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Deputy Director of Council Services
David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 23, 2023

TO: The Honorable Kyle T. Yamashita, Chair, and
Members of the House Committee on Finance

FROM: Alice L. Lee
Council Chair

A handwritten signature in cursive script, appearing to read "Alice L. Lee", is written over the printed name and title.

SUBJECT: **HEARING OF FEBRUARY 23, 2023; TESTIMONY IN SUPPORT OF
HB 920, HD1, RELATING TO THE HAWAII STATE BUILDING CODE**

Thank you for the opportunity to testify in **support** of this important measure. The purpose of this bill is to allow counties to adopt a county building code, that is distinct from the Hawaii state building codes, for single-family dwellings, additional dwelling units, duplexes, and non-commercial structures.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I **support** this measure for the following reasons:

1. The measure will provide more flexibility to counties to customize regulations for their unique local character. It will allow our County the ability to more easily explore policies that will help increase our housing inventory.
2. This measure will help the County of Maui fulfill the following General Plan policy: "Require the incorporation of locally appropriate energy-saving and green building design concepts in all new developments by providing energy-efficient urban design guidelines and amendments to the Building Code."

For the foregoing reasons, I **support** this measure.

Mitchell D. Roth
Mayor



Lee E. Lord
Managing Director

Robert H. Command
Deputy Managing Director

County of Hawai'i
Office of the Mayor

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February 23, 2023

Chair, Rep. Kyle T. Yamashita
Vice Chair, Rep. Lisa Kitagawa
House Committee on Finance

Hawai'i State Legislature
415 S. Beretania Street
Honolulu, Hawai'i 96813

Subject: H.B. 920, HD 1 RELATING TO THE HAWAII STATE BUILDING CODE
Hearing Date: Friday, February 24, 2023, at 10:00 a.m.
Time/Place of Hearing: Via Video Conference, Conference Room 308

Aloha Chair Yamashita, Vice Chair Kitagawa, and members of the Committee on Finance,

The County of Hawai'i stands by its previous testimony in strong support of HB 920, HD 1, which allows counties to amend and approve building codes for single family dwellings, duplexes, and non-commercial structures that are distinct from the Hawai'i State building codes.

We believe that HB 920, HD 1 provides the flexibility necessary to address the urgent demand for reasonably priced housing in our county by eliminating unnecessary regulations that add time delays and additional costs to construction. We are confident that this adaptability will not compromise safety, and the HB 920, HD 1 will encourage innovative and sustainable building practices that increase housing production on Hawai'i Island and throughout the state.

We highly encourage the Committee on Finance to move this legislation forward with positive recommendations for passage in the House.

Mahalo,

Mitchell D. Roth
Mayor
County of Hawai'i

Mitchell D. Roth
Mayor



Lee E. Lord
Managing Director

Robert H. Command
Deputy Managing Director

County of Hawai'i
Office of the Mayor

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February 23, 2023

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Vice Chair, Rep. Lisa Kitagawa
House Committee on Finance

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We highly encourage the Committee on Finance to move this legislation forward with positive recommendations for passage in the House.

Mahalo,

Mitchell D. Roth
Mayor
County of Hawai'i

OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

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RICK BLANGIARDI
MAYOR

MICHAEL D. FORMBY
MANAGING DIRECTOR
KRISHNA F. JAYARAM
DEPUTY MANAGING DIRECTOR

February 23, 2023

The Honorable Kyle T. Yamashita, Chair
The Honorable Lisa Kitagawa, Vice Chair
and Members of the House Committee on Finance
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

SUBJECT: HB 920 HD 1 Relating to the Hawaii State Building Code

The City and County of Honolulu ("City") is in strong support of HB 920 HD 1. This measure would allow the counties to adopt a county building code for single-family dwellings, additional dwellings, duplexes, and non-commercial structures that have an unspecified amount of square feet of living area and is distinct from the Hawai'i state building codes.

To the extent that HB 920 HD 1 provides the counties the ability to consider a county building code that facilitates the construction of affordable housing, the City and County of Honolulu supports further discussion and consideration. Thank you for the opportunity to testify on this matter.

Sincerely,

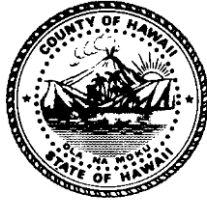
A handwritten signature in black ink, appearing to read "M. Formby".

