

STAND. COM. REP. NO.

1351

Honolulu, Hawaii

APR 07 2017

RE: H.B. No. 637  
H.D. 2  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committees on Commerce, Consumer Protection, and Health and Ways and Means, to which was referred H.B. No. 637, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE STATE BUILDING CODES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Amend the time frame for the review, update, and adoption of the Uniform Plumbing Code, as it related to the Hawaii State Building Codes; and
- (2) Appropriate funds for the State Building Code Council.

Your Committees received testimony in support of this measure from the Board of Water Supply, City and County of Honolulu; Hawai'i Green Growth; The Nature Conservancy of Hawai'i; Hawai'i Fresh Water Initiative; One World One Water, LLC; U.S. Green Building Council, Hawaii Chapter; Sierra Club of Hawai'i; Plumbers and Fitters UA, Local Union 675; and three individuals. Your Committees received testimony in opposition to this measure from the State Building Code Council; General Contractors Association of Hawaii; Hawaii Laborers-Employers Cooperation and Education Trust; Hawaii Laborers Union, Local 368; and Building Industry Association of Hawaii.



Your Committees find that adoption of newer building codes can promote more efficient designs, which take into consideration advances in geological and environmental science. For example, the updated Uniform Plumbing Code includes the adoption of non-potable water plumbing codes for buildings to conserve water resources. Your Committees further find that such conservation efforts are vital to the State's future health. Accordingly, this measure seeks to expedite the review, update, and adoption of the Uniform Plumbing Code as it relates to the Hawaii State Building Codes.

However, your Committees understand the concerns raised in testimony offered by the State Building Code Council, that expediting the time frame for updating the Hawaii State Building Codes is unrealistic, given the Council's staffing issues and inadequate funding. Your Committees recognize these concerns and note that, rather than shortening the time frame in which the Council has to adopt amendments to the Hawaii State Building Codes, an alternative may be to permit the codes to be adopted as interim building codes if no action is taken within the existing statutory time frame.

Accordingly, your Committees have amended this measure by:

- (1) Specifying that the Department of Accounting and General Services (Department) shall adopt rules related to the Hawaii State Building Codes no later than two years after the adoption of the codes by the State Building Code Council;
- (2) Specifying that the Hawaii State Building Codes shall become the interim building codes for the design of all state building construction if the Department fails to adopt rules for the codes, but clarifying that requirements in the interim codes shall not be less stringent than existing code requirements;
- (3) Clarifying that the Hawaii State Building Codes shall become applicable as an interim county building code if a county does not amend the Hawaii State Building Codes within two years or the Department does not adopt rules relating to the building codes;



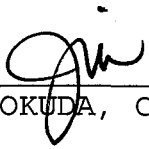
- (4) Authorizing the receipt and use of private funding during fiscal year 2017-2018 by the State Building Code Council to conduct public hearings and develop administrative rules related to the adoption of amendments to the State Building Code;
- (5) Removing language that would have required the State Building Code Council to review and adopt amendments to the Uniform Plumbing Code within an unspecified time frame after the updated Uniform Plumbing Code is published;
- (6) Removing language that would have required each county to adopt amendments to the Uniform Plumbing Code within an unspecified time frame after the Code was adopted by the State Building Code Council;
- (7) Removing language that would have appropriated an unspecified sum for the State Building Code Council; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that this amended measure expects funding for the State Building Code Council to be provided by private sources during the first year of the current fiscal biennium. Your Committees contemplate that for the second year of the fiscal biennium, the State Building Code Council can request state funding. However, your Committees acknowledge that additional discussion regarding appropriate sources of funding for the State Building Code Council may be warranted as this amended measure moves through the legislative process.

As affirmed by the records of votes of the members of your Committees on Commerce, Consumer Protection, and Health and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 637, H.D. 2, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 637, H.D. 2, S.D. 2.



Respectfully submitted on  
behalf of the members of the  
Committees on Commerce,  
Consumer Protection, and Health  
and Ways and Means,



---

JILL N. TOKUDA, Chair



---

ROSALYN H. BAKER, Chair





