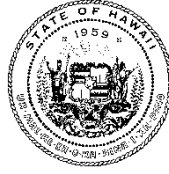




SB2628

Measure Title:	RELATING TO THE STATE BUILDING CODE COUNCIL.
Report Title:	State Building Code Council; Task Force; Operating Expenses; Appropriation (\$)
Description:	Establishes a task force within the state building code council to consider the necessity, potential source, and application of long-term funding for council operations, and appropriates funds to the council for administrative expenses and staff positions.
Companion:	
Package:	None
Current Referral:	PSM, WAM
Introducer(s):	ESPERO, Nishihara

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
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS
ON
FEBRUARY 2, 2016

S.B. 2628

RELATING TO THE STATE BUILDING CODE COUNCIL

Chair Nishihara and members of the Committee, thank you for the opportunity to submit written testimony on H.B. 2628. The Department of Accounting and General Services (DAGS) supports the intent of H.B. 2628 (the measure).

We support the intent of this measure as the State Building Code Council (the Council) requires dedicated administrative support to achieve its objectives provided the appropriation of any general funds does not have a negative impact on the administration's executive supplemental budget and initiatives submitted for fiscal year 2017. The Council currently has no funding and administrative support is provided by volunteers.

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

January 29, 2016

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

Dear Chair Nishihara:

Subject: Senate Bill (SB) 2628 Relating to the State Building Code Council (SBCC)

I am Socrates Bratakos, Chair of the SBCC, 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 SBCC, the SFC and the HFD strongly support SB 2628.

The SBCC, is administratively attached to the Department of Accounting and General Services. It 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. National model codes and standards, which are updated every three years, establish minimum requirements for building construction 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.

The Honorable Clarence Nishihara, Chair
Page 2
January 29, 2016

The currently adopted State building, residential, electrical, plumbing and energy efficiency codes are in excess of nine years from national standards. This negates the dedicated efforts of eleven unpaid volunteers who have individually expended hundreds of hours over the past eight 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 believe that the SBCC task force will produce alternative options for the long-term sustainability of the SBCC.

We anticipate the annual operating costs of the SBCC to be between \$100,000 and \$150,000 and we strongly urge your committees' support and passage of SB 2628.

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

Sincerely,



SOCRATES BRATAKOS, Chair
State Building Code Council

SB/EYS:clc

SAH - Subcontractors Association of Hawaii

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

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

February 2, 2016

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

Presented By: Tim Lyons, President

Subject: S.B. 2628 - RELATING TO THE STATE BUILDING CODE COUNCIL

Chair Nishihara 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.

AMERICAN INSTITUTE OF ARCHITECTS

February 2, 2016

Honorable Clarence Nishihara, Chair
Senate Committee of Public Safety, Intergovernmental and Military Affairs

Subject: **Senate Bill 2628**
Relating to the State Building Code Council

Dear Senator Nishihara 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 SB 2628 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 request is from general funds because 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** SB 2628.



AMERICAN COUNCIL OF ENGINEERING COMPANIES
of Hawaii

February 1, 2016

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Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Hearing Date: Tuesday, February 2, 1:20 p.m., Conference Room 229

Honorable Senators Clarence K. Nishihara, Chair; Will Espero, Vice Chair; and Members of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Subject: **SB 2628, Relating to the State Building Code Council**
TESTIMONY IN SUPPORT

Dear Chair Nishihara, Vice Chair Espero, 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-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 that still assist the State 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

Janice C Marsters, PhD
Legislative Committee
808-371-8504

BIA-HAWAII

BUILDING INDUSTRY ASSOCIATION

THE VOICE OF THE CONSTRUCTION INDUSTRY

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Testimony to the House Committee on The Honorable Clarence Nishihara, Chair The Honorable Will Espero, Vice-Chair Members of the Committee Tuesday, February 2, 2016

RE: SB 2628, Relating to the State Building Code Council

Dear Chair Nishihara, Vice-Chair 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.

S.B. 2628 proposes to:

1. Establish a task force within the state building code council to consider the necessity, potential source, and application of long-term funding for council operations; and,
2. Appropriates funds to the council for administrative expenses and staff positions.

BIA-HAWAII strongly supports the need to provide the State Building Code Council with the staff and resources to effectively review and implement revisions to the building codes for all of the counties. As such, we support the appropriation of general funds.

However, we find establishing a task force is unnecessary and do not support this proposal. Building codes benefit the entire State and so utilizing general funds to fund administrative expenses and staff positions for the State Building Code Council is the only appropriate funding source.

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