



LATE

February 18, 2014

Senator David Y. Ige, Chair
Senator Michelle N. Kidani, Vice Chair
Senate Committee on Ways and Means

Support of SB 2581, SD1 Relating to the State Building Code Council (Modifies the composition, quorum, and duties of the Hawaii state building code council and revises the state building code, including clarifying terminology, the code adoption process, and the staggering of code adoptions. Prohibits the state building code council from adopting provisions in the Hawaii state building codes that conflict with laws governing contractors. Appropriates funds to department of accounting and general services for council's operating costs, including staff salaries).

Wednesday, February 19, 2014, at 9:05 a.m., in Conference Room 211

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. LURF's mission is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF appreciates the opportunity to express its **support of SB 2581, SD1.**

SB 2581, SD1. The purpose and intent of this measure is to:

- (1) Modify the composition, of the State Building Codes Council (Council), by removing the representative of the State Department of Health, adding one member representing the State Energy Office of the Department of Business , Economic Development and Tourism, adding one member representing the Building Industry Association of Hawaii or the General Contractors Association of Hawaii, who has significant experience with building codes, and adding one member representing the Subcontractors' Association of Hawaii, who has significant experience with building codes. Other modifications include the quorum requirement, and duties of the Council;
- (2) Amend the state building code, including the clarification of terminology, code adoption process, and staggering of code adoptions;
- (3) Prohibit the State Building Code Council from adopting provisions in the Hawaii State Building Codes that conflict with laws governing contractors; and

- (4) Appropriate out of the general revenues of the State of Hawaii the sum of \$250,000, or so much thereof as may be necessary for fiscal year 2014-2015, to the Department of Accounting and General Services for the Council and staff to carry out their duties and functions, including operating costs and staff salaries.

LURF's Position. LURF supports SB 2581, SD1, which LURF understands is a result of a collaborative effort by stakeholders in the building and construction industry. Given the work of these stakeholders, adoption of this measure should allow the Council to fulfil its original mission and purpose to establish and implement a State Building Code which would eliminate the fragmented building requirements which currently exist between counties; and make it possible for building owners, designers, contractors and code enforcers to apply consistent building standards.

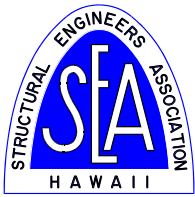
The Council was created by Act 82 (SLH 2007), to review and adopt current, nationally recognized building codes and standards for the State. At the time, the Legislature found that the health and safety considerations related to building codes were of statewide interest, especially relating to emergency disaster preparedness.

Act 82 appropriated \$250,000 out of the interest earned from the principal in the Hawaii Hurricane Relief Fund for fiscal year 2007-2008 for the operations of the Council, including technical assistance services, and training and administrative assistance as required. LURF understands, however, that those original staff and operating expenses were never funded, thereby limiting the effectiveness of the work of the Council. In 2012, the Council recommended an updated series of codes to be established as the new Hawaii State Building Code. However, due to a lack of funding, that process was never completed.

LURF believes that passage of SB 2581, SD1, will help the Council to achieve its mission and purpose to ensure modern, state-wide and consistent building codes to protect the citizens of Hawaii.

For the above reasons, LURF **supports SB 2581, SD1**, and respectfully urges your favorable consideration.

Thank you for the opportunity to present testimony regarding this matter.



STRUCTURAL ENGINEERS ASSOCIATION OF HAWAII
P.O. Box 3348, Honolulu, Hawaii 96801

February 18, 2014



TO: The Senate
COMMITTEE ON WAYS AND MEANS
(Senator David Y. Ige, Chair and Senator Michelle N. Kidani, Vice Chair)

SUBJECT: **Senate Bill 2581, SD1, Relating to the State Building Code**
Hearing February 19, 2014 Conference Room 211 9:05 am

Honorable Members of the Committees:

The Structural Engineers Association of Hawaii (SEAOH) is the local chapter of the National Council of Structural Engineering Associations (NCSEA), and we have over 200 active members in Hawaii. SEAOH has several decades of experience in assisting Hawaii with the development of the technical portions of the building codes. The primary purpose of a building code is to establish design standards for buildings in order to protect public safety.

In 2007, HRS 107 Part II, State Building Code and Design Standards, established a process that requires the maintenance of a periodically updated Hawaii State Building Code for State government projects. It is also used as the starting basis for the local county codes, so that unnecessary divergences between the building code adopted by the counties are avoided. The existing law also permits the counties to make modifications to design requirements in the local county building code without approval of the State Council. The present State Building Code Council takes on the role of a panel of knowledgeable experts and state agencies that have responsibility for the affected regulations under current state law. The 2007 State Legislature found that "The health and safety considerations related to the codes are of statewide interest, especially relating to emergency disaster preparedness."

However, since July 2012, the current process has become stalled without the capability to implement its administrative process requirements, such that presently there are no ongoing administrative activities to modernize building codes, due to the fact that the Council has not been funded since 2008. The State Building Code and its Design Standards are becoming severely out-of-date with the state-of-practice of the national standards used elsewhere in the country by architects, engineers, trade unions, and building officials, as well as the federal government.

We support the current version of this bill, SB 2581, SD1. It expands the State Building Code Council to include new stakeholders, provides a mechanism for the Council to periodically adopt the editions of national codes most valuable to the state rather than every edition, clarifies the codes under the jurisdiction of the Council, and finally provides an appropriation to fund the administrative rule process required under state law HRS Chapter 91. Therefore, we expect that the passage of SB 2581, SD1, will enable the state and counties to utilize current standards for public safety. In conclusion, this bill would make a significant improvement for maintaining public safety and it would bring renewed effectiveness to the process of incorporating Hawaii-specific concerns into our building codes and design standards.

Gary Chock, S.E.
Ian Robertson, Ph.D., S.E.
SEAOH Legislative Committee



The Honorable David Ige, Chair
and Members of the Committee on Ways and Means
Hawaii State Senate
Hawaii State Capitol, Room 211
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Ige, and Committee Members:

**Subject: Senate Bill No. 2581, S.D. 1
Relating to the State Building Code**

The State Building Code Council (SBCC) strongly **supports** Senate Bill No. 2581 SD 1, which modifies the composition, quorum, and duties of the SBCC, as well as other housekeeping language as appropriate. Most importantly, it appropriates funding to the Department of Accounting and General Services for this council to perform its mandated responsibilities.

This council over the years has performed its mandated duties of reviewing nationally recognized codes to regulate the building construction industry. In 2009, this council recommended a series of State Building Codes, and through the administrative rule process, these codes became the Hawaii State Building Code. For the first time in many years, the State of Hawaii was under one suite of building codes providing uniformity in the building industry.

In 2012 the SBCC recommended an updated series of codes to be the new Hawaii State Building Codes. However, due to the lack of funding, there have been no revised administrative rules to complete this process.

This year the SBCC is working again to recommend another updated series of State Building Codes, but without any funding, these recommendations will again stall without an administrative rule update.

The appropriation contained in the Bill is needed for this body to perform its duties.

Thank you for this opportunity to communicate our **strong support** of Senate Bill No. 2581 SD 1.

Very truly yours;

Timothy Hiu, Chair
State Building Code Council

AMERICAN INSTITUTE OF ARCHITECTS



WAM
9:05 am

February 18, 2014

Honorable David Y. Ige, Chair
Senate Committee on Ways & Means

Re: **Senate Bill 2581 SD1**
Relating to the State Building Code

Dear Chair Ige, Vice-chair Kidani and Members of the Committee,

My name is Daniel Chun, President of the American Institute of Architects (AIA) Hawaii State Council writing in **STRONG SUPPORT** of SB 2581 SD1.

Volunteers cannot fulfill all the legislative mandate of the State Building Code Council

AIA was one of the original supporters of the State Building Code Council (SBCC). Architects continue to offer significant volunteer efforts to update Hawaii's building codes. Other design professional societies and construction industry trade groups also volunteer needed time and expertise. The four counties volunteer the services of their building chiefs. However, the SBCC cannot fulfill its legislative mandate without staffing services to coordinate volunteer efforts and manage the Hawaii administrative rule making process.

AIA supports statutory modifications detailed in Senate Bill 2581

AIA helped draft the original statute. AIA is an active voting member of the Council. Architects are strongly connected to the process of reviewing and updating Hawaii's building codes. We support the proposed revisions detailed in the bill.

Thank you for this opportunity to **STRONGLY SUPPORT** SB 2581 SD1.



From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: greg@ccs-hawaii.com
Subject: Submitted testimony for SB2581 on Feb 19, 2014 09:05AM
Date: Tuesday, February 18, 2014 8:43:23 PM

SB2581

Submitted on: 2/18/2014

Testimony for WAM on Feb 19, 2014 09:05AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Greg Thielen	Individual	Support	No

Comments: I strongly support SB 2581 as it does two important things. It adds construction industry representation to the building code council and it provides funding to allow this body to function as needed.

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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