



STATE OF HAWAII
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES
P.O. BOX 119
HONOLULU, HAWAII 96810-0119

WRITTEN TESTIMONY
OF
DEAN H. SEKI, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
HOUSE COMMITTEE
ON
ENERGY & ENVIRONMENTAL PROTECTION
ON
February 11, 2014

H.B. 2022

RELATING TO LEED CERTIFICATION

Chair Lee and members of the Committee, thank you for the opportunity to submit written testimony on H.B. 2022.

The Department of Accounting and General Services (DAGS) supports the intent of H.B. 2022 with the following reservations:

1. DAGS anticipates that mandating LEED certification for the design and construction of new facility projects will increase the overall project costs by up to 10% over “non-LEED” certified design and construction projects and therefore, adequate upfront project funding will need to be appropriated for that purpose. Otherwise, achieving LEED certification will be at the expense of designing and constructing a new facility that is smaller than what actually might be needed; and

2. In addition to the LEED certification process, which is done through a “private - for profit” organization, there are other metrics (such as “Green Globes” system) that could also be used to evaluate energy efficiency/energy conservation considerations during design and construction of a new facility.

Thank you for the opportunity to submit written testimony on this matter.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

NEIL ABERCROMBIE
GOVERNOR

RICHARD C. LIM
DIRECTOR

MARY ALICE EVANS
DEPUTY DIRECTOR

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Statement of
RICHARD C. LIM
Director
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

Tuesday, February 11, 2014
8:15 a.m.

State Capitol, Conference Room 325

in consideration of
HB 2022
RELATING TO LEED CERTIFICATION.

Chair Lee, Vice-Chair Thielen, and Members of the Committee.

The Department of Business, Economic Development, and Tourism (DBEDT) supports the intent of HB 2022, which would direct state departments to design and construct public buildings, facilities, and schools to obtain LEED certification for such facilities. Various agencies are striving to implement the goals set forth and are challenged with limited resources.

Under our statewide Lead by Example program for state agencies, DBEDT has provided technical assistance and training to state personnel on Leadership in Energy and Environmental Design (LEED), LEED certification for state facilities and buildings, and procurement information to promote purchase of environmentally preferable products. Since baseline year 2005, the LBE program has seen a 5.7% kWh decrease (or -38M kWh). We will continue to provide assistance, within the limits of the Hawaii State Energy office budget.

DBEDT defers to the appropriate State and County agencies to assess the fiscal impact of this measure.

Thank you for the opportunity to provide these comments.

NEIL ABERCROMBIE
GOVERNOR



KATHRYN S. MATAYOSHI
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/11/2014

Committee: House Energy & Environmental
Protection

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 2022 RELATING TO LEED CERTIFICATION.

Purpose of Bill: Requires state departments with responsibilities for the design and construction of public buildings, facilities, and schools to design and construct such facilities to obtain LEED certification for all newly-constructed facilities and to obtain LEED certification for such facilities.

Department's Position:

The Department of Education does not support this bill. The DOE appreciates the intent of the bill, however the proposed legislation is not necessary.

In 2006, Act 96 revised Chapter 196 of the Hawaii Revised Statutes by adding section 196-9 which includes the requirement for all state facilities to meet LEED certification" or another comparable state-approved, nationally recognized, and consensus-based guideline, standard, or system..."

In 2011-12 the DOE worked with the national Collaborative for High Performance Schools (CHPS) organization to develop its own state standard known as HI-CHPS.

HI-CHPS addresses the uniqueness of Hawaii's tropical climate, island state and specifically addresses the needs of schools - concentrating on requirements to provide high performing indoor learning environments and then the energy efficiency of the building whereas the LEED systems was developed for all building types and is only slightly modified for school facilities.

Currently the DOE has various projects under design following HI-CHPS standards.

Thank you for this opportunity to provide testimony on this bill.



February 9, 2014

To: The Honorable Chris Lee, Chair
Members, House Committee on Energy and Environmental Protection

From: Tim Shestek, Senior Director
State Affairs

RE: **HB 2022 – OPPOSE**

The American Chemistry Council (ACC) must respectfully oppose HB 2022, legislation that would require all newly constructed public buildings, facilities, and schools to obtain LEED certification.

