

DAVID Y. IGE  
GOVERNOR



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Comptroller

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Deputy Comptroller

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

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

March 15, 2017

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

Committee on Government Operations  
Senator Donna Mercado Kim, Chair  
Senator Russell E. Ruderman, Vice Chair

Dear Chairs Nishihara and Kim:

Subject: House Bill 637 HD2 Relating to the State Building Codes

I am Gaur Johnson, Chair of the State Building Code Council (SBCC). This bill was only recently discussed during the past two meeting of the SBCC on February 14<sup>th</sup> and March 14<sup>th</sup> of this year. The SBCC was not consulted in regard to, nor was it aware of, this bill prior to it being introduced. As a result of our discussions, the SBCC provides the following testimony in **OPPOSITION of House Bill 637 HD2.**

This bill proposes changing HRS 107-24(f) and HRS 107-28 for the purpose of expediting the review, update, and adoption of the Uniform Plumbing Code as it relates to the Hawaii State Building Codes. Essentially the language shortens the required time frame for adoption of the State Plumbing Code by the SBCC and the counties.

**This measure will not be effective in actually changing the timely adoption and update of the State Plumbing Code. The delay in updating the State Plumbing Code and most other codes considered by the SBCC is due to a lack of funding of the executive director and executive assistant positions and other expenses required to complete the Hawaii Administrative Rule making process after the SBCC has approved the technical language of amendments to the national standards such as the UPC.** Technical review of the 2012 UPC has occurred and has been approved more than a year ago by the council, however, there are no funds to complete the Hawaii Administrative Rule making process. This means that county adoption timelines have not been triggered. Details regarding the challenges that the SBCC has faced due to insufficient funding since its formation in 2007 are provide in the SBCC's annual report to the legislature (Department Communication 27). The report is available at this link: <http://ags.hawaii.gov/wp-content/uploads/2012/09/BldgCodeCouncil2016.pdf>

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

Page 2  
March 15, 2017

**I hope that the proponents of this bill will attend future SBCC meetings and coordinate with the council so that we can discuss and jointly pursue effective means for making the code adoption process timelier to best serve the state of Hawaii.** Current and previous members of the SBCC understand the frustration that the proponents of this bill must feel but the proposed measure will not accomplish their goal. The current timeline in HRS 107 is realistic and attainable if the council is fully funded so that we can carry out the obligatory Hawaii Administrative Rule making process. This timeline was established during the formation of the council based on what is typical for most other states and local jurisdictions across the nation.

**Indeed, it is not practical for the 100% volunteer technical experts who comprise the council to complete this task at a faster rate than is currently specified in HRS 107 especially when funding has not been forthcoming for the executive director and executive assistant positions and other expenses required to complete the Hawaii Administrative rulemaking process.**

Thank you for allowing the SBCC to provide this information and testimony in **OPPOSITION** of HB 637 HD2.

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

Sincerely,

GAUR JOHNSON  
Chair, State Building Code Council

DAVID Y. IGE  
GOVERNOR

SHAN S. TSUTSUI  
LIEUTENANT GOVERNOR



LINDA CHU TAKAYAMA  
DIRECTOR

LEONARD HOSHIJO  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
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March 14, 2017

The Honorable Donna Kim, Chair  
Committee on Government Operations  
The State Senate  
State Capitol, Room 218  
Honolulu, Hawaii 96813

The Honorable Clarence Nishihara, Chair  
Committee on Public Safety, Intergovernmental,  
and Military Affairs  
The State Senate  
State Capitol, Room 214  
Honolulu, Hawaii 96813

Dear Chairs Kim and Nishihara:

Subject: House Bill (HB) 637, House Draft (HD) 2 Relating to the State Building Codes

I am Manuel P. Neves, Chair of the Hawaii State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD offer the following comments on HB 637, HD 2, which proposes to expedite the review, update, and adoption of the most current Uniform Plumbing Code (UPC) through amendments to the state building codes.

The bill requires that the State Building Code Council (SBCC) review and adopt amendments to the UPC within one year after it is published by the International Association of Plumbing and Mechanical Officials.

Presently, the 2006 UPC is the adopted state plumbing code. Although the amendments to the 2012 UPC have been completed, funds have never been appropriated to the SBCC for staff to guide the UPC amendments through the administrative rule process and provide notice of public hearings. As a result, only the fire, energy, and elevator codes

The Honorable Clarence Nishihara, Chair  
The Honorable Donna Kim, Chair  
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March 14, 2017

are on the most current edition, as they have dedicated staff in other state departments to accomplish this task.

We hope this bill sheds light on the necessity for the state to fund the SBCC so all building codes can be updated to the most current edition.

Should you have questions, please contact SFC Administrator Socrates Bratakos at 723-7105 or [sbratakos@honolulu.gov](mailto:sbratakos@honolulu.gov).

Sincerely,



MANUEL P. NEVES  
Chair

MPN/LR:clc

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# GCA of Hawaii

GENERAL CONTRACTORS ASSOCIATION OF HAWAII

Quality People. Quality Projects.

Uploaded via Capitol Website

March 16, 2017

TO: HONORABLE CLARENCE NISHIHARA, CHAIR, HONORABLE GLENN WAKAI, VICE CHAIR AND MEMBERS OF THE HOUSE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS

HONORABLE DONNA MERCADO KIM, CHAIR, HONORABLE RUSSELL RUDERMAN, VICE CHAIR, COMMITTEE ON GOVERNMENT OPERATIONS

SUBJECT: **OPPOSITION TO H.B. 637, HD2 RELATING TO STATE BUILDING CODES.** Expedites the review, update, and adoption of the Uniform Plumbing Code as it relates to the Hawaii State Building Codes. Appropriates funds. (HB637 HD2)

Committee Hearing

DATE: March 16, 2017  
TIME: 2:45 p.m.  
PLACE: Room 224

Dear Chair Nishihara & Chair Mercado Kim, Vice Chair Wakai and Vice Chair Ruderman and Members of the Committees,

The General Contractors Association of Hawaii (GCA) is an organization comprised of over five hundred general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. The GCA's mission is to represent its members in all matters related to the construction industry, while improving the quality of construction and protecting the public interest.

**GCA is opposed** to the passage of this measure as it will require the State Building Code Council to give preference to adoption of Plumbing and water code amendments over any other pending reviews of other model codes, such as the electrical code, fire code and building codes. H.B. 637, HD2, Relating to the State Building Code, would require the State Building Code Council to adopt provisions of an updated Uniform Plumbing Code within one year after it is published by the International Association of Plumbing and Mechanical Officials. The bill would also require the various county councils to act within one year of the updated uniform plumbing code is adopted by the State Building Code Council. Current statutes allows the Council to review and adopt any changes as appropriate to new model building codes within eighteen months of publication by the various associations that review and adopt model codes.

While we understand the need to conserve water and to implement practices that promote water efficiency, the expeditious adoption of the Uniform Plumbing Code will not resolve such conservation efforts. Furthermore, current codes allow for water conservation measures to be implemented including gray water proposals. The Department of Health has Guidelines of

permitting gray water use available at [http://health.hawaii.gov/wastewater/files/2016/03/14\\_Gray\\_Water\\_GL.pdf](http://health.hawaii.gov/wastewater/files/2016/03/14_Gray_Water_GL.pdf)  
The current review process of eighteen months is already tight, given the number and complexity of codes that the Council reviews and adopts. The Council composed of the county planning and building officials and various interested parties usually meets once a month and has no staff and must rely on the staff of the Department of Accounting and General Services clerical and administrative support. The solution to adoption of all codes subject to the Building Code Council's jurisdiction is funding, which has not been provided since the Council's inception in 2007.

Given the critical and often technical nature of the work required to review and evaluate changes proposed in revised model codes, the GCA believes that the review and adoption process is already short and that the Council should be given the discretion as to how and when the various reviews should proceed. The Council also needs time to insure that all interested parties have a chance to comment. Moreover the Council is in the process of adopting the Uniform Plumbing Code together with other Codes to address the recent adoptions of national codes, however have been stalled due to lack of funding, particularly for publication of public hearing notices.

For the above reasons, the GCA recommends that this measure be **held**. Thank you for the opportunity to comment on this measure.



*Hawai'i Green Growth is a public-private partnership that catalyzes action across government, private sector and civil society to achieve Hawai'i's Aloha+ Challenge 2030 sustainability goals and serve as a model for integrated green growth*

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Homelands

## Testimony of Hawai'i Green Growth In Support of HB637 HD2 Relating to State Building Codes Senate Committees on Public Safety, Intergovernmental, and Military Affairs and Government Operations 16 March 2017, 2:45 pm, Room 224

Aloha Chairs, Vice Chairs, and Members of the Committee:

**Hawai'i Green Growth strongly supports HB637 HD2** to review and reform plumbing codes. Adoption of newer codes will promote more efficient designs that take into consideration advances in geological and environmental science. In many cases, these newer codes will expand water reuse and recycling which will support fresh water conservation and recharge.

The quantity and quality of fresh water directly impacts the health, welfare and quality of life of Hawai'i's residents and the affects the economy. Based on global climate disruption, increasingly severe weather and natural disasters, and projected long-term decline of rainfall, there is an urgency to invest in Hawai'i's freshwater supplies. Water conservation is among the least expensive and most efficient ways to increase the available supply of fresh water.

Hawai'i Green Growth partners agreed that fresh water security, including **HB637 HD2**, is an important priority to support implementation on Hawaii's *Aloha+ Challenge 2030* sustainability goals. The *Aloha+ Challenge* is a joint leadership commitment launched by the State Legislature (SCR69), Governor, four County Mayors, Office of Hawaiian Affairs and Hawai'i Green Growth public-private partners. This statewide framework outlines six ambitious 2030 sustainability goals in the areas of clean energy, local food, natural resource management, solid waste, smart sustainable communities, and green education and workforce. The Aloha+ Challenge has been recognized nationally and internationally as model that can be scaled to support the implementation of the United Nations 2030 Sustainable Development Goals (SDGs) and the Paris Climate Agreement.

With leadership and support from the State Legislature, Hawai'i hosted the first U.S. held IUCN World Conservation Congress with over 10,000 global partners from 190 countries in 2016. This bill is an opportunity to continue important local action on sustainable development and resiliency.

As a public-private partnership, Hawai'i Green Growth strongly supports **HB637 HD2** and appreciates the opportunity to provide testimony.



**ONE WORLD ONE WATER, LLC**  
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Testimony on H.B. 637 HD2  
Relating to Water Conservation

Senate Committee on Government Operations  
Senate Committee on Public Safety, Intergovernmental, and Military Affairs  
March 16<sup>th</sup>, 2017  
2:45 P.M.  
Conference Room 224

Aloha Chair Kim, Chair Nishihara, Vice Chair Ruderman, Vice Chair Wakai, and Members of the Committees on Government Operations and Public Safety, Intergovernmental, and Military Affairs,

Subject: House Bill (HB) 637 HD2 Relating to the State Building Codes

At One World One Water we are dedicated to reinvesting in water infrastructure and restoring natural environments, and **we support HB637 HD2**. Newer plumbing codes promote more efficient designs, resulting in money saved for building owners and water resources conserved. Also the newer codes promote protection of public health and safety and take into consideration advances in geological and environmental science. We respect the effort it takes to review and update codes and understand that a designated neutral entity needs to facilitate with stakeholders to responsibly adopt new codes. We are supportive of finding resources for this process to expedite adoption of the updated version of the plumbing code.

As an organization committed to improving the quality and efficiency of our global water systems and resources, **we ask your support of HB637 HD2** to invest in Hawaii's water future.

Please contact us at [globalwater@gmail.com](mailto:globalwater@gmail.com) should you have any questions or require additional information regarding this matter.

Sincerely,  
*One World One Water*



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 15, 2017 6:20 AM  
**To:** PSMTestimony  
**Cc:** rob@browerhomes.com  
**Subject:** Submitted testimony for HB637 on Mar 16, 2017 14:45PM

**HB637**

Submitted on: 3/15/2017

Testimony for PSM/GVO on Mar 16, 2017 14:45PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
robert brower	surfrider foundation kauai	Support	Yes

Comments: surfrider foundation Kauai strongly supports this bill. we believe an upgrade to the code which would facilitate grey water systems will help with many of the problems which face our wastewater logistics

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Testimony of The Nature Conservancy of Hawai'i  
Supporting H.B. 637 HD2 Relating to the State Building Codes  
Senate Committee on Public Safety, Intergovernmental and Military Affairs  
Committee on Government Operations  
Thursday, March 16, 2017, 2:45PM, Room 224

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*The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of the lands and waters upon which life depends. The Conservancy has helped to protect nearly 200,000 acres of natural lands in Hawai'i. We manage 40,000 acres in 14 preserves and work in 19 coastal communities to help protect the near-shore reefs and waters of the main Hawaiian Islands. We forge partnerships with government, private parties and communities to protect Hawai'i's important watershed forests and coral reefs.*

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The Nature Conservancy supports H.B. 637 HD2 that would expedite the review, update and adoption of the Uniform Plumbing Code as it relates to the Hawai'i State Building Codes.

We appreciate that the State Building Code Council (SBCC) does not have sufficient staff and funding and that the Committee on Consumer Protection and Commerce has recommended an appropriation to the SBCC to help address this situation.

Easily available fresh water is not a limitless resource here in the middle of the Pacific. In recent years, several locations in the state experienced prolonged drought. The University of Hawai'i's Rainfall Atlas catalogues fewer trade wind days and declining rainfall over the past century. Temperature records were broken across the state in recent summers and increased heat brings greater evaporation of surface water and soil moisture. Native 'ōhi'a and koa forests that are proving to be better at capturing and retaining rain water and moisture are being impaired by non-native plants like strawberry guava, ginger and albizia.

In response to these conditions, we must plan and implement mitigative and adaptive measures to ensure the resilience of our natural and human systems. One important strategy is to ensure that we have healthy Hawaiian forests that act like a sponge, collecting rain and moisture and delivering fresh water into streams and aquifers. **Additionally, we must improve efficiencies and reuse of our fresh water resources. Newer plumbing codes promote:**

- **More efficient designs, resulting in money saved and water resources conserved;**  
**and**
- **Expanded water reuse and recycling in many cases.**

**Thank you for the opportunity to testify in support of this bill.**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 15, 2017 11:15 AM  
**To:** PSMTestimony  
**Cc:** hlg90266@yahoo.com  
**Subject:** \*Submitted testimony for HB637 on Mar 16, 2017 14:45PM\*

**HB637**

Submitted on: 3/15/2017

Testimony for PSM/GVO on Mar 16, 2017 14:45PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Heather George	Individual	Support	No

Comments:

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**Testimony of Michael G. Buck**  
**on**  
**H.B. 637, HD2**  
**Relating to State Building Codes**  
**Senate Committee on Government Operations and**  
**Senate Committee on Public Safety, Intergovernmental, and Military Affairs**  
**Thursday, March 16, 2017**  
**Conference Room 224**

Thank you for the opportunity to submit testimony in support of HB 637, HD2. I am a member of Hawaii's Fresh Water Council, who unanimously recommended key strategies and policies with an ultimate goal of creating 100 million gallons per day (mgd) in additional, reliable fresh water capacity by 2030. One of the key strategies to achieve this statewide water goal is to increase water conservation by 40 mgd over the next 15 years.

This measure encourages the conservation and efficient use of water resources by expediting updates of the Uniform Plumbing Code. The Uniform Plumbing Code establishes the minimum requirements and standards for the erection, installation, alteration, repair, relocation, replacement, addition to, use, or maintenance of plumbing systems, for the protection of the public health, safety, and welfare. HB 637 HD2 requires:

- The State Building Code Council to review and adopt the amendments to the Uniform Plumbing Code within one year of publication by the International Association of Plumbing and Mechanical Officials; and
- The counties to adopt the amendments made to the Uniform Plumbing Code within one year after they adopted by the Council.
- H.B. 637 HD2 provides that if the amendments to the Uniform Plumbing Code are not adopted by a county in the one-year, the Code shall become the applicable as an interim county building code.

H.B. 637 HD2 will expedite the adoption of the revisions to the Uniform Plumbing Code published by International Association of Plumbing and Mechanical Officials and help advance Hawai'i's water security goals. For these reasons, I strongly support H.B. 637 HD 2 and urge its passage.



SIERRA CLUB OF HAWAI'I  
MĀLAMA I KA HONUA. *Cherish the Earth.*

SENATE COMMITTEES ON GOVERNMENT OPERATIONS AND PUBLIC SAFETY,  
INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Thursday, March 16, 2017 2:45PM Room 224

In SUPPORT **HB 637 HD2** Relating to the State Building Codes

**LATE**

Aloha Chairs Kim and Nishihara and members of the Committees,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i STRONGLY SUPPORTS HB 637 HD2 to direct adoption of the Uniform Plumbing Code and thereby improve our conservation and re-use of water.

For nearly 50 years, the Sierra Club of Hawai'i has helped people explore, enjoy, and protect the Hawaiian Islands. The work of our volunteers spans the spectrum of community engagement, including outdoor education, lobbying, and elections. Our volunteers participate in the several task forces and consultations related to state building codes and specifically the uniform plumbers code.

The Sierra Club strongly supports adoption of the most up-to-date versions of the Uniform Plumbing Code issued by the International Association of Plumbing and Mechanical Officials. The IAPMO is the gathering of global experts in the area of plumbing — it is not trade association nor an advocate for development — and it is focused on the technical aspects of implementing sound building and construction practices around the world. This is the body that we should be listening to when it comes to setting reasonable, protective standards for our buildings.

We support adoption of the Uniform Plumbing Code today because it would allow for the systematic re-use of gray water in Hawai'i. Re-using non-potable water in homes and businesses is one of the most significant steps we can take to protect our drinking water resources for the future. The UPC outlines exactly how to install purple pipes to maximize water re-use while also protecting public health and safety.

As this Committee knows, water is life. And for an island community like ours, we cannot import our water from other places. We must do absolutely everything we can to protect and conserve our water resources for future generations. Thank you very much for this opportunity to provide testimony on this important issue.

Mahalo,  
Marti Townsend  
Director