

HAWAII STATE ENERGY OFFICE STATE OF HAWAII

DAVID Y. IGE
GOVERNOR

SCOTT J. GLENN
CHIEF ENERGY OFFICER

235 South Beretania Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-3807
Fax: (808) 586-2536
Web: energy.hawaii.gov

Testimony of
SCOTT J. GLENN, Chief Energy Officer

before the
SENATE COMMITTEE ON WAYS AND MEANS

Friday, February 26, 2021
9:30 AM
State Capitol, Conference Room 211 & Videoconference

Comments in support of
SB 141, SD1
RELATING TO THE STATE BUILDING CODE COUNCIL.
(Written Testimony Only)

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee, the Hawai'i State Energy Office (HSEO) supports and offers comments on SB 141 Senate Draft 1, which transfers the State Building Code Council (SBCC) from the Department of Accounting and General Services (DAGS) to the Hawaii State Energy Office.

Since its inception in 2007, the SBCC has served as a voluntary organization comprised of building code professionals from the private and public sectors serving without compensation. Updating building codes is an extremely complex and time-consuming process. The SBCC has only recently been able to adopt current building codes in synchronization with the national three-year cycle of updating codes.

The HSEO is an *ex officio* member of the SBCC. Currently, the HSEO designee to the SBCC serves as the council chair by vote of the council members. HSEO devotes substantial resources to support the SBCC by providing not only subject matter expertise and funding for energy codes, but also, as chair of the council, providing administrative support for the operations of the SBCC, such as the preparation of agendas, meetings minutes, and organizing guest speakers and technical working groups unrelated to energy matters. This requires substantial time and resources from HSEO to support the SBCC. Because HSEO already provides substantive and administrative support to the SBCC, HSEO supports moving the SBCC to HSEO as a means to provide the SBCC with the support it needs to fulfill its critical functions.

Hawaii State Energy Office Testimony
SB 141 SD 1 - Relating to the State Building Code Council - Support
February 26, 2021

HSEO notes that the original form of SB 141 proposed to establish a full time program director and a full time staff member to assist the SBCC in carrying out its duties. HSEO believes this is still critical to the success of the SBCC. HSEO's expertise is specific to energy while the SBCC encompasses many codes outside of the statutory authority of the HSEO.

HSEO is experiencing year-over-year reductions in staff positions and funding, making the addition of these responsibilities difficult for HSEO to justify as a use of its increasingly limited resources on non-energy-specific mandates. In order for HSEO to be able to resource the full scope of the SBCC, HSEO recommends that the SBCC's enabling statute be moved to Chapter 196 and that reference to it be inserted into §196-71 or §196-72, Hawai'i Revised Statutes, so that HSEO is duly authorized to expend funds and dedicate staff time to the administration of the SBCC and support of codes outside of the energy code. Currently, HSEO has frozen, vacant positions, and positions proposed for elimination that could be allocated to the support of the SBCC, if so authorized.

HSEO supports this bill provided that its passage does not replace or adversely impact priorities indicated in the Executive Biennium Budget.

Thank you for the opportunity to testify.

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



ANNE E. PERREIRA-EUSTAQUIO
DIRECTOR

JOANN A. VIDINHAR
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.labor.hawaii.gov
Phone: (808) 586-8844 / Fax: (808) 586-9099
Email: dlir.director@hawaii.gov

February 25, 2021

The Honorable Donovan Dela Cruz, Chair
Committee on Ways and Means
The State Senate
State Capitol, Room 208
Honolulu, Hawaii 96813

Dear Chair Dela Cruz:

Subject: Senate Bill (SB) 141, Senate Draft (SD) 1 Relating to the State Building Code Council (SBCC)

I am Manuel P. Neves, Chair of the State Fire Council (SFC). The SFC supports SB 141, SD 1, which proposes to transfer the SBCC from the Department of Accounting and General Services to the Hawaii State Energy Office. The SFC also respectfully requests that an appropriation from state of Hawaii general revenues for \$400,000 for two full-time equivalent positions be restored in the SD 1 version of this bill.

Since its formation in 2007, the SBCC has never had funding for staff, operating expenses, or training. Its 11 voluntary members do not receive compensation for any work performed on behalf of the state. Since statewide amendments require extensive time and effort from members who have full-time jobs, the SBCC has struggled to timely review, approve, and adopt approximately seven different codes and standards.

The SFC urges your committee's support on the passage of SB 141, SD 1. Should you have questions, please contact SFC Administrative Specialist Lloyd Rogers at 723-7176 or lrogers@honolulu.gov.

Sincerely,

MANUEL P. NEVES
Chair

MPN/GL:cs

DAVID Y. IGE
GOVERNOR



CURT T. OTAGURO
COMPTROLLER
AUDREY HIDANO
DEPUTY COMPTROLLER

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

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

WRITTEN TESTIMONY
OF
CURT T. OTAGURO, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
COMMITTEE ON WAYS AND MEANS

FRIDAY, FEBRUARY 26, 2021, 9:30 A.M.
CONFERENCE ROOM 211 VIA VIDEOCONFERENCE, STATE CAPITOL

S.B. 141, S.D. 1

RELATING TO THE COMPTROLLER.

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee, thank you for the opportunity to submit testimony of S.B. 141. S.D. 1.

The Department of Accounting and General Services (DAGS) supports S.B. 141, S.D. 1 which transfers the State Building Code Council (SBCC) from the DAGS to the Hawaii State Energy Office (HSEO). The DAGS purview is limited to State buildings while the SBCC has statewide importance beyond that of the DAGS. As such, we support the relocation of the SBCC to the HSEO since it would be more appropriately aligned within that office.

The move and consolidation of SBCC to the HSEO can provide stronger focus and synergies for both agencies. SBCC is currently staffed with volunteers and has no funds. This transfer to a new agency may provide additional resources so that SBCC can carry out its mission. While HSEO is a viable option to transfer SBCC, other agencies that may be a functional match such as the Office of Planning should also be considered.

Thank you for the opportunity to submit testimony on this matter.

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

LATE

RICK BLANGIARDI
MAYOR



MATTHEW GONSER, AICP, CFM
EXECUTIVE DIRECTOR &
CHIEF RESILIENCE OFFICER

FRIDAY, FEBRUARY 26, 2021, 9:30 A.M.

STATE OF HAWAII
SENATE COMMITTEE ON WAYS AND MEANS

**TESTIMONY ON SENATE BILL 141, SD1
RELATING TO THE STATE BUILDING CODE COUNCIL**

BY,

MATTHEW GONSER
EXECUTIVE DIRECTOR AND CHIEF RESILIENCE OFFICER
OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The City and County of Honolulu (City) Office of Climate Change, Sustainability and Resiliency (CCSR) **supports** Senate Bill 141, SD1, which relocates the administration of the State Building Code Council (SBCC) from the Department of Accounting and General Services (DAGS) to the Hawai'i State Energy Office (HSEO).

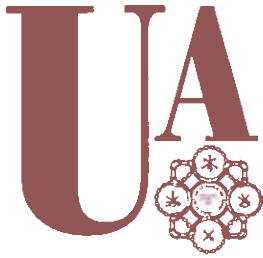
CCSR recognizes the limited jurisdiction of the DAGS over only buildings of the Executive Branch of the State and understands the intention of moving the SBCC's administration to the HSEO. Updating our building codes is an essential process that helps protect the health and safety of our infrastructure and communities through prescribed minimum safety standards, while also helping residents save on costs through energy and water efficiency standards. However, it is also an extremely time-consuming process, especially given the SBCC is currently unfunded, unstaffed, and comprised of volunteer members, leading to concerns about the SBCC's ability to effectively carry out its mission.

Therefore, CCSR recommends reinserting language from the original bill version, which allocated funding to establish two full time positions and to support employee training, materials and supplies, other costs associated with the SBCC, and any costs necessary to establish a full-time State Building Code Council Office. Appropriating funding to the SBCC will allow it to do its job more effectively. Ultimately, this will hasten the process by which the City can adopt the most up-to-date building codes, protecting O'ahu's residents and infrastructure against natural disasters and climate

Chair Dela Cruz, Vice Chair Keith-Agaran
SB141, SD1
February 26, 2021
Page 2

shocks and stressors, while facilitating the long-term cost-savings and efficiencies building occupants are able to realize through progressive code adoption.

Thank you for the opportunity to testify on SB141, SD1.



Founded 1889

PLUMBERS AND FITTERS LOCAL 675 UNITED ASSOCIATION



February 24, 2021

Senator Donovan Dela Cruz, Chair
Senator Gilbert Keith-Agaran, Vice Chair
Senate Committee on Ways and Means
State Capitol, 415 South Beretania Street, Video Conference
Honolulu, Hawaii 96813

Re: SB141 SD1 Relating To The State Building Code Council
Friday, February 26, 2021 at 9:30 am

Aloha Chair, Vice-Chair, and Committee Members;

Chartered in 1919, the Plumbers and Fitters UA, Local 675 is one of the oldest organized labor unions in Hawai'i and one of three 'licensed' skilled-construction trades, steeped in a rich history as one of Hawai'i's construction-industry pioneers.

The Plumbers and Fitters UA Local 675, Business Manager Val Ceria and its hard-working members and their families, would like to thank this Committee for considering SB141 SD1 relating to the State Building Code Council, however respectfully OPPOSES this measure as amended which administratively reassigns the State Building Code Council (SBCC) from the Department of Accounting and General Services (DAGS) to the Department of Business, Economic Development and Tourism (DBEDT). The SBCC was created in 2007 (Act 82) to establish a statewide code, but more importantly to do so in a timely manner to maximize advanced technologies, methods, materials and efficiencies typically found in newer versions of each code as published every three years.

Historically, building codes were first adopted to address fire, disease and natural disaster.¹ Most of the codes enumerated in section 107-25, HRS, (Fire, Plumbing, Electrical, Building and Residential) are promulgated with the primary purpose of protecting public health and safety. It was only recently that an Energy Conservation Code was published in 2000 focuses more on energy efficiency than it does on health and safety.

The SBCC is charged with adopting statewide codes which are then either adopted or amended by each municipality. The state codes apply to the construction of all state facilities which is administered by the Public Works Division that sits within DAGS. Specifically, as noted on DAGS website, the . . .

¹ In an attempt to address the problems of fire, disease, and natural disaster, the United States initially looked to English laws and slowly adopted them. The first American codes focused on fire prevention and the first building law on record dates to 1625 in New Amsterdam (now New York). *Historical Overview of Building Codes and Standards*, Northern Architecture, Robert Hesson, February 5, 2021.



“ . . .Public Works Division plans, coordinates, organizes, directs and controls a variety of engineering and architectural services for the State, including land acquisition, planning, designing, inspecting and managing construction projects, facilitating quality control, contracting, construction management, and equipping facilities and other improvements for State agencies.”

In contrast, DBEDT's primary focus is economically driven with little or no consideration given to health and safety or construction for that matter. We further believe unlike DBEDT, there is a clear nexus between the state codes adopted by the SBCC as they apply to state facilities, and DAGS which has direct oversight over the construction of state facilities, and therefore believe that the SBCC should remain administratively attached to DAGS.

As such, we respectfully OPPOSE this measure and ask that you HOLD SB141 SD1 as amended. Mahalo for the opportunity to testify.

SB-141-SD-1

Submitted on: 2/24/2021 3:18:28 PM

Testimony for WAM on 2/26/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ted Bohlen	Testifying for Climate Protectors Coalition	Support	No

Comments:

To: The Honorable Donovan Dela Cruz, Chair, The Honorable Gilbert Keith-Agaran, Vice Chair, and members of the Senate Committee on Ways and Means

From: Climate Protectors Hawaii (by Ted Bohlen)

Re: Hearing SB141 SD1 RELATING TO THE STATE BUILDING CODE COUNCIL.

Friday February 26, 2021, 9:30 a.m., Rm. 211 and by videoconference

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Senate Committee on Ways and Means:

Position: **STRONG SUPPORT** FOR SB141 SD1!

The Climate Protectors Coalition is a group focused on reversing the climate crisis. As a tropical island State, Hawaii will be among the first places harmed by the global climate crisis, with more intense storms, loss of protective coral reefs, food insecurity, and rising sea levels destroying our shorelines. We must do all we can to reduce our carbon footprint and become carbon negative as soon as possible.

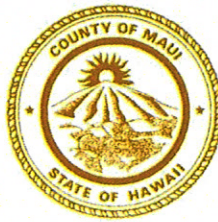
This bill would transfer the State Building Code Council from DAGS to the the Hawaii State Energy Office. This makes sense because DAGS does not have the energy efficiency expertise needed in this time of climate crisis and is responsible for only part of State facilities. Please pass this bill! Mahalo!

Climate Protectors Hawaii (by Ted Bohlen)

MICHAEL P. VICTORINO
Mayor

DAVID C. THYNE
Fire Chief

BRADFORD K. VENTURA
Deputy Fire Chief



DEPARTMENT OF FIRE & PUBLIC SAFETY

COUNTY OF MAUI
200 DAIRY ROAD
KAHULUI, HI 96732

February 24, 2021

The Honorable Donovan Dela Cruz, Chair
Committee on Ways and Means
The State Senate
State Capitol, Room 208
Honolulu, Hawaii 96813

LATE

Dear Chair Dela Cruz:

Subject: Senate Bill (SB) 141, Senate Draft (SD) 1 Relating to the State Building Code Council (SBCC)

I am David C. Thyne, member of the Hawaii State Fire Council (SFC) and Fire Chief of Maui Fire Department (MFD). The SFC supports SB 141, SD 1, which proposes to transfer the State Building Code Council from the Department of Accounting and General Services to the Hawaii State Energy Office. The SFC also respectfully requests the appropriation out of the general revenues of the state of Hawaii the sum of \$400,000 for two full-time equivalent positions be restored in the SD1 version of this bill.

Since its formation in 2007, the SBCC has never had funding for staff, operating expenses, or training. Its 11 voluntary members do not receive compensation for any work performed on behalf of the state. Since statewide amendments require extensive time and effort from members who have full-time jobs, the SBCC has struggled to timely review, approve, and adopt approximately seven different codes and standards.

The SFC urge your committees' support on the passage of SB 141, SD1. Should you have questions, please contact SFC Administrative Specialist Lloyd Rogers at (808) 723-7176 or lrogers@honolulu.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "David C. Thyne".

DAVID C. THYNE
Fire Chief