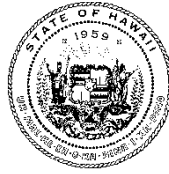


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GOVERNOR



DOUGLAS MURDOCK
Comptroller

AUDREY HIDANO
Deputy Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE BUILDING CODE COUNCIL

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

March 29, 2016

The Honorable Jill Tokuda, Chair
Committee on Ways and Means
The State Senate
State Capitol, Room 207
Honolulu, Hawaii 96813

Dear Chair Tokuda:

Subject: House Bill (HB) 2051, House Draft (HD) 1, Senate Draft (SD) 1 Relating to the State Building Code Council (SBCC)

I am Gaur Johnson, Chair of the SBCC. **The SBCC strongly supports HB 2051, HD 1, SD 1 with modifications detailed below.**

We do not support the Committee on Government Operations' amendment of HB 2051, HD1 on March 17, 2016. Their amendment on line 8 changed the date which the Act shall take effect from July 1, 2016 to July 1, 2050.

Updates to the Hawaii State Building Code and other codes developed by the SBCC are not enforceable until the Hawaii Administrative Rules have completed the mandatory rule making procedures which include public hearing, reviews by various government agencies, and signature of the Governor.

The funds being requested are desperately needed this year to cover these rule making costs. **Our minimum recommendation to move HB 2051, HD 1, SD 1 forward include the following two items:**

- ***To appropriate out of the general fund the sum of \$150,000, or so much thereof as may be necessary.***
- ***Amend SECTION 2 to read, "This Act shall take effect on July 1, 2016."***

Without these funds State owned buildings will be constructed to outdated codes. In some cases this could result in an overly conservative design and higher construction costs. In other cases, designs may not provide the reliability which taxpayers would expect of our public infrastructure.

SBCC Background

The SBCC, is administratively attached to the State of Hawaii's Department of Accounting and General Services, is comprised of subject matter experts, government agencies, and construction industry representatives with the authority to establish a comprehensive suite of codes applicable to all building construction in the State of

Hawaii in accordance with Hawaii Revised Statutes 107-24. The National, model codes and standards, which are updated every 3 years, establish minimum requirements to protect life, property, and the general welfare of our citizens. The SBCC is responsible to establish statewide, uniform building standards for the following:

1. State Fire Code
2. State Plumbing Code
3. State Building Code
4. State Residential Code
5. State Electrical Code
6. Energy Efficiency and Conservation
7. Additional codes and standards include, but are not limited to, elevators, mechanical systems, hurricane, flood and tsunami, existing buildings, and onsite sewage disposal.

Impact of No Funding on the SBCC

The currently adopted State building, residential, electrical, plumbing and energy efficiency codes are in excess of 9 years from national standards. The 11 volunteer subject matter experts have completed several cycles of work on each of these codes for the SBCC by providing technical recommendations. Since its inception in 2007, there has been no funding for the SBCC, which is needed for support staff or contracted services and related rule adoption expenses. This negates the dedicated efforts of these 11 unpaid volunteers who have individually expended hundreds of hours over the past 8 years.

Impact of Delayed Adoption of Building Codes

There are approximately 60,000 Hawaii homeowner flood insurance policies that could be jeopardized by the State failing to stay in compliance with the requirements of the National Flood Insurance Program (NFIP). Moreover, the Federal Emergency Management Agency is not obligated to provide disaster assistance funds to any state that is not in compliance with the NFIP requirements, nor make available any disaster mitigation grants. Also, private insurance and re-insurance companies consider the building codes adopted by the state in determining natural hazard risks and insurance rate structures.

Cost for Rule Making

We anticipate the annual operating costs of the SBCC to be between \$100,000 and \$150,000 and we strongly urge your committee's support and passage of HB 2051, HD 1, SD 1 with amendment as detailed above.

Should you have questions please contact me at (808) 956-2377 or gaur@hawaii.edu.

Sincerely,


GAUR JOHNSON
Chair, SBCC

GJ/LR

DAVID Y. IGE
GOVERNOR

SHAN S. TSUTSUI
LIEUTENANT GOVERNOR



LINDA CHU TAKAYAMA
DIRECTOR

LEONARD HOSHIO
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
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Email: dlir.director@hawaii.gov

March 28, 2016

The Honorable Jill Tokuda, Chair
Committee on Ways and Means
The State Senate
State Capitol, Room 207
Honolulu, Hawaii 96813

Dear Chair Tokuda:

Subject: House Bill (HB) 2051, House Draft (HD) 1, Senate Draft (SD) 1 Relating to the State Building Code Council (SBCC)

I am Socrates Bratakos, Administrator of the Hawaii State Fire Council (SFC) and Assistant Chief of the Honolulu Fire Department (HFD). The SFC has been a voting member of the SBCC since its formation in 2007. The SFC and the HFD strongly support HB 2051, HD 1, SD 1.

The SBCC, is administratively attached to the State of Hawaii's Department of Accounting and General Services, is comprised of subject matter experts, government agencies, and construction industry representatives with the authority to establish a comprehensive suite of codes applicable to all building construction in the State of Hawaii in accordance with Hawaii Revised Statutes 107-24. The National, model codes and standards, which are updated every 3 years, establish minimum requirements to protect life, property, and the general welfare of our citizens. The SBCC is responsible to establish statewide, uniform building standards for the following:

1. State Fire Code
2. State Plumbing Code
3. State Building Code
4. State Residential Code
5. State Electrical Code

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The Honorable Jill Tokuda, Chair
Page 2
March 28, 2016

6. Energy Efficiency and Conservation
7. Additional codes and standards include, but are not limited to, elevators, mechanical systems, hurricane, flood and tsunami, existing buildings, and onsite sewage disposal.

The currently adopted State building, residential, electrical, plumbing and energy efficiency codes are in excess of 9 years from national standards. This negates the dedicated efforts of 11 unpaid volunteers who have individually expended hundreds of hours over the past 8 years. Since its inception in 2007, there has been no funding for the SBCC, which is needed for support staff or contracted services and related rule adoption expenses.

There are approximately 60,000 Hawaii homeowner flood insurance policies that could be jeopardized by the State failing to stay in compliance with the requirements of the National Flood Insurance Program (NFIP). Moreover, the Federal Emergency Management Agency is not obligated to provide disaster assistance funds to any state that is not in compliance with the NFIP requirements, nor make available any disaster mitigation grants. Also, private insurance and re-insurance companies consider the building codes adopted by the state in determining natural hazard risks and insurance rate structures.

We anticipate the annual operating costs of the SBCC to be between \$100,000 and \$150,000 and we strongly urge your committee's support and passage of HB 2051, HD 1, SD 1.

Should you have questions please contact me at 723-7105 or sbratakos@honolulu.gov.

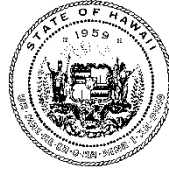
Sincerely,



SOCRATES BRATAKOS
Administrator, SFC

SB/EYS:clc

DAVID Y. IGE
GOVERNOR



DOUGLAS MURDOCK
Comptroller

AUDREY HIDANO
Deputy Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

TESTIMONY
OF
DOUGLAS MURDOCK, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
SENATE COMMITTEE
ON
WAYS AND MEANS
ON
MARCH 30, 2016

H.B. 2051, H.D. 1, S.D. 1

RELATING TO THE STATE BUILDING CODE COUNCIL

Chair Tokuda, and members of the Committee, thank you for the opportunity to submit written testimony on H.B. 2051, H.D. 1, S.D. 1 (the measure).

The Department of Accounting and General Services (DAGS) as a matter of general policy does not support proposed legislation that will have a negative impact on the administration's executive supplemental budget and initiatives submitted for fiscal year 2017.

The State Building Code Council (the Council) would benefit from a general fund appropriation that provides administrative resources to achieve its objectives. Adoption of building codes by the Council through the rule-making process has the benefit of providing a state-wide baseline for the various building codes. We recognize that it is very difficult for the Council to prepare rules and run hearings without substantial administrative support. However, in the absence of rules published by the Council, each county can adopt rules which would generally be based on international building code standards.

