

Honolulu, Hawaii

FEB 17 2017

RE: S.B. No. 611
S.D. 1

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

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Housing, to which was referred S.B. No. 611 entitled:

"A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS,"

beg leave to report as follows:

The purpose and intent of this measure is to repeal the June 30, 2017, sunset date of Act 83, Session Laws of Hawaii 2012, which prohibits counties from requiring installation or retrofitting of automatic fire sprinklers in:

- (1) New or existing detached one- or two-family dwelling units used only for residential purposes; and
- (2) Non-residential agricultural and aquacultural structures located outside an urban area.

Your Committees received testimony in support of this measure from the Office of the Mayor of the City and County of Honolulu, Building Industry Association of Hawaii, Hawaii Habitat for Humanity Association, and forty-two individuals. Your Committees received testimony in opposition to this measure from the Hawaii State Fire Council, Honolulu Fire Department, and International Code Council. Your Committees received comments on this measure from the Office of the Mayor, Hawai'i County.

Your Committees find that placing undue burdens on property owners in the State does not promote the public welfare.



Retrofitting or installing automatic fire sprinklers in certain structures can be difficult and costly. Moreover, requiring owners or builders to install automatic fire sprinklers would likely cause rents and the costs of homes to rise. Given the untenable affordable housing shortage across the State, county action requiring the installation of automatic fire sprinklers could have devastating effects. Therefore, repealing the sunset date of Act 83, Session Laws of Hawaii 2012, is necessary to permanently prohibit the counties from requiring owners of detached one- or two-family dwelling units used only for residential purposes or non-residential agricultural and aquacultural structures located outside an urban area to retrofit or install automatic fire sprinklers.

However, your Committees also acknowledge the testimony of the International Code Council regarding new and emerging technologies in automatic fire sprinkler systems. The International Code Council notes that there have been significant advances in automatic fire sprinkler technologies and that other future advances may render arguments about the cost-prohibitive nature of installing automatic fire sprinkler systems moot. Accordingly, the International Code Council recommends not making the prohibition permanent. Your Committees suggest that if your Committee on Commerce, Consumer Protection, and Health decides to hear this measure that it looks further into the concerns that the International Code Council raises.

Your Committees have amended this measure by inserting an effective date of May 22, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 611, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 611, S.D. 1, and be referred to your Committee on Commerce, Consumer Protection, and Health.



Respectfully submitted on
behalf of the members of the
Committees on Public Safety,
Intergovernmental, and Military
Affairs and Housing,

Will Espero

WILL ESPERO, Chair

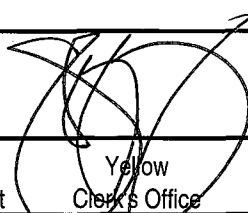
Clarence K. Nishihara

CLARENCE K. NISHIHARA, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

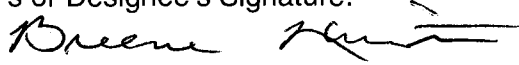
Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:* SB 611	Committee Referral: PSM/HOU, QPH	Date: 2/14/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.				✓
IHARA, Jr., Les	✓			
THIELEN, Laura H.	✓			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Housing
HOU

Bill / Resolution No.:* SB 611	Committee Referral: PSM/HOU, CPH	Date: 2/14/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
HARIMOTO, Breene (VC)			✓	
KAHELE, Kaiali'i				✓
KEITH-AGARAN, Gilbert S.C.				✓
NISHIHARA, Clarence K.	✓			
TOTAL	2		1	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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