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HOUSE OF REPRESENTATIVES  
THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2010

COMMITTEE ON FINANCE

Hearing February 22, 2010  
Testimony on H.B. 2152  
(Relating to Building Design for Persons with Disabilities)

Chair Oshiro, Vice Chair Lee and members of the Committee:

My name is Peter Fritz. I am the current Chairperson of the Disability and Communication access Board ("DCAB"). I am testifying in my personal capacity **in support of** H.B. 2152.

The DCAB is required by §103-50 HRS, to review all plans and specifications for the construction of state and county buildings, facilities, and sites to ensure access for persons with disabilities.

Last session, the 5.5 positions budgeted to review plans and designs were deleted from the FY 11 budget with the intent that monies would be generated by fees would pay the expenses of plan review. Unfortunately, the bill that would provide authority to charge for plan review bill did not pass.

This bill will give the DCAB the authority to charge a review/filing fee to keep the review process functioning, provide a revenue stream, and the authority to establish a fee schedule.

Thank you for the opportunity to testify.

Respectfully,



Peter L. Fritz

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21 FEBRUARY 2010**

**HB 2152 RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES**

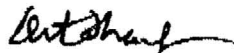
**HOUSE COMMITTEE ON FINANCE, REP. MARCUS R. OSHIRO, CHAIR**

**Monday, February 22, 2010 10:00A.M. Conference Room 308**

Good morning Mr. Chairman and members of the House Committee on Finance. My name is ART FRANK from the Waianae Coast and I have been disabled over 32 years and very active in the community for nearly 30 years. I have been involved with DCAB for over 30 years and at this capitol as an activist for nearly 30 years. Prior to and after the passage of the American Disability Act (ADA) I've spoken to many building managers, business owners, state and city managers regarding accessibility for the disabled to their buildings or businesses. In all these years many lawsuits have been filed, as DCAB can verify for non-compliance of ADA. Although I could have, I never filed a lawsuit but instead I have always tried to talk people into complying with the ADA. Francine Wai of DCAB knows hundreds, if not thousands of lawsuits have been filed in this state due to non-compliance of ADA. Many were frivolous lawsuits filed by greedy lawyers. In this regard my concern is with the state and city government in non-compliance of ADA and consequently having to waste our taxes by tearing up their mistakes and doing it again. Though it's been years since I've had to complain to our government regarding ADA errors, I am still concerned that mistakes can still be made because people do not understand the necessity to comply with the ADA. That's why we have DCAB to keep everybody on the straight and narrow so no mistakes are made that waste our tax money.

I realize the Administration is against raising the fee requested in this measure but the governor is looking in front her nose at saving us \$1.00, but not at the millions it could cost us tax payers in the future if DCAB cannot adequately do their jobs due to lack of funds. As a disabled person who has been involved all these years I feel strongly about HB 2152 so I ask this committee to please support this measure.

Mahalo nui loa.



ART FRANK,  
WAIANAE COAST