Michael D. Formby
Managing Director

Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director

West Hawai'i Office
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County of Hawai'i
PLANNING DEPARTMENT

Zendo Kern
Director

Jeffrey W. Darrow
Deputy Director

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101 Pauahi Street, Suite 3
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February 23, 2022

Testimony by
ZENDO KERN
Director, County of Hawai'i Planning Department
before the
Committee on Finance
Friday, February 24, 2023, 10:00 A.M.
State Capitol Conference Room 308 – Via Videoconference

In consideration of
HB 920 HD 1
Relating to the Hawaii State Building Code

Honorable Chair Yamashita, Vice Chair Kitagawa and Members of the Committee on Finance,

Thank you for the opportunity to submit testimony in SUPPORT of House Bill 920 HD 1, relating to the Hawai'i State Building Code. This bill is a critical tool that will allow counties to effectively support attainable and affordable housing based on their individual needs.



BUILDBETTER.LIVEBETTER.®

February 23, 2023

Committee: House Committee on Finance
Bill Number: HB 920 HD1, Relating to the State Building Code
Hearing Date and Time: February 24, 2023 at 10:00am
Re: HPM Building Supply Comments

Dear Chair Yamashita, Vice Chair Kitagawa, and Committee Members:

I would like to submit this letter and comment on HB 920 HD1, Relating to the State Building Code. HPM supports the construction industry and any legislation that may reduce the cost of housing. HB920 HD1 may allow counties to amend building codes that support affordability without impacting life and safety. This is important for the Finance committee members as there is no cost or financial impact to the government with the passage of the measure and, if anything, possible cost savings to the consumer. The language in the bill does not have any foreseeable impact on any jurisdiction and does not obligate the counties to do anything. HB 920 HD1 would allow the local government to consider jurisdiction specific and appropriate amendments to compliment the collective efforts without compromising safety.

HPM Building Supply is a 100% employee-owned company serving Hawaii's home improvement market and building industry for over 100 years since 1921. With 17 locations across Hawaii and Washington State, HPM offers various services and products, including retail stores, building supply and lumber yards, home design centers, drafting and design services, and manufacturing facilities. HPM is dedicated to enhancing homes, improving lives, and transforming communities. The company is guided by its core values of Heart, Character, and Growth, striving to provide top-quality products and build exceptional customer loyalty. HPM has earned recognition as a leader in the industry for its products, services, and commitment to its community.

Thank you for the opportunity to provide comment on HB 920 HD1. We hope that this letter provides more insight for the committee's deliberation on this bill.

Sincerely,

Dennis Lin
Community Relations Administrator



(808) 966-5466 • FAX (808) 966-7564
16-166 MELEKAHIWA STREET • KEAAU, HAWAII 96749

HPMHAWAII.COM





Via E-File

February 23, 2023

Representative Kyle T. Yamashita, Chair
Representative Lisa Kitagawa, Vice-Chair
House Committee on Finance

Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

SUBJECT: HB 920 HD1 Relating to Hawaii State Building Code

My name is Gregg Serikaku, Executive Director for the Plumbing and Mechanical Contractors Association of Hawaii, and we are the State's largest association representing contractors in the plumbing, air conditioning, refrigeration, steamfitter, and fire sprinkler trades throughout Hawaii.

HB 920 HD1 seeks to allow the Counties to adopt a residential building code which is unique and distinct from the residential building code adopted by the Hawaii State Building Code Council (SBCC). While we understand the Counties' desire to have more flexibility to address Hawaii's housing needs and each County's unique character, we would like to offer the following comments:

- We feel that the current Hawaii State Building Code law already provides Counties with a high level of flexibility to amend, adopt, and update the Hawaii model residential code as they see necessary. This autonomy is outlined in the current HRS 107-28(a):

"107-28 County authority to amend and adopt the Hawaii state building codes without council approval. (a) The governing body of each county shall amend, adopt, and update the Hawaii state building codes as they apply within their respective jurisdiction, in accordance with section 46-1.5(13), without approval of the council. Each county shall amend and adopt the Hawaii state building codes and standards listed in section 107-25, as the referenced Hawaii state building codes and standards for its respective county building code ordinance, no later than two years after the adoption of the Hawaii state building codes."

