commission ultimately decides to do, we are going to try to rely on those groups, those agencies that are in the best position to help us.

You know, if we're dealing with hazards in the home, I think it's reasonable to expect that one might get much more useful assistance from the building code inspectors and electrical inspectors than one is likely to get from consumer product inspectors in the various states. I'd say that we're going to try to do what is the most intelligent and reasonable thing to do under any set of circumstances.

CHAIRMAN CABELUS: Mr. Church and I have the same desires and, I think the same forebodings about this. When the problem is identified it all depends on who makes the determination as to where it is going to be assigned and who is going to enforce it.

If the determination is one dealing with building construction and it goes to the building official, fine. We are happy. If it goes into another group, then we have problems. We have people that are design professionals, people like Jim Dowling, architects--and so on. If they have to come to the building people in the State organization or local organization and then to the consumers, and one is saying one thing and one is saying another, then we have problems.

If you're going to give it to the consumers who are going to preempt our code technicians and inspectors, we also have problems. I think you can see there's got to be a lot of apprehension among the members of this Conference as to where designation or final assignment is going to be, and who's going to make the determination. If it works right, it could be great. If it goes the other way, it could be a horror.

COMMISSIONER KUSHNER: The best thing I can say to you is that as a matter of policy, the Commission wants input from everybody that has something useful to tell the Commission in terms of the description of the problem, or ways to handle the problem, or enforcement difficulties that are likely to arise and who should be involved.

Now, when I say this, I don't mean to accept the obligation on behalf of the Commission to run continuously to the Conference and say, "Hey, what do you guys think?" You guys have an obligation to know that there is another agency now that is concerned with the same kind of problems you are, and this organization needs to accept the responsibility to stay on top of us. We both have responsibilities in connection with this communication problem.

MR. YELVINGTON: When you are making your decisions before publishing them, are you going to be considering economics in any way?

COMMISSIONER KUSHNER: Yes, indeed. The law requires that any of the Commission's decisions shall take into account the economic consequences of what it is proposing. This doesn't mean that there is an arbitrary reliance on a cost/benefit relationship; that if it's less than one you don't do it. That isn't what the law had in mind, but the law does want the Commission to be cognizant of the economic impact on what it's proposing and we have, in our organization, a separate Bureau of Economic Analysis whose purpose is to keep us apprised of the cost of what we're going to be proposing.

MR. CHURCH: Dr. Kushner, I agree with you that we have an obligation in the State to improve the standards. On the other hand, you have the money and you are gathering statistics, which would be very useful, that we have never been able to amass in any way, shape or form from our own localities, States or at the national level. Whenever you gather statistics and feel it's necessary to move, if those parties that are involved in writing codes and standards could be on the mailing list and receive the information that you have at the time when you have a hearing, it would be very helpful to us. You do have a mailing list?

COMMISSIONER KUSHNER: Yes. More than that, we have a public notice policy. First of all, any rules that we develop are developed according to the Administrative Procedures Act.



They are all developed in public. The public also has an opportunity to participate. The notices of meetings appear not only in the Federal Register which only relatively few lawyers around the Country get to see with any regularity, but are announced through press releases and so on.

Our mutual friends at NBS generally know everything that is going on. There are all sorts of ways, including the Commission's trying to get in touch with you people specifically, to keep you informed of it.

MR. MEYER: I get intrigued with this retrospect aspect you talk about. You tell us about the law and I agree with it; it has a great future. But, how does the Federal government mandate a re-inspection and the replacing of stairs in homes, or even replacing aluminum wire? We have found in many years of experience that the courts look very dimly on anybody, including an inspector, going into a home without the permission of the homeowner. I don't know whether or not you now have suddenly found a magic formula for doing the things we've tried to do for 30 years.

(Laughter.)

COMMISSIONER KUSHNER: No, we don't have any magic formula, obviously. All we have is a set of words that is law. You have to go through a whole set of particular realities before you can deal with these things.

I didn't make one point in my talk. I recognize that there are two kinds of problems that one runs into in the home that are in connection with safety.

In general, some of the things that you are concerned with are manufacturer-produced. We can deal with those things easily. You can inspect them in the factory. There are all sorts of ways you can handle that.

Many of the things we are dealing with now are the result of local building practices, on-the-spot kind of decisions made by technicians, and involve local inspection and all of the other problems that you and I both are familiar with. The law didn't anticipate those kinds of problems and I think that the Commission is, in a sense, plowing some new ground in how one deals with those kinds of problems.

Now, it's old ground as far as the state and local governments are concerned. It's new ground as far as the Federal Government is concerned. You know, we have to take advantage of what is already known and the skills that are here already.

I think maybe I ought to sit down now. So far, I'm ahead.

(laughter.)

MR. ROWLAND: Larry is going to be here for a while. One of his staff, Wayne Schiffelbein, is also here in the front row and will be available to answer any questions. We certainly appreciate their taking the time to come here today.

COMMISSIONER KUSHNER: Thanks, Gene. I hope nobody feels much worse now than they did about an hour ago.

(Applause.)

MR. ROWLAND: As I said earlier, the Executive Committee had an opportunity at the Salt Lake City meeting to meet with the General Counsel of the Consumer Product Safety Commission, Mr. Michael A. Brown, who was taken over to the Commission, or I might say stolen, by people like Commissioner Kushner.

Mike was the Assistant General Counsel in the Department of Commerce working with the Bureau. Mike has worked with this Conference. He's well aware of the group. At that meeting, he said he would forward to us a list of the Consumer Product Safety Commission designees from your individual States, as well as a program of the conference that is coming up May 15 through 17, alluded to by Commissioner Kushner.

I have both of these available here. If you want to know who your state representative is in the consumer product area, this will be available to you during the coffee break.

We will be mailing it to everybody immediately after this meeting. We have received additional programs in our office and we can get them to you.

I think it is important, as Commissioner Kushner presented to us, that there is a two-way street here. Your Governor has appointed these designees by request of the Commission. It will be your responsibility when you go home to sit down with your Governor and the designee, and talk about the overlap of the two areas and some of the problems. You might be involved in or at least attend the program on May 15 to 17. As Commissioner Kushner has said, many of these top items are those things that are really involved in the building. There needs to be a cooperative effort at the State government level, as well as working with the Commission and others in Washington.

We would like to proceed with another part of the program and try to conclude it before our coffee break, and maybe even hit some questions on the energy document because we have a representative here now.

Mr. Buchbinder is from the NBS Programmatic Center for Fire Research, Office of Information and Hazard Analysis. He is working with the National Fire Incident System, a portion of the National Fire Data System concept which is currently being implemented at NBS. He is here to present a background of what is going on in NBS and the fire data collection programs.

Mr. Buchbinder, if you are here and ready, you can present your story for the group at this time.

#### PRESENTATION OF THE NATIONAL FIRE DATA SYSTEM

(Whereupon slides were presented to the delegates.)

MR. BUCHBINDER: Thank you, Gene, Bernie, ladies and gentlemen. I do appreciate the opportunity to address NCSBCS and continue to promote coordination between our interrelated areas of building codes and fire.

The staggering annual toll from fire in the United States consists, in terms of human losses alone, of thousands of deaths and hundreds of thousands of injuries. The National Fire Data System is a concept of the Fire Technology Division at the Bureau of Standards for collecting, analyzing, and focusing fire data required in a variety of programs aimed at reducing the toll of fire accidents.

Following the report of the National Commission on Fire Prevention and Control, there is now legislation in process in the Congress to substantially enlarge fire related activities by the creation of a new fire organization in the Department of Commerce. In November, the Senate passed Senate Bill 1769, and just two days ago, on Monday, the House of Representatives passed HR 11989, with only 12 dissenting votes. The legislation now goes to a Senate-House conference.

Now, what is the National Fire Data System concept? I would like to briefly outline the program as we conceive it, and describe the current areas of activity at NBS. First, let's look at the purposes of NFDS. Broadly speaking, there are four purposes for the National Fire Data System. The first is to measure the incidence of fire, both regionally



and nationally, in this Country. The second purpose is to identify problem areas as focal points for setting program priorities. The third purpose is to provide detailed data in specific problem areas in direct support of specific programs. Finally, after we have established a good measurement baseline over a period of time, we hope to measure program effectiveness.

The NFDS user community, in the broadest terms, encompasses the areas of research, codes and standards development, and the fire services themselves. Earlier, I mentioned that NFDS is a concept rather than a system. This is because it involves data files of individual fire incidents, summary files of fire loss experience, background files of fire department characteristics and demographic data, detailed case history files relating to specific problem areas, and compilations of technical information which are not data files at all. The word "system" in National Fire Data System implies the combination of these elements to provide the sum total of information and data required by a particular user for a particular use.

One of the major elements of the NFDS concept is the Fire Incident System currently being developed. This system addresses the first of our four major purposes--the measurement of fire incidence. The pilot system implementation of the Fire Incident System currently underway is based on a data file of individual fire incident reports, prepared by the fire services in the field. The list of data elements in the file is based on consideration of the desired output. It is based also on the very practical consideration of which data elements are available from the systems that are currently in use in the United States. The system will operate with existing data sources. The basic requirements for a state or local area to participate in the pilot are that the definitions they use in their fire reporting be basically compatible with NFPA Standard 901 so that we can combine the information, and that they cover most of the data elements in the file. The system concept requires wide output dissemination so that we can actively solicit feedback from the entire user community on the usefulness of output from the pilot implementation.

The growth of the Fire Incident System will be truly evolutionary. We expect, based on the pilot experience, to increase the scope of the data encompassed on the system, and also eventually to enlarge the coverage of the system to make it truly national. We hope that the States not yet collecting fire incident data will benefit from the experience of the pilot system and start their data collection on the "second floor" instead of in the basement, where we are figuratively beginning right now.

Another project which is designed to contribute to the measurement of fire incidence, is the National Fire Survey. This survey is cosponsored by NBS and the Consumer Product Safety Commission. After two years of pre-testing and preparation, the field interviews were just completed during the week of April 15. It was a "piggyback" or supplement on the monthly Current Population Survey that the Bureau of the Census regularly carries out. There were 33,000 households in the survey. Each household was queried regarding the incidence of any type of fire accident involving any member of the household. Upon positive response, a questionnaire was completed with 25 items detailing the incident. Another questionnaire was completed for injuries or deaths which may have resulted from the accident. This survey takes advantage of the existing field force and sampling plan of the Census Bureau. We are cautiously optimistic that late in the fall we will have the first statistically-valid estimate of fire incidence in American households.

In addition to these systems which address the measurement of fire incidence, let me quickly mention those activities involving detailed case history systems for in-depth problem understanding. The Flammable Fabric Accident Case and Testing System is based on detailed case history reports supplied by the Consumer Product Safety System. There are

now over 3,000 cases in this file which have been used in support of the standards in the fabric flammability area. These detailed case history files allow us to study the patterns of different kinds of fire accidents from ignition source, to human activity, and to the materials ignited, and to the resulting injury severity. Based on such studies, we are able to support various programs to reduce fire loss. We are currently embarking on another detailed case history file in the area of synthetic polymers.

In conclusion, I would like to thank NCSBCS for the support we received in promoting the concept of the uniform fire incident report, specifically, by means of the letters sent to the governors of the 50 States. I hope that this brief overview has provided some insight into the National Fire Data System activities at NBS. We, in the fire program, are anxious to continue and enhance the cooperative efforts with the building codes and standards community in the pursuit of greater life safety. Thank you.

CHAIRMAN CABELUS: Thank you, Mr. Buchbinder. Ladies and gentlemen, we will now take our coffee break.

(Afternoon recess.)

CHAIRMAN CABELUS: Again, we are going to change our order of business just a bit because we have the gentlemen we have all been waiting to hear. He comes from that great group they call ASHRAE.

Mr. Jack Tumilty is Chairman of the ASHRAE Committee on Energy and is going to come up here and give a progress report. I would imagine that he will be open to questions. If you address any questions to him, please first identify yourself for the record. Thank you.

#### PRESENTATION OF THE ENERGY REPORT

MR. TUMILTY: Well, I'll toot my own horn. Ladies and gentlemen, I appreciate the opportunity of coming today. I hope that I will be able to answer some of your questions by giving you an update on what ASHRAE is doing, what we plan to be able to do, and possibly something along the line of our schedule.

As to my background, I'm an ASHRAE member and have been for a good number of years. I am a consulting engineer and practice engineering in Tulsa, Oklahoma where I am a Vice President of Collins Engineering Associates.

There may be some of you who know William J. Collins, Jr., who is President-Elect, almost President-Elect of ASHRAE. That may not make me an expert in energy, but I got the job and so here I am.

On February 27, our President, Rod Kirkwood, received the NBS document which had been prepared at your direction. We were asked to take that document and prepare a standard.

In ASHRAE, this is generally, a very tedious and time-consuming operation. We were asked to make the time as short as possible because of the need for a new standard, or a standard in energy conservation, or the reduction of energy use in new buildings.

We have tried to do this. We formed a committee which I was asked to chair. It is a regular ASHRAE standard-writing project committee.

It is a larger committee than normal. We have included on that committee people who are particularly interested in certain portions of building. We have a representative from the American Institute of Architects, one from the Illuminating Engineers Society, one from the Electric Energy Association, as well as people in ASHRAE who are experts in equipment, equipment rating, equipment manufacturing, users of equipment and designers. We also have two other consulting engineers. The make-up of the committee is a cross-section of our industry. Suffice it to say, we have met five times already since the first of March for one- or two-day meetings.



We took the NBS document and literally took it apart. We handed individual chapters to people on my committee and asked that they review that particular chapter as far as ASHRAE's standards and procedures are concerned, and come up with what will now be a re-write of chapters, and produce an ASHRAE standard.

We are in the process now of finalizing that operation. We had hoped to be finished by May 1. Obviously, we are not or I would be waving something here in my hand.

I think we've come a long way. Our next meeting is May 9. At that time, we will have all of the rewritten chapters for the Executive Committee to review.

Following that, assuming that the Executive Committee is capable of putting together a standard at that time, we will produce a draft, the first draft of ASHRAE Standard 90-P.

This draft will be sent to the ASHRAE Standards Committee and it will be instructed to send this out for open review. We also have a small problem with copyrights, so we are not going to turn loose of this first draft until our legal counsel has made a determination about how ASHRAE can, in fact, copyright a draft of a standard. This is in the process now and we expect the problem to be worked out by May 9.

Following the time that it goes out for open review, there will be approximately 90 days during which anyone that is interested in the draft can take a look at it and provide written comments.

At the present time, we expect the review period to end on August 31, 1974. However, this time period will be publicized. Adequate time will be given for people to look at our draft and to comment on it.

When the comments are received at ASHRAE headquarters, they will be sent back to my committee, and will be utilized in finalizing the ASHRAE standard which you are looking forward to receiving.

It is our hope--our intention--to have this standard available by the end of this year. However, I should say this to you, the draft which will come out very soon probably will be changed. I caution you to go easy with the draft, if you are planning to wave it in front of the face of code-writing people.

Let me explain to you now what an ASHRAE standard is, and what you will need to do with it. An ASHRAE standard is not a piece of legislation. Those of you that are interested in refrigeration may know of the B9 Code, Refrigeration Safety. This is basically an ASHRAE standard, but it is referenced in most codes where refrigeration safety is involved.

This is the sort of thing that ASHRAE is producing. We are producing a regular standard which can be referenced by number into your legislation. There will be no legislative implementation contained in our document because we can't write that sort of thing; but, there will be available to you information on how to implement this thing; possibly not from ASHRAE, but the Bureau of Standards. I understand they are planning on helping with this particular phase.

You will reference, in the final analysis, the ASHRAE standard by number and it will look very much like what ASHRAE normally produces in a standard.

I believe I have covered, generally, what we are doing, where we are and what we hope to do, and I will be most happy to try to answer your questions if any of you have some.

MR. ANDERSON: Where and from whom will copies of the draft, when your committee finishes it, be available?

MR. TUMILTY: It will be available from ASHRAE headquarters, 345 East 47th Street, New York, from Nicholas A. LaCourte, Director of Standards.

MR. DUKE: Sir, what happened to the interim standard that is supposed to come out May 1?

MR. TUMILTY: You notice that I have dropped the word "interim." Let me explain to you what ASHRAE, and particularly my committee, has considered.

We were asked to produce a standard. It was called an interim standard, but we have felt that that word "interim" has a certain connotation of something that is going to be easily or quickly replaced.

ASHRAE has no procedure for producing such a thing as an interim standard. Therefore, we have dropped that word from our vocabulary and we are calling this a draft.

It is the same document, but it is not called an interim standard.

MR. KIMSEY: Will the NCSBCS delegates receive a copy of this piece of material, or will we have to write for it?

MR. TUMILTY: I don't believe that there is any procedure set up right now for that. It is possible that arrangements could be made for the delegates to receive it. I suggest that Bernie contact Nick LaCourte with a request.

MR. CHURCH: Will the standard be written in a form that can be applied as an alternative of what I would call a "cookbook" approach to be used by the non-professionals in the area for small buildings, and also of a performance-type that will require a design. Or, will it be written in such a manner that you have to have a mechanical engineer do the design to be sure you comply with the standard?

MR. TUMILTY: At the present time, it is the latter. There are no data available right now where we can provide you with an accurate energy budget, and I think that is what you are alluding to.

However, a task group in ASHRAE is working toward producing such data. Hopefully, a more cookbook or energy-type approach can be included, if not in the first standard, in an early revision of the standard.

We still are looking at the three path arrangements, but a final decision on that has not been made and will not be made until May 9.

MR. CHURCH: Do you need some recommendation on that? A lot of small buildings are not so designed, and volumes of heat loss and gain is in a lot of small buildings. This is the type of problem that we're confronted with.

MR. TUMILTY: We would appreciate any input that would be accurate. ASHRAE must produce a technically-accurate document. We can't go out on the street with something that is not technically correct.

Any data that you might have from others that are involved in this type building will be most helpful, and would be appreciated during the open review time.

MR. FLINT: What plans, if any, are there to establish this for review?

MR. TUMILTY: The procedures being followed for review by ASHRAE are in accordance with ANSI. We are accredited in this review process and, hopefully, when it becomes an ASHRAE standard, it can at the same time be presented to ANSI and be a national consensus standard. We're following the correct procedure in this respect.



MR. FLINT: Does that mean that there will be an announcement in the ANSI Reporter then?

MR. TUMILTY: In the last May issue of the ANSI Reporter, there will be an announcement that this ASHRAE standard is out for review. We've already made contact with ANSI for that.

MR. STEIN: I am the NCSBCS representative to the Construction Technical Advisory Board to ANSI. As of our last meeting just about a week ago, ASHRAE still hadn't taken any action or even submitted a canvass list for approval. These are all necessary if you're going to move to accomplish something this year.

MR. TUMILTY: This is the publicity that was sent out, and I may be able to give you a date--I'm sorry, it isn't dated, but it probably has gone to ANSI since your meeting. The press release and the canvass list have been prepared.

MR. FERGUSON: What is the scope of the document?

MR. TUMILTY: The scope of the document at the present time includes all new construction. However, within the body of the standard, there will be some exceptions allowed, and some of these will be in the area of single and two-family dwellings and mobile homes; particularly where there are existing standards such as the FHA-HUD 51B, which the housing industry normally follows.

We are anticipating incorporating or referencing that in certain portions of the standard, but the scope will include all new building with the exceptions written into the body of the standard.

MR. DOWLING: I have a question for both you and Bernie. Would not both of you gentlemen agree that the delegates who would like to have this information now should wait until the complete process has been finished before referencing this into state legislation?

CHAIRMAN CABELUS: I feel we'd be premature to do that now. I think we've already been told here that we would be advised against it, and we would have to concur with that.

MR. TUMILTY: I would like to emphasize that what we are going to see in a few weeks is the first draft, and very likely it will be changed considerably because of the open review process. I would hate to see someone reference a proposed standard, which is what 90-P indicates, when a final standard will be available by the end of the year.

I would urge you to go slowly and follow the procedure of review, and then pick up the final document at the end of the year.

CHAIRMAN CABELUS: I have a question. Do you have any magic formula whereby we can hold our own legislators back from trying to--

(Laughter.)

MR. TUMILTY: Well, as somebody else said, I'm not going to tell you my magic formula for anything.

(Laughter.)

MR. TUMILTY: I understand the problem. As a person in the consulting business and having to deal with building codes and standards, I know that it is important to keep the legislature from doing the wrong thing.

On the other side, being an engineer and being a member of ASHRAE, I know we have to produce something that you can live with, and it has to be as technically-correct as we are capable of producing; otherwise, it won't be of any use to you. You don't want to reference something that is not accurate.

MR. DOWLING: Wouldn't it be proper then for the Executive Committee here to make a recommendation that the delegates take back to their governors this information, and suggest that they discourage any State legislation in this area until it is completed?

CHAIRMAN CABELUS: Well, it can be done that way. I would rather, later on under new business or something, someone bring up a motion whereby the incoming Chairman write a letter to all the governors expressing the opinion of the Conference to this effect. That might have a lot more weight and be effective. If ASHRAE could endorse it with a companion letter, it might be a great assistance.

MR. TUMILTY: Again, I thank you for the opportunity. I hope I've answered your questions. I plan to stay around for a few minutes, if you want to catch me outside, but I do have to leave the city later this afternoon. Thank you again.

(Applause.)

CHAIRMAN CABELUS: The time has arrived in the program where Bob Eisenhard has a presentation for us on energy.

MR. ROWLAND: Since the last annual meeting, Bob Eisenhard has been assigned the responsibility of riding-herd on the energy support programs, as well as being a communications individual for us in NBS on inquiries with regard to our design criteria document that we turned over to the National Conference of States in February.

Therefore, Bob has become the project leader of the supportive efforts of carrying through the programs necessary for performance standards and is your contact with regard to the energy standard. He is going to make a report on where some of these supportive programs are now.

#### REPORT ON ENERGY STANDARD IMPLEMENTATION PROGRAM

MR. EISENHARD: Thank you, Gene. It appears to be appropriate to start out any talk here with some rather frightening accurate statistics. Sitting down there, I tried to think up some frightening statistics that might relate to energy.

On the spur of the moment, the only thing I could recall was that after an energy blackout two or so winters back in New York City, there appeared a modest population explosion about nine months later.

(Laughter.)

Now, these don't appear to be accurate statistics, so never mind. Actually, the energy stakes are quite high. You may look several places for statistics on the cost of the barrels of oil to be saved by building energy conservation, and you can find several answers.

I would suggest that we may be talking about \$2.5 to \$5 billion a year by the year 2000, if we have only a modest reduction in the waste of our energy utilization in buildings.

For those of you from the North where they leap barrels with ice skates, you can figure that as something like a million and a half barrels a day; if you can picture this succession of barrels down the lake.

I want to go back, and give you a chronology of NCSBCS energy work, because I think it's important that we look at what we have assumed in retrospect. I think it is one of achievement, both on the part of the Bureau and on the part of NCSBCS and others that have been helpful along the way.

In November of 1972, Reese Achenbach of the Bureau briefed the S&E Committee on the energy activities of the Bureau. There was considerable concern generated even then that NCSBCS needed a building energy standard, and NBS was asked to report back with the possible content, and a strategy for generating such a standard.



As you can see from this early reference, NCSBCS was not a Johnny-come-lately when the energy crisis burst onto the scene last spring.

In Hartford, the entire Conference was briefed on the energy programs going on at the Bureau. By late May, there was much concern in several States that they needed short-term and also long-term actions to conserve energy in buildings; and by June, the Bureau and NCSBCS joined together to sponsor a joint emergency workshop for three purposes.

One, was to define the magnitude of the problem--talk it over. Two, was to identify energy-saving actions that could be taken in the long and short runs, and three, was to discuss ways that the States might develop the necessary consensus standard.

By early July, NCSBCS had requested that the Bureau develop such an original standard, and in August this project was formally accepted by the Director and the project team was established.

In September, the work was in full swing and it was announced by a joint NCSBCS and NBS press release in Des Moines, Iowa, and Washington, D. C. By November, another workshop was called to assess the approach being taken on the draft standard and to receive technical comments from the 250 participants assembled to discuss this matter.

One of the outcomes of this particular workshop was the emphasis on the need for implementing assistance. In other words, not only the standard, but how to get it implemented in the real world.

On November 19, NCSBCS requested model legislation and implementing assistance for the standard. In December, the Bureau agreed to this request. By January, which was only a little more than a year away from the time it first came up as a subject of concern in one of the NCSBCS committees, the energy document was completed and sent out for impact analysis and technical evaluation.

On January 31, and February 1, the Executive Committee was briefed at NBS on the criteria and the tasks that they had asked be developed in relation to its implementation.

By February 27, as most of you now here remember, the final revised draft was presented to NCSBCS in Salt Lake City and turned over to ASHRAE for its final manipulation into an interim or draft standard, and the final standard. You've heard about the follow-up from there.

The advent of this new and far-reaching standard gives us both the obligation and the opportunity to design and implement a delivery system for a major performance standard.

As most of you in the building industry are aware, performance concepts have been talked about for at least 15 years and, apart from some scattered successes, the performance concept is still more of a gleam in the eye of the proponent than it is a working tool for the regulatory agency. Let me first list for you the tasks that have been identified and make-up the delivery system, and the mode of operation that the NCSBCS Executive Committee has chosen to pursue toward the end of implementing this new standard.

The first task is the drafting of model enabling legislation. The approach used was to modify the Model State Building Code Act produced last year by using a working group for comment on a rough draft and to prepare a final draft. This has been done and the Model State Building Energy Code Act has been presented here.

The second task is to establish procedures and forms for energy use. The method of accomplishment that the Executive Committee chose for this particular task was to request that NBS add to and modify the Coordinated Evaluation System (CES) documents to cover these requirements.

Task number three is based on laboratory accreditation and here NCSBCS desired to sponsor an independent, high-level, broad-base national accreditation board to recommend action on laboratory applications for accreditations.

Task number four is test methods development for the standard and the solution is to have test methods developed by consensus committees with input from NBS, the accredited labs and other interested parties. As you will notice, as we go through these, some of these are not new. Some are methods that have been used in one way or another over the years and some are more innovative. The hope of this effort is to draw the delivery system together and make it function in the proper manner.

Task number five is training activities for industry and regulatory officials. Here the desire of NCSBCS is to approach the Defense Civil Preparedness Agency, which has conducted training for technical and construction design professionals, and ask them to plan a training program and to approach the Federal Energy Administration for funding.

Task number six is the sponsorship of a criteria through the consensus procedure. I don't think we need to talk any more about that. That is proceeding. There has been some delay, but I think it's a realistic delay, and hopefully, the end result will be satisfactory to everyone.

Task number seven is the construction and maintenance of an index of approved solutions. NCSBCS desires to seek authority and funds to maintain such an index of approved solutions with the assistance of the Department of Commerce in establishing the appropriate authority and the initial set-up.

Task number eight is the feedback loop for interpretations and revisions. Here they desired the sponsor of the standard to handle these with small committees. As you look at standards from time-to-time, you find that people amend them for their own use rather than going through the revision procedures. They either find the revision procedures don't respond as rapidly as they would like or they are not effective. NCSBCS feels that this is a very important part of the system and it must be available and functioning.

Task number nine is to identify and coordinate existing standards in the building area that either overlap or impact upon the new standard. Here the Executive Committee requested that NBS handle this through its internal Center for Building Technology Standards Council. Those standards which are in conflict should be reported to ANSI and the appropriate action taken to work out these conflicts.

The tenth and last task is continuing review and evaluation of the tasks. NCSBCS, as the user of the standard, has undertaken this function.

The Executive Committee instructed Chairman Cabelus to assign the tasks to each of the standing committees, as appropriate within their purview, for oversight, and that is the way it is being carried out. As far as the Bureau is concerned - I'll put on the other white hat - the Bureau is pursuing these tasks on two levels.

One, we are endeavoring to work with a NCSBCS standing committee and the Executive Committee in seeing that these tasks get initiated in appropriate correspondence, discussions, and whatever else is necessary. On our own level, we are preparing these programs in draft, and developing the appropriate funding schedules we estimate will be needed to implement this entire system.

I do have some copies of the criteria which NBS prepared. I know from time-to-time they were difficult to obtain and we have a few left. I have them with me. Should anyone care to see me later, I'll be glad to give you a copy. Thank you.

(Applause.)

MR. ROWLAND: I might add a little bit to what Bob has presented to you on behalf of the Bureau. The Center for Building Technology, through Jim Heldenbrand, is working with the ASHRAE Committee. Jim worked on the development of our research paper, working with the ASHRAE Committee and helping relay what information we had to that Committee and getting some feedback from it.



The Director of the Bureau, Dr. Roberts, has been very much concerned that the project be moved along, and that it meet the opportunities of savings of energy that the original task set out to do.

There was some concern that we could end up with something that didn't save any energy at all. Sometimes a consensus procedure ends up with the lowest common denominator, in which there isn't any energy savings.

Dr. Roberts is concerned that there be an opportunity here to meet some challenges, and that means a little tightening up by everybody. So he is following the project very closely, including the reports from the ASHRAE Committee and keeping behind the project.

About the time we finished our preliminary draft and it had gone out for some review to try and determine whether we were in some kind of a workable ball park, and before presentation to the NCSBCS Executive Committee in Salt Lake City, we did two things.

One, we submitted a January draft to many people in the industrial sector who would be involved with products or materials that were reflected in the draft. We also contracted with several A/E firms and other institutions to do what we call an evaluation of an average building-type of construction, and to give us back a report on the economic impact and the energy savings that would result by use of that draft.

This document is still floating around in the private sector. It's dated, I think, January 24. If you have one of these copies, it is not the draft that was submitted to NCSBCS in February. There was considerable modification between the January and the February drafts. The February draft took into consideration much of the data that we gathered by this review procedure.

We learned some lessons and got some good reports back. It was interesting that in some types of structures there was a good acceptance of the document. In other types of structures, acceptance was poor because of the intricacies of the document itself.

For instance, Kern brought up the point that you cannot pay the engineering costs to make an analysis on every single house that's built. The cost would just skyrocket. There needs to be a certain type of house construction that would meet some standard and be identified as solutions to the problem. As Bob said, there needs to be a collection of accepted solutions.

We find that engineering and evaluation costs were high on small buildings. We also found that when we dealt with AE firms who had done extensive good design on an interdisciplinary type of development, there was very little increased cost in engineering.

In other words, they had the technical engineers and the availability of staff to handle the project along with what they normally did, except they had to watch P's and Q's a little bit more on the energy concepts than they had before. But, they had a good integrated office to do it.

We did find where an architect was practicing alone and was using only mechanical consultants, that there was increased cost. We had to foot an entire new concept of design to that subcontractor--the architectural firm--and there was some effect in this area as far as economic cost and engineering evaluation.

I bring these things up because, at the Bureau we have not done an economic study on our final document that was turned over to NCSBCS in February. We wanted to see what ASHRAE was going to come up with, and then take our February draft and ASHRAE's draft back to some of these contractors and have them restudy where the economic and energy savings are, and where the economic impacts are, to know whether it is a workable document.

I mentioned to Bernie a little earlier, when the question came up of giving authorization to the new Chairman in response to Jim's question, that I think that nobody should be buying a pig in a poke without another go-around of really taking a look at whether these things do meet the challenge of energy conservation.

That is what it started out to do; that is what it ought to end up to do; and, I think that's what NCSBCS is looking for it to do; and, that's what NBS is looking for it to do.

We have a commitment to try to come up with something or work with some document that will do that. We have not done any economic studies on our last NBS draft or on an ASHRAE output which we are waiting for. We hope that when that comes out, we will be able to do that study, and turn back to you a real good picture of whether the problem is being met with the use of these draft documents.

CHAIRMAN CABELUS: Is there anything more on energy? Any questions directed to the people who have reported here?

MR. SUAREZ: At the workshop in November, I think the consensus was that this new energy conservation measure was supposed to be sort of a performance document, rather than a specification document. Apparently, from what he has indicated, it's going to be a specification document and sort of deviating from the performance document. Is this a correct assumption?

CHAIRMAN CABELUS: The state-of-the-art of performance is one on which you can make the statement, "all buildings should save fuel," and the other is, "how do you do it?" I think that within the given state-of-the-art of equipment that is available on the market and a lot of other things, ASHRAE is trying to come up with as much of a performance concept as possible. But, I think they are finding very clearly that the equipment and a lot of the other things available in the marketplace can't deal with performance at this time. Yes, I think they are backing down.

We wrote up more performance, but also we weren't taking in the fact that there were a lot of ratings we asked for that weren't available. So they are working more in the real environment, and we're going to move ahead with a regulation which is quite specification-oriented; but, it does provide the industry with a challenge to move forward as much as possible in performance in the next couple of years.

Are there any other questions?

(No response.)

If not, we'll move back to the report of the Audit Committee.

#### REPORT OF AUDIT COMMITTEE

MR. RENICK: Kern Church from North Carolina and Frank Turano from Rhode Island serve on this Committee. We find the annual financial statement as submitted by the Conference Coordinator, Sandra Berry, and the Treasurer, Charles Betts, to be in order. We would recommend that the Conference approve this annual financial statement as submitted.

I will just give you the key figures off of it. We have posted on the table downstairs a copy of this two-page report, if any of you have interest in checking these figures.

The total cash on hand as of April 1, 1973, was \$1,864.70. The total receipts as of March 31, 1974, were \$13,386.22. The total expenditures were \$12,010.89, leaving a check-book balance of \$1,375.33, and a savings account balance of \$1,589.26.

The total cash on hand at the end of March 1974, was \$2,964.59.

CHAIRMAN CABELUS: Thank you.

MR. THURBER: Mr. Chairman, I move the adoption of the Audit Committee report.

MR. KIMSEY: Second.

CHAIRMAN CABELUS: The motion has been made and seconded to accept the report. Any comments on the report?

(No response.)

CHAIRMAN CABELUS: If not, we'll move it accepted.

(Whereupon the vote was taken and the motion was carried.)

CHAIRMAN CABELUS: Resolutions.

#### PRESENTATION OF RESOLUTIONS

MR. THURBER: These resolutions are nominal. There are seven of them. They are predominately bread-and-butter type resolutions. I will read them all and we'll give you a recommendation after I read each one. We can vote then.

Resolution No. 1: Be it resolved that the National Conference of States on Building Codes and Standards expresses its deepest thanks and appreciation to Charles Talmage, Conference Host, for his time and extensive efforts in assisting the Seventh Annual Conference in its accommodations, coordinating this program, arranging for a most successful outing and in many other ways contributing to the success of this meeting of NCSBCS.

The recommendation is to pass.

No. 2: Be it resolved that the National Conference of States on Building Codes and Standards does express its sincere thanks and appreciation to the State of Texas, the City of Austin, and to Governor Dolph Briscoe for the warm and gracious welcome and for the most enjoyable hospitality shown to this Seventh Annual Conference of NCSBCS.

The recommendation is to pass.

No. 3: Be it resolved that the National Conference of States on Building Codes and Standards does extend its thanks and deep appreciation to the Executive Committee for its devotion to the goals of this National Conference, and for its many efforts which have served to increase the growth of the Conference and to increase the influence of this Conference of States in codes and standards activities in this nation.

Be it further resolved that this Conference commends and thanks the individual members of the Executive and all Committee Chairmen and Committee members, whereas, recognizing their duties to their individual States, these individuals have given freely of their own time and money in supporting and furthering the aims of this Conference. Further, this Conference is deeply appreciative of the dedication of these men to the aims of this Conference.

The recommendation is to pass.

No. 4: Be it resolved that the National Conference of States on Building Codes and Standards extends its deepest appreciation, sincere gratitude and highest commendations to Conference Chairman Bernard Cabelus for his dedication to the goals and aims of this Conference and for the immense amount of time and effort he has given to this Conference and its programs.



Further, be it resolved that this Seventh Annual Conference of the National Conference of States on Building Codes and Standards expresses its heartfelt appreciation and thanks to all of those who have provided the excellent and highly valued staff assistance so necessary to the success of this Conference and the achievement of its goals.

It is further resolved that this Conference individually thanks and commends Gene A. Rowland, Francis Ventre, Charles T. Mahaffey, Robert Eisenhard, Bertram Vogel, Sandra Berry, Kathy Pearce, Marla Holloway, Robert Dikkers, Pat Cooke.

The recommendation is to pass.

No. 5: Whereas, the entire constituency of the Seventh Annual Conference of the National Conference of States on Building Codes and Standards did attend and partake of a most wonderful evening set forth by Jim and Marie Inks doing business as the Inks Ranch of Llano, Texas;

And whereas, each individual has herein expressed his deep appreciation to the Chairman of arrangements for this dinner;

And whereas it is felt that expressed thanks be given to said Jim and Marie Inks;

Therefore, be it resolved that this Conference go on record from its Executive Committee as expressing a most heartfelt thanks for the wonderful evening at the Inks Ranch.,

The recommendation is to pass.

No. 6: Whereas, the entire constituency of the Seventh Annual Conference of the National Conference of States on Building Codes and Standards did attend and partake of a most wonderful conference outing assisted by Edwin and Mildred Dalrymple,

And whereas each individual has herein expressed his deep appreciation for their thoughtfulness and assistance during the outing,

And whereas it is felt that expressed thanks be given said Edwin and Mildred Dalrymple,

Therefore, be it resolved that this Confernece go on record from its Executive Committee as expressing a most heartfelt thanks for the wonderful Conference outing.

The recommendation is to pass.

No. 7: Be it resolved that the Seventh Annual Conference of NCSBCS expresses its heartfelt thanks and appreciation of those who have provided the excellent and highly valued staff assistance from the Texas Office of Community Affairs to the success of this Conference and its goals.

It is further resolved that the Conference individually thank and commend Ann Cain, Linda Reese and Jay Stilwell.

The recommendation is to pass.

Mr. Chairman, I recommend the adoption of all seven resolutions on a due pass basis.

MR. BETTS: I so move.

MR. HICKS: I second.

CHAIRMAN CABELUS: The motion is to take all seven resolutions and vote on them together. The motion has been made and seconded. Any comment?

(No response.)

(Whereupon the motion was voted on and was passed.)

MR. THURBER: I recommend the discharge of the Resolutions Committee for the Seventh Annual Conference.

CHAIRMAN CABELUS: Thank you. You are discharged.

MR. THURBER: As a matter of fact, I make the motion.

CHAIRMAN CABELUS: You can't make the motion to discharge yourself.

MR. MULLEN: I'll make the motion.

MR. MEYER: I second it.

CHAIRMAN CABELUS: Any comments?

(No response.)

(Whereupon the motion was voted on and was passed.)

CHAIRMAN CABELUS: The Chairman of our Constitutional Committee has something.

MR. THURBER: I have a lot of Constitutional amendments here. They came in on sheets of paper like this. By the way, Marla, do you want these resolutions handed to you?

MRS. HOLLOWAY: I do, please.

#### PRESENTATION OF CONSTITUTIONAL AMENDMENTS

MR. THURBER: I'm going to read them all. If you'll notice, there will be some overlapping in some of these recommendations for amendments. Some of them I can't tell exactly who submitted them, or to what section they apply, as I haven't had time to research the Constitution and Bylaws.

I'm certain that when I get through reading them, the Chairman will probably want to do certain things with them. First of all, I want to read them in the order that I got them.

This one is from Mr. Henke, the Chairman of the Standards and Evaluation Committee. His amendment to the Constitution, he would like to put to the floor as follows:

He wants to add, "a copy of all proposed amendments must be submitted 30 days prior to the meeting to the person designated by the Conference Chairman." I suspect he means the annual meeting. Right?

MR. HENKE: Yes.

MR. THURBER: That is one amendment which came up. Another amendment by the same Ken Henke, he wishes to add, "to support the activities of the Conference in levying of annual assessments and the charging of fees related to program operations as hereby provided."

A lot of these will hit you cold turkey, but I think you will see in a few minutes what possibly could happen.

Here is an amendment by Charles Betts, Chairman of the Management and Regulatory Procedures Committee.

Under "Delegate Members," under "MEMBERSHIP," the first sentence, "The State shall be represented by an individual..." That's the wording that is presently in the Constitution.

He wishes to add, "...currently active in the development and/or enforcement of building codes and standards in his state and..." Then, it goes on like the present Constitution says, "...designated by the chief executive officer or the State legislature. ARTICLE III, OFFICERS. All officers, including committee chairman, shall be duly appointed delegates as defined in Article I, MEMBERSHIP."

Erik Thorne from the State of Arizona recommends changes to the Constitution and Bylaws to read, "The Chairman of the Reciprocity Committee shall be a member of the Executive Committee."

Number 2, "A delegate member, whether elected or appointed to a Committee, who has not been active in the Committee assigned to, or has not appeared at the Committee meetings or Annual Conferences, shall be dropped from active participation from the said Committee."

Number 3, "Legislative Committee. There shall be a legislative committee consisting of at least three and not exceeding five members, appointed by the Conference Chairman, representing the various regions of the Conference."

That is overlapping with another one. Under that "(a) The Legislative Committee shall meet to elect its Chairman. (b) In all phases of legislative matters, the Committee Chairman shall report to the Conference Chairman and the Executive Committee for policy on legislative matters, prior to input into any Federal and/or other state legislative matters."

The last one here is kind of lengthy, but I think we can get through it quite fast. It's to clarify the role of associate and advisory members. This has long been a task.

Article I. MEMBERSHIP. Membership Determination. In case of question as to membership classification, the delegate member of the respective State in which the applicant resides or represents, shall decide the issue."

He crossed out the words, "...and such determination shall be binding on the Conference."

"If the applicant in question resides in a State that has no delegate member, classification shall be decided by the Executive Committee, except that the Executive Committee shall not have power to classify members as delegate members. Such determination shall be binding on the Conference."

He wishes to add a new paragraph, "Privilege of Associate and Advisory Members. Associate and Advisory Members may attend all meetings of the Conference, as well as Conference and Standing Committees, except an executive session of the Executive Committee. They may be appointed to serve on Conference Committees, and are appointed to serve on Standing Committees. In all Conference and Committee actions, Associate and Advisory Members may introduce motions and participate in discussion, but voting privileges are limited as provided in Article II, VOTING."

Article III, MEETINGS. Executive Session. He wants to cross out, "The Conference Chairman is authorized to order an executive session of the Conference at any time such a session is deemed by him to be in the best interest of the Conference. An executive session shall include all delegate members present." That one he wants to cross out, and instead put in, "All Conference meetings are open to all member classifications, invited guests and the press. The Conference Chairman is authorized to order an executive session of the Executive Committee at any time such a session is deemed by him to be in the best interest of the Conference."

Article II. VOTING. Bear with me; only two more pages. "At all Conference meetings the delegate member or his duly authorized proxy shall be entitled to one vote for each office to be filled, or other matters subject to vote. Unless otherwise specified, all matters subject to determination by vote shall be resolved by a majority vote of the delegate members or proxies present and voting. Election of officers shall be by secret



ballot if so requested by any one with voting privileges; otherwise, election shall be by motion acclamation."

He wishes to add, "Action of all Conference Committees shall be governed by vote of the delegate members or duly authorized proxies. Delegate, State, Associate and Advisory members of standing committees shall each be entitled to one vote on all matters subject to standing committee vote."

Article IV. RELATIONSHIP WITH OTHER ORGANIZATIONS. Section 1. National Bureau of Standards Assistance. Revise to read, "Cooperation with the National Bureau of Standards. The National Bureau of Standards, Center for Building Technology may serve as the Secretariat and also furnish technical assistance, and serve as a research facility for the National Conference of States on Building Codes and Standards. This cooperation --" he strikes out the word 'sponsorship' -- "is exercised under the limited authority of that portion of the Organic Federal Act under which the National Bureau of Standards is authorized to undertake 'cooperation with other governmental agencies and with private organizations in the establishment of standard practices, incorporated in codes and specifications.'"

"Within the limits of available funds, and upon request of the Executive Committee, the National Bureau of Standards assists the Conference by supplying technical assistance, information, and secretarial service to the end that the Conference may act effectively, constructively and with fairness toward all affected interests."

"Within the limitation of applicable Federal authorization and policy, the National Bureau of Standards publishes and distributes reports of the proceedings of the Conference, reports of the Conference Committees, and any model laws, regulations, standards, and recommendations adopted by the Conference."

Now, he strikes out, "If requested by the National Bureau of Standards," and says, "The Conference will -- instead of may -- advise the National Bureau of Standards," striking out "on establishing priorities, etc.," he adds, "of research needs, including priority of need, which would assist the States and nationally-recognized, standard-generating organizations in the development of codes and standards to be better performance-oriented."

The last one, "Cooperation with the National Building Officials Organizations. The Conference shall, through its appropriate committees, establish a cooperative relationship within the Building Officials and Codes Administrators International, Inc. International Conference of Building Officials, Southern Building Code Congress, and other similar organizations, to further the common aims and objectives of State and local agencies having responsibility to implement building codes and standards for the protection of public health and safety."

"Until such time as a single nationally-standardized code is available, the Conference will encourage States considering promulgation of a State building code to adopt, without amendment, one of the model codes published by the Building Officials and Code Administrators International, Inc., the International Conference of Building Officials, or the Southern Building Code Congress, and will further encourage other governmental units within those States to take similar action, as a means to bring about intra- and interstate code uniformity."

Mr. Chairman, these are the Constitutional amendments, overlapping as they possibly may be, which have been presented to me to date as the Chairman of the Constitutional Committee.

MR. HENKE: In view of a motion I made at the Executive Committee meeting this morning, I would like permission of the Conference to withdraw the two amendments that I did submit, but request that they be referred to the Committee when it is formed for consideration in the Constitutional rewrite.

CHAIRMAN CABELUS: We have these resolutions presented by Mr. Henke and he has asked that we withdraw them.

MR. HENKE: Only the ones that I submitted.

CHAIRMAN CABELUS: Yes, only the ones that you submitted. In his amendment, if I recall correctly, Ken requested that they be in 30 days prior to an annual meeting, that the Constitutional Amendment Committee review them, and then come in with recommendations.

It is obvious, with the number of proposed amendments, the conflict, and the overlapping, that it is going to take a considerable amount of time to really evaluate them.

MR. CHURCH: I had some that I had proposed, and one was by the direction of the Executive Committee. In fact, I sent them out by mail prior to the Conference to all the delegates.

After getting here and hearing all the discussion and the volume of amendments that were being proposed, I didn't send mine to Del. I think that this indicates that we do have growing pains, and we have more activity and interest in the Constitution and in the Conference.

I think it's healthy and I think it's good, but I don't think we should resolve all these Constitutional changes in this meeting. We need a procedure - in fact, I would like to see a committee formed, and these really should be presented to the membership in writing, 60 days before the annual meeting, so everybody can study them beforehand.

Therefore, I'm going to make a motion that all these presented, plus the ones I had sent out, be referred to a special committee, as recommended by the Executive Committee, and a procedure be established by the new Executive Committee to place them before the Conference at the next annual meeting.

CHAIRMAN CABELUS: Is there a second?

MR. SWENSON: Second.

CHAIRMAN CABELUS: Any comments?

MR. MULLEN: I suggest that we allow some time here today to offer any comments that they wish on any of these resolutions, even though they are referred to a committee.

CHAIRMAN CABELUS: That doesn't mean an amendment. It goes without saying that if this action is taken that Kern has proposed, we are going to have time on our schedule, and I would hope then that we can give considerable discussion to these, so at least the delegates present will have an idea of what we are talking about, and realize the scope and depth of this.

We now have a motion and a second. Is there any further discussion on this?

(No response.)

CHAIRMAN CABELUS: If not, we'll move to the question.

(Whereupon the motion was voted on and passed.)

MR. MEYER: I'd like to raise a point of order. We presently have a procedure for amendments, and I don't think this motion can dispose of that. It says that it must be sent out for a written ballot and a reply within 60 days. I sympathize with this and I appreciate the fact that Ken asked that his amendments be permitted to be withdrawn. I would like to suggest to the people that have submitted their amendments that they withdraw them; otherwise, this automatically means that it goes out to the delegates who are not here.

