



Testimony of Joseph R. Mingioni, Sr.
President of Mingioni Construction
Before the Senate of Pennsylvania
Labor & Industry Committee
September 24, 2013

Good Morning Chairman Gordner and Committee Members. I want to thank you for the opportunity to speak here today. My name is Joe Mingioni and I am President of Mingioni Construction. I am a custom builder and remodeler based in Delaware and Chester Counties for over 26 years. I served on the Review and Advisory Council from 2009-2012 holding the "Residential Remodeling" seat.

When I first considered serving on the council, I was concerned about the time spent away from my business which is a company of less than 10 employees. My desire to better understand and participate in the code development process eventually led me here. The experience has been very educational, beneficial, and somewhat eye opening. My interest in the code adoption process is solely to ensure that the codes that we enforce in Pennsylvania make sense for the Commonwealth.

The Uniform Construction Code has tremendously improved consistent enforcement of building codes in Pennsylvania. While there are still variances at the local level, specifically in administration and interpretation, the overall process is working.

The biggest concern I have is the speed in which the codes are changing and the quantity of new provisions being added at each cycle. While still reviewing the 2009 codes, the 2012 codes were already being reviewed at the ICC level. When issues of technical feasibility and economic impact arise, the proponents do not have the data to answer questions that the panel may bring up. We aren't being given enough time between code cycles to fully work through all the feasibility changes before we are asked to change again. I was one of the members of the RAC who voted not to adopt the 2012 codes. I have received only positive feedback from my local code officials, architects, and builders for our decision.

We understand the general consensus among non-builders is that our association's efforts to slow the code adoption process are to protect the "bottom line" of our members. Nothing could be further from the truth. The reality is that the PA Builder's Association is perhaps the only advocate for safe and affordable housing options for the PA housing consumer. What is almost never discussed is the impact of the added cost to the home buyer. We want you to understand that new codes and requirements that will in effect trickle down to added costs to any project will in fact increase a builder's revenue, which allows for greater profit. So by this logic, my stance here today has nothing to do with my business model or wanting larger profits. The same can't be said for interest groups pushing their products or services into code law.

I believe there are too many national chemical product manufactures pressing their products at the ICC level to become permanent part of the code. We have the benefit of the few impacting the cost of the overall community. Some of their arguments include "new codes will boost the economy by creating new jobs" is not founded. It transfers costs from one industry to another thereby hurting one industry while another gains. It is important to note that there is nothing in

the current process that prevents a consumer from requesting an energy efficient choice if that is what they choose.

At our 2009 deliberations concerning the adoption of residential sprinklers one of the deciding votes was a sprinkler contractor who should have recused himself from the final vote.

I have read through Senate Bill 1023 and disagree with changing the 2/3 majority vote to exclude new codes. This model is supported by the American Chemical Council to ensure their energy changes are passed into code. I believe the 2/3 majority vote as it currently stands is sufficient to make sure that important health and safety codes will get adopted in.

I have read through the current Review and Advisory Council's proposal to improve the RAC and I concur with their recommendations. I trust the ability of the current group to understand its needs moving forward. These suggested improvements will allow the council to do a better and more concise job with analyzing and adopting codes in the future.

Thank you for the opportunity to speak here with you today.