- Hawaii's current code adoption process not only provides stakeholders an opportunity to submit crucial input regarding concerns over issues such as costs, safety, insurance, disaster funding, and local applicability, but also assists the Counties in vetting of the national codes. This code adoption review process happens with each publication of the residential code, and ensures that any statewide amendments are first reviewed and unanimously supported by each of the four County representatives. Once the County representatives and SBCC review and approve the residential code, the Counties then have an additional 2 years to make their own unique County changes.
- The current Hawaii model residential code is amended by the SBCC to integrate with the other model codes, specifically the Hawaii Plumbing Code and Hawaii Electrical Code. This is an extremely important step, as these two codes are currently utilized by the State of Hawaii to license both the tradespersons and contractors who perform such work, and are essential components in maintaining the health and safety of the general public. Therefore, any proposed county residential code should include language requiring compliance with these two Hawaii model codes.

In this regard, we recommend the following amendments to this bill:

- Add an amendment to the current language in HRS 107-28(b) to clarify the Counties' authority to amend the model state codes by adding the following underlined language:
*“(b) If a county does not amend the Hawaii state building codes within the two-year time frame, the Hawaii state building codes shall become applicable as an interim county building code **until superseded by the adoption of an amended version of the code or standard by the county.**”*
- Amend the current language in HRS 107-24(c) to clarify the Building Code Council's authority to stagger adoption of the model state codes by adding the following underlined language:
*“(c) The council shall adopt, amend, or update codes and standards identified in section 107-25 on a staggered basis as established by the council, **provided that the staggered adoption, amendment, or update of any model code shall not exceed the deferment of more than one code cycle publication following the previously adopted model code publication, and provided further that this allowance shall not prohibit the council's authority to adopt, amend, or update a code for each code cycle as deemed necessary. The council's adoption, amendment, update, or deferment of a code or standard pursuant to this subsection [provided that adoption of a code or standard]** shall be within two years of the official publication date of the code or standard, pursuant to chapter 92, and exempt from the requirements of chapter 91. If the council does not adopt, **amend, update or defer** a code or standard identified in section 107-25 within the two-year time period, that code or standard shall automatically become part of the Hawaii state building code until superseded by the adoption of an amended version of the code or standard by the council pursuant to this subsection.”*
- Amend the bill's proposed language in HRS 107-28(b) to require the Counties' compliance to the Hawaii Plumbing Code and Hawaii Electrical Code by adding the following underlined language:
*“(c) Notwithstanding any law to the contrary, a county may adopt a county building code that is distinct from the Hawaii state building codes and applicable only to single-family dwellings, additional dwelling units, duplexes, and non-commercial structures that have no more than _____ square feet of living area; **provided that the county building code shall follow the code requirements of the Hawaii State Plumbing Code based upon the Uniform Plumbing Code, and the Hawaii State Electrical Code based upon the National Electrical Code, as established in HRS 107-25.**”*

We feel that these amendments will 1) help to clarify the Counties' authority to amend the State model codes, 2) provide more flexibility to the State Building Code Council to adopt model codes on a basis which allows all stakeholders the necessary time to adapt to code changes, and 3) ensures that any allowance for a unique and distinct county residential code includes compliance with the plumbing and electrical codes utilized by the State licensing authorities.

Thank you for this opportunity to provide our testimony.

Respectfully,



Gregg S. Serikaku, Executive Director



**HOUSE COMMITTEE ON FINANCE
State Capitol
415 South Beretania Street
10:00 AM**

February 24, 2023

RE: HB 920 - RELATING TO HAWAII STATE BUILDING CODE

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

My name is Max Lindsey, 2023 Government Relations Committee Chair 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 920, Relating to the Hawaii State Building Code. This bill would allow the counties to adopt a county building code for single-family dwellings, additional dwellings, duplexes, and non-commercial structures that is distinct from the Hawai'i state building codes. Hawaii's counties and their building needs are distinct from one another. This bill would allow for the counties to adopt residential, non-commercial building codes that are better suited to their specific needs.

Hawaii is in a major housing crisis, which continues to worsen. 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 are in support of legislation that would allow for the building of much-needed housing at every price point in Hawaii.

Thank you for the opportunity to share our support of HB 920.