I agree that this is not the right procedure because of the time we've had and the rest of it. I think we ought to ask the proponents, if possible, to withdraw their amendments and then if there is one, we can send it out with an explanation.

MR. THURBER: I'd like to make a comment on that, in line with your thoughts, Herb. Sometimes you get into real sticky difficulties in meetings. I know what you're talking about.

Ken has seen fit to ask that his two be withdrawn. This means that he can hand them back to me Friday morning and we can refer them to the new Constitution Committee.

Erik Thorne, if he were to do the same thing, they could be handed to the new Constitution Committee which will be formed by the Executive Committee.

These could all go to the Constitution Committee. I appreciate your thoughts on these, Herb, and I like to see details speeded up like that too. I think if we can cut some red tape, we'd have a better ball game.

MR. ROWLAND: A point of order. There has been a reference to an Executive Committee action that has not been presented to this delegate body. You are really talking about something that hasn't been put on the floor yet.

Now, I think, as a point of order, if the Executive Committee will put that resolution that they had in the Executive Committee meeting this morning on the floor, then you can take the action and send the amendments, and this thing can proceed. Otherwise, that won't come up until the order of business tomorrow in the Executive Committee report. I think, as a point of order, let's put the Executive Committee action on the floor.

You see, not everyone was there this morning, and the delegates have the right to vote. That was in Ken Henke's motion this morning.

MR. HENKE: If I may, I'll present the motion I made this morning to the entire body. I made a motion that the Chairman appoint a Constitutional Revision Committee to review the Bylaws and Constitution of NCSBCS, to bring them more in conformance with the desires of the delegates of the Conference. I further recommend that it be a committee of not less than six people, which would be comprised of a representative or a delegate from each one of our four regions, a member of the Executive Committee, and the Conference Chairman as an ex officio member of the group, and that they be prepared to report back at the next annual conference of NCSBCS.

CHAIRMAN CABELUS: As I remember, that's accurate, Ken.

MR. MEYER: Second.

MR. THURBER: Now, there was an addition to that.

CHAIRMAN CABELUS: Any comment on that?

(No response.)

(Whereupon the vote was taken and the motion was passed.)

MR. MEYER: Mr. Chairman, I would like to move that we accept the report of the Constitution Committee and also that the delegates present go on record as asking Erik Thorne if he would withdraw his, so we wouldn't have to go through the process now that we have the Constitutional Revision Committee established. The others have been withdrawn.



MR. BETTS: Inasmuch as we are going to revise the Bylaws and so forth, this means that we have to use the present procedure until that is done, which means then that we still are about two years off from a new operation, aren't we?

MR. ROWLAND: One year.

CHAIRMAN CABELUS: One year.

MR. EISENHARD: A point of order. The Constitution says that any scheduled annual or special meeting. It seems to me that one of the committee weeks could be termed a special meeting.

MR. BETTS: That's what's bothering me; the time lag. We have to operate under the present Constitution and Bylaws, which says that we have to have a mail ballot and all this. What I'm asking is, is there any way to get around this, and he has come up with an answer.

MR. SUAREZ: If there are any amendments that can't wait a year, maybe we can get around this by getting a roll call now of the voting delegates, and see what constitutes a majority of the total voting delegate membership.

MR. ROWLAND: The Constitution requires that we go by mail. We can't do it in an open session.

MR. SUAREZ: Can we adopt any amendments that will get a majority of the total membership?

MR. ROWLAND: Only through mail ballot.

MR. BETTS: Is there any way to finalize it before the next annual meeting?

MR. ROWLAND: Yes. Bob said that the Chairman can hold a special meeting for constitutional purposes, and notify every delegate 30 days before the meeting, by registered mail, of the subject and issues that are going to be addressed. You put them on the calendar and review them and then you go to a 60-day vote by registered mail on the action.

MR. BETTS: All right. Shall we give the Committee a deadline?

(No response.)

MR. THURBER: I think you'll find that there will be a deadline.

CHAIRMAN CABELUS: The Chairman of this Constitutional Committee is going to be your Conference Chairman, and he is going to be the one responsible for seeing that these things are done and I'm sure he will.

MR. THURBER: I think I can assure you that in accordance with what you've passed here that we are going to have this Committee one of the first ones appointed. I'm sure that it will move forward very fast.

MR. BETTS: He would like to talk some more.

MR. HENKE: Evidently, Erik has left the building. In order that we can stay action on this and not get into procedure whereby his amendment must be pulled out in order to vote - I move that we table any further action on this until tomorrow.

MR. THURBER: May I make a comment on that before he gets too far? Erik's is not in the form of an amendment. It is merely suggestions.

MR. BETTS: I'm a little confused about what is going on. Have these proposed amendments been read into the record and are they part of the record?

MR. THURBER: Yes.

CHAIRMAN CABELUS: He read them in.

MR. BETTS: Are you going to require that the record be cleared and that they no longer exist?

CHAIRMAN CABELUS: That's actually what has happened. We will resubmit them Friday morning, and the new committee that we will appoint on Friday morning will go to work on them.

MR. BETTS: It's actually swept clean?

CHAIRMAN CABELUS: Right. Now, I just want to ask one question of Kern Church. Does this answer all the questions that you had?

MR. CHURCH: Yes.

CHAIRMAN CABELUS: I just wanted to be sure that we are not leaving anything out.

MR. CHURCH: I anticipated this. I knew that if they were submitted and read on the floor that they would have to take a vote on them. I didn't want that done.

CHAIRMAN CABELUS: You're a real southern gentleman. We had a motion by Herb Meyer to discharge our friend from Montana, and a motion made to second the discharge. I asked for comments and there weren't any and then we never did get to a vote.

MR. THURBER: Question on the motion.

(Whereupon the motion was voted on and passed.)

CHAIRMAN CABELUS: We'll go to the NCSBCS Representatives to other organizations. I think there should be something of interest coming up. Are you involved in that, Kern?

MR. CHURCH: No, it's Joe Stein.

REPORT OF NCSBCS REPRESENTATIVE TO CONSTRUCTION TECHNICAL ADVISORY BOARD (CTAB)

MR. STEIN: CTAB, Construction Technical Advisory Board to ANSI, is represented by myself. I am an uninstructed delegate. Basically, the operations of that board are perfunctory, passing on canvas lists, requests to extend or modify standards, the sort of thing that there isn't sufficient time to get back to the group.

Although I have, on occasion, called Ken to discuss some of our actions because it appears there would be some controversy, particularly the A40 situation, the plumbing code, I didn't have an organized point. I didn't realize it was coming on the agenda right now, but A40 is meeting in Chicago on the 16th and 17th of May. I will be attending that meeting.

It does not appear so far that they are following the indications that Ken came back with from San Diego that they were going to move toward a performance presentation.

The few actions I've gotten from them which require some action, seem to indicate purely prescriptive approaches. I intend to bring this up at the A40 meeting in Chicago.

I suspect, if they are keeping their word, that they may be coming up with two parallel documents and I just may be seeing the beginnings of the prescriptive one, but I don't know.

Another item of importance, and I'm glad I have a captive audience here. I'm sorry I missed the S&E meeting on Monday. I got here last night. There is something that we felt is an important function of this group, but we've had so many other important things that we haven't devoted too much attention to a very important function that we should be doing.

I'd like to read a letter that came to the Advisory Board Chairman from the Executive Standards Council of ANSI. It's self-explanatory. I'll tell you what action we took.

At its February 19 meeting, the Executive Standards Council discussed in-depth the interface between the voluntary standards sector and the regulatory bodies. One of the primary concerns of the Executive Standards Council is the return criticism of the voluntary sector's ability to meet required time limits for the development of standards needed by regulatory bodies.

It was the general feeling that, as a first step in overcoming this criticism, it was important for the voluntary sector to anticipate the standards needed by the regulatory sector, in order to be able to meet those needs in time. As a result of this conclusion, it was voted that technical advisory boards be requested to monitor standards activities under their jurisdiction, and determine specifically what they foresee in terms of standards needs, particularly with respect to regulatory areas, and report back to the Executive Standards Council as soon as possible, but no later than four months from the date of the request. Your early attention to this matter is appreciated.

The request is dated March 12. Unfortunately, the technical advisory boards only meet a few times each year. I made a motion, which was unanimously accepted, that in order to meet this mandate, a formal request be sent to the model code groups, and to NCSBCS, not necessarily in that order, but to those five groups, and to urgently request their constituency to come up with an anticipation of the many areas that standards are lacking that require immediate action.

Now, certainly, had we not taken the action on the energy standard, this might have been one. I can think of a few which should be on the list. I think, since this is one of the best attended meetings, plus good representation from the model code groups, I just want to anticipate receiving this letter and, hopefully, all of you will go back to your State and respond as promptly as possible to this with standards you feel are lacking or outdated--standards that you feel require updating so that appropriate action can be taken by ANSI to find the appropriate secretariat, or at least catalize movement to developing those standards.

I can think of curtained walls, glazing of tall buildings, for example, as being a standard that requires some prompt attention, just as a starter.

That's about all I have to say unless anybody has any questions.

CHAIRMAN CABELUS: If not, the Chair will entertain a motion to accept his report.

(No response.)

MR. BETTS: So moved.

MR. HENKE: Second.

CHAIRMAN CABELUS: Any discussion?

(No response.)

(Whereupon the vote was taken and the motion was passed.)



CHAIRMAN CABELUS: The report is accepted. Is there anyone else to make a report?

(No response.)

CHAIRMAN CABELUS: If not, we will go on now to the Legislative Committee report.

#### REPORT OF THE LEGISLATIVE COMMITTEE

MR. CHURCH: I made this report yesterday to the Reciprocity Committee, and submitted it in writing, and sent it to all the delegates. With your permission and with the hour being like it is, I believe I will just briefly summarize. Would that be all right?

CHAIRMAN CABELUS: If it's all right with the delegates, it will be all right with the Chair.

MR. CHURCH: I was appointed by Chairman Cabelus to act on behalf of the Executive Committee in two functions. One was to represent the Conference at the Council of State Governments's meeting in Seattle, Washington, to explain the Model State Acts, which had been previously developed by working groups under the leadership of NCSBCS.

I attended that meeting on June 21, 1973. I'm happy to report that the Model Manufactured Building Act, the Model Mobile Home Act, and the Model State Building Code Act are included in the 1974 Suggested State Legislation, Volume 23, which went to all 10,000 State Legislators throughout the United States, and I am informed further distribution by the National Bureau of Standards was made on these specific acts.

We lost one of the acts and that is the one on certification of building enforcement officials. The reason being that it has on the front of the document that this particular act had not been checked legally, and also I could not state that a large number of States already had experience in this kind of legislation.

Of course, in the other three acts, I was able to quote the number of States which already had State legislation and had had experience, and a number of the members of the legislative committee also were familiar with such legislation.

I was also asked to appear before the appropriate bodies of the U. S. Congress by the Executive Committee to appear on behalf of NCSBCS on mobile home safety legislation.

There were five Federal bills introduced in 1971 and seven during this past year. A great deal of activity was going on in this area.

I did appear before the Congress--before the Senate Committee on July 24, 1973. I presented a statement which included the policies and recommendations by NCSBCS, and suggested that in any implementation of standards being proposed by either the Federal Government or being required by the States, that they follow the procedures outlined in the model state legislation.

One thing I made clear, on behalf of NCSBCS, was that NCSBCS was against any Federal legislation in this area to start with, but if they did, the policy as expressed by NCSBCS was to at least incorporate these policies within that legislation.

The Senate Bill 3066, which is the Senate Omnibus Housing Bill, has already been passed and does incorporate the Mobile Home Safety Act. There is an act in the House of Representatives that is about four or five bills; three of them in the Committee on Interstate and Foreign Commerce, and one in the Committee on Banking and Currency.

There were hearings scheduled twice for three of these in the Committee on Interstate and Foreign Commerce, but they were postponed and we had no opportunity to speak to them. We did send a letter to the Committee expressing opposition to the bills as they were written because they did not incorporate the policies of NCSBCS, and expressed the desire that the NCSBCS policies be incorporated in these bills.

We did the same thing to the Banking and Currency Committee. Now, on the NIBS Bill, I was not specifically authorized or directed to address that particular one, but I found out that there were two bills in the Congress this year, Senate Bill 2103 and House Bill 8346, and that their hearings were closed. I found this out on August 8, 1973.

Hearings were closed and written testimony could be given up until August 14, 1974. I wrote a letter and enclosed copies of the previous testimony that NCSBCS had decided on in 1971, which supported the NIBS legislation with the provision that changes be made so that the NIBS Board would be more responsive to State and local authorities, as well as the building community as a whole.

I would like to make some changes at this time in my report. I say House Bill 8346 failed in the House on April 15, 1973; but I've found out since I've been here that there is a Senate Bill incorporated in the House Bill and the Senate Omnibus Housing Bill which has already been passed.

I've not had a chance to review that bill yet, but it uses the words "National Institute of Building Sciences," rather than the "National Institute of Building Standards." It must be the old bill.

I don't know whether anybody knows about that or not, but it indicates to me that it was the old bill that was introduced in 1971, rather than the newer version just introduced this past year.

I would like to add that there is a NIBS Bill which has already passed the Senate, in addition to the mobile home legislation which has passed the Senate.

CHAIRMAN CABELUS: I'll accept a motion for acceptance of that report.

MR. THURBER: I move the acceptance of the report.

MR. BETTS: Second.

MR. CHURCH: I'd like to add that the constitutional amendment I prepared to establish a permanent legislative committee was not given to Del along with some others, but hopefully will be considered along with the Constitutional Committee.

CHAIRMAN CABELUS: It's been moved and seconded. Any questions?

(No response.)

(Whereupon the motion was voted on and was passed.)

CHAIRMAN CABELUS: I have some announcements to make. The attendance lists are copied. They are at the main desk.

Now, we would ask that you be sure that your name and address are correct. If they are not, please let Sandi know out there. Make sure that everybody is on the list. We would like to have a complete list.

Tomorrow morning, the Regional Breakfast is going to be at the Regency Room in the Villa Capri and the time is 7:30 AM. We want you there at 7:30, because I have called a 9:00 AM meeting of the Executive Committee and Delegates only. Observers will not be in here; this will just be for delegates.

Any of you fellows that are looking to be Regional Chairmen, remember, you can nominate anyone you want tomorrow morning at that breakfast.

MR. CHURCH: Could you tell everybody who is up for election?

CHAIRMAN CABELUS: Do you have it? I don't have any idea.

MR. ROWLAND: Del Thurber has that information.

CHAIRMAN CABELUS: One thing I want you to do if you're going to nominate anyone, make sure they are people who will be able to attend meetings and travel, because Regional Chairman all become members of the Executive Committee.

MR. THURBER: You want me to read this?

CHAIRMAN CABELUS: Yes.

MR. THURBER: The Regional Chairmen whose terms expire are; from the Southern Region, C. Sutton Mullen, Jr.; from the Northeastern Region, Charles Dinezio of Massachusetts. In the Western Region there is one year remaining on my term as I move up to National Chairman from Chairman-Elect. From the Executive Committee Members-at-Large, the terms of Charles Betts of Indiana and Glen Swenson of Utah expire, and Jim Hicks of California leaves one year unexpired. That's as it stands now.

On the Executive Committee, Mr. Cabelus moves to Past-Chairman and I move up to National Chairman, Sutton, Dinezio and myself are to be replaced, all but the Midwestern Region, Betts, Swenson and Hicks are Executive Committee Members-at-Large.

Any questions? We have a Regional Chairman in each of three regions and three Executive Committee Members-at-Large.

CHAIRMAN CABELUS: After the breakfast, the delegates will please be here at 9:00 o'clock. It's very important. We're going to discuss some very important things here; money, organization and Constitutional changes or amendments. It's very important that all delegates be here so they know what we're doing.

MR. ROWLAND: Just to keep one thing clear, in answer to Kern's question and also to Del, in the morning we will try to get to each regional group a recap of what you presented, because there is also the question of the two-year term and the completion of the term. When you're electing an Executive Committee member for a two-year term, the consideration of attendance should certainly be kept in mind. The two years of four meetings a year, or eight meetings is important. Where someone may be completing one year and I think Del has one year left in his term for instance, there would be a one year election of the replacement of the Conference Chairman-Elect. We'll get that information to you for your meetings tomorrow so you'll have an idea of what years are involved.

CHAIRMAN CABELUS: Gentlemen, we stand in recess until tomorrow.

(Evening recess.)



CHAIRMAN CABELUS: Gentlemen, I call this session to order. Before we start is there anyone else outside in that other room that belongs in here? If so, someone please call them in so that we can begin.

Someone said to me this morning that Del Thurber is Montana's oldest karate expert. Instead of a Black Belt, he has black suspenders.

(Laughter.)

To start, I am going to give a report of the Executive Committee of the National Conference of States on Codes and Standards. Normally, we just hit the highlights because you do get written reports of all the committees.

I will say that this has been a fruitful year. NCSBCS has accomplished several important tasks. The Council of State Governments accepted and published three Model Acts that were developed by joint State and Federal action.

Those were the acts on which we had the assistance of several industrial groups and were the result of a lot of long and hard work. It just wasn't this past year, this started a long time ago. We have seen a crash program instituted by NBS in response to the request by NCSBCS for energy criteria.

The criteria was given to the Conference and we, in turn, turned it over to the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) for development of an energy standard that can be implemented by the States.

As you know from the report that you received yesterday, ASHRAE is involved deeply in that work at this time.

Our Reciprocity Committee has collected recommendations from the States for the improvement of the ANSI A119.1 Mobile Home Standard. This material has been forwarded to NBS for review and recommendations.

Through the dedicated leadership of Herb Meyer, the Reciprocity Committee was instrumental in developing a new cooperative procedure for proposing amendments to ANSI A119. While I do not, as a matter of policy, single out individuals, I must give credit to Herb for his dedication to the NCSBCS. The Standards and Evaluation Committee developed procedures for increased State input for the A119.1 document.

The Standards and Evaluation Committee has also been very active in participating in many nationally-recognized organizations, such as the Model Codes Standardization Council, MCSC; American National Standards Institute's Construction Technical Advisory Board, known as CTAB; the Council of American Building Officials, CABO; American Society for Testing and Materials' Committees E32 and E36; the American National Standards Institute's Committee A40; and the American National Metric Council which is a new and important area of involvement.

The Education and Qualification Committee, through its Chairman, has seen fit to give the rights of the Swenson 100 Point Evaluation Plan for Building Officials to the NCSBCS. This was a sort of numerical rating for building officials. There is much work to be done yet to complete the development of it, but the idea is such that at a glance you can evaluate a building official and know what is his particular specialty. This Committee has participated in the National Academy of Code Administration, NACA, and various other educational areas.

Our Management and Regulatory Procedures Committee has distributed the Fire Reporting System of NFPA to all State Fire Marshals and their respective governors and urged them to adopt same. This Committee has done extensive work in attempting to formulate uniform permit application forms with the cooperation of the Bureau of the Census.

And that, gentlemen, is my very brief report on the activities of the NCSBCS Executive Committee. I would entertain a motion from anyone for its adoption.

MR. SWENSON: I so move.

CHAIRMAN CABELUS: Second?

MR. HENKE: Second.

CHAIRMAN CABELUS: Any comments?

(No response.)

CHAIRMAN CABELUS: All in favor?

(Voting.)

CHAIRMAN CABELUS: Opposed?

(No response.)

CHAIRMAN CABELUS: It's carried. You know, one thing about the air in Texas, it's a lot nicer than up in Montana. Up there air pollution is murder. Up there if you want to save your life, don't breathe.

(Laughter.)

CHAIRMAN CABELUS: We are going to go into reports of the various Conference Committees. With that, I will ask Herb Meyer to give his Reciprocity Committee report.

PRESENTATION OF THE REPORT OF THE  
RECIPROCITY COMMITTEE

MR. MEYER: Mr. Chairman, members, ladies and gentlemen, I asked to do this now because I am going to have to leave later and I won't be here for the rest of the Conference. I do want to tell you that I appreciate being here, and I would like to make a couple of comments.

Most of you have copies of the report. As I said previously, I have had tremendous cooperation from the members of the Reciprocity Committee and it is appreciated. I certainly expect that they will continue the same sort of thing in the future.

I'm sure most of you have heard the definition of a winner and a loser. A winner is a person who is committed to something and the loser is the man who makes promises.

I would like to assure you that in my estimation, the members of the Reciprocity Committee are people who have made commitments for reciprocity as such, and I look forward to a great year next year.

I would like to submit at this time the report of the Reciprocity Committee. The Reciprocity Committee met on September 20, 1973, in Des Moines, Iowa; December 4 and 5, 1973, in Boston, Massachusetts; and February 28, 1974, in Salt Lake City, Utah.

The officers of the Committee are as follows. Chairman, myself; Vice-Chairmen: Southern Region, John Steele, Texas; Northeastern Region, J. D. Brownrigg, Maine; Midwestern Region, Vernon Eder, Indiana; Western Region, Erik Thorne, Arizona.

The Committee adopted a procedure for proposing amendments to ANSI A119.1. This procedure would utilize the technical staff of NBS to review proposed amendments and to allow members of the Committee to approve or disapprove the proposed amendments.

These recommendations will be forwarded to the NCSBCS delegate to the ANSI A119.1 Committee for his use in presenting the recommendations, through his vote, on the various amendments proposed by the Reciprocity Committee and others.

In addition, the Committee nominated additional members as alternates for the various sections of the ANSI A119.1 Committee so that NCSBCS would have somebody in attendance at all task force meetings.

The members are as follows. Edward Kimsey, Mechanical; John Steele, Heating; Harry Baker, Electrical; Rex Early, Structural. The Committee established a handbook which was prepared by Sutton Mullen. The handbook incorporates the various procedures and programs of the Committee and will be used as a guide for the members and other interested parties.

The handbook will be maintained by the Committee as various programs and procedures are outlined and established.

The Committee has encouraged the continuance of the Reciprocity Committee program by and among the various States, and also between State agencies and private agencies.

It is hoped that the monitoring program can be established in the next year so that the entire Reciprocity Committee can become credible and acceptable, not only by the industry, but also by the consumer.

The Committee also reviewed the CES documents and encourages the use of these documents by various agencies together with the model acts that were prepared in the past. Respectfully submitted by Herb Meyer, Chairman.

CHAIRMAN CABELUS: You have heard the Report of the Reciprocity Committee. The Chair will entertain a motion.

MR. BROWNRIGG: I move to accept the report.

MR. TURANO: Second.

CHAIRMAN CABELUS: Any comments?

(No response.)

CHAIRMAN CABELUS: All in favor?

(Voting.)

CHAIRMAN CABELUS: Opposed?

(No response.)

CHAIRMAN CABELUS: It's carried. We will now go on to the Report of the Standards and Evaluation Committee, chaired by Ken Henke.



PRESENTATION OF THE REPORT OF THE  
STANDARDS AND EVALUATION COMMITTEE

MR. HENKE: Mr. Chairman, delegates, guests, I would like to present the Annual Report of the S&E Committee. It has been, I think, a fruitful year in which we continued many programs that were started by my predecessor, and we have initiated some new activities.

I will not read the report because most of you have received the draft copy of it and will receive a finalized copy in the mail. I will try to summarize it.

In the Program Outline, we identified some 12 priority areas in which we attempted to confine our work. However, we found that shortly after we developed the Program Outline, new items came to our attention which caused us to actually put aside quite a few of them and concentrate our attention on others.

As has been noted, our Committee is active on many national committees.

On the ASTM E32 and E36 we have had the assistance of Dick Furlong representing NCSBCS, and he is an instructed delegate. We did this because Sutton Mullen had served in this capacity, and at times, found himself in an embarrassing position of not really being able to be as objective as he would like, as he is the Chairman of the E32 Committee. We did appoint Dick to represent NCSBCS and free Sutton's hands and let him deal freely and fairly with all the members of the E32 Committee.

For the second year I have been the NCSBCS delegate to All9.1 Committee and have participated in practically every one of the conferences that they have had.

Ed Starostovic, the Swede from Wisconsin, has been representing us on the MCSC scene as an instructed delegate. Joe Stein has been our representative on the CTAB. Dick Furlong has represented us on the Tall Building Conference, and erroneously, I have reported Gene Pester as representing us on CABO. This is not true. Gene has provided a liaison for us for which we have been thankful. As for the A40 National Plumbing Code, Joe Stein is the representative on it and I have been an alternate to him.

