

Honolulu, Hawaii

Feb 6

, 2009

RE: H.B. No. 431

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committees on Energy & Environmental Protection and Water, Land, & Ocean Resources, to which was referred H.B. No. 431 entitled:

"A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY,"

beg leave to report as follows:

The purpose of this bill is to promote energy efficiency in buildings statewide by:

- (1) Directing the Energy Resources Coordinator (Coordinator) to review energy efficiency in building construction statewide, recommend amendments to state and county building codes, and develop commissioning guidelines for the construction of commercial buildings in the State;
- (2) Requiring the state and county building codes to include the latest edition of the International Energy Conservation Code (IECC);
- (3) Requiring the Department of Accounting and General Services (DAGS) and the Coordinator to benchmark certain larger state buildings and use the results to determine measures to improve building energy efficiency;



- (4) Requiring the Coordinator to:
 - (A) Establish performance targets for energy efficiency in state buildings;
 - (B) Develop buildings for retro-commissioning of state government buildings; and
 - (C) Publish an annual report on the energy efficiency of state buildings;
- (5) Establishing performance targets to be included in the terms of energy performance contracts for retro-commissioning or major retrofit or renovation of a state building;
- (6) Requiring the Comptroller to establish guidelines for energy-saving contracts and prepare model energy-savings contracts to use for purchasing and contracting; and
- (7) Allocating 50 percent of moneys saved through efficiency and renewable energy system retrofitting to pay for costs directly associated with administering energy efficiency and renewable energy system retrofitting programs.

The Blue Planet Foundation testified in support of this bill. DAGS, the Department of Business, Economic Development, and Tourism, and Hawaii Developers' Council offered comments.

Your Committees have amended this bill by:

- (1) Removing provisions requiring the state building code to include the latest edition of the IECC within six months of its adoption by the International Code Council;
- (2) Removing the mandate that the sections of the state building code that include provisions of the IECC become applicable in the county building code until the county adopts the amendments;
- (3) Removing the requirement that the Coordinator establish performance targets that are 30 percent higher than the most recent guideline established by the IECC for existing state buildings;



- (4) Deleting reference regarding guidelines established by the Comptroller with regard to energy performance contracts; and
- (5) Making other technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Energy & Environmental Protection and Water, Land, & Ocean Resources that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 431, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 431, H.D. 1, and be referred to the Committee on Housing.

Respectfully submitted on behalf of the members of the Committees on Energy & Environmental Protection and Water, Land, & Ocean Resources,



KEN ITO, Chair



HERMINA MORITA, Chair



Record of Votes of the Committee on Energy & Environmental Protection

Bill/Resolution No.: <i>HB 431</i>	Committee Referral: <i>EEP/WLO, HSG, FIN</i>	Date: <i>2-5-09</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EEP Members	Ayes	Ayes (WR)	Nays	Excused
1. MORITA, Hermina M. (C)	✓			
2. COFFMAN, Denny (VC)	✓			
3. CABANILLA, Rida				✓
4. CHANG, Jerry L.	✓			
5. CHONG, Pono	✓			
6. HAR, Sharon E.	✓			
7. HERKES, Robert N.	.		/	
8. ITO, Ken	✓			
9. LEE, Chris	✓			
10. LUKE, Sylvia	✓			
11. SAGUM, Roland D., III	✓			
12. CHING, Corinne W.L.				✓
13. THIELEN, Cynthia	✓			
TOTAL (13)	10		1	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Denny Coffman</i></u>				
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