

HB2051 HD1

Measure Title: RELATING TO THE STATE BUILDING CODE COUNCIL.

Report Title: Appropriation; State Building Code Council (\$)

Description: Appropriates an unspecified sum to the state building code council. (HB2051 HD1)

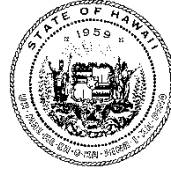
Companion: [SB2638](#)

Package: None

Current Referral: GVO/PSM, WAM

Introducer(s): YAMANE, AQUINO, CULLEN, Nakashima, Souki

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 COMMITTEES
ON
GOVERNMENT OPERATIONS
AND
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS
ON
MARCH 15, 2016

H.B. 2051, H.D. 1

RELATING TO THE STATE BUILDING CODE COUNCIL

Chair Kim and Chair Nishihara, and members of the Committees, thank you for the opportunity to submit written testimony on H.B. 2051, H.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 recognized 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.



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

DAVID Y. IGE
GOVERNOR

LUIS P. SALAVERIA
DIRECTOR

MARY ALICE EVANS
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
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Statement of
LUIS P. SALAVERIA
Director
Department of Business, Economic Development, and Tourism
before the
**SENATE COMMITTEES ON GOVERNMENT OPERATIONS
AND
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS**

Tuesday, March 15, 2016
2:45 p.m.
State Capitol, Conference Room 414

in consideration of
HB2051, HD1
RELATING TO THE STATE BUILDING CODE COUNCIL.

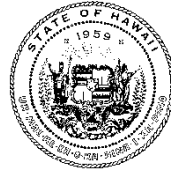
Chairs Kim and Nishihara, Vice Chairs Ihara and Espero, and Members of the Committees.

The Department of Business, Economic Development, and Tourism (DBEDT) supports the intent of HB2051, HD1 which makes an appropriation to fund the State Building Code Council.

We appreciate the overall concept of this bill which includes initiatives supportive of our goals and objectives, provided the appropriation of funds does not have a negative impact on the Administration's Executive Supplemental Budget and initiatives submitted for fiscal year 2017.

Thank you for the opportunity to offer these comments.

DAVID Y. IGE
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 14, 2016

The Honorable Donna Kim, Chair
Committee on Government Operations
The Senate
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Clarence Nishihara, Chair
Committee on Public Safety, Intergovernment,
and Military Affairs
The Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chairs Kim and Nishihara:

Subject: House Bill (HB) 2051, House Draft (HD) 2 Relating to the State Building Code Council (SBCC)

I am Gaur Johnson, Chair of the SBCC. The SBCC strongly supports HB 2051, HD 2.

The SBCC, which 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 three years, establish minimum requirements to protect life, property, and the general welfare of our citizens for the built environment. 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

The Honorable Donna Kim, Chair
The Honorable Clarence Nishihara, Chair

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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.

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 2.

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

Sincerely,



GAUR JOHNSON

Chair, State Building Code Council

SB/EYS:

DAVID Y. IGE
GOVERNOR



LINDA CHU TAKAYAMA
DIRECTOR

SHAN S. TSUTSUI
LIEUTENANT GOVERNOR

LEONARD HOSHIJO
DEPUTY DIRECTOR

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March 14, 2016

The Honorable Donna Mercado Kim, Chair
Committee on Government Operations
The Senate
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Clarence Nishihara, Chair
Committee on Public Safety, Intergovernment,
and Military Affairs
The Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chairs Kim and Nishihara:

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

I am Lloyd Rogers, State Fire Council (SFC) representative and voting member of the SBCC. The SFC strongly supports HB 2051, HD 1.

The SFC, which is administratively attached to the State of Hawaii's Department of Labor and Industrial Relations, is comprised of the four county fire chiefs. The SFC has been a voting member of the SBCC since its inception in 2007. The SBCC has 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 three years, establish minimum requirements to protect life, property, and the general welfare of our citizens for the built environment. The SBCC is responsible to establish statewide, uniform building standards for the following:

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2. State Plumbing Code
3. State Building Code

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The Honorable Donna Mercado Kim and Clarence Nishimura, Chairs
Page 2
March 14, 2016

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.

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.

Should you have questions, please contact me at 808-723-7176 or lrogers@honolulu.gov.

Sincerely,



LLOYD ROGERS
Member, State Building Code Council

LR/EYS

BIA-HAWAII

BUILDING INDUSTRY ASSOCIATION

THE VOICE OF THE CONSTRUCTION INDUSTRY

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Testimony to the Senate Committees on Government Operations; and Senate Committee on Public Safety & Military Affairs Tuesday, March 15, 2016 2:30 p.m.

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

Dear Chairs Kim & Nishihara, Vice-Chairs Ihara & Espero, 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, 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.



LAND USE RESEARCH
FOUNDATION OF HAWAII

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Honolulu, Hawaii 96813
(808) 521-4717
www.lurf.org

March 13, 2016

Senator Donna Mercado Kim, Chair
Senator Les Ihara, Jr., Vice Chair
Senate Committee on Government Operations

Senator Clarence K. Nishihara, Chair
Senator Will Espero, Vice Chair
Senate Committee on Public Safety,
Intergovernmental, and Military Affairs

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

GVO Hearing: Tuesday, March 15, 2016, 1:30 p.m., Conference Room 414

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**, which appropriates an unspecified sum to the State Building Code Council.

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

SAH - Subcontractors Association of Hawaii

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

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

March 15, 2016

Testimony To: Senate Committee on Government Operations
Senator Donna Mercado Kim, Chair

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Senator Clarence K. Nishihara, Chair

Presented By: Tim Lyons, President

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

Chair Mercado Kim, Chair Nishihara and Members of the Joint 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.



AMERICAN COUNCIL OF ENGINEERING COMPANIES
of Hawaii

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Geolabs, Inc.
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Email: gwright@acechawaii.org
Website: www.acechawaii.org

March 14, 2016

Senate Committee on Government Operations

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Hearing Date: Tuesday, March 15, 2:30 p.m., Conference Room 414

Honorable Chairs Donna Mercado Kim and Clarence K. Nishihara, and Members of the Committees

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

Dear Chair Kim, Chair Nishihara, 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 are also 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-Hawaii 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 that 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, PE
President