

STAND. COM. REP. NO.

2480

Honolulu, Hawaii

FEB 16 2018

RE: S.B. No. 3006  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Government Operations, to which was referred S.B. No. 3006 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to require state projects to be designed and constructed using an alternative code that is most cost effective to a project, subject to certain conditions, including health and safety.

Your Committees received testimony in support of this measure from the Department of Accounting and General Services, Department of Land and Natural Resources, Hawaii Construction Alliance, Hawaii Laborers-Employers Cooperation and Education Trust, Hawaii Regional Council of Carpenters, and Hawaii Laborers Union Local 368. Your Committees received testimony in opposition to this measure from the American Council of Engineering Companies of Hawaii, American Institute of Architects, Electrical Contractors Association of Hawaii, Hawaii Bankers Association, International Association of Plumbing and Mechanical Officials, National Electrical Contractors Association, and Plumbing and Mechanical Contractors Association of Hawaii. Your Committees received comments on this measure from the Hawaii Emergency Management Agency.



Your Committees find that the State's need for affordable housing is a growing concern that needs to be addressed to ensure public health and safety. To facilitate the construction of affordable public and private projects in the State, your Committees believe that it is in the best interests of the State to keep building costs as low as possible, while ensuring public health and safety. Your Committees also find that building codes, designed to standardize building practices and provide minimum standards for public health and safety, must also address cost efficiencies and investment value in construction. Consequently, your Committees find that there is a need for building codes to take into consideration new technologies, improved materials and methods, and better approaches to public health and safety to meet the needs of communities statewide. Therefore, your Committees find that it is important to provide greater flexibility in the use and application of Hawaii state building codes.

However, your Committees note and recognize concerns raised in testimony by organizations representing electricians regarding the use of any alternative electrical code. As noted in testimony, the National Electrical Code is the industry standard and the only available code with proper minimum requirements for electrical installation and systems, and is therefore the only electrical code that is universally used across all fifty states. Accordingly, your Committees note that if your Committee on Ways and Means chooses to hear this measure, that your Committee on Ways and Means may want to consider exempting the electrician trade from the alternative code.

Your Committees have amended this measure by:

- (1) Making the use of the most cost effective alternative building codes for state projects permissive rather than mandatory;
- (2) Requiring the use of the prescriptive design of an alternative code;
- (3) Clarifying that an alternative code may be used if it has been adopted, in addition to having been approved, by the State Building Code Council;



- (4) Prohibiting any county from denying a permit for state projects using an alternative code;
- (5) Establishing that the same standard of care that exists for services procured for state facilities shall apply to any project using an alternative code; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3006, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3006, S.D. 1, and be referred to your Committee on Ways and Means.

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



DONNA MERCADO KIM, Chair



CLARENCE K. NISHIHARA, Chair





The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Government Operations**  
**GVO**

Bill / Resolution No.:* <b>SB 3006</b>	Committee Referral: <b>RSM/GVO, WAM</b>	Date: <b>2-8-18</b>		
<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
KIM, Donna Mercado (C)	X			
RUDERMAN, Russell E. (VC)	X			
GALUTERIA, Brickwood	X			
KEITH-AGARAN, Gilbert S.C.	X			
RHOADS, Karl		X		
<b>TOTAL</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> </div>				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes