

Honolulu, Hawaii

MAR 02 2017

RE: S.B. No. 611
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 611, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS,"

begs leave to report as follows:

The purpose and intent of this measure is to repeal the
June 30, 2017, sunset date of Act 83, Session Laws of Hawaii 2012,
which prohibits counties from requiring installation or
retrofitting of automatic fire sprinklers in:

- (1) New or existing detached one- or two-family dwelling
units used only for residential purposes; and
- (2) Non-residential agricultural and aquacultural structures
located outside an urban area.

Your Committee received testimony in support of this measure
from the Chamber of Commerce Hawaii, Building Industry Association
of Hawaii, Hawaii Association of REALTORS, Complete Construction
Services Corp., Servco Home and Appliance Distribution, Graham
Builders, and Homeworks Construction, Inc. Your Committee
received testimony in opposition to this measure from the State
Fire Council; Maui Fire Department; and Hawaii Fire Fighters
Association, Local 1463, IAAF, AFL-CIO. Your Committee received
comments on this measure from the Office of the Mayor, Hawai'i
County.

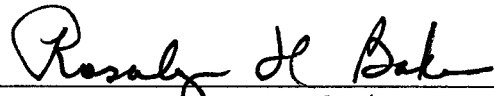


Your Committee finds that placing undue burdens on property owners in the State does not promote the public welfare. Retrofitting or installing automatic fire sprinklers in certain structures can be difficult and costly. Moreover, requiring owners or builders to install automatic fire sprinklers would likely cause rents and the costs of homes to rise. Given the untenable affordable housing shortage across the State, county action requiring the installation of automatic fire sprinklers could have devastating effects.

While your Committee acknowledges the concerns raised by those involved in the firefighting industry regarding enhanced prevention of fire-related injury and property loss, your Committee finds that it has not been adequately demonstrated that automatic fire sprinklers should be required in the types of dwellings this measure would permanently exempt from any automatic fire sprinkler requirement. Therefore, your Committee finds that repealing the sunset date of Act 83, Session Laws of Hawaii 2012, is appropriate at this time and notes that the proponents of the mandatory installation or retrofitting of automatic fire sprinklers in residential dwelling units may present a stronger justification for their position to the Legislature in the future.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 611, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:* SB 611, SDI	Committee Referral: PSM/HOU, CPH	Date: 2/28/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended <input type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Recommit 2312 2311 2310 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
NISHIHARA, Clarence K. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les	/			
KIDANI, Michelle N.	/			
RUDERMAN, Russell E.				/
TOTAL	6			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">Clarence K. Nishihara</div>				
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*Only one measure per Record of Votes