ACC supports the construction of buildings that save energy, use materials that promote resource conservation and offer employees a safe and healthy working environment. Building green is a complex undertaking that requires a fair, open, and science-based evaluation process that allows all materials and products to compete on a level playing field. Many "green building" tools are available to architects, policymakers and others that combine life-cycle costs and assessment data to discern environmental and economic tradeoffs, allow for a fair comparison of products and rely on standards developed by consensus-based groups.

Our concern is that the legislation exclusively references only the LEED system. In our view, this language unfairly promotes one green building tool at the expense of other, perhaps more appropriate tools that could be available to meet local needs.

The latest version of LEED, called "LEED v4," includes new provisions that discourage the use of certain products and materials without a scientific basis for doing so. These new provisions were developed without input from experts in chemical safety and without regard to the availability, safety or effectiveness of alternatives. No evidence has been provided to show that avoiding these materials and products will result in improved energy efficiency, better building performance or occupant health benefits.

Many of the products that LEED v4 seeks to eliminate actually enable the very efficiency enhancements, environmental performance and sustainability improvements that LEED purports to promote. For instance, plastic foam insulation, ENERGY STAR vinyl windows, and reflective roofing are discouraged for use in LEED v4. LEED v4 could result in higher costs to consumers and governments by discouraging the use of proven, cost-effective building products made in the U.S., in favor of untested, less effective and more expensive replacement products.

Other "green building" tools are available in the market place, such as the Green Globes environmental assessment and rating system for the commercial sector. Green Globes is a product of the Green Building Initiative (GBI), whose mission is to "promote practical green building approaches to energy efficient and environmentally sustainable building practices commonly referred to as "green building." GBI is focused on ensuring the availability of credible and practical green building approaches within the residential and commercial construction industries." Green Globes is a performance based, material neutral, affordable, and is "life-cycle" oriented.

In addition, the current statewide statute pertaining to green building construction for state facilities references both LEED and Green Globes. Hawaii Revised Statutes (HRS) section 196-9 reads in part:



[§196-9] Energy efficiency and environmental standards for state facilities, motor vehicles, and transportation fuel. (a) Each agency is directed to implement, to the extent possible, the following goals during planning and budget preparation and program implementation.

(b) With regard to buildings and facilities, each agency shall:

- (1) Design and construct buildings meeting the Leadership in Energy and Environmental Design silver or two green globes rating system or another comparable state-approved, nationally recognized, and consensus-based guideline, standard, or system, except when the guideline, standard, or system interferes or conflicts with the use of the building or facility as an emergency shelter;

HB 2022 designates LEED as the only practical option to achieve greater energy efficiency and increased environmental responsibility. However, there are a suite of tools beyond LEED, including green building rating systems and stand-alone standards that would provide greater flexibility in the design and construction of public buildings, facilities and schools.

For the above stated reasons, ACC opposes HB 2022. Thank you in advance for considering our views. If you have any questions or comments, please do not hesitate to contact me or ACC's Hawaii based representatives Red Morris and/or John Radcliffe at 808-531-4551.



The House of Representatives
The Twenty Seventh Legislature
Committee on Energy and Environmental Protection
February 11, 2014, 8:15 a.m.
Room 325

Statement of the Hawaii Regional Council of Carpenters on
HB 2022, Relating to LEED Certification

HRS 196-9(b) states:

“(b) With regard to buildings and facilities, each agency shall:

- (1) Design and construct buildings meeting the **Leadership in Energy and Environmental Design silver or two green globes rating system or another comparable state-approved, nationally recognized and consensus-based guideline, standard, or system**, except when the guideline standard or system interferes with the use of the building or facility as an emergency shelter;” (emphasis added)

SB 3048 may be redundant. If it is not, the language above should be utilized in the Bill, and wherever green building standards are in statute:

- To be consistent.
- LEED is a private organization. The State should not be tied by statute to one private organization that may independently change its guidelines or standards, fees, orientation, etc., or where an alternative system emerges.
- Utilization of LEED is not prohibited by the above language. LEED has promoted itself best, and has been utilized since 2006 when the above, flexible, language has been in statute.

Thank you for considering our comments.



HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

February 11, 2014, 8:15 A.M.
(*Testimony is 1 page long*)

TESTIMONY IN SUPPORT OF HB 2022

Aloha Chair Lee and Members of the Committees:

The Sierra Club of Hawai'i, with over 12,000 dues paying members and supporters statewide, **supports** HB 2022. This measure requires LEED certification for all new public buildings, facilities and schools.

The LEED Green Building Rating System is a voluntary, consensus-based national standard for developing high-performance, sustainable buildings. Members of the U.S. Green Building Council—representing all segments of the building industry—developed LEED and continue to contribute to its evolution.

LEED was created to:

- define "green building" by establishing a common standard of measurement
- promote integrated, whole-building design practices
- recognize environmental leadership in the building industry
- stimulate green competition
- raise consumer awareness of green building benefits
- transform the building market

LEED provides a complete framework for assessing building performance and meeting sustainability goals. Based on well-founded scientific standards, LEED emphasizes state of the art strategies for sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality. LEED recognizes achievements and promotes expertise in green building through a comprehensive system offering project certification, professional accreditation, training and practical resources.

Requiring a LEED certification for new state buildings will save taxpayers money through energy efficiency over the life of the building, stimulate the green building industry in Hawai'i, and create models for the building industry to experience and learn from. State government should be a role model for energy efficiency.

Mahalo for the opportunity to testify.

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GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

Uploaded via Capitol Website

February 11, 2014

TO: HONORABLE CHRIS LEE, CHAIR, HONORABLE CYNTHIA THIELEN, VICE CHAIR AND MEMBERS OF THE HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

SUBJECT: **COMMENTS REGARDING H.B. 2022, RELATING TO LEED CERTIFICATION.** Requires state departments with responsibilities for the design and construction of public buildings, facilities, and schools to design and construct such facilities to obtain LEED certification for all newly-constructed facilities and to obtain LEED certification for such facilities.

HEARING

DATE: Tuesday, February 11, 2014
TIME: 8:15 a.m.
PLACE: Conference Room 325

Dear Chair Lee, Vice Chairs Thielen and Members of the Committee,

The General Contractors Association of Hawaii (GCA) is an organization comprised of over approximately hundred (600) general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. The mission is to represent its members in all matters related to the construction industry, while improving the quality of construction and protecting the public interest.

H.B. 2022 is proposing to mandate that eligible state departments design and construct facilities solely limited to LEED certification for all newly-constructed facilities. This measure is a companion to S.B. 3048, which was recently deferred by the Senate Committees on Energy and Environment and Economic Development, Government Operations and Housing.

H.B. 2022 **is not necessary** to insure that the construction of new and renovated state building and facilities are energy efficient and use environmentally preferred products, including recycled content materials. The GCA supports the design and construction of state facilities that utilize water, energy and materials in a manner that is most efficient and environmentally friendly. However, we believe that current law pursuant to §196-9, HRS, already directs the state agencies responsible for construction of state capital improvements to meet LEED certification standards or other nationally recognized guidelines or systems.

If all state agencies responsible for the construction of state building and facilities follow the directive outline in Section 196-9, the requirement to obtain LEED certification should be met without further legislation. Furthermore, Section 196-9, HRS allows state agencies to consider other green development guidelines and does not limit such to LEED only.

We believe that passage of H.B. 2022 is not necessary and we respectfully recommend deferral of this measure.

Thank you for the opportunity to present our views on this measure.

HB2022

Submitted on: 2/8/2014

Testimony for EEP on Feb 11, 2014 08:15AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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GOVERNOR



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STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 11, 2014
8:15 a.m.
State Capitol, Room 325

**H.B. 2022
RELATING TO LEED CERTIFICATION**

House Committee on Energy and Environmental Protection

The Department of Transportation (DOT) **supports** the intent of this bill, however to require the state departments to ensure that all newly-constructed public buildings and facilities obtain Leadership in Energy and Environmental Design (LEED) certification would be difficult to implement.

Section 196-9(b)(1), Hawaii Revised Statutes, already directs state agencies, to the extent possible, to design and construct buildings to meet the LEED silver or two green globes rating system or another comparable state-approved, nationally recognized, and consensus-based guideline, standard or system. The DOT, has strived to comply with the LEED silver rating where possible. Although LEED certification is a lower standard than LEED silver, by requiring formal LEED certification will force state agencies to expend additional time and money on new construction projects and consequently, delay project delivery.

Thank you for the opportunity to provide testimony.

Testimony of
GLENN M. OKIMOTO
DIRECTOR

Deputy Directors
FORD N. FUCHIGAMI
RANDY GRUNE
AUDREY HIDANO
JADINE URASAKI

IN REPLY REFER TO: