



# HAWAII STATE ENERGY OFFICE STATE OF HAWAII

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GOVERNOR

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Testimony of  
**SCOTT J. GLENN, Chief Energy Officer**

before the  
**HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE**

February 3, 2022  
2:00 PM

State Capitol, Conference Room 329 & Videoconference

**COMMENTS  
HB 1747  
RELATING TO THE STATE BUILDING CODE COUNCIL.**

Chair Johanson, Vice Chair Kitagawa, and Members of the Committee, the Hawai'i State Energy Office (HSEO) offers comments on HB 1747, which requires the State Building Code Council (SBCC) to consult with building industry trade associations to gather cost data on the implementation of building codes or standards and calculate the financial impact of those codes and standards, including amortized utility costs, on the cost of single-family and multi-family homes built in the state. It also requires the annual report to the Governor to include the cost provided by building industry trade associations on each code and standard adopted by the Council.

We have several comments which point to the SBCC already having significant trade association involvement.

Hawai'i Revised Statutes Chapter 107 Part II,<sup>1</sup> "State Building Code and Design Standards," which formed the SBCC, reads in part, "The council shall consult with building trade associations to gather information and recommendations on construction practices and training relevant to building codes and standards."<sup>2</sup>

The composition of the SBCC shall include, "One member representing the Building Industry Association of Hawai'i, or the General Contractors Association of

<sup>1</sup> Hawai'i Revised Statutes, sections [107-21 through 107-31](#), inclusive.

<sup>2</sup> Hawai'i Revised Statutes, section [107-24\(e\)](#).

Hawai'i, who has significant experience with building codes, with alternating four-year terms between the two organizations.”<sup>3</sup>

The SBCC also includes representatives from the state fire council, the department of labor and industrial relations, and the Subcontractors Association of Hawai'i.

As a State entity, the SBCC abides by sunshine laws and welcomes representatives from the industry and unions to raise concerns regarding codes and construction costs. Participants in SBCC meetings include representatives from Pacific Resource Partnership, Hawai'i Regional Council of Carpenters, Plumbers & Fitters Local 675, Hawai'i Laborers and Employers Cooperation and Education Trust Fund, Hawai'i Construction Alliance, United Brotherhood of Carpenters, United Brotherhood of Carpenters and Joiners of America, Laborers International Union of North America Local 363 and the Laborers International Union of North America.

While the State Building Code statute refers to an “executive director and executive assistant,” and cites “budgetary requirements for conducting meetings, training, travel and other related responsibilities,”<sup>4</sup> the SBCC has received no funding. The SBCC is run mostly by volunteers. Adding a requirement to provide estimated costs for each new code provision will require specialized expertise and necessitate staffing of the SBCC.

Thank you for the opportunity to testify.

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<sup>3</sup> Hawai'i Revised Statutes, [section 107-22\(a\)](#).

<sup>4</sup> Hawai'i Revised Statutes, [section 107-23](#).

**HB-1747**

Submitted on: 2/2/2022 1:42:26 AM

Testimony for CPC on 2/3/2022 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Daniel G. Chun	Kauahaikaua & Chun Architects	Oppose	No

Comments:

My name is Daniel Chun **OPPOSING** HB 1747. I was appointed by Governor Lingle to Task Force creating State Building Code Council SBCC. After that I worked with Senator Lorraine Inouye and late Representative Bob Herkes to pass original statute; SBCC funded with interest from Hawaii Hurricane Relief Fund. Since that promising start, no governor has released any funds to operate SBCC. Instead dedicated building industry volunteers have undertaken task of updating nationally written building codes to suit Hawaii conditions.

There are some special interests who believe that "starving" SBCC will make building codes go away. We cannot function as community without updating our building codes. Property insurers have "community rating" with differing rates using factors such as current building codes. Federal Emergency Management Agency FEMA can deny federal disaster relief if locale has outdated building codes. SBCC has authority to amend national model codes to suit Hawaii conditions, while ensuring "standard of care" that supports design / construction activities, house insurability and house financing.

I have monitored legislation related to SBCC since its establishment. I regularly see your bills that mandate SBCC do this and do that. HB 1747, while seemingly worthy, stems from intent to further burden the Council with added scope in hopes of doing away with updated codes. The last bill to be heard today requires inspection of older buildings to prevent tragic collapse as recently occurred in Florida; with inspection reports to be administered by SBCC. A worthy public purpose, but with no funding it is hard to believe that this legislature agrees.

Calculating the cost / benefits of updated codes is beneficial. Some new code language is "less restrictive" and saves building cost. A fair and balanced life-cycle cost is good for consumers who are likely making the largest purchase of their lives. But the intent behind HB 1747 is not beneficial to the basic volunteered work of adapting each code to Hawaii conditions. I ask you to defer this bill until funding is available. Thank you for this opportunity to OPPOSE HB 1747.



**SanHi**

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 2, 2022

TO: Representative Aaron Ling Johanson  
Chair, Committee on Consumer Protection & Commerce  
*Submitted Via Capitol Website*

FROM: Matt Tsujimura

RE: **H.B. 1747 Relating to the State Building Code Council**  
**Hearing Date: Thursday, February 3, 2022 at 2:00 p.m.**  
**Conference Room: 329**

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Dear Chair Johanson, Vice Chair Kitagawa, and Members of the Committee on Consumer Protection & Commerce:

I am Matt Tsujimura, representing State Farm Mutual Automobile Insurance Company (State Farm). State Farm offers the following comments about [HB1747](#) Relating to the State Building Code Council.

State Farm strongly supports the development, adoption, and enforcement of strong building codes which promote public safety and help to avoid needless property damage. Consumers, communities, and builders benefit from effective and modern building codes. State Farm applauds the Legislature's continued efforts to look for innovative ways to approach concerns that the costs of compliance may impact the costs of housing construction and impact affordability.

H.B. 1747 would require the State Building Code Council to consult with the building industry trades to gather cost data associated with the implementation of the proposed code or standard to calculate the financial impact. It would also add a section to the written report relating to the financial impact to "determine whether the codes and standards substantially benefit residents of the state." State Farm is concerned that the proposed amendment to existing law does not set any guardrails around what will be considered as part of the State Building Code Council's cost benefit analysis and/or how this may impact the council's decisions. Moreover, the proposal appears to be redundant. The International Code Council, the promulgator of the model building codes, requires each code change to be accompanied by a cost benefit analysis. Based on the foregoing, State Farm requests the following amendment to H.B. 1747:

Pg. 4, Lines 17-21: "The written report shall include the cost provided by building industry trade associations on each code and standard adopted by the council to determine whether the codes and standards substantially benefit residents of the State."

Thank you for considering these comments and suggestions.



**HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE**  
**State Capitol, Via Videoconference**  
**415 South Beretania Street**  
**2:00 PM**

February 3, 2022

RE: HB 1747, RELATING TO THE STATE BUILDING CODE COUNCIL

Chair Johanson, Vice Chair Kitagawa, and members of the committee:

My name is Daryl Takamiya, 2022 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 HB 1747, which would require the state building code council (SBCC) to consult with building industry trade associations to gather cost data on the implementation of building codes or standards and calculate the financial impact of those codes and standards, including amortized utility costs, on the cost of single-family and multi-family homes built in the state, and will require the annual report to the governor to include the cost provided by building industry trade associations on each code and standard adopted by the council.

The current 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 embedded into new code revisions. These mandates are not intended to protect the public health or safety, and ultimately increase the cost of housing. Requiring the SBCC to consider cost implications and report to the Governor would provide the public and the building industry with much-needed information.

The state of Hawaii is in a dire housing crisis which has been further exacerbated by the ongoing pandemic situation. As the Legislature is aware, the cost of housing in Hawaii is extremely high, with Oahu's median price of homes being currently over \$1 million. Approximately 153,967 U.S. households are priced out of buying a home for every \$1000 increase in price, according to the National Association of Home Builders (NAHB).

We appreciate the opportunity to express our strong support for HB 1747.

**HB-1747**

Submitted on: 2/2/2022 8:55:10 AM

Testimony for CPC on 2/3/2022 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Greg Thielen	Individual	Support	No

Comments:

Dear Chair Johanson, Vice Chair Kitagawa and Members of the Committee,

I am writing in support of HB1747. I have over 30 years of experience in the Building Industry in Hawaii. In that time I have watched the steep and significant increase in construction cost. This has especially accelerated in the last 15 years with the now frequent code updates. As these codes are examined and added on, little thought is given to how that impacts housing affordability for future home owners and renters. It is important that policy makers confront the reality we are creating by piling more and more burdens on the cost of construction. HB1747 is an important part of requiring that cost be part of the discussion and decision making process.

Mahalo,

Greg Thielen