I have worked with the energy document preparation, and we just recently have requested the Executive Committee to seek a seat on the American National Metric Council in order that we might become active in that particular field.

There are other committees in which we would like to participate, but unfortunately, 13 members on a committee does not permit us to spread ourselves any thinner than we are presently.

The E32 is currently in the process of going out for comment and we will be optimistic and say that, hopefully, we will have a document that can be used for laboratory accreditation in the very near future.

The process on the All9 has been worked out to where I think we, as a national organization, for the first time will have a tremendous effect on what the structure of this document will be in the future. At the present time, I serve not only on the full All9.1 Standards Committee, but I also have been designated as a member of the Correlating Committee, which is a 20 member group; so we do have representation at all three levels. We now have at least five people working at the Task Force level where the real guts of the operation is. I think there are about 45 members on the full committee, and we now have one vote on the Correlating Committee.

The process is in there where you as States can get together and support any type of amendments on a NCSBCS position or posture. You'll be able to review and comment on all amendments proposed on a national basis, and we can then take a position, and, if necessary, get in there and get into an all guts fight. This is what it sometimes takes. The Chairman of the Reciprocity Committee has already explained a little of it, and I would say

support that Committee with all the effort that you possibly can. We will make it a document that is usable and will be usable nationally.

The MCSC report is in there. You will be able to read through it.

Joe has given us a good report on the CTAB, and our presence is being felt at that point.

I had the opportunity of attending the A40 Committee meeting in San Diego in January of this year, and we did receive a tentative agreement from them. I say tentative because it has not been finalized. At a minimum, there will be two documents developed. One will be a specification document, such as presently exists, and the other one will be a performance document that you, as States, will be able to reference any time you deem necessary.

We do note that in some of our conversations with CABO they have expressed the feeling that they would like to have a more formal relationship between NCSBCS and themselves. We are both in the same endeavor, trying to achieve better codes, and I think that representation with them in some form is highly desirable.

The Energy Standard has been reported on by the Conference Chairman. We did become involved in June of last year; we had the opportunity to work with NBS in a joint Energy Workshop in Washington.

Following that workshop, the S&E Committee requested that the Executive Committee write a letter to NBS and request that a document be prepared. You know the process and the progress that has been made up to this point.

I have, in the last two months, been able to attend one session of ASHRAE as they were working on the document. I wrote a letter to the Conference Chairman and told him that I came away from it both optimistic and pessimistic; if this was possible.

I was optimistic in that I felt we had some extremely talented people working on it, and pessimistic in that I think the document may have a possibility of coming out less than desirable, because there is a tremendous amount of pressure being placed on ASHRAE to diminish the effect of it. I think that we have to continue to keep an eye on it.

We got into the American National Metric Council. If you have not considered what impact a conversion from the English System to the Metric System is going to have on our codes and things in which we are involved, you'd better give it some thought, because it is going to drive not only our code people up the wall, but industry right along with them or maybe preceding them to the top of it.

We have taken a position, and have expressed it to the Executive Committee, on the proposed National Fire Prevention Code that is being developed by NFPA. We did recommend to the Executive Committee to call a special meeting of all the model code groups, NFPA and others interested in fire codes. The purpose would be to provide the mechanism for gaining the cooperation of all in production of a single fire prevention code that would settle the fight between fire marshals and building officials.

We've also taken a position on OSHA's proposal on laboratory accreditation and made a recommendation to the Executive Committee. You know the status of that at the present time.

We did have several guest speakers during the year. Dick Stevens from NFPA talked to us about the construction of the NFPA Standards Format. We talked to Mel Green of ASME who gave us a good presentation of what its Boiler Pressure Vessel Code development procedure is and the structure of the organization. We had Ron Melott from NFPA who was crucified when he came in to discuss the National Fire Protection Code.

Along with several other members of the Executive Committee, I had the opportunity of attending the conference in Toronto, Canada, in October of last year in which we had inter-face with the Canadian people who are our counterparts there.

I think that there is an avenue here that we need to more fully explore since the borders no longer restrict the movement of materials or finished products; and, they are shipping a lot of things here, and our people are shipping a lot of things there.

It was a two-day conference and I think our Conference Chairman will agree that we were greeted and treated most courteously. By the way, if you have ever been met at an airport by a full dressed Royal Canadian Mounted Police--

MR. THURBER: I was.

MR. HENKE: --and not knowing who he was and all he said was, "Come with me."

(Laughter.)

MR. HENKE: Believe me, we went. All they really did was escort us on through Customs, and I think he just kind of waved as we walked through. Lord knows what we could have taken into the country with us.

Mr. Chairman, that is the substance of the report and I would submit it for consideration of the Conference at this time.

CHAIRMAN CABELUS: You have heard the report. Do we have a motion on acceptance?

MR. ROWLAND: So move.

MR. BROWNRIGG: Second.

CHAIRMAN CABELUS: Comments are open.

MR. RENICK: On page 6 of the Report, the last paragraph dealing with MCSC which states, "BOCA has taken the position that all standards and recommended practices referenced in their code must be included."

This was a misunderstanding with the BOCA staff, but it has been resolved and we are all working together in resolving the standard issues. I just wanted to make that clear, that there is no hang-up any more in that regard.

CHAIRMAN CABELUS: Thank you very much. Any other comments?

(No response.)

MR. HENKE: That could be deleted from the report if you want.

FROM THE FLOOR: On that particular item, is it appropriate that we could recommend that the paragraph be deleted because it really is not pertinent?

CHAIRMAN CABELUS: On my copy I just scratched it out.

MR. HENKE: It's page 6, the last statement beginning, "BOCA..."

CHAIRMAN CABELUS: It reads, "BOCA has taken the position that all standards and recommended practices referenced in their code must be included," and we will remove that.

MR. HENKE: Not unless we have a motion to do it.

CHAIRMAN CABELUS: All right. We'll have to have a motion to amend.

MR. HENKE: I will make the motion--an amendment to the motion that this statement be deleted from the body of the report.

CHAIRMAN CABELUS: Is there a second?

MR. MEYER: Second.



CHAIRMAN CABELUS: If not, we are voting on the amendment. All in favor?

(Voting.)

CHAIRMAN CABELUS: Opposed?

(No response.)

CHAIRMAN CABELUS: The motion to delete is carried. Now, we will vote on the acceptance of the report. There was a motion made and a second. We've had comment. Is there any more comment on the full report?

(No response.)

CHAIRMAN CABELUS: I call for a vote. All in favor?

(Voting.)

CHAIRMAN CABELUS: Opposed?

(No response.)

CHAIRMAN CABELUS: Now you have a report that is accepted with that deletion.

MR. ROWLAND: Did you make that announcement about returning those forms?

MR. HENKE: Thank you. I didn't. If I may, before we go ahead, one further comment. One of the activities we have been working on was a submission from all the States. We even sent envelopes and the works. So far, 13 States have complied with it, and it is essential that we receive it so the Committee can finish its work.

MR. ROWLAND: That is on the request as to how you reference standards, where you get them, and how you enforce the code, if you recall.

MR. HENKE: What we are trying to do is to get away from your having to have a supply of all these standards on hand. If we can do it by reference, this should suffice, but we need to know how the States are doing it.

CHAIRMAN CABELUS: We will ask Glen Swenson to come up and give his report on the Education and Qualification Committee.

#### PRESENTATION OF THE REPORT OF THE EDUCATION AND QUALIFICATION COMMITTEE

MR. SWENSON: Mr. Chairman, colleagues, first, I'd like to introduce our Committee. The Vice-Chairman is John Wenning of Wisconsin who is here; Chuck Talmage of Texas served as Secretary. Charles Dinezio of Massachusetts, Delegate Member and Dave McNeill of New Mexico is a Delegate Member.

The Associate Members are Jim Brennan of HUD. He's been with us during this session. Bob O'Bannon representing ICBO also is here. Bill Vasvary, SBCC, is here. Ottmar Becker representing BOCA.

The Affiliate Members are Professor Lyman Francis representing ECPD; A. C. Breckenridge, representing AGC; Jim Dowling representing AIA; Dana Hannan, representing CEC; and Bob Dikkers of NBS who has rendered excellent Secretariat service.

Following Ken's precedent, I will not read the entire report. I hope you all have copies so that you can study it when you have adequate time. Following the usual procedures, the Education and Qualification Committee worked on a set of tasks and these tasks are listed for you on the second page of the report.

The Committee met at the various regional areas which have been mentioned previously, and also in Colorado Springs, Colorado, on July 18. In order to really understand the report and the activities of this year, we included with the report a brief preface which went back to the previous year and recalled a number of things with which most of you are familiar.

In surveying the tasks which the E&Q Committee had set for itself, we ran into some enormous logistical problems. Some of the accomplishments we had set for ourselves involved the collection of mountainous data, and then utilizing these data in some meaningful fashion, and in looking at ways to accomplish this.

We explored and investigated a number of organizations and finally, in 1972, more or less zeroed in on the National Academy of Code Administration as an organization that appeared to offer possibilities.

In December of 1972, we held a symposium here in Austin, in this room I might add, partly sponsored by the E&Q Committee and participated in by the National Academy of Code Administration.

Following that, however, the E&Q Committee felt that while the National Academy of Code Administration was certainly a worthwhile organization and deserved our commendation, the E&Q Committee could not fully endorse it as a functionary in what we had in mind. We felt it was not sufficiently broadly representative in its structure.

We felt this way primarily because, at that time, the structure of the organization did not include representation from ICBO or SBCC. The E&Q Committee had advised the Executive Committee of its position to the effect that NACA was not sufficiently broadly representative and made some suggestions for changes if it was to receive endorsement of NCSBCS.

Most of you will recall, apart from last year, that there was an offer made by the representative of NACA, which happened to be John Wishart, wherein NACA offered to restructure the Academy along the lines that had been suggested by NCSBCS.

So that brings us up to the commencement of this operational year. During this year, we devoted considerable time and thought to the matter of the restructuring of the National Academy and working with it.

As a result of a number of meetings, the Academy was restructured along the lines suggested by NCSBCS which basically were that the Academy shall be governed by, in effect, an Executive Committee which would include two members from ICBO, two members from SBCC, two members from BOCA and two members from NCSBCS.

Then, it was also suggested that the restructuring include representation from the fields of architecture, engineering, public management, education and construction.

In the restructuring, the representation from ICBO, SBCC, BOCA and NCSBCS was taken care of. They did not formally provide for the other fields. It was a technical matter in selecting its Executive Committee.

It had provided for that representation to the extent that we feel is adequate, and we believe that this is a significant breakthrough. Charles Dinezio of Massachusetts and I were designated to represent NCSBCS on the Executive Committee of NACA, and so that's where we now stand.

We see the National Academy as participating very heavily in Items C and D of the tasks of the E&Q Committee; developing model programs, maintaining up-to-date compilations of education and training programs, and so on.

We feel that this is a significant step forward in this area. Our Committee feels particularly satisfied because we think that we have served as a catalyst to do something that has been needed for a long time. Specifically, I'm talking about bringing the three model code groups together, and we certainly think the CABO organization deserves a lot of credit for its increased cooperation; and, we are pleased to feel that we have had something to do with this, promoting it through the activities pertaining to the National Academy. We feel very hopeful in that respect.

Also, as Chairman Cabelus mentioned, we have been looking at what appears to be a promising concept for evaluating the qualifications of code enforcement people.

We're talking now about the concept of a rating ranging from zero to 100. I won't go into the details, but obviously, we need much more than a concept. We need a lot of diligent and intensive work to implement this and make it a useful tool.

We are looking now at a means of accomplishing this. Some actions have been taken and more will be taken to see if the necessary expertise and manpower can be assembled to, in effect, flush out this skeleton which has been described, and provide something that will be of use to the NCSBCS and other interested code organizations.

Also, the matter of model legislation has been mentioned. The model act that did not receive endorsement by the Council of State Governments was the Model Registration of Code Enforcement Officers Act, and that is something that we suggest should be rectified.

The E&Q Committee is suggesting that efforts to pursue this matter be reactivated; that a task force be organized to study the act, modify it and, hopefully, to achieve an approval of the Council of State Governments after this has been done.

The previous submittal apparently was not accompanied by sufficient information as to convince the legislators that adoption would be proper at that time. We hope, with more complete information, and knowledge, and some modifications of the document, that it will be adopted.

We, of the Education and Qualification Committee, have appreciated the cooperation of the rest of the membership of the NCSBCS and the support and help of Chairman Cabelus and the Executive Committee. We feel optimistic for the future.

We feel that what has been done is significant and that much more can be accomplished. We feel that following through the actions that are being taken now can be very meaningful to the membership of NCSBCS in the future. With that, Mr. Chairman, I move adoption of the report.

MR. THURBER: Second.

CHAIRMAN CABELUS: The motion has been made and seconded to adopt the Report of the Education and Qualification Committee. Are there any comments on this?

(No response.)

CHAIRMAN CABELUS: If not, all in favor?

(Voting.)

CHAIRMAN CABELUS: Opposed?



(No response.)

CHAIRMAN CABELUS: It's carried. We will go on to the Report of the Management and Regulatory Procedures Committee, Charles Betts.

PRESENTATION OF THE REPORT OF THE  
MANAGEMENT AND REGULATORY PROCEDURES COMMITTEE

MR. BETTS: This Committee met four times during the year at the regular quarterly meetings. We have four Delegate/State Members on the Committee besides myself. Harry Baker from Oregon, Jane Heron from Illinois, who is also our very efficient Secretary and we appreciate her input to our Committee, Delmont Thurber from Montana and Milton Duke from New York.

If any of the delegates are not on a committee and are interested in this phase of the program, we would like to have you volunteer. I can use a couple more committee members. If you are interested, get in touch with me. We'd love to have you.

We did not accomplish all of the goals which we started out to. It takes time to do all of these things. We just didn't get them all done, so I would like to report on those which we did complete.

The Uniform Building Permit Application Form, which is Item Number 1, has been distributed to every permit-issuing agency in the State of Indiana. We now are starting to get replies back from that distribution and its use from the various jurisdictions. From this, hopefully, we will come up with a Uniform Permit Application that all of us can use. That may or may not be possible.

We are going to get some input from the material which was provided to us by the Bureau of the Census. The Uniform Permit Application Form, which it has recommended, which it is using, and on which our Committee also took action, is to provide in all building permit applications that the material which was in that application is the kind of material which we ought to have on an application and from which we can derive information that would be helpful in the ongoing process of code enforcement and implementation.

Item Number 2, Fire Data and Reporting. All of you, I think, are aware that we provided to the governors and members of the Conference copies of the NFPA Fire Reporting System.

Some States are using them and some are not. If it's like my State, you take it over to the fire marshal and that's about as far as it goes. We get all kinds of excuses as to why we don't get reports on fires, and I'm sure you do, too.

In our State, we have a situation which may or may not be the same as other States. We find that our volunteer firemen are more prevalent; there are more of them than the paid firemen. To get anything out of a volunteer is like pulling teeth out of an elephant's mouth.

So we really don't have much information that has come back to us, at least on this particular program.

Item Number 3, the State Building Code and Regulatory Programs, and Item Number 4, Model Informational Documentation. These two items we did not get to this year will be considered next year and, I assume, we will have the same committee structure.

Item Number 5, Computer-Based Systems for Building Codes and their Administration. I am on the American Institute of Architects' Codes and Standards Committee and also its Advisory Committee for a computer-based system which they are now working on.

We do not have a report on the progress up to this point, but I am going to be a little critical of my own profession. I think they are moving too slow, and I am not sure **what** they are doing.

I get the impression during the meetings that they are not sure that they know what they are doing, but we'll just let that drop there.

(Laughter.)

Are there any questions or comments from the Floor? I'll try to answer them if there are.

(No response.)

MR. BETTS: Well, I'm not sure really what we are doing, let me put it that way. Are there any questions or comments?

(No response.)

MR. BETTS: Don't forget. I'm looking for a couple more members on my Committee. If you want to volunteer, I'll be most happy to have you. That's about the extent of my report.

MR. ROWLAND: Do you want to include the minutes of your meeting of yesterday, and address the topic which probably should be on the agenda with regard to the Energy Model Legislation so that delegate body can take action on it? It's buried under 8 and 9.

MR. BETTS: All right. Item Number 8 in the minutes of our meeting the other day which, I assume, will be available to everyone as the energy situation will concern all of us.

Item Number 8, on page 3. I presented the Model Building Energy Code Act, prepared in response to requests made by various States. Substantial concern was raised regarding the impact of distribution of such a document and its publication by the Council of State Governments.

Several potential problems were identified: (1) that NCSBCS endorsement or distribution might encourage enactment of discrete energy conservation legislation where no State building code exists; (2) that laws patterned after this model might be enacted, creating competing building regulatory agencies where a State code is in operation, and at the local level, the State level, or between State and local, a builder might have to obtain two separate and possibly conflicting plan reviews.

Mr. Duke pointed out that the existing Model State Building Code Act includes energy conservation as an objective and function of State building codes, and that this comprehensive approach has been adopted by NCSBCS.

What we really are saying here is that we are suggesting that you amend your building code act to include energy, rather than have a separate entity developed through legislation in your State. It could cause problems for those of you who are in the building regulatory system.

You may end up, as I have indicated here, with the possibility of a conflict between the two agencies. We are very much concerned that we don't get such a conflict and, therefore, any legislation which you may need in your State should be based on the premise that the building division will have authority on the energy documents and the enforcement of the energy requirements.

Do I need to read the rest of this?

MS. HERON: Go to the bottom of page 4 and you might read A, B, and C, and then on page 5, Number 9.

MR. BETTS: Jane Heron moved that the Committee recommend to the Executive Committee that before any distribution of this document, a cover letter or a revised introduction to the act be prepared, addressing itself to potential problems identified by the M&RP Committee that might result from separate enactment, and that such a letter emphasize the following points: (A) the importance of incorporating energy conservation in building into a State building code; (B) the importance of placing the total responsibility for building regulation, including energy in one agency; (C) the problems generated by creating a State energy-related building regulatory agency in addition to, and possibly in conflict with, the existing local building department.

That was the motion and it was passed. It was the sense of the Committee that NCSBCS should go on record as recommending a simple amendment to the building act to include energy conservation or adoption of a comprehensive State building code including energy conservation, rather than separate legislation.

Lacking time for a formal review of the annual report, it was agreed that the comments would be made informally to the Chairman. If you have any comments on this, please let me know.

Now, some of you may need to have an interpretation of your building code act. We had a situation in our State where the first opinion we got from our Attorney General was that we had the authority, and then about four weeks later he came along with another opinion and reversed himself.

I hope you don't have that problem and have to start all over again. Now, we have to go back to the legislature to get the authority to enforce the energy requirements. Does anyone have a question or comment on this subject?

(No response.)

Mr. Chairman, I think that's it. I do want to again remind you that I would like to have a couple more members on my Committee.

CHAIRMAN CABELUS: Thank you, Charles.

MR. THURBER: I move the adoption of his report.

MR. SMITTLE: Second.

CHAIRMAN CABELUS: Any comment or discussion?

MR. ROWLAND: Now, if I interpret this right, your approval of the report as a delegate body is an instruction to the Secretariat that we not proceed with a separate suggested state legislation to the Council of State Governments.

I also interpret from the report, however, that the delegate body can receive information from us with regard to what has been done or any information that they could feed into their governor, but I would hope that somehow we got the message that any document requested by your governor may go back through you so that you can control it.

CHAIRMAN CABELUS: That's right.

MR. ROWLAND: Or, at least you get a copy of the responses so that you are put into the pipeline because we are getting direct letters that Ed Rovner, who is now with the National Governor's Conference, shoots out to us.

On most of those letters, we've always had a copy back to you when it's answered so you know who gets what, and then it will be up to you to run back and cover the corner.



MR. BETTS: I think this is so important. If you do have any correspondence on this subject that might pertain to what the Governor seems to be doing over there and we may not know about, I think it would be very helpful for us to know what you are doing. The Governor may know what we are doing but maybe one of his aides doesn't.

MR. ROWLAND: So watch your mail. If you are getting carbons of letters that appear to go to the Governor on anything concerning energy, your responsibility is to pick up the ball; otherwise, he may be going with a separate energy bill and setting up a competitive agency. We'll try to convey that in correspondence following the meeting.

MR. HAMILTON: I believe it was recommended to us yesterday by the ASHRAE representative that we hesitate or hold off on the promotion of legislation regarding energy until that standard is completed. Am I right?

CHAIRMAN CABELUS: But this is a different thing entirely.

MR. HAMILTON: I'm a little confused.

CHAIRMAN CABELUS: Well, maybe I can clarify it for you. What we are saying is, that instead of coming up with the whole act as we did with the Model State Building Code Act and the Manufactured Building Act and so forth, just take your State building code act and amend it to include energy. In other words, you are putting it into the building regulatory office instead of some other place.

MR. BETTS: What we are saying is you have two different subjects. One is the energy criteria itself. That is a different thing, and we don't have it yet. All we are saying now is to get your organization into shape so that you control it as a building official.

MR. ROWLAND: One other reason that was also suggested as why not to go ahead with this is that every State Legislator in the United States receives a copy of those bound documents.

Every State Legislator wants to introduce some legislation. If he found a separate one on energy, you wouldn't know that he was introducing it and then you would have a battle.

MR. BETTS: As I say, we don't want you to do that because that fouls us up.

CHAIRMAN CABELUS: In response, you know they always say, "Let Uncle do it," or "Uncle will do it." Now, we are saying let the private sector do it, so they better deliver. They have hollered long and now they have their chance. Are there any other comments?

MR. BETTS: One more. That is, I guarantee to you that if you do not take some action on this subject soon and if you let it go too long, you are going to lose it.

CHAIRMAN CABELUS: Now, we'll call for vote on it. All in favor?

(Voting.)

CHAIRMAN CABELUS: Opposed?

(No response.)

CHAIRMAN CABELUS: It's carried. We have moved along and we have new business next on the agenda, I don't know of any really pressing new business. There may be something that I am not aware of.

We have the election of officers, and I just would like a consensus here. Should we go through the noon hour just so you will have more time this afternoon?

(The audience responded.)

CHAIRMAN CABELUS: All right. Then we will not adjourn for lunch now. Let's try to go right on through. We will open under new business. Erik Thorne, you now can say what you want to say.

MR. THORNE: I wish at this time that the Chair would give a good vote of thanks to the respective Chairmen of the committees who have just issued these very excellent reports. I think they deserve a vote of thanks.

CHAIRMAN CABELUS: I think what we are doing is proposing a motion here that the entire Conference give a vote of thanks to our Chairmen and their committees.

This may be a little unusual, but I would like to have our Chairmen stand up first, please.

(The Chairmen of the committees stood.)

CHAIRMAN CABELUS: Now, stay up. Now, the committees that worked with you, you please stand up; all of the members who are here.

(Members of the committees stood up.)

CHAIRMAN CABELUS: Now, please remain standing. Now, I want everybody who has ever worked on a NCSBCS committee to stand up; any of you people who have been on the advisory groups or on any kind of a committee at all that has worked with NCSBCS.

(Numerous other members stood up.)

CHAIRMAN CABELUS: Well, that's the way I like it. All I can say is there is the work for us.

(Applause.)

CHAIRMAN CABELUS: It goes without saying, I think this is going to be, as I said in my report, a fruitful year. No one can get up here and do the job without the people who do the work. To my Committee Chairmen and to all of you, I thank you.

Del, do you want to take over on the elections? The Chairman-Elect will come over and take up the Chair for this segment.

MR. THURBER: Gentlemen, we are going to move along here. Our next item on the agenda will be the elections, and I will proceed in the best manner that I know how and explain to you as we go along how it is done.

First of all, we will take up the matter of the Regional Chairmen. At this time, I would like to ask each present Regional Chairman to report on the new Regional Chairman as elected this morning at the breakfast.

The one Regional Chairman who has one more year to go, God rest his merry soul, is Ken Henke. He has another year as Chairman of the Midwestern Region, so his position is not vulnerable.

I would like to have Sutton Mullen report on the Regional Chairman as elected from the Southern Region, please.

MR. MULLEN: The Southern Region has elected Mr. Charles Talmage of Texas as its Chairman.

MR. THURBER: From the Northeastern Region, will the delegate from Massachusetts please report on that Regional Chairman.

MR. RENICK: Mr. Dinezio from Massachusetts was reelected to serve a full two-year term as Northeastern Regional Chairman.

MR. THURBER: All right. That is a two-year term for the Southern Region also. Right?

MR. MULLEN: Right.

MR. THURBER: I will report to you that Mr. Harry Baker from Oregon was elected to serve out the one-year remaining in my term as Western Regional Chairman which I waived on moving up to National Chairman.

I would ask for a motion from the Conference to accept and approve these elections. May I have the motion?

MR. BETTS: I move.

MR. THURBER: Charles Betts moved.

MR. THORNE: Second.

MR. THURBER: All in favor of approving the Regional Chairmen as elected this morning signify by "I".

(Voting.)

MR. THURBER: Opposed?

(No response.)

MR. THURBER: So carried. Now we go into the Executive Committee Members-at-Large. These Executive Committee Members-at-Large are elected from the delegate body like it says, at-large.

We have Mr. Glen Swenson's two-year term expiring. Mr. Jim Hick's term has one year left to run, but Mr. Hicks is not on the Executive Committee as of right now. Mr. Hicks is no longer, as I understand it, the delegate from California and that is why he leaves a one-year term. Mr. Charles Betts' two-year term is expiring.

Now we have a situation here on these terms. The two two-year terms and the one one-year term will be a little difficult to do.

If I might take the prerogative of the Chair, we will now entertain nominations for the position of election to the Executive Committee Members-at-Large.

If it will be all right, much the same as we did last year, the two top vote getters, take the two two-year terms and the third takes the one-year term.

MR. THORNE: Mr. Chairman, I'd like to place the name of Glen Swenson from Utah into nomination for a two-year term of office.

MR. THURBER: Mr. Glen Swenson has been nominated for a two-year term of office.

MR. HENKE: Mr. Chairman, it is my pleasure to put into nomination the name of an individual who comes from the Hoosier State who has given a great service to this organization. I consider him a very good friend, and I appreciate his counseling and his knowledge, Mr. Charles Betts.



MR. THURBER: Mr. Charles Betts has been nominated.

MR. RENICK: We would like to put into the nomination Mr. Robert Frambach, the delegate from Pennsylvania.

MR. THURBER: Mr. Robert Frambach has been nominated.

MR. BAKER: Mr. Chairman, I would like to nominate Mr. Russell H. Bahr from the State of California for the one-year unexpired term of Mr. Jim Hicks.

MR. THURBER: Mr. Bahr has been nominated.

MR. MULLEN: I wish to nominate Mr. Edward Kimsey of Tennessee. Mr. Kimsey can attend the meetings.

MR. THURBER: Mr. Kimsey of Tennessee has been nominated. I'd like to clarify one thing. You have two two-year terms and one one-year term. If it behooves you and if you don't get into difficulties and jump down my throat, I will repeat, I will suggest that the two top vote getters take the two two-year terms and the third man take the one-year term. Is this satisfactory with the delegates?

FROM THE FLOOR: Would it be appropriate that we make a motion so that it will be in effect?

MR. THURBER: I would suggest that be in effect.

FROM THE FLOOR: I so move.

MR. BROWNRIGG: I second.

MR. THURBER: All those that approve of that motion signify by the usual "I".

(Voting.)

MR. THURBER: Any opposed?

(No response.)

MR. BULLOCK: I move the nominations be closed.

MR. SMITTLE: Second.

MR. THURBER: It's been moved and seconded for nominations to be closed. All those in favor signify by the usual "I".

(Voting.)

MR. THURBER: Opposed?

(No response.)

MR. THURBER: We now have five candidates for the offices of Executive Committee Members-at-Large. Now, we'll get some ballots passed out by Brother Mahaffey over there and we have to appoint about three tellers, I think. Who wants to tell?

MR. BETTS: One of those nominations was for a one-year term?

MR. THURBER: Yes. He made a motion that the third man take it. Now, we'll put the names up here on the board and, after they are put up by Gene Rowland, I suggest that you vote for three people. The top three people will be Executive Committee Members-at-Large. The two top guys being two two-year terms and the third guy will be the one-year term. Satisfactory? Is that all right with you, gentlemen?

(From the floor, "Sure.")

MR. THURBER: They are writing them up there now.

(Brief delay.)

MR. THURBER: Now, you have your nominees; Swenson from Utah, Betts from Indiana, Frambach from Pennsylvania, Bahr from California and Kimsey from Tennessee. Now, only delegates may vote, please. Don't give us 55 votes up here for these delegates.

(Laughter.)

MR. THURBER: The Chairman cannot vote except in the case of a tie. He may then vote; delegates and proxies can vote.

(Brief delay.)

MR. THURBER: I'd like to tell you a little bit about next year's NEWSLETTER. The last issue that we had was a little bit skimpy, as you know, because we didn't have the input from the Conference.

Now, I don't know exactly where the input is going to go at this particular moment, but we would like to have a good NEWSLETTER again next year, so let's get that stuff in.

The next issue will probably have to come to me at Box 617 in the great State of Montana in the town of Great Falls. I will forward it to whoever is going to get it. The zip code is 59403. We have a couple of articles about Cabelus going in next time.

(Laughter.)

By the way, I am looking for an editor for the NEWSLETTER, man or woman. If I get a good volunteer to take that NEWSLETTER, I'll award it fast.

CHAIRMAN CABELUS: After we are wound up here, we want volunteers to throw the incoming Chairman into the pool.

(Laughter.)

While we're killing time, I'll tell you that the information is down at the desk for where to meet the bus and so on to go to the Banquet tonight.

MR. THURBER: The results of your ballots, ladies and gentlemen. One two-year term for Executive Committee Member-at-Large goes to Mr. Charles Betts of Indiana.

The second two-year term goes to Mr. Glen Swenson from Utah and the one-year term is to Mr. Edward Kimsey of Tennessee. Let's give those gentlemen a hand.

(Applause.)

MR. THURBER: Now, let's ask them to stand up. Let's see those three fellows stand up.

(Two gentlemen stood up.)

MR. THURBER: Along with the Regional Chairmen.

(The Regional Chairmen also stood up.)

MR. MULLEN: In fairness to Mr. Kimsey, he is very sorry that he had to leave, but he had a long-standing engagement to speak in Memphis tonight and he could not stay.

MR. THURBER: I have been asked for an explanation of the other position on the Executive Committee and I will give you that explanation. There is a one-year unexpired term of David McNeill of New Mexico. He still has one year to serve on the Executive Committee.

He has had problems recently and has assured some of the delegates here, particularly his own proxy that he wishes to continue on the Executive Committee, and will be in attendance beginning with the first Executive Committee session of the new year. We will honor that suggestion if it is all right with you. If at that time he says he cannot serve any longer, we will accept that and replace him under the Constitutional Bylaws of this Conference. If this satisfies you, then I will get off the podium. Does anybody have any comments on that?

(No response.)

CHAIRMAN CABELUS: We are still under new business. Is there any other new business?

(No response.)

CHAIRMAN CABELUS: If not, we are going on to the Chairman's suggestions or recommendations and what he feels should be pursued by the Conference commencing with the new administration.

#### PRESENTATION OF CHAIRMAN'S SUGGESTIONS

CHAIRMAN CABELUS: I want you to know that our last annual conference was held in Connecticut which is the Northeastern Region. This one here in Texas is the Southern Region.

The next annual meeting is going to be in Santa Fe, New Mexico, and the one following that will be in Indianapolis, Indiana.

MR. BETTS: Not Indianapolis. It's South Bend. We're going to have a tour of the steel mills and it's going to be great. I've got some guys working on it.

CHAIRMAN CABELUS: I will say this to you, that tomorrow morning, when your new National Chairman and your new Executive Committee convenes, they will be open for invitations for the Annual Conference for 1977.

When I get through with this particular report I have, Gene Rowland will give you some information on the banquet tonight before we leave.

I have been very, very happy with the reception that we have had here in Texas, and I just want to extend my personal thanks to the people from this fine State.

Now, acting on the resolve of the NCSBCS to form a more effective national organization for bringing about a rational, practical solution to the need for a truly interstate system of building regulations, the following action recommendations are offered as a creative response by the States to the "New Federalism" and I urge that the following be supported.

One, general. It is believed that no proposition concerned with the above can be successfully carried out without a more complete utilization of the facilities and personnel of the NBS Center for Building Technology. It is further believed that the other Federal agencies concerned with building regulations must also be involved in this more



intensive utilization of NBS. Only through the development of a better working mechanism involving State and Federal regulatory agencies and the NBS, aimed at cooperatively sponsoring the evolution of interstate building regulations, can a truly national system be perfected. To carry out these general aims, the following specific recommendations are offered.

Two, Specific. The NCSBCS should immediately enter into negotiations with the NBS to establish a basis for a State-supported Research Associate program.

This program would have the following highlights. NCSBCS would select and pay the salary of an Executive Secretary who would be stationed at the NBS/CBT. A five-year plan would need to be established that would require NBS to supply space and the secretarial-type services, including mailing, needed with a planned program, requiring NCSBCS to gradually assume the costs of all secretarial support services, but not space, needed for the functioning of the new NCSBCS.

The Executive Secretary would immediately begin to develop the larger State-Federal building regulatory standards program with the following salient points.

One, the Center for Building Technology Standards Council membership--and this is a group that has already been established and is there--be expanded to include the NCSBCS Executive Secretary, and its objectives be aimed more at the development of needed regulatory standards.

Two, the other interested Federal agencies be contacted with the idea of joining the NCSBCS regulatory standards development program. Arrangements with the NBS/CBT be concluded so as to further expand the CBT Standards Council so as to include representatives from each of the participating Federal agencies.

Three, to utilize NCSBCS S&E Committee to develop an overall long-range building regulatory standards program, determining how to incorporate the standards emanating from the Federal-State-NBS standards development activities into a truly interstate regulatory standards program. This function to be carried on knowing that the Federal-State development program would be engaged in flushing out the S&E programs.

Four, utilize the NCSBCS Management and Regulatory Procedures Committee to develop the evaluation procedures and program required to assure interstate reciprocity.

Five, utilize the Reciprocity Committee as a problem identification forum and as the nucleus of a standards distribution center, responsible for developing explanatory symposiums regarding new editions of standards.

Six, involve the participating Federal agencies in the support of the research needed to reach the standards objectives identified by the expanded CBT Standards Council.

Seven, require NBS--and I say require--to establish and maintain a special regulatory standards service unit, composed of standards development engineers responsible for assembling drafts of regulatory standards identified by the CBT Standards Council.

Eight, aim for the evolvment of a complete set of building regulatory standards, by occupancy, by 1980. Those are my recommendations to the NCSBCS.

I have copies of this. I know some of these thoughts may be new, they may be shattering to the thinking of some, but I want you to read carefully what I have there and really digest what I am saying.

While I think NCSBCS has become of stature, we are going to seek our own Executive Secretary. We know it is a fact of life that we have to live with NBS, and we have to live with HUD, and we have to live with HEW, and we have to live with all the other Federal agencies, OSHA and all the rest.

There is only one way that we ever get anything that we want and that's by communication and we want direct input, and we want them to understand what we are after. We want to understand what they want to do and we want to be able to criticize, and we also want to be able to say to NBS, "Your task is normally to help other governmental agencies and private agencies and we are saying now that this is where we want to be helped."

I think we are big enough to do this; at least, I hope so. Is there any other new business?

MR. SWENSON: I would like to offer the motion that this body go on record as commending Bernard Cabelus for his dedicated and effective service in his capacity as National Chairman of NCSBCS.

MR. THURBER: I second the motion.

MR. ROWLAND: Does the National Chairman-Elect want to take the Chair?

MR. THURBER: The motion is made and seconded that we give Bernie the business. All those in favor signify by the usual "I."

(Voting.)

MR. THURBER: Opposed?

(No response.)

MR. THURBER: It's so ordered.

(Applause.)

CHAIRMAN CABELUS: Thank you.

MR. ROWLAND: Del Thurber would like to see the new Executive Committee up here for a few minutes right after we adjourn. Tonight is our final banquet dinner. We want everybody, of course, to attend.

I am going to ask the Coordinator who has really done a lot of leg work to make this Conference possible, Sandra Berry, to tell us what we are going to be doing. Would you please come up?

MRS. BERRY: The buses are going to be in front of the restaurant at 6:00 o'clock. I hope you can all be there. We are going to the Feed Lot Restaurant. It is a very interesting restaurant and I think you all will enjoy it.

MR. JUDGE: One of the things I expected to hear some discussion on here at this meeting, and I understand was discussed in your committee meeting this morning, was how NCSBCS plans to fund its own Executive Secretary.

Most of us in the private sector are interested in hearing something about this.

We've heard all kinds of rumors and I gather that subject was discussed this morning. Is there going to be any discussion of that in front of this open meeting?

CHAIRMAN CABELUS: Perhaps a few words on this are in order. Well, if it isn't out of order to advise a little bit about what is contemplated. We have written a letter to Dr. Roberts because the National Bureau of Standards does want to phase out the Executive Secretariat.

We did sanction the Executive Committee to go to Washington in July to spend as much time as necessary, be it a day, two, three, four or five. We have recommended that they bring a couple of States' Attorneys General along with them, and it looks very much as if we will have some of the Department of Commerce's attorneys to tell us how we can set up our Secretariat and collect monies, and do it legally so that there could be no conflict with our Bylaws.

We are going to--I say we, because as Immediate Past National Chairman, I'll be a member of the Executive Committee and all of the Committee will be there.

Then, when we find out and develop this system, and find out the way we are going to move, we are going to call a special meeting of the NCSBCS. We will notify the delegates ahead of time through the mail of the actions and proposals. They will have to vote on the acceptance of the recommendations of the Executive Committee.

At that time, there will be more discussion on assessments and other methods of making money. We know for the first two or three years, they are going to be lean.

If we start with a good Executive Secretary, we are in great shape. As far as travel, we are not going to finance the travel of everybody to all our meetings; we can't for the first two or three years.

There has been a lot of research, there are many good ideas that have been set forth and if we can implement any of them, the day may well come when we may be able to sponsor all your expenses, even to the Annual Conferences, at least hopefully so.

It is very possible that we will be more than self-sustaining. This is our hope and this is our desire. We have a lot of thoughts. We welcome any input. We are going to welcome comments, and whatever we come up with, the delegates certainly are going to be kept informed. Prior to the special meeting of the NCSBCS, you will have plenty of warning and paperwork to let you know just why you are coming. You will have to vote in order to make anything that the Executive Committee decides on, legal and binding.

MR. JUDGE: Let me ask one other thing. At the Executive Committee meeting yesterday, I heard almost everything you said. Was it not said that it is hoped that your selection of an Executive Secretary would be wound up not later than the end of the month of July?

CHAIRMAN CABELUS: No. We said our meeting to go over all this, all our investigation on what to do and how to move, would be held by no later than the end of July.

MR. JUDGE: So you will probably continue through the rest of this Conference year as you now are?

CHAIRMAN CABELUS: We reaffirmed Gene Rowland's role as Executive Secretary for the ensuing year, yes.

MR. JUDGE: All right. Thank you.

CHAIRMAN CABELUS: Are there any further questions in regard to this?

(No response.)

CHAIRMAN CABELUS: Is there any other new business?

(No response.)

CHAIRMAN CABELUS: I do have copies of the report that I made.

I declare this Conference adjourned.

(Whereupon the record was closed.)



ATTENDEES

NATIONAL CONFERENCE OF STATES ON BUILDING CODES AND STANDARDS

7TH ANNUAL MEETING

April 28 - May 3, 1974

Austin, Texas

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REPORT OF THE  
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NATIONAL CONFERENCE OF STATES ON BUILDING CODES AND STANDARDS  
Conference Year 1973-74

This has been a fruitful year; NCSBCS has accomplished several important tasks.

1. The Council of State Governments has accepted and published three model acts developed by joint State and Federal action.
2. It has seen a crash program instituted by NBS in response to the request by NCSBCS for energy criteria.
3. This criteria was given to the Conference and turned over to the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), for developing an energy standard for implementation by the States.
4. ASHRAE is currently deeply involved in that work at this time.
5. Our Reciprocity Committee has collected recommendations from the State for the improvement of the ANSI A119.1 Standard. This material has been forwarded to NBS for review and recommendations.
6. The Standards and Evaluation Committee developed procedures for increased State input to the A119.1 document.
7. The Standards and Evaluation Committee has also been very active in participating in many nationally known agencies, such as the Model Codes Standardization Council (MCSC); American National Standards Institute's Construction Technical Advisory Board (CTAB); the Council of American Building Officials (CABO); American Society for Testing and Materials' Committees E32 and E36; American National Standards Institute's Committee A40. The American National Metric Council is a new and important area in which this Committee is involved.
8. The Education and Qualification Committee, through its Chairman, has seen fit to give the rights of the Swenson 100 Point Evaluation Plan for Building Officials to the NCSBCS. This Committee has participated in National Academy of Code Administration (NACA) and various other educational functions.
9. Management and Regulatory Procedures Committee -- The Fire Reporting System of NFPA has been distributed to all state fire marshals and their respective governors who have been urged to adopt same.
10. This Committee has done extensive work in attempting to formulate uniform permit forms with the cooperation of the Bureau of Census.
11. Reciprocity Committee --- Through the dedicated leadership of Herb Meyer, the Reciprocity Committee was instrumental in developing a new cooperative procedure for proposing amendments to A119. While I do not as a matter of policy single out individuals, I must give credit to Herb for his dedication to NCSBCS.



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Austin, Texas  
April 28 - May 3, 1974

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## STANDARDS AND EVALUATION COMMITTEE

### GOALS AND OBJECTIVES

The goals and objectives selected by the Standards and Evaluation (S&E) Committee to further the role of the National Conference of States on Building Codes and Standards (NCSBCS) are:

- A. Promote the activities of the Model Code Standardization Council (MCSC) in the establishment of a national consensus standard development project (including timetable goals) to produce:
  - 1. standard definitions used in building codes;
  - 2. standard building code occupancy classifications;
  - 3. standard types of construction;
  - 4. standard format for building code use.
- B. Develop support as may be needed for the continued study of the HUD-FHA performance standards document as a National Conference of States on Building Codes and Standards/Council of American Building Officials draft that could be used for the development of a national consensus standard useful as a supplement to building codes for the evaluation of innovative housing systems.
- C. Promote the development of national consensus standards for regulatory reference in conserving energy used in new buildings.
- D. Promote the speedy completion of the American Society for Testing and Materials (ASTM) E-32 and E-36 standards making sure that this standards' activity accurately reflects the needs of the States.
- E. Investigate the feasibility of establishing a consensus standard development project related to the material emanating from the NBS Coordinated Evaluation System (CES) research project.
- F. Encourage the adoption of recognized model building codes and consensus standards, discouraging the development and/or use of standards that duplicate existing model building codes and consensus standards.
- G. Support the development and promotion of recommendations that will resolve the overlap of fire codes and/or building security requirements, with those of building codes.
- H. Continue NCSBCS participation in the All9 standards activity and the American National Standards Institute (ANSI) Construction Technical Advisory Board (CTAB), including the development and timely introduction of agenda items for each that are of special interest to the States.
- I. Identify other building standards activities of special significance to the States and recommend an appropriate NCSBCS relationship to each.
- J. Promote the completion of the study of model building codes, identifying: those subject areas for which there are no consensus reference standards; those subject areas where the model codes differ from existing consensus standards; priorities among regulatory standards needs.
- K. To review the role of building regulations relative to disaster mitigation (earthquakes, extreme winds and similar dynamic hazards).



## THE PAST YEAR

The first meeting of the year was held in Des Moines, Iowa. In pursuing a policy adopted in prior years, membership on various national committees was continued; and as new ones were identified, they too were added. The committees and NCSBCS representatives are as follows:

ASTM E-32, E-36\*  
ANSI A119.1\*  
MCSC\*  
CTAB (ANSI)  
Tall Building Conference  
CABO  
ANSI A40\*  
Energy Standard  
ANMC (Metric Conversion)

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---

\*Denotes Instructed Delegate

Guidelines for "Instructed Delegates" developed by Mr. Mahaffey of NBS were approved by the S&E Committee and adopted by the Executive Committee.

### AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) E-36

No report at this time.

### AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) E-32

C. Sutton Mullen has served as the S&E delegate for the past two years. He also is the Chairman of the E-32 Committee, and as such has at times been placed in a difficult position. To alleviate this problem, Richard Furlong has been appointed to represent NCSBCS and to permit Sutton to devote full time to the chairmanship.

The work of the Committee has about drawn to an end. The document of E-32 (Criteria for Evaluating Agencies Concerned With System Analysis, Testing and/or Compliance Assurance of Manufactured Buildings) is in its final review before submitting it to ballot. There is still the possibility of referral back to the Committee. It is felt that the standard will be available in the not-too-distant future.

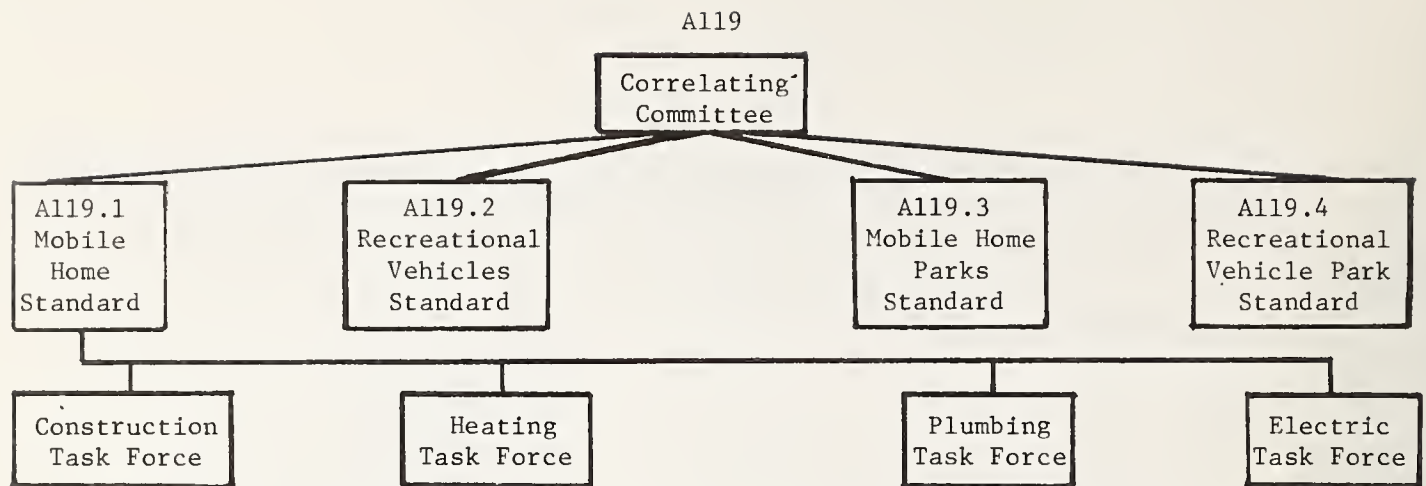
As this standard was requested by NCSBCS and that much time, effort and money has been expended, many people will be observing what we (NCSBCS) will do with it.

The E-32 Committee is currently reviewing the document Coordinated Evaluation System (CES) Project to determine whether it has any immediate or long-range effect on its work.

### AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) A119.1

During the past year the instructed delegate has worked with the A119.1 Mobile Home Standard Committee. He has in addition to the Committee assignment been appointed to the Correlating Committee.

The A119 Committee is structured as follows:



Amendments are submitted at the task force level where they are reviewed and approved or rejected. At this level, the most technical expertise is gathered. The next review is by a full sectional committee. They attempt to eliminate any duplication or overlap. If any does exist or objection to any amendment is voiced, that section may be returned to the task force to be resolved. The next step is to submit to letter ballot of all members of the full Committee. Any negative comments must be resolved or an attempt made to resolve them before further action can be taken.

The next action is the review by the Correlating Committee to determine if conflicts or duplication exist between the various standards, before submission to the National Fire Protection Association (NFPA) for its approval. After obtaining NFPA's approval it is then submitted to ANSI for its review and approval.

The last step in the procedure is the assigning of the ANSI number and date.

This whole process is time consuming. Virtually, 12 to 15 months may be consumed before the standard is ready for adoption by the States.

In the past, NCSBCS has not truly been involved in the entire process. We have reacted to instead of generating action. In discussing this problem with the NCSBCS Reciprocity Committee and the National Bureau of Standards, the following system has been developed, presented to the Reciprocity Committee, and the Executive Committee and received their approval.

In order that a timely sequence of events can be developed, members of the Reciprocity Committee will submit their recommendations for change to the A119.1 Mobile Home Standard by April 1. These will be consolidated, reviewed by the Reciprocity Committee at the NCSBCS Annual Conference, and a NCSBCS position will be developed. The approved amendments then will be submitted to NFPA to be consolidated with all other amendments from across the country. The total amendment package will be reviewed by the Reciprocity Committee and a NCSBCS position will be developed on each one.

At the first task force meeting the instructed delegate and his alternate will present NCSBCS's position.

All amendments approved at the task force meeting will be reviewed at the next Reciprocity Committee meeting. Again, a NCSBCS position will be developed. The instructed delegate at the full A119.1 meeting will defend NCSBCS's position and attempt to secure reassignment of those amendments not meeting its approval back to the task force for further study.

Prior to the next meeting of the Reciprocity Committee a letter ballot will be submitted to all members of the Reciprocity Committee. A simple majority of those returning their ballots will constitute the vote to be cast by NCSBCS.

The last position from which we can attempt a defense is the Correlating Committee. There, we must identify a territorial conflict before we can request action.

To assist the "Instructed Delegate" a special committee of the Reciprocity Committee has been appointed. It is composed of the Chairman and the four Regional Vice-Chairmen. This will enable him to obtain an opinion on subjects that require immediate action.

#### MCSC - MODEL CODE STANDARDIZATION COUNCIL

At its meeting in Jacksonville, Florida, it was announced that the MCSC recommendations were to be incorporated within the following time frame: Building Officials and Code Administrators (BOCA) - 1975; International Conference of Building Officials (ICBO) - 1976; Southern Building Code Congress (SBCC) - 1977. Occupational Safety and Health Administration (OSHA) has been invited to become a member of the group. ICBO is experiencing a problem with the incorporation of the recommendations in that it must have its own compilation of standards referenced in ICBO codes.

MCSC is developing a list of standards for referencing in building codes that are basic to code enforcement. They are eliminating secondary and tertiary standards that are not frequently used, and those that are basically recommended practices.

BOCA has taken the position that all standards and recommended practices referenced in its code must be included.

#### CTAB - CONSTRUCTION TECHNICAL ADVISORY BOARD

Several standards have been submitted to CTAB for review of representation by organizations. All but one meet the criteria. As a result, affirmative votes were cast by the NCSBCS delegates. The one that received our abstention was the A40 National Plumbing Code. At the time, two factors were the overriding consideration. First, the model code groups were not represented. Second, it appeared that only a specification standard would again be developed. On receiving a report that the model code groups had been invited and had declined the offer and that, at a minimum, both a performance standard and a specification standard would be developed, the abstention was withdrawn and an affirmative vote was cast.

#### TALL BUILDING CONFERENCE

The Joint Committee on Tall Buildings is an international exchange of information activity, sponsored by engineering, architectural, and planning professionals to study and report on all aspects of the planning and design of tall buildings. The Joint Committee is also concerned with stimulating the use of recent findings from research laboratories and from design practice. The Committee sponsors local, regional, and international conferences, and publishes reports and proceedings from these conferences.

The Joint Committee on Tall Buildings was formed in 1969 as a combined effort of the American Society of Civil Engineers (ASCE) and the International Association for Bridge and Structural Engineering (IABSE). From the beginning, the American Institute of Architects (AIA) and the American Institute of Planners (AIP) were directly involved, and strong liaison ties have been maintained with other organizations--CIB, CEB, ECCS, FIP, HUD, NAE, NBS, Gosstroy, as well as the Chicago Committee on High Rise Buildings. In 1973, as a result of the increased emphasis on planning and environmental criteria, AIA, AIP, International Federation for Housing and Planning (IFHP), and International Union of Architects (IUA) were invited to join the forming organizations as equal participants. Financial support has been obtained primarily from the National Science Foundation and the American Iron and Steel Institute. Liaison membership now includes more than one hundred organizations, including local groups in the major cities, international groups, state officials, professional societies, and representatives of owner, developer, financial, and user interests. Liaison membership serves most usefully in helping to eliminate duplication of effort, as well as improving a more complete exchange of information.



The major efforts of the Joint Committee have been the preparation of the MONOGRAPH, exchange of technical information, and implementation and improvement on methodology in planning and environmental aspects associated with tall buildings. Subject areas of the MONOGRAPH include the philosophy, architecture, social, political, transportation, planning, and other aspects of environmental impact, service systems, structural systems, loading systems, structural safety, security, foundations, and all appropriate design methods, including limit states applied to both steel and concrete high rise buildings. Present plans include the possible development of a computer based information data center. National and regional conferences have been held at the rate of about four a year since 1971. The international regional conferences have served the valuable purpose of bringing to the attention of professionals and local regions the problems and proposed solutions associated with tall building construction and operation. Following is a list of the task force committees now operating for the Joint Committee:

- |   |   |
|---|---|
| 1. Environmental Systems                          | 21. Elastic Analysis                          |
| 2. Service Systems                                | 22. Nonlinear Analysis and Limit Design       |
| 3. Structural Systems                             | 23. Stability                                 |
| 4. Construction                                   | 24. Stiffness and Crack Control               |
| 5. Gravity Loads and Temperature Effects          | 25. Creep, Shrinkage, and Temperature Effects |
| 6. Earthquake Loading and Response                | 26. Limit State Design                        |
| 7. Wind Loading and Wind Effects                  | 27. Masonry Structures                        |
| 8. Fire and Blast                                 | 28. Philosophy of Tall Buildings              |
| 9. Quality Control Criteria                       | 29. History of Tall Buildings                 |
| 10. Structural Safety and Probabilistic Methods   | 30. Architecture                              |
| 11. Foundation Design                             | 31. Urban Planning                            |
| 12. Architectural-Structural Interaction          | 32. External Transportation                   |
| 13. Commentary on Structural Standards (Steel)    | 33. Parking                                   |
| 14. Elastic Analysis and Design                   | 34. Economics                                 |
| 15. Plastic Analysis and Design                   | 35. Applications of System                    |
| 16. Stability                                     | 36. Motion Perception and Tolerance           |
| 17. Design Methods Based on Stiffness             | 37. Social Effects of the Environment         |
| 18. Fatigue and Fracture                          | 38. Socio-political Influences                |
| 19. Load Factor (Limit States) Design             | 39. Interference Effects                      |
| 20. Commentary on Structural Standards (Concrete) | 40. Energy Conservation                       |

As a NCSBCS contact member of the Joint Committee for liaison purposes, it is my understanding that there is very little direct input opportunity for NCSBCS to the Joint Committee at this moment. However, within the near future there should be abundant opportunity for information accumulated by the Joint Committee to be of use as background material for decisions and directions of NCSBCS.

#### CABO - COUNCIL OF AMERICAN BUILDING OFFICIALS

CABO would support the restructuring of the National Academy of Code Administration (NACA) in order that better participation would be achieved between CABO and NCSBCS. Action has been taken by CABO to work with NFPA to eliminate the differences between the model codes and NFPA documents. At the June meeting the proposal by MCSC was adopted whereby a list of standard titles applicable to codes in the building, plumbing, and mechanical fields would be developed, subject to approval by MCSC. A National Research Board is to be established. It will cover all buildings except manufactured buildings. The model code groups will no longer participate in All9 activities as they consider it to be a dual standard.

CABO would welcome a more formal relationship with NCSBCS.

## ANSI - A40 NATIONAL PLUMBING CODE

An attempt has been made to reactivate the National Plumbing Code. It was evident for a time that only another specification code was under consideration. This we strongly objected to. At the January meeting Mr. Mahaffey, representing NBS, and Mr. Henke, acting as the alternate to Mr. Stein representing NCSBCS, appeared before the A40 Committee and presented the position of both NBS and NCSBCS. The most acceptable document would be a performance code, one that assists the States in their regulatory functions, but if both a performance code and a specification code were developed, we would work with them. If only a specification code was developed, we would have no alternative but to withdraw, and could not permit our organization's name to be associated with it.

Action at this time by the A40 Committee would indicate that they are responsive to a performance document. The next meeting of the Committee is scheduled for mid-May in Chicago.

## INTERIM ENERGY STANDARDS

In June, after several States had expressed interest in energy conservation in buildings, a Joint NCSBCS/NBS Emergency Workshop on Energy Conservation in Buildings was held in Washington, D. C. The result of the workshop was a request from the S&E Committee to the Executive Committee that a request be sent to NBS to develop an energy conservation program. The document should contain:

1. the design of a building energy conservation consensus performance standard development project for State regulatory reference;
2. the development of a draft performance standard for State regulatory reference;
3. the distribution to NCSBCS delegates and to the Governor's Energy Aides of the basic energy conservation reference volumes referred to repeatedly by NBS staff during the "technical options" portion of the Joint Workshop;
4. the dissemination to the broadest media of audio and video materials for the education of the public on voluntary actions to conserve energy use in buildings.

A committee composed of representatives from the National Bureau of Standards (NBS), National Conference of States on Building Codes and Standards (NCSBCS), American Institute of Architects (AIA), American Society of Heating, Refrigerating, Air-conditioning Engineers (ASHRAE), and Consulting Engineers Council (CEC) was assembled. On February 26 of this year, a document titled 'Design and Evaluation Criteria For Energy Conservation in New Buildings' was presented to the Executive Committee of NCSBCS. In turn, it was transmitted to ASHRAE to transform it into an Interim Energy Standard by May 1. At that time it can be adopted by the States for implementation.

## ANMC - AMERICAN NATIONAL METRIC COUNCIL

The conversion from the English System of Weights and Measures to the Metric System is gathering steam. In order that the States' building officials and associated industry are not caught unaware, the S&E Committee has requested that the Executive Committee request representation on the American National Metric Council. Action is now pending.

## NFPA - NATIONAL FIRE PROTECTION ASSOCIATION

NFPA is in the process of developing a National Fire Prevention Code. The code cuts across building code groups to coordinate their efforts in the development of a National Fire Prevention Code have been effective.

A motion approved by the S&E Committee stated that:

"The S&E Committee recommends to the Executive Committee of NCSBCS that a special meeting be called of all the model code groups, NFPA, and others interested in fire codes. The purpose would be to devise a mechanism for gaining the cooperation of all in the production of a single fire prevention code that could settle the interminable fight between fire marshals and building code officials.

#### ACCREDITATION OF TESTING LABORATORIES

#### OSHA - OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

The September 11, 1973, Federal Register contained the Department of Labor proposed Rules and Regulations for the Accreditation of Testing Laboratories. While most of these parallel the positions taken by NCSBCS, there were certain areas which differed substantially. The S&E Committee recommends to the Executive Committee that the Chairman of NCSBCS write OSHA urging as a substitute for OSHA's September 11, 1973, Proposed Laboratory Accreditation Rules and Regulations, that OSHA's proposed laboratory accreditation procedures be coordinated with efforts currently underway through NBS, aimed at developing a quasi-public National Accreditation Board made up of public, government, corporate, professional and consumer representatives, as a means to achieve a coordinated national system that can equally serve all public (government) and private needs.

#### GUEST SPEAKERS

Guest speakers who appeared before this committee were:

Dick Stevens, National Fire Protection Association (NFPA); his subject was NFPA Standards Format. Mel Green, American Society of Mechanical Engineers (ASME); ASME's Boiler and Pressure Vessel Code Development Procedures. And Ron Melott, National Fire Protection Association (NFPA); who explained NFPA's National Fire Protection Code and the objectives of the committee.

#### LOOKING AHEAD

It is recommended that NCSBCS continue its representation at the various committees it now serves on.

Areas of concern requiring action:

1. Establish an accreditation board using the E-32 Standard.
2. Review the actions of the model code groups to determine if suitable progress toward uniformity has been made and determine the direction they are moving.
3. Fire codes, building codes coordination.
4. Review building security requirements.
5. Stimulate the reconciliation of differences in fire safety in existing codes and standards.
6. Continue to monitor the energy standard development.
7. Identify the needs for new standards and the organizations to develop them.



EDUCATION AND QUALIFICATION COMMITTEE MEMBERSHIP LIST

1973-1974

Chairman: Glen R. Swenson  
Director, State Building Board  
Room 124, State Capitol  
Salt Lake City, Utah 84114

Delegate/State Members

John Wenning, Administrator  
Industrial Safety and Buildings  
Department of Industry, Labor and Human  
Relations  
201 East Washington Avenue  
Madison, Wisconsin 53702

Charles Talmage  
Director, Division of Housing  
Department of Community Affairs  
P. O. Box 13166, Capitol Station  
Austin, Texas 78711

Charles Dinezio  
Executive Secretary  
State Building Code Commission  
141 Milk Street  
Boston, Massachusetts 02109

David McNeill  
Chief Administrator  
General Construction Board  
P.O. Box 5155  
Santa Fe, New Mexico 87501

Associate Members

James J. Brennan  
Acting Director, Program Requirements  
Division - OCES  
Department of Housing & Urban Development  
Washington, D. C. 20410

Robert E. O'Bannon  
Director of Education  
International Conference of Building  
Officials  
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Whittier, California 90601

William Vasvary  
Executive Director  
Southern Building Code Congress  
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Birmingham, Alabama 35222

Ottmar H. Becker  
Commissioner of Public Works and  
Buildings  
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Affiliate Members

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A. C. Breckenridge, Jr.  
President, Breck Construction Company, Inc.  
P. O. Box 102  
Monroe, Louisiana 72101

James R. Dowling  
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Washington, D. C. 20006

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Meek and Hannan  
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Indianapolis, Indiana 46218

NBS Staff Assistance: Robert D. Dikkers

REPORT  
 OF THE  
 EDUCATION AND QUALIFICATION COMMITTEE  
 TO THE  
 7TH ANNUAL MEETING  
 OF THE  
 NATIONAL CONFERENCE OF STATES ON BUILDING CODES AND STANDARDS

Austin, Texas

April 28 - May 3, 1974

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## 1973-1974 PROGRAM OUTLINE

### EDUCATION AND QUALIFICATION OF ENFORCEMENT PERSONNEL

- A. Develop minimum criteria for qualifying various types and grades of code enforcement officers and support the implementation of programs utilizing the criteria.
- B. Participate in the finalization of model legislation and model rules and regulations for the registration of code enforcement officers. Direct the committee's energies toward obtaining approval of this model legislation by the NCSBCS, the Council of State Governments and the States.
- C. Develop model educational programs for code enforcement officers and support the implementation of such programs.
- D. Maintain an up-dated compilation of education and training programs, and instructional materials for code enforcement officers, and prepare a compendium of curricula for code enforcement officers being offered at various educational and training institutions.
- E. Develop model procedures to permit interstate reciprocity for the registration of code enforcement officers, including the possibility of the establishment of a "national council of State code enforcement officers registration boards."
- F. Cooperate with other appropriate interested organizations in carrying out the above tasks.



## MEETINGS

During the 1973-1974 Conference Year, the NCSBCS Education and Qualification (E&Q) Committee met in Colorado Springs, Colorado, on July 18; Des Moines, Iowa, on September 18; Boston, Massachusetts, on December 6; and Salt Lake City, Utah, on February 26, 1974. The minutes of these meetings have been prepared and distributed. Copies are available from the Secretariat on request.

## PREFACE

During the previous year (1972-73) the Education and Qualification (E&Q) Committee had concluded that the enormity of the logistics of some of the tasks set for the Committee made it necessary to investigate the possibility of cooperating with some other organization to collect data and assemble the necessary information to implement the objectives of the NCSBCS through its E&Q Committee. A number of approaches were explored.

A significant step was taken when the E&Q Committee in conjunction with the National Academy of Code Administration (NACA), sponsored a National Symposium on Education and Training of Code Enforcement Officers. This Symposium was held in Austin, Texas, in December of 1972. Immediately following the Symposium, the E&Q Committee concluded that the governing structure of the National Academy of Code Administration was not sufficiently broadly representative as to justify NCSBCS endorsement because of lack of affiliation of the International Conference of Building Officials (ICBO) and Southern Building Code Congress (SBCC). The Executive Committee of NCSBCS was so advised and concurred in the position.

At the NCSBCS Annual Conference in Hartford, Connecticut in May of 1973, a representative of the NACA advised the NCSBCS that the NACA was willing to restructure itself to provide the broad representation suggested by the NCSBCS Education and Qualification Committee.

## NATIONAL ACADEMY OF CODE ADMINISTRATION

The major activity of the E&Q Committee during the past year has been in conjunction with the restructuring of the National Academy of Code Administration (NACA) to provide broad representation of governance.

Based on meetings and discussions with representatives of NACA and the Council of American Building Officials (CABO), the E&Q Committee developed the following position which was approved by the NCSBCS Executive Committee on September 19, 1973:

"That NCSBCS participate in the National Academy of Code Administration through participation in the policy board of the Academy, provided that the redrafting of the Academy's bylaws take into account the following points:

- (a) that the Academy is restructured to create an executive committee in which policy making responsibility shall be vested;
- (b) that the Executive Committee shall consist of 13 members, 2 each to be appointed by the National Conference of States on Building Codes and Standards, Building Officials and Code Administrators, International Conference of Building Officials, and Southern Building Code Congress; and 5 to be elected by an advisory Board of Trustees;.

- (c) that the 5 members elected by the Board of Trustees shall be broadly representative of the following fields and disciplines: architecture, engineering, public management, education and construction;

and provided further that other provisions of the bylaws are found acceptable to NCSBCS upon receipt of a final draft of said bylaws."

At a NACA meeting held on January 11, 1974, the bylaws of NACA were revised to accomplish the restructuring desired by NCSBCS. (See Attachment No. 1--NACA Bylaws.) Mr. Glen Swenson, Utah, and Mr. Charles Dinezio, Massachusetts, have been selected to serve as NCSBCS representatives on NACA's Executive Committee for the 1974 calendar year.

At the present time, CABO has hired James S. Baker, Management Consultant, Potomac, Maryland, to develop detailed program plans and recommendations for future NACA projects and activities. This contract study is scheduled to be completed in mid-1974 and presented to the NACA Executive Committee for final consideration and implementation.

It is hoped that continued cooperative efforts with NACA will provide sufficient data to the States to aid them in establishing and maintaining effective programs of education and training for code enforcement officials.

#### SYSTEM FOR EVALUATION OF QUALIFICATIONS OF CODE ENFORCEMENT OFFICERS

The E&Q Committee has discussed and considered a systematic method of evaluating the qualifications of code enforcement officers.

A basic approach has been outlined which, if adopted by the various States, would provide comparability on a broad basis. Another feature would be that of flexibility in that the system would accept future developments as supplements without significant modification.

The basis of the system would be an evaluation scale ranging from 0 to 100.

The problem faced by the Committee is that of providing the detailed and intensive study required to implement the basis concept. Explorations are presently being made as to the methods and means of assembling the expertise necessary to convert the concept into a useful and meaningful tool for use of the States and other interested organizations.

#### MODEL LEGISLATION

The "Model Registration of Code Enforcement Officers Act" was completed in January, 1973 by the Department of Commerce Special Working Group. Subsequently, this model legislation was presented in mid-1973 to the Council of State Governments (CSG) along with the other model acts (Manufactured Building, Mobile Homes and State Building Code). Primarily due to a lack of background information and precedents for such legislation, the CSG did not accept this model act for inclusion in its 1974 Suggested Legislation package.

The E&Q Committee recommends that the Special Working Group be reactivated and the model act be reviewed for possible modification and resubmission to the CSG in 1975. It is also recommended that this review be conducted so as to include more input from building officials. Postponement of this continuing work on the model act until late 1974 will also permit the E&Q Committee to review and coordinate the model registration act with respect to objectives and programs of NACA which should be available in mid-1974.

BY-LAWS  
OF THE  
NATIONAL ACADEMY OF CODE ADMINISTRATION  
Approved January 11, 1974

(Incorporated  
Sept. 25, 1970)

ARTICLE 1: PROVISIONS OF INCORPORATION AND REGISTRY

1. The name of the corporation is: National Academy of Code Administration.
2. The period of duration of the corporation is: Perpetual.
3. The address of its initial Registered Office in the State of Illinois is: 1313 E. 60th Street, in the City of Chicago (60637), County of Cook, and the name of its initial Registered Agent at said Address is: Richard L. Sanderson.
4. The first Board of Directors shall be five (5) in number, their names and addresses being as follows: Richard L. Sanderson, 1313 E. 60th Street, Chicago, Illinois; Buell B. Dutton, 1025 Lake Street, Evanston, Illinois; Walter H. Lewis, Department of Architecture, University of Illinois, Urbana, Illinois; Bernard T. Aschenbrand, Municipal Building, Bergenfield, New Jersey; and John A. Wishart, 924 Mill Street, Wethersfield, Connecticut.
5. The purpose or purposes for which the corporation is organized are: To conduct research in the principals and practices of regulatory code administration; to publish the results of studies in code administration; to develop curricula, establish standards for accreditation and certification, sponsor educational activities and engage in all other scholarly activities necessary to the development and establishment of the art of regulatory code administration as a unique and distinct profession within the broad field of public administration; and to do all things necessary, suitable, and proper for the accomplishment of the purposes or objects or the furtherance of the powers herein set forth not inconsistent with the laws of the State of Illinois.
6. The corporation is organized not for pecuniary profit. If the corporation is dissolved, any assets remaining after all liabilities have been discharged will, pursuant to the Illinois General Not for Profit Corporation Act, be transferred to one or more entities organized and operated exclusively for scientific or educational purposes.
7. No part of the net earnings of the corporation shall inure to the benefit of or be distributable to its members, trustees, officers or other private persons except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered.
8. No substantial part of the activities of the corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation and the corporation shall not participate in or intervene in (including the publishing or distribution of statements), any political campaign on behalf of any candidate for public office.
9. Notwithstanding any other provisions of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under Section 501(c) of the IRC of 1954 (or any future amendments) or (b) by a corporation, contributions to which are deductible under Sec. 179(c) of the IRC of 1954 (or any future amendments).
10. Upon the dissolution of the corporation, the Executive Committee shall, after paying or making provisions for the payment of all the liabilities of the corporation dispose of all of the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization(s) organized and operated exclusively for



charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization(s) under Sec. 501(c)(3) of the IRC of 1954 (or any future amendments) as the Executive Committee shall determine. Any of such assets not so disposed of shall be disposed by the Circuit Court of the county in which the principal office of the corporation is then located, exclusively for such purposes or such organization(s) as said court shall determine, which are organized and operated exclusively for such purposes.

## ARTICLE II: GOVERNING BODY

1. Executive Committee. The affairs of the corporation shall be controlled by an Executive Committee.
2. Members of the Executive Committee. Shall be appointed or elected in the following manner at the annual meeting or at any special meeting called for this purpose:  
  
Two (2) members designated by Building Officials & Code Administrators International.  
  
Two (2) members designated by International Conference of Building Officials.  
  
Two (2) members designated by National Conference of States on Building Codes and Standards.  
  
Two (2) members designated by Southern Building Code Congress.  
  
Five (5) members elected by the Board of Trustees.
3. Chairman of the Executive Committee. The members of the Executive Committee shall elect one (1) of their number to act as chairman and one (1) to act as vice-chairman.
4. Board of Trustees. There shall be a Board of Trustees which will serve as an advisory council to the Executive Committee and to elect five (5) members to the Executive Committee.
5. Members of the Board of Trustees. Shall be elected at the annual meeting or at any special meeting of voting members called for this purpose.
6. Chairman of the Board of Trustees. The members of the Board of Trustees shall elect one (1) of their number to act as chairman and one (1) to act as vice-chairman.
7. Number of Trustees. The Board of Trustees shall be comprised of not more than thirty-two (32) persons.
8. Terms of Office. Members of the Executive Committee and Trustees shall serve from the date of their election or appointment until the next annual meeting, or until their successors are elected or appointed and qualified.

