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Testimony of the Hawaii Laborers' Union Local 368
1617 Palama Street
Honolulu, HI 96817

PETER A. GANABAN
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JAMES DRUMGOLD JR.
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ESTHER AILA
Auditor

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MARK TRAVALINO
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MARTIN ARANAYDO
Sergeant-At-Arms

Meeting: Subcommittee of Building Officials

Date: March 31, 2021

Time: 8:00 am – 12 pm

The Hawaii Laborers' Union Local 368 has concerns over the State Building Codes Council's proposal to adopt Chapter 17 and Section 3113, 2018 IBC and proposed State amendments to Chapter 17.

ADOPTION OF DRAFT IBC WOULD VIOLATE HRS SECTION 107-26:

Adoption of Chapter 17 and Section 3113, 2018 IBC and proposed State amendments to Chapter 17 appear to violate HRS Section 107-26. HRS Section 107-26 states:

§107-26 Hawaii state building codes; prohibitions. In adopting the Hawaii state building codes, the council shall not adopt provisions that:

- (1) Relate to administrative, permitting, or enforcement and inspection procedures of each county; or
- (2) Conflict with chapters 444 and 464. [L 2007, c 82, pt of §2; am L 2014, c 164, §7]

Therefore, the Hawaii State Legislature has seen fit to exercise its right to **prohibit any action by the State of Hawaii** regarding any issues pertaining to **administrative, permitting or enforcement and inspection**, reserving the right to deliberate and decide on these issues to the Counties.

Therefore, any action by this **State** Building Codes Council to adopt Chapter 17 would violate Hawaii state law as referenced above because the title of Chapter 17 in itself is specific to "Special Inspections and Tests."

A closer inspection of both Chapter 17 and Section 3113, provides further evidence that HRS Section 107-26 would prevent this Council from taking action to adopt these two amendments as both Chapter 17 and Section 3113, 2018 IBC

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would appear to replace or modify the administrative permitting and inspection procedures of the counties thereby violating HRS Section 107-26.

Thank you for the opportunity to submit this written testimony.

Respectfully,
Ryan Kobayashi
Government Affairs

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