



STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE DIRECTOR OF EMERGENCY MANAGEMENT
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON HOUSE BILL 1933 HD1,
RELATING TO THE STATE BUILDING CODE COUNCIL

Before the House Committee on
FINANCE

By

Thomas L. Travis
Administrator, Hawaii Emergency Management Agency (HI-EMA)

Aloha Chair Luke, Vice-Chair Cullen and Members of the Committee:

The Hawaii Emergency Management Agency (HI-EMA) **opposes** House Bill 1933 HD1.

House Bill 1933 HD1 repeals the law establishing the State Building Code Council (SBCC).

The State Hazard Mitigation Forum (SHMF) is an advisory body of 17 members to the State of Hawaii, established by the Hawaii Emergency Management Agency (HI-EMA), to advise and support HI-EMA concerning hazard mitigation, including planning, projects, and policies for all hazards, natural and human-induced. Members include representatives of the four counties and experts in hazard mitigation planning and projects. SHMF members are well versed in the State Building Code and understand its importance for life safety and cost-effectiveness.

The State Building Code law (section 107-24 (d), Authority and duties of the council) was written in a way that specifically allows the SBCC to appoint investigative, technical expertise committees, which may include non-SBCC members. The SBCC has done so since its earliest meetings, and established wide-ranging technical expertise pertinent to its duties. SHMF members have been involved in such investigative, technical expertise committees over many years. This network raises the level of expertise in both the public and private sectors with respect to the implementation and enforcement of the building codes. This valuable resource will vanish if the SBCC is repealed, along with its benefits.

Having consistent building codes across the state that meet and exceed international standards results in significant savings beyond construction costs. According to a 2018 FEMA study, the costs and benefits of designing all new construction to exceed select provisions of international building codes resulted in a national benefit of at least \$4 for every \$1 invested. The State Building Code

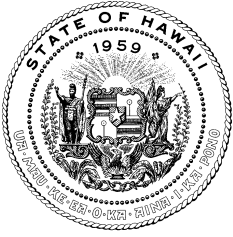
Council ensures that consistent and appropriate codes and code amendments can be efficiently implemented at the county level to leverage this benefit.

For example, the State Building Code law (section 107-25 Hawaii state building code; requirements) requires Hawaii design standards with hurricane resistant criteria for emergency shelters and essential government facilities. The SBCC and associated committees were critical in creating these standards and are necessary to assure that these standards stay current. These standards would stagnate if the SBCC were repealed.

Note: My comments represent HI-EMA concerns at the state emergency management level only. I would defer to the separate comment/testimonies of the county emergency management agencies, as they would be the jurisdictions impacted by this legislation at the local level.

Thank you for the opportunity to provide testimony on House Bill 1933 HD1.

Thomas L. Travis: Thomas.L.Travis@hawaii.gov; 808-733-4300



HAWAII STATE ENERGY OFFICE STATE OF HAWAII

235 South Beretania Street, 5TH Floor, Honolulu, HI 96813 | energy.hawaii.gov

DAVID Y. IGE
GOVERNOR

SCOTT J. GLENN
CHIEF ENERGY OFFICER

(808) 587-3807

Testimony of
SCOTT J. GLENN, Chief Energy Officer

before the
HOUSE COMMITTEE ON FINANCE
Thursday, February 20, 2020
1:00 PM
State Capitol, Conference Room 308

In Opposition to
HB 1933, HD 1
RELATING TO THE STATE BUILDING CODE COUNCIL.

Chair Luke, Vice Chair Cullen and Members of the Committee, the Hawaii State Energy Office (HSEO) respectfully opposes HB 1933, HD1, which would abolish the State Building Code Council (SBCC).

The SBCC was created by Hawaii Revised Statutes chapter 107-22 and brings together the four county building officials and representatives from the largest professional building associations. The SBCC may adopt no new building code without the unanimous approval of the county building officials, assuring statewide unanimity of new codes. The SBCC serves as a catalyst and a forum for counties, state agencies, unions and design professionals to engage in discussions, consensus, and compromise. The SBCC adheres strictly to Hawaii's sunshine laws, has added new subcommittees upon request, and receives many visitors who provide public comment and input.

Prior to the creation of the SBCC, the counties fell far behind the national timetable of updating building codes every three years. The SBCC spurs the timely adoption of high-impact codes including the 2015 International Energy Conservation Code which reduces energy use in homes and buildings by 30% and added amendments which further reduce energy use and construction costs. The SBCC adopted Hawaii's Tropical Code which is tailored to local conditions, substantially lowering construction costs and energy use. The SBCC worked with unions and other stakeholders to reduce costs associated with the energy code requirements for mass walls, metal-framed walls, roof replacements and jalousie windows.

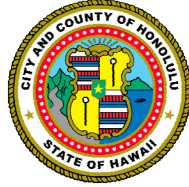
The SBCC adopted the 2017 National Electrical Code which allowed the proper permitting of storage batteries for photovoltaic systems, which are major contributors to realizing Hawaii's clean energy and decarbonization goals.

Thank you for the opportunity to testify.

OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY

CITY AND COUNTY OF HONOLULU

925 DILLINGHAM BOULEVARD, SUITE 257 • HONOLULU, HAWAII 96817
PHONE: (808) 768-2277 • EMAIL: resilientoahu@honolulu.gov • INTERNET: www.resilientoahu.org



KIRK CALDWELL
MAYOR

JOSHUA W. STANBRO
EXECUTIVE DIRECTOR &
CHIEF RESILIENCE OFFICER

THURSDAY, FEBRUARY 20, 2020 1:00 PM

STATE OF HAWAII
HOUSE COMMITTEE ON FINANCE

**TESTIMONY ON HOUSE BILL 1933
A BILL RELATING TO THE STATE BUILDING CODE COUNCIL**

BY,

JOSHUA STANBRO
EXECUTIVE DIRECTOR AND CHIEF RESILIENCE OFFICER
OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY

Dear Chair Luke and Members of the Committee:

The City and County of Honolulu Office of Climate Change, Sustainability and Resiliency (Resilience Office) **strongly opposes** House Bill 1933, which repeals the State Building Code Council.

The State Building Code Council is critical in ensuring that building codes are consistent and appropriate to unique building code issues across the State of Hawai'i. Without the capabilities of the Council, each respective county must individually weigh international building codes and draft amendments that are both suitable and do not conflict with one another. In addition to the difficulties of accessing subject-matter expertise and synchronizing across counties, such disjointed processes increase the likelihood of insufficiently vetted proposals increasing the overall cost of construction and cost of living in Hawai'i.

The State Building Code Council is able to engage the required subject-matter expertise, evaluate international codes, and draft amendments that are appropriate statewide. This important step increases consistency and reduces costs not only for each respective county, but for local builders. It allows counties to focus on truly local amendments based on island-specific needs. The Council requires the unanimous approval of all four County Building Division Managers, ensuring the resultant codes provide the greatest possible consistency for building professionals and the most appropriate amendments for our unique state building environment.

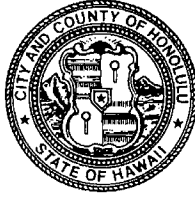
Chair Luke
HB1933
February 20, 2020
Page 2

Thank you for the opportunity to testify.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041
DEPT. WEB SITE: www.honolulu.dpp.org • CITY WEB SITE: www.honolulu.gov

KIRK CALDWELL
MAYOR



KATHY K. SOKUGAWA
ACTING DIRECTOR

TIMOTHY F. T. HIU
DEPUTY DIRECTOR

EUGENE H. TAKAHASHI
DEPUTY DIRECTOR

February 20, 2020

The Honorable Chair Sylvia Luke
and Members of the Committee on Finance
Hawaii House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Luke, and Committee Members:

**Subject: House Bill No. 1933, HD 1
Relating to the State Building Code Council**

The Department of Planning and Permitting (DPP) **opposes** House Bill No. 1933, HD 1, which repeals the state building code council.