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



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of Hawaii

March 28, 2016

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**Senate Committee on Ways and Means
Hearing Date: Wednesday, March 30, 9:15 a.m., Conference Room 211**

Honorable Chair Jill N. Tokuda, Vice Chair Donovan M. Dela Cruz, and Members of the Committee

Subject: **HB2051, HD1, SD1, Relating to the State Building Code Council
Testimony in Strong SUPPORT**

Dear Chair Tokuda, Vice Chair Dela Cruz, and Committee Members:

The American Council of Engineering Companies of Hawaii (ACECH) represents more than 70 member firms with over 1,500 employees throughout Hawaii. Our work covers a variety of engineering disciplines that are impacted directly by 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.

The health and safety considerations related to the codes are of statewide interest, especially relating to emergency disaster preparedness. The State Legislature recognized in Act 82 (2007) that “(t)he status of fragmented building requirements in Hawaii is of serious concern to those involved in building ownership, design, construction, and insurance,” and passed a bill to establish the State Building Code and Council. The State Building Code Council determines the amendments necessary to make national model codes and standards appropriate for Hawaii. These state codes also are used as the starting basis for the local county codes, so that unnecessary divergences between the building codes adopted by the counties are avoided.

However, there are presently no ongoing administrative activities to modernize building codes, due to the fact that the State Building Code Council under the Department of Accounting and General Services 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. Hawaii is amongst only five states in the country that still uses 2006 or older building codes; it is three code versions behind the national model code, and it will be four code versions behind by the end of 2016.

Therefore, ACEC-Hawai‘i strongly supports this bill to fund the State Building Code Council. By doing so, the State would be leveraging the hundreds of hours of volunteer effort expended by design and construction professionals who still assist the Building Code Council in deliberating the consensus agreement of the codes and standards that are best suited for current use in Hawaii. We appreciate the opportunity to provide testimony on this matter. Please do not hesitate to contact us if you have any questions.

Respectfully submitted,
AMERICAN COUNCIL OF ENGINEERING COMPANIES OF HAWAII

Robin M. Lim, P.E.
President

AMERICAN INSTITUTE OF ARCHITECTS

March 30, 2016

Honorable Jill N. Tokuda, Chair
Senate Committee on Ways and Means

Subject: **House Bill 2051 HD1 SD1**
Relating to the State Building Code Council

Dear Chair Tokuda and Members of the Committee,

My name is Daniel Chun, Fellow of the American Institute of Architects, practicing local architect for 40 years and President of the American Institute of Architects Hawaii State Council. AIA is in **STRONG SUPPORT** of HB 2951 HD1 SD1 that provides much needed funding for the State Building Code Council.

AIA was a member of the original task force lobbying the statute that created SBCC and serves as voting member. We also volunteer many hours of volunteer time toward the amendment of each new building code published by International Building Code Council ICC. AIA is also supporting federal legislation that would increase FEMA disaster grants by 4% to states that maintain updated building codes.

It is with great frustration that Hawaii's architects see state administrations refuse to release funds appropriated by this legislature for every single year the SBCC has been in existence. The 2006 ICC code was amended and then passed as state building code; with every county following suit to improve public safety and architects' business efficiency with a single master code. But the 2006 code is now ten years old and fading into obsolescence in most other jurisdictions. Thus the state administration is putting flood insurance, disaster preparedness and improved building technology all at risk over a small amount of funding they refuse to release.

You did have the wisdom to appropriate general fund money to update the currently aging building code, but the Ige administration very unwisely allowed these funds to lapse. So we are here again to ask for funding. Volunteers can assist in technical review of new codes, but it is impossible for volunteers to amend Hawaii administrative rules.

The benefit from SBCC flow to a broad spectrum of the public; not just the construction industry. Hawaii is in increasing danger of poor community rating for flood and property insurance; with commensurate higher costs and lack of availability. Thank you for this opportunity to **STRONGLY SUPPORT** HB 2051 HD1 SD1.



HAWAII LABORERS-EMPLOYERS COOPERATION AND EDUCATION TRUST
650 Iwilei Road, Suite 285 · Honolulu, HI 96817 · Phone: 808-845-3238 · Fax: 808-845-8300

**TESTIMONY OF HAWAII LECET
CLYDE T. HAYASHI – DIRECTOR**

THE SENATE
THE TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2016

COMMITTEE ON WAYS AND MEANS

Senator Jill N. Tokuda, Chair
Senator Donovan M. Dela Cruz, Vice Chair

NOTICE OF DECISION MAKING

DATE: Wednesday, March 30, 2016
TIME: 9:15 a.m.
PLACE: Conference Room 211
State Capitol
415 South Beretania Street

TESTIMONY ON HOUSE BILL NO. 2051 HD1 SD1, RELATING TO THE STATE BUILDING CODE COUNCIL.

TO THE HONORABLE JILL TOKUDA, CHAIR, DONOVAN DELA CRUZ, VICE CHAIR, AND MEMBERS OF THE COMMITTEE ON WAYS AND MEANS:

My name is Clyde T. Hayashi, and I am the Director of Hawaii Laborers' Cooperation and Education Trust (LECET). Hawaii LECET is a labor-management partnership between the Hawaii Laborers Union, Local 368, and its unionized contractors.

Mahalo for the opportunity to testify in **STRONG SUPPORT** of House Bill No. 2051 HD1 SD1 which appropriates an unspecified sum to the State Building Code Council (SBCC).

Hawaii LECET has been attending SBCC meetings and we support the need to provide this body with the staff and resources to effectively review and implement revisions to the building codes for the State of Hawaii, including the respective counties.

The SBCC is responsible to establish statewide, uniform building standards for the following: 1. State Fire Code; 2. State Plumbing Code; 3. State Building Code; 4. State Residential Code; 5. State Electrical Code; 6. Energy Efficiency and Conservation; and 7. Additional codes and standards include, but are not limited to, elevators, mechanical systems, hurricane, flood and tsunami, existing buildings, and onsite sewage disposal.

Since building codes benefit the entire state population, utilizing general funds is the only appropriate way the SBCC should be funded.

For this reason, Hawaii LECET strongly supports House Bill No. 2051 HD1 SD1 and respectfully urges your favorable consideration.



March 28, 2016

Senator Jill N. Tokuda, Chair
Senator Donovan M. Dela Cruz, Vice Chair
Senate Committee on Ways and Means

Testimony in Strong Support of HB 2051, HD1, SD1 Relating to the State Building Code Council. (Appropriates an unspecified sum to the State Building Code Council.)

WAM Hearing: Wednesday, March 30, 2016, 9:15 a.m., Conf. Rm. 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 is in **strong support of HB 2051, HD1, SD1**, which appropriates an unspecified sum to the State Building Code Council.

The State Building Code Council has the authority to adopt, amend, or update the Hawaii State Building Codes, applicable to all building construction in the State. However, the Council has not received any funding since the Council's inception in 2007, and the existing state building codes are not in compliance with current national standards. Implementation of this measure will provide the State Building Code Council with the funds necessary to modernize the State's building codes, safeguarding life, property, and the general welfare of the citizens of Hawaii.

Based on the above, LURF is in strong **support of HB 2051, HD1, SD1**, and respectfully urges your favorable consideration of this bill.

Thank you for the opportunity to provide comments and to express support for this measure.



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

March 29, 2016

TO: The Senate
COMMITTEE ON WAYS AND MEANS
Senator Jill N. Tokuda, Chair
Senator Donovan M. Dela Cruz, Vice Chair

SUBJECT: **House Bill 2051 H.D.1 S.D. 1 Relating to the State Building Code**
Hearing Wednesday, March 30, 2016 9:15 am
Conference Room 211

Honorable Members of the Committee:

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.

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. The State Building Code and its Design Standards have become 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. Hawaii is amongst only five states in the country that still uses 2006 or 2003 building codes; it will be four code versions behind by the end of 2016.

We support this bill, HB 2051 to provide an appropriation to fund the administrative rule process required under state law HRS Chapter 91. We recommend the sum of \$150,000 for FY 2016-2017. We expect that the passage of HB 2051 will enable the state and counties to adopt current standards for public safety, which are presently 10 years out-of-date. 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.

SEAOH Legislative Committee Chair

BIA-HAWAII

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THE VOICE OF THE CONSTRUCTION INDUSTRY

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Testimony to the Senate Committee on Ways & Means Wednesday, March 30, 2016 9:00 a.m. State Capitol, Room 211

RE: H.B. 2051 H.D. 1 S.D. 1, Relating to the State Building Code Council

Dear Chair Tokuda, Vice-Chair Dela Cruz, and members of the Committee:

My name is Gladys Marrone, Chief Executive Officer for the Building Industry Association of Hawaii (BIA-Hawaii), the Voice of the Construction Industry. We promote our members through advocacy and education, and provide community outreach programs to enhance the quality of life for the people of Hawaii. BIA-Hawaii is a not-for-profit professional trade organization chartered in 1955, and affiliated with the National Association of Home Builders.

BIA-Hawaii **supports** H.B. 2051 H.D. 1 S.D. 1, which provides an appropriation to the State Building Code Council (SBCC). We support the need to provide this body with the staff and resources to effectively review and implement revisions to the building codes for all of the counties. Since building codes benefit the entire state population, utilizing general funds is the only appropriate way the SBCC should be funded.

Thank you for the opportunity to express our views on this matter.

SAH - Subcontractors Association of Hawaii

1188 Bishop St., Ste. 1003**Honolulu, Hawaii 96813-2938

Phone: (808) 537-5619 ✦ Fax: (808) 533-2739

March 30, 2016

Testimony To: Senate Committee on Ways and Means
Senator Jill N. Tokuda, Chair

Presented By: Tim Lyons, President

Subject: H.B. 2051, HD 1, SD 1 - RELATING TO THE STATE BUILDING CODE COUNCIL

Chair Tokuda and Members of the Committee:

I am Tim Lyons, President of the Subcontractors Association of Hawaii and we support this bill. The SAH represents the following nine separate and distinct contracting trade organizations.

HAWAII FLOORING ASSOCIATION

ROOFING CONTRACTORS ASSOCIATION OF HAWAII

HAWAII WALL AND CEILING INDUSTRIES ASSOCIATION

TILE CONTRACTORS PROMOTIONAL PROGRAM

PLUMBING AND MECHANICAL CONTRACTORS ASSOCIATION OF HAWAII

SHEETMETAL CONTRACTORS ASSOCIATION OF HAWAII

PAINTING AND DECORATING CONTRACTORS ASSOCIATION

PACIFIC INSULATION CONTRACTORS ASSOCIATION

The State Building Code Council performs a very valuable function in trying to harmonize the various code requirements as found in the building code. While it has had plenty of enthusiasm to do so, it has had virtually no resources to do so. In consideration of the importance and the purpose of the building code in making structures safe for human habitation, we think that giving the Council the appropriate resources is very necessary and essential.

Based on the above we highly recommend passage of this bill.

Thank you.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: timothythiu@aol.com
Subject: Submitted testimony for HB2051 on Mar 30, 2016 09:15AM
Date: Monday, March 28, 2016 6:01:29 PM

HB2051

Submitted on: 3/28/2016

Testimony for WAM on Mar 30, 2016 09:15AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Timothy Hiu	Individual	Support	No

Comments: Dear Chair Tokuda and members of the committee; My name is Timothy Hiu, of I support HB 2051 SD1 , as the past chair and a past member of the State Building Code Council, funding to support the work performed by this Council is essential for the valuable work of this body. This Council has had funding support since it's inception in 2007 but administratively has never been expended by past Governors. The passage of this bill will again send the message that the function of this dedicated group of individuals are again supported as it serves and continues to serve the public in it's role of evaluating and recommending updated building codes for the citizens of this State. Without funding this role has been seriously stalled. I thank you for the opportunity to provide my testimony on this measure.

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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