



State of New Hampshire

GENERAL COURT

CONCORD

Rebecca J. McWilliams, Esq., RA
State Representative, Merrimack 27
State of New Hampshire
107 North Main Street
Concord, NH 03301

January 11, 2021

ICC Board of Directors
Mr. Dominic Sims
Chief Executive Officer
International Code Council
500 New Jersey Avenue NW, 6th Floor
Washington, DC 20001

Dear ICC Board of Directors and Mr. Sims:

I am writing to express my concern regarding the International Code Council (ICC's) consideration of the National Association of Home Builders (NAHB) motion to eliminate the International Energy Conservation Code (IECC) from the Governmental Consensus Process, which develops the family of International Codes (I-Codes), and instead create a new ICC standard for residential and commercial buildings. I strongly advocate for the final determination of International Energy Conservation Code (IECC) provisions to remain in the hands of local elected officials. I urge the ICC Board of Directors to uphold the current structure of the online governmental consensus vote (OGCV) and to reject the proposed framework for switching the IECC to the ICC standards process. Removing the democratic process from the determination of the energy code would be unacceptable.

The IECC directly impacts local policy. In New Hampshire, the state building energy code is defined in statute and is based on the 2015 IECC with state-specific amendments. The state's Building Code Review Board is currently reviewing the 2018 I-Codes with the expectation that they will adopt them this year, with state-specific amendments, with the legislature to approve in 2022. In New Hampshire, all cities and towns must comply with the state building code.

Specific to New Hampshire, prior to the implementation of the 2015 IECC with NH amendments in 2019, the state had been operating under the 2009 IECC with NH amendments. This was a 10-year-old code, practically a lifetime in terms of building knowledge and technology. While evolving building science and the corresponding updates to improve energy efficiency should not be political, during the past decade the political climate has become less-than-ideal to pass legislation in favor of the ever-evolving building energy code. Indeed, if it were purely up to trade groups to implement new energy provisions, we would be hard pressed to see construction lobbyists push for spending more money upfront during

construction or renovation so that building owners could reap energy savings during the life of the building. Elected government officials must retain a seat at the table, as the voice of their constituents who own and operate buildings, in this collaborative process.

The adoption of modern energy codes is essential to ensuring that new buildings are safe, healthy, and energy efficient. The IECC is critical to achieving both local and national clean energy goals through significant greenhouse gas emissions reductions. Beginning with the 2009 IECC, the ICC Governmental Members have supported measures that steadily boost the energy efficiency of what has become known as America's Model Energy Code. The benefits of improving building efficiency extend beyond energy cost savings, which quickly recoup incremental costs, as the efficiency measures improve long-term building affordability, indoor air quality and public health outcomes, provide benefits to low-income and vulnerable populations, and increase resilience as well as power grid stability.

I am concerned about the proposal to remove the IECC from the Governmental Consensus Process that develops the family of I-Codes, as doing so would undermine the integrity of the process. Excluding the Governmental Members from voting on IECC improvements is contrary to the inclusive governance this space demands. Indeed, you would be giving far too much voice to lobbying interests without a corresponding check and balance from elected representatives. I strongly urge you to leave the final determination of future IECC content in the hands of your Governmental Members so that state and local government officials can continue to pursue timely updates to America's Model Energy Code.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Rebecca McWilliams". The signature is written in a cursive, flowing style.

Rebecca McWilliams, Esq., RA

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