The current State Building Code process provides a statewide forum for determining which portions of national codes should be included in our local codes. As part of this process, there is a sharing of technical expertise and experiences of the counties, the private industry and the State. It would be more challenging if each county were to do this on its own. Moreover, a statewide process allows for a consistent approach to applicable statewide goals, such as sustainability, resiliency and affordability. The current process provides some amount of predictability in terms on when the county codes will be updated. Lastly, this two-tier process allows each county to still make adjustments to its codes appropriate to the individual county needs.

For the reasons stated, above we ask that House Bill No. 1933, HD 1, be held in committee.

Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in black ink that reads "Kathy Sokugawa".

Kathy Sokugawa
Acting Director



OFFICE OF ECONOMIC DEVELOPMENT
THE COUNTY OF KAUA'I

DEREK S. K. KAWAKAMI, MAYOR
MICHAEL A. DAHILIG, MANAGING DIRECTOR

Testimony of Ben Sullivan
Energy & Sustainability Coordinator, Office of Economic Development

Before the
House Committee on Finance
February 20, 2020; 1:00 pm
Conference Room 329

In consideration of
House Bill 1933 Relating to The State Building Code Council

Honorable Chair Luke, Vice Chair Cullen, and Members of the committee,

The County of Kauai opposes HB 1933, which repeals the State Building Code Council.

The State Building Code Council (SBCC) provides a vital service to the Counties by facilitating coordinated review, amendment, and adoption of building codes around the State. These codes deal with a variety of rules and regulations, most of which involve life-safety issues for the people of Hawaii. While the final adoption of the codes is in fact left to each individual County, the SBCC provides critical, expert guidance from which local amendments may be made. By eliminating the SBCC, these highly technical decisions would be put placed upon the shoulders of county councilmembers, most of whom do not have the background or expertise to properly evaluate them without expert support.

Without the SBCC, each County would need to independently evaluate and amend these highly technical codes to determine what codes to adopt and when. Without the SBCC, it would be more likely that code disparities between the Counties would increase over time, leading to confusion, inefficiency, and added cost for the building industry.

We strongly encourage your committee to reject this proposed legislation and to continue to support the State Building Code Council. Thank you for the opportunity to testify against this measure.



Harry Kim
Mayor



David Yamamoto, P.E.
Director

Roy Takemoto
Managing Director

Allan G. Simeon, P.E.
Deputy Director

County of Hawai'i
DEPARTMENT OF PUBLIC WORKS
Aupuni Center
101 Pauahi Street, Suite 7 · Hilo, Hawai'i 96720-4224
(808) 961-8321 · Fax (808) 961-8630
public_works@hawaiicounty.gov

February 18, 2020

Representative Sylvia Luke, Chair
Representative Ty Cullen, Vice Chair
And Members of the Committee on Finance

RE: TESTIMONY IN OPPOSITION OF HB 1933 HD 1, RELATING TO THE STATE
BUILDING CODE COUNCIL

Dear Chairs and members:

Thank you for this opportunity to testify in opposition of HB 1933 HD 1 relating to the repeal of the State Building Code Council (SBCC).

The County of Hawaii opposes the proposed bill repealing the State Building Code Council as it would critically impede our ability to utilize an established resource of technical expertise and uphold the fiduciary duty of enforcing the codes ensuring life and safety of the public.

The State building codes per HRS 107-25; as adopted by the SBCC only pertain to life and safety, and thus synchronize and provide a state model for the counties to further develop their local amendments. This first step is critical to the local jurisdiction such as the County of Hawaii; the SBCC as a State agency can command more attention than the local counties can. Additionally, the SBCC has a deeper ability and a farther reaching statewide network of technical expertise to assess the impacts of the national model codes to the uniqueness of the State of Hawaii.

An example of the impact of SBCC tapping the technical expertise and providing a basis for which the individual Counties rely on is; the SBCC leading the charge in applying for a Federal Emergency Management Agency (FEMA) grant that would provide support in developing the updated, high-resolution wind maps that would be incorporated in the amendments to the International Building Code 2012 edition. The updated wind maps incorporated in the model code is necessary to modernize Hawaii codes for hurricane, tsunami, and earthquake resistive standards and compliance with the FEMA updated disaster relief grant policy changes. With high resolution wind maps for all of the counties consolidated in one study, compliance with FEMA disaster relief grant policy is streamlined.

The four County Building Division Managers form the core of SBCC. The communication between the jurisdictions allow for common challenges such as the impact of these codes to

affordable housing solutions, to be addressed (i.e. vetting economic impacts such as construction costs,) resolved and implemented into the State codes. The SBCC may adopt no code without the unanimous approval of all four managers, ensuring statewide synchronization and providing guideposts for the county councils.

Thank you for this opportunity to submit opposition of HB 1933 HD 1.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'R. Matsumoto', is written in a cursive style.

Robyn Matsumoto, P.E.
Acting Building Division Chief, Hawai'i County Department of Public Works



STRUCTURAL ENGINEERS ASSOCIATION OF HAWAII

P.O. Box 3348, Honolulu, Hawaii 96801

February 18, 2020

Opposition of House Bill 1933 Relating to the State Building Code Council Repeal

Honorable Members of the Committee,

The Structural Engineers Association of Hawaii (SEAOH) is the local chapter of the National Council of Structural Engineering Associations (NCSEA), and we have approximately 180 active members in Hawaii. SEAOH has several decades of experience in assisting Hawaii with the development of 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.

We oppose House Bill 1933. The bill would hurt our industry in a number of ways. There has been delays in the past at the State Building Code Council level due to lack of funding for administrative rules. The situation has been streamlined by removing the need for administrative rules at the State Building Code level, with a clear separation of duties between the State Building Code Council and County Building Officials. The State Building Code Council now develops technical amendments to the national model codes, which are then reviewed and debated by the subcommittee of county building officials. Once edited and approved, the State Building Code council passes the State Building Code. This doesn't get used directly for much construction. The counties then develop the administrative implementation side of it, go through public administrative review process and develop the county building codes, which are generally used for construction.

The alternative, to try to do this with each county without the State Building Code Council, would result in highly variable codes between counties, with different versions of the model code and different amendments to the same version. It is likely to lead to reversion to the model building code provisions on many items, which will generally increase cost.

Danny Fujioka, S.E.

President, SEAOH

AMERICAN INSTITUTE OF ARCHITECTS

February 20, 2020

Honorable Sylvia Luke, Chair
House Committee on Finance

Re: House Bill 1933 HD1 Relating to the State Building Code Council

Dear Chair Luke and Members of the Committee,

My name is Daniel Chun Government Affairs Commissioner of the American Institute of Architects Hawaii State Council (AIA) testifying in **STRONG OPPOSITION** to House Bill 1933 HD1.

Architects want uniform state building code

AIA takes no exception to counties issuing building permits. However architects want county building codes to be as uniform as possible for more efficient construction business operation. As a "private NGO sector" voting member, our AIA Codes Committee provides many volunteer hours toward reviewing each national code update and recommending amendments to suit Hawaii conditions.

Abolishing the state building code and its SBCC council may lead to counties using radically different and outdated building codes. For example Hawaii County, most disaster-prone county in the state, consistently failed to update its building code until HRS 107-21 was adopted. I was personally involved in passage and I can say that legislative representatives from Hawaii County were most supportive of the effort.

AIA takes strong exception to Section 1 language: "...proposals raised by the private sector, especially those that do not pertain to public health or safety, are often adopted with little or no consideration for any resulting increase to the overall cost of construction in Hawaii."

1. As public deliberative body, SBCC must be open to proposals just as this legislature is. AIA challenges proponents of this bill to list specific examples of "proposals raised by the private sector."
2. National adoption of International Building Code IBC is by vote of governmental jurisdictions administering code compliance. Fire sprinkling of single family residences, locally most controversial code requirement, is NOT a "private sector proposal." It is supported by fire departments across the United States - our public first responders.

3. For many years and to date, AIA is a critical investigative committee of SBCC for purpose of review and IBC amendments to suit Hawaii conditions. AIA cannot recall any "proposals raised by the private sector" brought to AIA for consideration.

4. AIA has for each code cycle supported IBC amendment to omit fire sprinkling of single-family homes. AIA has supported continuing use of jalousie windows to promote natural ventilation in Hawaii's benign climate..

5. Our recurring monitoring of bills introduced each session suggests that public sector legislature proposes more code changes not pertaining to building health and safety than does the private sector. Electric vehicles - as example. AIA has opposed many of these, such as codified construction waste requirements, as not belonging in building code.

AIA takes strong exception to Section 1 language "..this two-step process results in delays to the adoption of building codes and increases to the cost of construction in Hawaii.'

1. As an important SBCC investigative committee, AIA volunteers many hours to review and IBC amendments. We do not, and may not continue, to repeat this critical public service several times again for each of four counties.

2. AIA wants a state-wide building code blessed by all four county building chiefs for time efficiency; but recognizes that home-rule is important concept. There are efficiencies that could be achieved. Using Honolulu as example. If ROH Chapter 16 was simply revised to refer to "State Building Code" instead of "international Building Code", the county code adoption process would be less time-consuming. A local county need not amend State Building Code for it to become updated county building code.

3. It can be argued that continuing failure of the state to adequately fund SBCC with administrative staff leaves SBCC more vulnerable to private sector influence from generally well-intentioned volunteers.

4. In addition, failure to fund has resulted in omitting administrative rules process that is generally intended for more public scrutiny of codes.

Before you decide fate of this bill, you need to ask for specific listing of "... proposals raised by the private sector" in order to make decision. There are many issues related to housing affordability. AIA suggest you defer this untruthful bill. Thank you for this opportunity to **STRONGLY OPPOSE** House Bill 1933 HD1.



Chamber of Commerce HAWAII

The Voice of Business

**Testimony to the House Committee on Finance
Thursday, February 20, 2020 at 1:00 P.M.
Conference Room 308, State Capitol**

RE: HB 1933 HD1, RELATING TO THE STATE BUILDING CODE COUNCIL

Chair Luke, Vice Chair Cullen and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **supports** HB 1933 HD1, which proposes to repeal the State Building Code Council and clarify Section 107 HRS. This would provide that all State new construction meet, at a minimum, nationally recognized codes and standards governing the design and construction to safeguard life, property and general welfare.

The Chamber is Hawaii's leading statewide business advocacy organization, representing 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

Repealing the State Building Council would improve the process in which building codes are adopted. As stated in the bill, the make-up of the State Building Code Council does not take into consideration the cost implications of adopting new codes. Nationally, many of the new codes have mandates built in that manufacturers and special interest groups have embedded into new code revisions. These mandates are not intended to protect the public health or safety, and ultimately increase the cost of housing.

In addition, changing the process to allow counties to amend national building codes prior to adoption allows for input and adjustments at the local level with public input as the codes need Council approval.

We appreciate the opportunity to express our support for HB 1933 HD1.



LATE

**HOUSE COMMITTEE ON FINANCE
State Capitol, Conference Room 308
415 South Beretania Street
1:00 PM**

February 20, 2020

RE: HOUSE BILL NO. 1933, HD 1, RELATING TO THE STATE BUILDING CODE COUNCIL

Chair Luke, Vice Chair Cullen, and members of the committee:

My name is Dwight Mitsunaga, 2020 President of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

BIA-Hawaii is in strong support of H.B. 1933 HD 1, which proposes to repeal the State Building Code Council (SBCC), and clarify Section 107 HRS. This would provide that all new construction meet, at a minimum, nationally recognized codes and standards governing the design and construction to safeguard life, property, and the general welfare.

As stated in the bill, the makeup of the SBCC does not take into consideration the cost implications of adopting new codes. Nationally, many of the new codes have mandates built-in that manufacturers and special interest groups have imbedded into new code revisions. These mandates are not intended to protect the public health or safety, and ultimately increase the cost of housing.

Allowing the counties to amend national codes prior to adoption allows for input and adjustments at the local level with public input, as the codes need County Council approval.

In the 2020 Legislative Session, both chambers of the Hawaii State Legislature, together with Governor Ige's administration, put forward a comprehensive package of bills to improve the quality of life for Hawaii's middle class families. A large part of the package attempted to address housing affordability. Adding more unnecessary code requirements to the construction of a new home will raise the cost of housing..

We appreciate the opportunity to express our views on H.B. 1933, H.D. 1.

HOUSE COMMITTEE ON FINANCE

February 20, 2020, 1:00 P.M.

Room 308

(Testimony is 1 page long)

TESTIMONY IN OPPOSITION TO HB 1933 HD1

Aloha Chair Luke, Vice Chair Cullen, and members of the Committee:

Blue Planet Foundation **opposes HB 1933**, which **repeals the state building code council**.

The Hawai'i State Building Code Council (SBCC) plays an important role in establishing state building codes that accelerate our transition to a cleaner, brighter, and safer future for Hawai'i and the planet. By establishing uniform state building codes, adapted from nationally vetted standards to reflect local realities, the SBCC provides a framework to ensure that building design, construction, and operation address society's most important concerns, including public health and safety, environmental protection, and consumer protection against costly monthly utility bills.

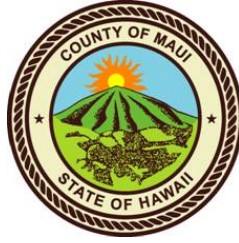
Before the SBCC was formed, Hawai'i's four counties had widely varied building codes, adding complexity and confusion for architects and engineers who worked across counties. Now, SBCC is set up to function collaboratively—no code may be adopted without unanimous approval from all four county building division managers, who form the core of the SBCC. This unanimity ensures statewide synchronism and provides a guidepost to the county councils.

In addition to the voting membership of the four counties, the General Contractors Association, Building Industry Association, American Institute of Architects, State Fire Council, Structural Engineers Association of Hawaii, and Subcontractors Association of Hawaii are voting members. In addition, SBCC meetings are attended by the Attorney General representative for DAGS and regularly attended by representatives of impacted unions and industry groups. Moreover, SBCC meetings must comply with Hawai'i's Sunshine Law, must be adequately noticed, and are open to the public.

In sum, Blue Planet opposes HB 1933, and **we respectfully urge the Committee not to repeal the SBCC**.

Thank you for the opportunity to testify.

MICHAEL P. VICTORINO
Mayor



KAY FUKUMOTO
Economic Development Director



COUNTY OF MAUI
OFFICE OF ECONOMIC DEVELOPMENT
2200 Main Street, Suite 305
WAILUKU, MAUI, HAWAII 96793

THURSDAY, FEBRUARY 20, 2020 1:00 PM

STATE OF HAWAII
HOUSE COMMITTEE ON FINANCE

TESTIMONY ON HOUSE BILL 1933
A BILL RELATING TO THE STATE BUILDING CODE COUNCIL

BY,

CHANA MAKALE'A DUDOIT ANE
ENVIRONMENTAL COORDINATOR, OFFICE OF ECONOMIC DEVELOPMENT

Dear Chair Luke and Members of the Committee:

The County of Maui Office of Economic Development) **opposes** HB 1933, which repeals the State Building Code Council.

The State Building Code Council is critical in establishing a state building code through the timely adaption of national building codes that are consistent and appropriate to unique building code issues across the State of Hawai'i. Without the capabilities of the Council, each respective county must individually weigh international building codes and draft amendments that are both suitable and do not conflict with one another. In addition to the difficulties of accessing subject-matter expertise and synchronizing across counties, such disjointed processes increase the likelihood of insufficiently vetted proposals increasing the overall cost of construction and cost of living in Hawai'i.

The State Building Code Council is able to engage the required subject-matter expertise, evaluate international codes, and draft amendments that are appropriate statewide. This important step increases consistency and reduces costs not only for each respective county, but for local builders. It allows counties to focus on truly local amendments based on island-specific needs. The Council requires the unanimous approval of all four County Building Division Managers, ensuring the resultant codes provide the greatest possible consistency for building professionals and the most appropriate amendments for our unique state building environment.

Thank you for the opportunity to testify.