## ARTICLE III: MEMBERSHIP

1. Voting Membership. A majority of the voting members of the corporation at any voting members' meeting may elect voting members of the corporation in addition to those who are voting members on the date of the adoption of these by-laws. Any voting member may withdraw by delivering a written resignation to the chairman or secretary, or may be dropped from voting membership by a two-third (2/3) vote of the voting members present at any meeting of voting members. No voting member, Executive Committee member, or Trustee of the corporation shall as such derive any pecuniary gain from the operation thereof but this shall not be construed to prevent the payment or expenses incurred in attending meetings.

2. Membership. The Executive Committee may establish non-voting membership classifications, establish annual dues for such members, specify their qualifications and determine the means and degree of their participation and benefits.
3. Annual Meetings. Regular annual meetings of the Executive Committee and Board of Trustees shall be held immediately after the adjournment of the annual meeting of the voting members at which Trustees are elected and at the place of such annual meeting of voting members.
4. Joint Meetings. At least one (1) joint meeting of the Executive Committee and the Board of Trustees shall be held annually at the place of, and in conjunction with, the annual meeting of the voting members. The Chairman of the Executive Committee shall preside.
5. Special Meetings. Special meetings of the Executive Committee and/or Board of Trustees may be called by their respective chairmen or by a majority of their members.
6. Notice of Meetings. No notice of the annual meeting of the Executive Committee or Board of Trustees shall be required, but notice in writing of each special meeting shall be given by the secretary or the chairman to each member of the Executive Committee or Trustee, not less than five (5) nor more than forty (40) days prior to the date of the meeting by delivering the notice personally or by mailing it to him at the address as it appears on the records of the corporation.
7. Quorum.
  - a. Seven (7) members of the Executive Committee shall constitute a quorum.
  - b. One-third (1/3) of its members shall constitute a quorum of the Board of Trustees.
8. Committees and Appointments. The Executive Committee and the Board of Trustees may create special committees of two (2) or more of their members to perform such duties as they may prescribe and to exist at their pleasure, but not beyond the next annual meeting.
9. Rules. The Executive Committee and the Board of Trustees may adopt rules and regulations not inconsistent with these by-laws for the conduct of meetings and the management of the affairs of the corporation as they may deem proper.

#### ARTICLE IV: OFFICERS

1. Officers. The officers of the corporation shall include a chairman, vice-chairman, secretary and treasurer. All officers shall be elected by the Executive Committee at their meeting and shall serve until the next annual meeting or until their successors are elected and qualified. Any officers may be removed at any time by a majority vote of the Executive Committee.
2. Chairman. The chairman, who is a member of the Executive Committee, shall preside at all meetings of the voting members, and of the Executive Committee and may represent or designate a representative of the corporation on occasions of ceremony. With approval of the Executive Committee shall: (1) appoint all committees thereof; and (2) execute on behalf of the corporation deeds, contracts, and other formal instruments. He shall sustain an advisory relation to the work and policies of the corporation and shall perform such other duties as may from time to time be assigned to him by the Executive Committee. When the chairman cannot attend, the vice-chairman shall act in his stead with the same authority.
3. Executive Director. The Executive Committee may appoint an Executive Director and fix his compensation. The Executive Director shall manage the affairs of the corporation within the policies fixed by the Executive Committee and shall perform such other duties as may be assigned to him. He shall serve at the pleasure of the Executive Committee.



4. Secretary. The secretary shall attend all meetings of the voting members and of the Executive Committee and Board of Trustees and of committees of the boards, and shall record the minutes of such meetings. The secretary shall have custody of the seal of the corporation and attest deeds, contracts, and other formal instruments and shall perform other duties incident to the office as required by the Executive Committee.
5. Treasurer. The treasurer shall be the chief financial agent of the corporation. He shall have the custody of all funds and securities of the corporation. He shall be responsible for the receipt and disbursement of all monies of the corporation and shall keep proper books of account of such receipts and disbursements, and shall prepare financial statements in such form and at such times as may be required by the Executive Committee.
6. Other Officers. The Executive Committee may elect an assistant secretary and an assistant treasurer to serve in the absence or incapacity of the secretary and treasurer, respectively. Such assistants shall have the duties and powers of their respective principals during such absence or incapacity.

#### ARTICLE V: ORGANIZATION AND MANAGEMENT

1. Role of Executive Committee. The Executive Committee shall control the management and business affairs of the corporation. It shall appoint post-auditors, designate depositories, and perform such other functions as may be prescribed by law.
2. Role of Board of Trustees. The Board of Trustees shall serve as an advisory council to the Executive Committee and elect five (5) members to the Executive Committee.

#### ARTICLE VI: FINANCING, DUES AND FEES

1. Annual dues for the various types of membership shall be established by the Executive Committee.
2. Dues are payable at the beginning of each calendar year and become delinquent if not paid by the end of the month of January. Failure to pay the required dues will result in cancellation of membership. Reinstatement will require payment of a full year's membership without being prorated.
3. Funds may be solicited from any source to assist in the financing of the operation of the corporation and for the development of its programs. Expenditure of such funds other than to operate the organization shall be determined by the Executive Committee.
4. No part of the net income of this corporation shall inure to the benefit of any individual, firm, or corporation except as provided in Article I, Section 7.

#### ARTICLE VII: MEETINGS

1. Annual Meeting. The annual meeting for the transaction of business as may properly come before the meeting shall be held in January of each year, or at such other time as may be designated by the chairman or by resolution of the Executive Committee and specified in the notice of the meeting. In case in any year the regular annual meeting shall not be held as herein specified, or in case there should be no election at the annual meeting or an adjournment thereof, a special meeting shall be called for that purpose by the secretary as soon thereafter as may be feasible.
2. Special Meetings. A special meeting of the voting members may be called by the chairman or by resolution of the Executive Committee and shall be called by the chairman on the written request of any ten (10) voting members.



3. Place of Meeting. The place of any regular or special meeting may be at any location approved by the Executive Committee.
4. Notice of Meetings. Notice of each regular and special meeting of the voting members shall be given by or at the direction of the executive director or the secretary or the chairman to each voting member in writing not less than five (5) nor more than forty (40) days before the meeting by delivering such notice to them personally or by mailing it to their several addresses as entered upon the records of the corporation. The notice of any special meeting shall specify the subjects to be considered at the meeting, and the business of the special meeting shall be confined to the subjects specified in the notice thereof.
5. Quorum. Not less than ten (10) voting members shall be present in person to constitute a quorum at any meeting of the voting members.
6. Voting. At all meetings of the voting member, each member shall be entitled to one (1) vote. A member may vote either in person or by proxy executed in writing by the voting member. A proxy shall be filed with the secretary and shall be exhibited at the meeting.

No proxy shall be valid after eleven (11) months from the date of its execution unless otherwise provided in the proxy.

#### ARTICLE VIII: POWER TO CONTRACT

1. Power to Contact. No officer or agent of the corporation shall have power to make any contract or incur any liability on behalf of the corporation, or to represent or bind the corporation in any transaction, unless authorized by these by-laws or by a resolution of the Executive Committee, provided, however, that this section shall not bar the executive director from delegating his authority to other staff members as necessary to manage the affairs of the corporation effectively.

#### ARTICLE IX: AMENDMENTS

1. Amendments. These by-laws may be amended by a majority vote of both the Executive Committee and a majority vote of the Board of Trustees present at any regular or special meeting, provided that the notice of a special meeting shall state that proposed alterations or amendments will be considered at such meeting.

MANAGEMENT AND REGULATORY PROCEDURES COMMITTEE MEMBERSHIP LIST

1973-1974

Chairman: Charles J. Betts  
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Delegate/State Members

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REPORT  
of the  
MANAGEMENT AND REGULATORY PROCEDURES  
COMMITTEE

to the  
7th Annual Meeting  
of the

NATIONAL CONFERENCE OF STATES ON  
BUILDING CODES AND STANDARDS

Austin, Texas  
April 28 - May 3, 1974

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### COMMITTEE MEETINGS

During the 1973-74 Conference Year the Management and Regulatory Procedures Committee met on three occasions: in Des Moines, Iowa, on September 17 and 18, 1973; in Boston, Massachusetts, on December 6, 1973; and in Salt Lake City, Utah, on February 26, 1974. Copies of the Minutes of these meetings have been published, distributed to Delegates, and are available from the Secretariat.

### GUEST SPEAKERS

Mr. David I. Siskind of the U.S. Bureau of Census gave a presentation on the Uniform Building Permit Application Form and Mr. Ralph Klinker, Statistical Surveys Incorporated, spoke on numerical coding systems for mobile homes and recreational vehicles at the Boston meeting. Mr. Ben Buchbinder, Fire Technology Division, National Bureau of Standards, spoke at both the Boston and Salt Lake City meetings on implementation of the National Fire Data System. Mr. Ron Melott explained NFPA's Uniform Fire Incident Reporting System at the Salt Lake City Meeting.

### GOALS AND OBJECTIVES

The goals and objectives of the Management and Regulatory Procedures Committee as contained in the 1973-74 NCSBCS Program Outline are as follows:

- A. Recommend and support the development and establishment of management and regulatory procedures, and documents which will provide the States with appropriate models for efficient code administration and enforcement.
- B. Gather and report appropriate statistical and background information and data on the administration and technical operations of code enforcement programs.
- C. Provide sample organization models and staffing patterns for use by the States for State, county and municipal code enforcement bodies.
- D. Provide suggested model procedures and documents (forms, checklists, reports) pertaining to the evaluation, approval and inspection of buildings, building components and products.
  - 1. Encourage the adopting of building permit applications containing the uniform core information derived by the U.S. Bureau of Census.
- E. Provide suggested remuneration and fee schedules, general budgetary information, and fiscal procedures.
- F. Support the development and adoption of uniform information collection and storage systems (manual, microform and computers) in order to achieve administrative effectiveness and efficiency, and to promote nationwide exchange of statistical information relating to building regulation and failures (fire, structural, electrical, mechanical).
  - 1. Promote the adoption of a uniform fire incident reporting system utilizing the coding system set forth in NFPA Standard 901 and containing uniform core information developed by the NBS in the National Fire Data System project.
- G. Encourage the development and maintenance of a technical library--codes and standards, product approvals, system approvals, fire ratings; and a library of pertinent legal opinion, case history and law on code enforcement.
  - 1. Recommend suggested outlines and procedures for prosecution of code violators.

## COMMITTEE ACTIVITIES

### 1. Uniform Building Permit Application Form

The concept of promoting adoption of a reasonably uniform building permit application form on a national basis received considerable attention. The standard permit application form selected was the model form containing uniform core information desired by the U.S. Bureau of Census. This position is in accordance with Resolution No. 6 approved at the 6th Annual Conference.

In order to test the interest and responsiveness of local officials and the effectiveness of the State building official as a vehicle for implementation of the form, letters were sent on March 7, 1974, to all permit issuing municipalities in Indiana explaining the background and advantages of adopting a standard building permit application form throughout Indiana. Attachment No. 1 is a copy of the letter mailed to all permit issuing jurisdictions.

Responses to the letter are starting to come in. It is planned to analyze these responses and make the results known to the Bureau of Census.

### 2. Fire Data and Reporting

In further support of Resolution No. 7 of the 6th Annual Conference, a letter was sent on October 25, 1973, to Governors, State Delegates and State Fire Marshals transmitting a list of standard data elements for fire incident reporting as part of the National Fire Data System and a copy of NFPA Standard 901, "Uniform Coding for Fire Prevention - 1973." See copy of sample letter as Attachment No. 2 to this report. Seventeen States responded with letters endorsing the system.

A pilot implementation of a national fire incident system is currently underway under the direction of the Fire Technology Division of the National Bureau of Standards. Three State reporting systems and several county and municipal systems will feed data into the pilot program. The data consist of fire incident reports from individual fire departments. Several different fire reporting systems are used by the participants in this program, however; they all have the common thread of definitions based on NFPA Standard 901.

Output from the pilot program will be widely disseminated to the user community and feedback will be solicited so that the pilot program may evolve into a national system of broad scope.

The committee also suggested that NCSBCS formally seek membership on NFPA Committee 901, as well as membership positions for local building officials or model code organizations so that States and local building officials can participate in developing and refining the reporting system.

### 3. State Building Code and Regulatory Programs

The committee, through a letter dated October 19, 1973, from the Conference Chairman, requested NBS to continue research studies, including the State code profiles, on State building code and regulatory programs. Summary tables depicting the status of manufactured building and mobile home programs have been prepared and distributed by the Office of Building Standards and Codes Services, CBT, NBS.

### 4. Project CES - Model Informational Documentation

The committee reviewed the major activities and preliminary CES report, NBSIR 73-278, "Model Documents for the Evaluation, Approval and Inspection of Manufactured Buildings," September 1973, and made recommendations to the NCSBCS Executive Committee that the report proceed to finalization based on the review comments received.

### 5. Computer-Based Systems for Building Codes and Their Administration

The committee reviewed progress on the AIA Research Corporation project entitled "A Master Plan for Computer-Based Systems for Building Codes and Their Administration."

## 1974-75 OBJECTIVES

1. Through the cooperation with fire prevention officials and their organizations support the effort to relate fire data to building regulation; through improved fire reporting, uniform definitions, and analysis and distribution of results.
2. Promote uniform, systematic administrative procedures in building regulatory agencies through the use of such documents as the Uniform Building Permit Application Form as developed by the U. S. Bureau of Census and the CES Model Documents.
3. To further dissemination and utilization of the vast body of information in the area of construction, the Committee will identify sources of such information and explore computer-based methods of making these data available and useful to state and local building regulatory officials.
4. Through Committee members and other representatives to NCSBCS, identify critical areas in the administration of building regulatory programs in which poor information flow of inadequate procedures are hampering the effectiveness of state and local building regulation.
5. Encourage study and better definition of staffing patterns and organizational settings for various sizes and types of jurisdiction at state, sub-state or local government levels.



MODEL BUILDING ENERGY CODE ACT

Mr. Betts presented the Model Building Energy Code Act prepared in response to requests made by various States. Substantial concern was raised regarding the impact of distribution of such a document and its publication by the Council of State Governments. Several potential problems were identified:

- that NCSBCS endorsement or distribution might encourage enactment of discrete energy-conservation legislation where no State building code exists.
- that laws patterned after this model might be enacted, creating competing building regulatory agencies where a State code is in operation.
- that at the local level, the State level, or between State and local, a builder might have to obtain two separate and possibly conflicting plan reviews.

Mr. Duke pointed out that the existing Model State Building Code Act included energy conservation as an objective and function of State building codes, and that this comprehensive approach has been the approach adopted by NCSBCS.

Ms. Heron moved that the Committee recommend to the Executive Committee that before any distribution of this document, a cover letter or revised introduction to the act be prepared to address itself to potential problems, identified by the M&RP Committee, that might result from separate enactment, and that such letter emphasize four points:

- A. the importance of incorporating energy conservation in building into a State building code
- B. the importance of placing the total responsibility for building regulation, including energy, in one agency
- C. the problems generated by creating two building regulatory agencies at the State or local level
- D. the problems generated by creating a state energy-related building regulatory agency in addition to and possibly in conflict with the existing local building department.

The motion was seconded and passed.

It was the sense of the Committee that NCSBCS should go on record as recommending a simple amendment to the building act to include energy conservation or adoption of a comprehensive state building code including energy conservation rather than separate legislation.

## STATE OF INDIANA

TO ALL BUILDING OFFICIALS AND OTHER OFFICIALS ISSUING BUILDING PERMITS

RE: UNIFORM BUILDING PERMIT

At the request of the National Conference of States on Building Codes and Standards, this office is undertaking a program in our State which, if successful, will serve as the model to all other States in bringing uniformity to building permit application forms.

Currently, there are approximately 300 building permit issuing jurisdictions in our State and almost as many different building permit application forms requesting a variety of information. Some of these forms are of relatively recent design; others have remained unchanged for many years and the information is no longer useful as when originally composed; still others were patched as a new need arose instead of being reevaluated and redesigned. Even within metropolitan areas where the independent jurisdictions have the same building problems, and the permit officials discuss mutual problems, the application forms frequently bear little resemblance to one another.

Relative to building codes and standards which are highly technical, complicated and ponderous works, the building permit application form is a simple document. However, whereas uniform building codes and standards have been adopted areawide and statewide, the institution or the concept of an areawide uniform permit application form has not attracted the attention it should, considering its importance.

Properly used and containing uniform basic data items, the permit application can provide a clear picture of all construction occurring in a particular jurisdiction, within a metropolitan planning area, or larger region, and within the State. More important, use of an areawide standard form would facilitate collection and publication of data by a central agency and eliminate the need for the general public to upset your records--to go into your files when a central agency has all the information for all jurisdictions in the area.

The concept and the idea of a standard application form has the support of the Building Officials and Code Administrators, International, Inc., the National Association of Home Builders and their local affiliates (whose members would prefer filling out one form to the many different ones they now do), and regional planning commissions which are hampered in their functions by inadequate information on new construction in their area. There is little opposition to the idea, but not much has been done to implement it.

About eight years ago, following a review of many application forms, the U.S. Bureau of Census circulated a recommended permit application form to all known permit issuing jurisdictions. It contained those items which the Bureau considered basic to all applications. The form, or a modified version, is in use in the Columbus and Cincinnati, Ohio areas; in the Baltimore, Maryland, and Washington, D. C. areas; by the State of New Jersey and in most jurisdictions in Rhode Island; and other places.

About a year ago, the National Conference of States on Building Codes and Standards considered a request by the Bureau of the Census to recommend adoption of the concept of a standard form by its members. The conference agreed and decided to go beyond recommendation to implementation. The conference believes the proposal is sound and should be instituted as soon as feasible.

Indiana was selected as the test State.

Attached is the "third" generation proposed Census form and a statement regarding its contents and use. The entire statement is important, but let me repeat two sentences which are vital:

"The form is a viable document which should and must be modified to meet local requirements and changing data needs" and

"The form and its contents should be considered as a core which can be accepted as is, which can be rearranged or which can be implemented as necessary."

In effect, if the form cannot be used as is, it can be implemented and redesigned to include the information required by the permit office.

This letter is the first step in our effort to have a "standard" application form adopted throughout the State. We know that one identical form will not be acceptable to all jurisdictions throughout the State. By "standard", we imply adoption of the "base" items in Sections II and III and a format which would make tabulation relatively simple. However, a single form would be ideal.

We would appreciate your comments on this undertaking and any recommendations you may have on procedures and techniques of implementing adoption of a "standard" form in your community or area. We are also sending copies of this letter to regional planning commissions which may be interested in acting as coordinators of this program. If the proposed form is inadequate for your purposes but with some modification can be adapted to your needs, and you require help in redesigning your present form, please let us know.

Charles J. Betts, FAIA  
State Building Commissioner



SAMPLE LETTER 10-25-74 Mailing

Honorable George Wallace  
Governor of Alabama  
State Capitol  
Montgomery, Alabama 36104

Subject: Endorsement of National Fire Data System

Dear Governor Wallace:

The National Commission of Fire Prevention and Control, in its final report to the President, recommended measures to reduce the fire hazard facing the nation. These measures include the creation of a national fire data system to provide data for the definition of problem areas and the support of a comprehensive program to reduce the loss of life and property from fire.

One of the major data sources for the national system will be reports of fire incidents from local fire departments, compiled at the state level. It is important that the reporting be based on a uniform set of terms and definitions to facilitate national compilation and provide a useful feedback to state and local jurisdictions.

The National Conference of States on Building Codes and Standards (NCSBCS), in which you are represented by Delegate John R. Farris offers and endorses for use in your state, a list of data elements for fire incident reporting prepared by the Fire Technology Division, National Bureau of Standards. This list is contained in Enclosure 1, a short paper entitled "National Fire Data System: State and Local Fire Incident Data Reporting." The list is based on a set of uniform terms and definitions developed by the National Fire Protection Association (NFPA), with the addition of two data elements relating to structural fires. Enclosure 2 is a copy of the NFPA terms and definitions, published as NFPA Standard 901, "Uniform Coding for Fire Protection-1973."

While it is not the intent of the Conference, or the National Bureau of Standards, to specify the data collection system for individual states, we urge those states already collecting fire incident data, and those planning to do so in the future, to promote national data uniformity by using the standard terms and definitions and by including the recommended data elements in the data collected.

At the present time a number of states are using the system outlined above, reporting to the NFPA, and making use of the information and reports.

Sincerely,

BERNARD E. CABELUS  
National Chairman

Enclosures (2)

cc: State NCSBCS Delegate  
State Fire Marshal

## Reciprocity Committee Membership List

### Officers

Herbert Meyer, Minnesota, Chairman  
Vern Eder, Indiana, Midwest Regional Vice Chairman  
Erik Thorne, Arizona, Western Regional Vice Chairman  
John Steele, Texas, Southern Regional Vice Chairman  
Vacant, Northeast Regional Vice Chairman  
Vern Eder, Indiana, Secretary-Treasurer

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Washington, DC 20001

Other Participating State Officials

Note: Although NCSBCS records do not indicate that the individuals listed below have been officially appointed to the Reciprocity Committee by the State Delegate, it is believed that in a number of cases he is in responsible charge of some phase of the State's manufactured building or mobile home certification program.

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REPORT OF THE  
RECIPROCITY COMMITTEE  
TO THE  
7th ANNUAL CONFERENCE  
OF THE  
NATIONAL CONFERENCE OF STATES ON BUILDING CODES AND STANDARDS  
Austin, Texas  
April 28 - May 3, 1974

The Reciprocity Committee met on September 20, 1973, in Des Moines, Iowa; December 4 and 5, 1973, in Boston Massachusetts; and, February 28, 1974, in Salt Lake City, Utah.

The officers of the Committee are as follows:

Chairman: Herbert W. Meyer, Minnesota  
Vice-Chairmen: Southern Region: John Steele, Texas  
Northeastern Region: J. D. Brownrigg, Maine  
Midwestern Region: Vernon Eder, Indiana  
Western Region: Erik Thorne, Arizona

The Committee adopted a procedure for proposing amendments to the American National Standards Institute (ANSI) A119.1. This procedure would utilize the technical staff of the National Bureau of Standards to review proposed amendments and to allow members of the Committee to approve or disapprove the proposed amendments. These recommendations will be forwarded to the National Conference of States on Building Codes and Standards (NCSBCS) delegate to the ANSI A119.1 Committee for his use in presenting the recommendations through his vote on the various amendments proposed by the Reciprocity Committee and other persons. In addition, the Committee nominated additional members as alternates for the various task force meetings. The members are as follows:

Edward Kimsey -- Mechanical  
John Steele -- Heating  
Harry Baker -- Electrical  
Rex Early -- Structural (prior alternate)

The Committee established a handbook which was prepared by Sutton Mullen. The handbook incorporates the various procedures and programs of the Committee and will be used as a guide for the members and other interested parties. The handbook will be maintained by the Committee as various programs and procedures are outlined and established.

The Committee has encouraged the continuance of the Reciprocity Committee program by and between the various states and also between State agencies and private agencies. It is hoped that the monitoring program can be established in the next year so that the entire Reciprocity Committee can become credible and acceptable by not only the industry, but also by the consumer.

The Committee also reviewed the Coordinated Evaluation System (CES) Document and encourages the use of the documents by various agencies together with the Model Rules and Laws that were prepared in the past.



HANDBOOK OF THE RECIPROCITY COMMITTEE  
OF THE  
NATIONAL CONFERENCE OF STATES ON BUILDING CODES AND STANDARDS

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## FOREWORD

The purpose of the Handbook is to provide an up-to-date and convenient compilation of the agreements, procedures, policies, common references and other documents directly related to the problem of uniform interstate acceptance of manufactured buildings and mobile homes. Although developed for the members of the Committee, it is hoped that it will be useful to the entire industry.

The Handbook of the Reciprocity Committee of the National Conference of States on Building Codes and Standards was initiated by resolution of the Committee at its meeting in Boston, Massachusetts, December 5, 1973. Committee Chairman Herbert Meyer of Minnesota appointed a subcommittee consisting of Sutton Mullen of Virginia and Jane Heron of Illinois to prepare a first draft of the Handbook. The subcommittee draft was accepted for publication at the Committee's meeting in Salt Lake City, February 28, 1974.

## HISTORY OF THE RECIPROCITY COMMITTEE

One of the earliest concerns of the National Conference of States on Building Codes and Standards was the establishment of criteria that could be used on an interstate basis for the accreditation of laboratories and other organizations engaged in the evaluation and certification of building products and systems. In its Annual Report for 1970, the Standards and Evaluation Committee recommended that such a system be established and that the National Bureau of Standards be requested to assist in its formation. The Laboratory Evaluation and Accreditation Program (LEAP), the Coordinated Evaluation System (CES), the national committee (ASTM E-32) on Criteria for Evaluating Agencies Concerned with System Analysis, Testing and/or Compliance Assurance of Manufactured Building, and other important activities have since developed from this Conference initiative.

In the meantime, a number of States had enacted Laws for the regulation of manufactured buildings and mobile homes. They were confronted with an immediate problem of accrediting evaluation, compliance assurance, and labeling agencies as a mechanism for the acceptance of out-of-State units. The problem also extended to accreditation of State inspection agencies as a basis for reciprocal agreements among States. In many cases, however, the State official assigned to implement the new law was not the same individual serving as the Delegate to the Conference appointed by the Governor.

Therefore, early in 1971, the Conference Chairman established an interim "Laboratory Accreditation Board" whose membership would be open to the official in each State having responsibility for implementation of laws and regulations affecting the construction of manufactured buildings and mobile homes. Mr. Kern Church of North Carolina was appointed as Acting Chairman. Participants at the initial meeting in Raleigh, North Carolina, February 23-24, 1971, included:

Kern Church, NC	John Dunlap, CA
Austin Van Dusen, WA	Bernard Cabelus, CT
C. Sutton Mullen, VA	Charles Hagberg, WI
L. P. Hamilton, SC	Cecil Rose, OH
Louis Nielsen, NY	Joseph Anastasi, MD

Recognizing the value of such a committee, the Conference amended its Constitution at the Annual Meeting in April 1971 to create a "Reciprocity Recognition Committee." Since then, for the sake of brevity, the group has been known as the Reciprocity Committee. Mr. Herbert Meyer of Minnesota was elected the first permanent Chairman in Des Moines, Iowa, September 20, 1973, succeeding Mr. Church.

### Subcommittees and Task Groups

Subcommittee to Study Standard Forms  
Chairman: Williard Bryant, Maryland  
Members: Steve Mazzoni, Underwriters' Laboratories  
Vern Eder, Indiana

Subcommittee to Study the Problem of Minimum Sizes and Grades of Species of Structural Lumber Used in Mobile Homes  
Chairman:  
Members:

Subcommittee to Study a Standard Numbering and Marking System for Mobile Homes  
Chairman: Charles Beardmore, Kansas  
Member: Donald Appell, Iowa

Subcommittee on Reciprocity Committee Handbook  
Chairman: Sutton Mullen  
Member: Jane Heron, Illinois



## Advisory Committees

### Independent Agency Advisory Group

(Membership open to any agency accredited by two or more States for some phase of evaluation, testing, compliance assurance, and certification of manufactured building and/or mobile homes. The committee has been created by the Reciprocity Committee for advice on problems that may be referred to it from time to time. The group appoints its own officers.)

RULES FOR COMMITTEE ACTIVITIES  
(Approved by NCSBCS Executive Committee March 4, 1973)

Rule 1 Membership

- A. Members shall be qualified and in conformance with provisions of Article I membership of NCSBCS by-laws, and more specifically as set forth in Article V reciprocity committee, of NCSBCS by-laws.

Rule II Meetings

- A. Regular meetings shall be held in coordination with and during the same week as the regular quarterly regional conference meetings, with notice given as established by conference.
- B. Election of officers shall be held at the first meeting following the annual conference and shall be the first item of business. Installation of officers shall then be held prior to taking up of official business.
- C. Special meetings (full committee) may be called by the:
  - 1. Reciprocity chairman, upon request of the conference chairman.
  - 2. Reciprocity chairman, upon request of two regional reciprocity vice-chairmen.
- D. Special meetings (regions) may be called by the:
  - 1. Reciprocity chairman, with concurrence of the regional reciprocity vice-chairman.
  - 2. Regional reciprocity vice-chairman.
- E. Reciprocity executive committee meetings may be called by the reciprocity chairman, or by the reciprocity chairman upon request of a regional reciprocity vice-chairman.
- F. Notice of special meeting shall be by written notice mailed not less than thirty days prior to a full committee meeting nor less than fifteen days prior to a regional meeting.
- G. Meeting procedures. The order of business shall be established by the reciprocity chairman, and Roberts' Rules of Order, revised, shall govern the proceedings of all meetings.
- H. Voting.
  - 1. At all meetings the state member or his duly authorized proxy, shall be entitled to one vote for each office to be filled or other matters subjected to vote.
  - 2. State members shall vote only on those questions to which they have been designated or assigned, including manufactured buildings, mobile homes, recreation vehicles, or a statewide building code.
  - 3. All matters subject to determination by vote shall be resolved by a majority vote of authorized state members or proxies present and voting, the total number of votes being not less than half of all members eligible to vote on the matter.
  - 4. Lacking a quorum, a letter ballot shall be sent by the secretary-treasurer to all authorized state members. Ballots shall clearly state the question and shall be voted either "affirmative", "negative", or

"not voting", and shall be void if not returned to the secretary-treasurer within three days. Ballots marked "not voting" shall be counted in establishing a quorum which shall consist of not less than 50 percent of members eligible to vote. Resolution shall be by a majority of affirmative and negative notes.

5. Proxies. A proxy may serve for a state member at any meeting, and shall be so designated by the state member in writing to the reciprocity committee chairman or secretary-treasurer.

### Rule III Officers

- A. Reciprocity Chairman. The committee chairman shall be elected members of the reciprocity committee. He shall preside at all regular and special committee meetings and shall coordinate all committee and regional reciprocity activities with other conference activities and committees. He shall be responsible for making reports to the conference.
- B. Regional Reciprocity Vice-Chairman. Four R.R.V.C. shall be elected from and by members within their respective regional areas. Regional areas shall be as set forth in Article III of NCSBCS by-laws. They shall select one member to act in the absence of the reciprocity chairman. They shall coordinate their work with the reciprocity chairman, coordinate the work of their regional monitoring team and conduct regional reciprocity sub-committee meetings.
- C. Executive committee will consist of Reciprocity Chairman and Regional Reciprocity Vice-Chairman.
- D. Secretary-Treasurer. The secretary-treasurer shall be appointed by the reciprocity committee chairman from among the regional vice-chairmen. The secretary-treasurer shall take and distribute all minutes of both regular and special meetings, shall maintain the records including designated correspondence, shall receive and account for all monies, shall pay all bills certified by the reciprocity executive committee.
- E. Terms of all officers shall be for one year. Regional Vice-Chairman and Secretary-Treasurer upon resignation or incapacity to perform, may be replaced by appointment of the reciprocity executive committee for the balance of the term.

### Rule IV Relationship with Other Organizations

- A. This committee shall cooperate with other organizations as called for in Article IV of NCSBCS by-laws.
- B. Special consideration shall be given to strong cooperation with all nationally recognized building officials organizations and their participation as non-voting participants at all meetings is encouraged. Cooperation and understanding of local building officials and their organizations is necessary in order to be able to reach our goals.

### Rule V Relationship with the Executive Committee and Other Committees of NCSBCS

- A. The reciprocity committee shall carry out the duties and responsibilities established and set forth in the Constitution and By-Laws of the National Conference of States on Building Codes and Standards.
- B. Copies of all correspondence by the Committee shall be distributed as follows:
  - X-CC- Conference Chairman
  - X-CC- Secretariat
  - X-CC- Related Committee or Committees
  - X-CC- Reciprocity Committee Members



Rule VI Committees

- A. The reciprocity committee chairman is empowered to establish AD-MOC committees deemed necessary for the proper conduct of business.
- B. Reciprocity Committee members of the four NCSBCS regions are assigned in their respective regions and constitute regional reciprocity sub-committees.
- C. The reciprocity committee may establish advisory committees in all code matters to function on a general or regional basis, and report their activities to the reciprocity committee chairman.
- D. All personal expenses unless specifically funded by NCSBCS shall be the responsibility by the participating member.

Rule VII Amendments

- A. These rules may be amended after formal introduction at any regular meeting and shall be voted upon as hereinbefore set forth in Article II-II and submitted to Executive Committee for approval.

## COMMITTEE POLICY ON ACHIEVING INTERSTATE RECIPROCITY

(Adopted December 20, 1972)

### Recommendations which Manufacturers and Associations should Support to Assist the Inter-State Reciprocity Process.

- (1) Make a clearly worded public policy statement (which will also be defended in private) supporting effective enforcement of the national recognized model codes and standards in the following manner:
  - (a) Implementation by competent unbiased third party agencies which are commonly approved and jointly monitored by the participating states or
  - (b) Implementation by competent state agencies which are jointly monitored by the reciprocating states.
  - (c) Insist that the states technical criteria for acceptance of reciprocal inter-state agreements and approval of independent third parties be the same including joint state monitoring and that such criteria be uniform from state to state.
- (2) Support processes for the education of the many sincere manufacturers on how to comply and processes for persuading the few remaining manufacturers to make the decision to comply instead of trying to find ways and means to get by without complying.
- (3) Publicly and privately support and request the authority having jurisdiction to require unbiased and competent evaluations and inspection which will require compliance before labels are issued.
- (4) Support efforts to provide for more uniform state laws which would encompass the main provisions and intent of the "Model Manufactured Building Act" and to provide a system of code enforcement to require all manufacturers to comply whether they wish to or not.
- (5) Publicly and privately support the premise that all states adopt nationally recognized codes and standards applicable to manufactured buildings and mobile homes and that such codes be clearly worded and complete to the end that manufacturers which wish to use either the specification, design or test approach to comply will clearly understand what is required and that state agencies and third party agencies can interpret uniformly and implement fairly to all.
- (6) Publicly and privately support the premise that all state and third party agencies which perform evaluations and inspections must have a sufficient number of engineers who are competent to evaluate the structural, plumbing, heating, and electrical systems in accordance with the codes and standards and a sufficient number of inspectors who are competent to inspect the structural, plumbing, heating, and electrical systems in accordance with compliance on all units produced.
- (7) Publicly and privately insist that third party agencies which are approved as an agent of the state to evaluate or inspect and label mobile homes and manufactured buildings to preempt local inspection of "closed construction" systems be free of conflict of interest so that no manufacturers will be favored over any other manufacturers. This would include insisting that such third party agencies must not in any way be connected with manufacturers or producers of products or materials where it could appear that any mobile home or manufactured building manufacturer might be favored.
- (8) Publicly and privately insist that the evaluation and inspection by all third party agencies approved by the state (including state approved reciprocating state agencies) be monitored by each state (with joint state monitoring where possible) to the end that all will implement the requirements of the codes and standards uniformly and will require all manufacturers to comply whether they wish to or not.

- (9) Provide support for each state to have a sufficient state staff of competent engineers and inspectors to perform the work they are responsible for. If the state agency is performing all the evaluations and inspections, continuing support must be given for the large staff that would be needed to protect the public. If the state is to monitor third party evaluations and inspections, support for the smaller staff should be given.
- (10) Contact the state department heads and support the responsible state code administrators in attending state code administrators meetings through the Reciprocity Committee of the National Conference of States on Building Codes and Standards and support their joining joint inspection teams with other states to monitor commonly approved inspection agencies in order to build their confidence in the evaluations and inspections not performed by them.

An acceptable evaluations and inspections system must convince responsible, competent state and local officials, the general public and sincere and knowledgeable manufacturers that all manufacturers are required to comply with nationally recognized codes and standards, whether they want to or not, if they are to display an acceptable identifying label and enjoy the privilege of interstate reciprocity and acceptance among the states.

#### STATE MANUFACTURED BUILDING PROGRAMS STATUS

(Include Tables 3.0, 3.1, 3.2 and 3.3 on this subject from the National Bureau of Standards)

#### STATE MOBILE HOME PROGRAMS STATUS

(Include Tables 4.0, 4.1, 4.2 and 4.3 on this subject from the National Bureau of Standards)

#### SPECIALIZED REFERENCE DOCUMENTS FOR INTERSTATE RECIPROCITY

This section is not intended as a complete collection of standards, codes and other documents that are referenced in the building regulatory process. Its purpose is to provide a ready reference to certain agreements of the Reciprocity Committee and to other documents that have a special usefulness in facilitating interstate acceptance of manufactured buildings and mobile homes.

#### PROCEDURES FOR DEVELOPING A CONSENSUS OF THE RECIPROCITY COMMITTEE FOR RECOMMENDATIONS ON UNIFORM EFFECTIVE DATES, UNIFORM STATE AMENDMENTS AND DISPUTED INTERPRETATIONS

(Approved by NCSBCS Executive Committee March 4, 1973)

The following procedures are intended to give State code administrators an opportunity to develop a consensus on these matters. This will provide a practical basis for voluntary coordinated action by individual States. It is the intent of the procedures to allow adequate time for study of proposals and to allow full opportunity for recommendations from manufacturers and other affected parties. Another objective is to allow adequate time for the required State procedures to be carried out and for the industry to make any required conversion of production facilities.

The Reciprocity Committee believes that a national consensus of State administrators can and should be developed so that the individual States will have the benefit of a national review before taking unilateral State action.



A. DEVELOPING RECOMMENDATIONS ON UNIFORM EFFECTIVE DATES

1. The Reciprocity Committee will, in cooperation with the S & E Committee, prepare a list of major national building standards and model codes to which these procedures are intended to apply. Such list shall include the cut off date for amendments to the next edition of the Standard, public hearing dates and approximate publication date.
2. The Chairman of the Reciprocity Committee will maintain a list of current codes and standards and projected publication dates (available to the public) for these standards and codes listed in NCSBCS Model Acts and Model Rules and Regulations and for amendments and revisions thereto. The list shall be furnished to each member of the Committee. As changes occur, they shall be distributed promptly to the members.
3. The Conference recommends that each State act individually as follows:
  - A. When an organization that writes national building standards or model codes organizations publishes an amendment or revision to a model standard or code which is included on the Reciprocity Committee list; and when such standard or code has previously been adopted by the State; the State should institute procedures which will give producers the option of complying with the amended or revised requirements. The option should begin no later than six months after the date of publication of the amendment or revision as stated in the Reciprocity Committee list.
  - B. Such option should expire and such amendment and revisions should be made mandatory 12 months after the date of publication by the code or standard makers group of the amendments or revisions.

B. DEVELOPING RECOMMENDATIONS ON UNIFORM STATE AMENDMENTS

1. Where a State proposes to amend a national standard or model code because it is judged to be incomplete, impractical, unclearly worded, overly restrictive or otherwise inadequate, the State may request the Reciprocity Committee to establish an advisory committee of state administrators and the other affected parties on the proposal. Such recommendations shall be submitted to the Committee.
2. The Chairman of the Reciprocity Committee shall cause the proposal and any accompanying explanatory material to be reproduced and distributed to the members of the committee. The material shall also be made available to interested parties upon request. This availability should be well publicized and written comments requested.
3. The Reciprocity Committee will consider the matter at its first scheduled meeting after an adequate time for study has been allowed (suggest 30 days minimum). Oral comments will be received from interested parties to the committee that time permits.
4. Where an affirmative consensus for amendment is developed, the Standards and Evaluation Committee of NCSBCS should be requested to work for its adoption by the appropriate national standard or model code-generating organization.

C. DEVELOPING RECOMMENDATIONS ON DISPUTED INTERPRETATIONS

1. In general, State or third party inspection agencies should preserve uniformity by following nationally recognized precedent in interpreting and applying national standards and model codes. This can usually be achieved by requesting an official interpretation from the standard generating organization.
2. Where the official interpretation is unacceptable or unavailable, the State or third party may request the Reciprocity Committee to establish an advisory consensus of State administrators and the other affected parties on the disputed interpretation. The Chairman of the Reciprocity Committee will cause the disputed interpretation and any accompanying explanatory material to be reproduced and distributed to the members of the committee and invite written comments from all concerned. The material will also be made available to interested parties upon request. This availability should be well publicized.

3. The Reciprocity Committee will consider the matter at its first scheduled meeting after an adequate time for study has been allowed (suggest 30 days minimum). Oral comments will be received at the meeting from affected parties to the extent that time permits. On the basis of written and oral comments, the committee will establish a consensus as to how the interpretation should be dealt with. The consensus shall be submitted to the S & E Committee.
4. The consensus should be promptly and widely publicized.
5. When the Reciprocity Committee has recommended an interpretation that is different from the one received from the standard generating organization, that organization will be so advised. The Committee shall cooperate with the Standards and Evaluation Committee of NCSBCS in working for any needed changes by the appropriate national standard or model code-generating organization.

PROCEDURES FOR MONITORING STATE INSPECTING  
AND INDEPENDENT STATE APPROVED INSPECTIONS

(Recommended to Executive Committee February 28, 1973)

REPORT OF THE AD-HOC COMMITTEE

To establish guidelines to implement the motion to establish regional joint teams to monitor the operations of State or independent agencies - submitted 12-20-72 by James M. Hicks, Jr., Chairman, Herbert Rosmarin - Ohio and Will Bryant - Maryland, Members.

PURPOSE:

To monitor each state certification program for manufactured buildings, mobile homes and recreational vehicles for informational purposes, to be distributed to all state delegates.

MEMBERSHIP OF TEAMS

Monitoring Teams to Consist of the Following Members:

1. One manufacturers association representative.
2. One independent third-party agency representative.
3. One state code administrator, one experienced in plan evaluation and review.
4. One code administrator experienced in in-plant and/or field inspection procedures.
5. One Federal governmental agency representative.
6. One representative of a local building official organization.
7. One general public representative.

OPERATION OF MONITORING TEAMS

Monitoring teams shall be established in each region by agreement within the region coordinated by the regional reciprocity vice chairman. Team members shall not monitor their own jurisdictions. They shall serve limited, staggered terms of no longer than one year and not monitor over six other jurisdictions in their term as a member.

Monitoring teams shall monitor those jurisdictions within their regions and shall monitor one jurisdiction in another region (alternating regions) each year.

Monitoring teams shall gather such information as:

1. State requirements.
2. State implementation of requirements.
3. Plan evaluation procedures.
4. Quality control procedures.
5. Follow-up procedures.
6. Qualification of the appropriate testing and evaluation agency and personnel.
7. Other information deemed necessary.

Monitoring teams may at their own discretion sample production units for compliance.

Monitoring teams shall submit within 30 days after their review a final report to the regional reciprocity vice chairman for submission to conference chairmen for distribution to all delegates.

Funding shall be by participating states and organizations. (Team members)

PROCEDURES FOR PROMOTING ACCEPTANCE BY THE NATIONAL MOBILE HOME STANDARDS COMMITTEE OF RECIPROCITY COMMITTEE PROPOSALS FOR REVISION IN COOPERATION WITH THE STANDARDS AND EVALUATION COMMITTEE

(Adopted February 28, 1974)

(Procedures to be inserted when approved by Executive Committee).

MODEL RULES FOR THE LISTING OF ORGANIZATIONS (LABORATORIES AND AGENCIES) TO LABEL INDUSTRIALIZED BUILDINGS

(Adopted July 15, 1971)

(Rules to be inserted later - about 10 pages.)

HPMA Design Guide HP-SG-71, for structural properties of hardwood plywood (Copy available from Hardwood Plywood Association, P. O. Box 6246, Arlington, VA.)

Factory Follow-Up Test Program for Roof Trusses, November 10, 1972, guide to be used in establishing an acceptable minimum level of quality control. (Copy available from Underwriter's Laboratories, 333 Pfingsten Road, Northbrook, IL.)

Method of Test for the Evaluation of Exterior Mobile Home Wall for Horizontal Wind Load, November 1, 1972, for determining the structural adequacy of walls based on tests. (Copy available from Underwriters' Laboratories, 333 Pfingsten Road, Northbrook, IL.)

NBS Coordinated Evaluation System Project Preliminary Report. (Copy available from the National Bureau of Standards, Washington, DC 20234.)




U.S. DEPT. OF COMM. <b>BIBLIOGRAPHIC DATA SHEET</b>		1. PUBLICATION OR REPORT NO. NBS SP-429	2. Gov't Accession No.	3. Recipient's Accession No.
4. TITLE AND SUBTITLE Proceedings of the 7th Annual Conference of the National Conference of States on Building Codes and Standards			5. Publication Date September 1975	
			6. Performing Organization Code	
7. AUTHOR(S) Sandra A. Berry, (Editor)			8. Performing Organ. Report No.	
9. PERFORMING ORGANIZATION NAME AND ADDRESS  NATIONAL BUREAU OF STANDARDS DEPARTMENT OF COMMERCE WASHINGTON, D.C. 20234			10. Project/Task/Work Unit No.	
			11. Contract/Grant No.	
12. Sponsoring Organization Name and Complete Address (Street, City, State, ZIP)  National Bureau of Standards Department of Commerce Washington, D. C. 20234			13. Type of Report & Period Covered  FINAL	
			14. Sponsoring Agency Code	
15. SUPPLEMENTARY NOTES  Library of Congress Catalog Card Number: 75-24777				
16. ABSTRACT (A 200-word or less factual summary of most significant information. If document includes a significant bibliography or literature survey, mention it here.) The National Conference of States on Building Codes and Standards had its formal beginning in Wisconsin in 1967. Its formation represented a response by the States to recommendations for intergovernmental reforms in the area of building codes, prepared by the Advisory Commission on Intergovernmental Relations. The formative meeting held in Wisconsin was a direct outgrowth of an earlier exploratory meeting, involving several States, called by the National Bureau of Standards. At this meeting, the States represented discussed the idea of a national organization of the States similar to the National Conference of Weights and Measures, assisted by the National Bureau of Standards, leading to a cooperative solution regarding the multiple problems in the entire building regulatory system. The Governor of Wisconsin issued an invitation to the States to gather in Wisconsin to address the problem, to develop an organization which could effectively respond to this national need, and to consider the offer of assistance of the National Bureau of Standards. Sixteen States attended this meeting and unanimously agreed to the formation of the NCSBCS and to accept the secretariat role of the National Bureau of Standards. The Conference is structured to develop many technical and general recommendations in the field of comprehensive building code administration and its programs explore the entire system of this important segment of governmental regulatory service. The secretariat of the National Conference of States on Building Codes and Standards is located in the Office of Building Standards and Codes Services, Center for Building Technology, National Bureau of Standards, Washington, D.C. 20234.				
17. KEY WORDS (six to twelve entries; alphabetical order; capitalize only the first letter of the first key word unless a proper name; separated by semicolons)  ASHRAE 90-P; building codes; mobile homes; NCSBCS				
18. AVAILABILITY  <input type="checkbox"/> For Official Distribution. Do Not Release to NTIS  <input checked="" type="checkbox"/> Order From Sup. of Doc., U.S. Government Printing Office Washington, D.C. 20402, SD Cat. No. C13.10:429  <input type="checkbox"/> Order From National Technical Information Service (NTIS) Springfield, Virginia 22151		19. SECURITY CLASS (THIS REPORT)  UNCLASSIFIED	21. NO. OF PAGES  129	
		20. SECURITY CLASS (THIS PAGE)  UNCLASSIFIED	22. Price  \$1.95	





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## NBS TECHNICAL PUBLICATIONS

### PERIODICALS

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**NOTE:** At present the principal publication outlet for these data is the Journal of Physical and Chemical Reference Data (JPCRD) published quarterly for NBS by the American Chemical Society (ACS) and the American Institute of Physics (AIP). Subscriptions, reprints, and supplements available from ACS, 1155 Sixteenth St. N. W., Wash. D. C. 20056.

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