

**SENATE BILL NO. 167**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Introduced: 3/25/09

Referred: Resources, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to statewide building energy codes and to the state's plumbing code;**  
2 **and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** AS 18.60.705 is amended by adding a new subsection to read:

5 (d) In addition to any energy requirements established by the plumbing code  
6 adopted under this section, work performed under the plumbing code adopted under  
7 this section must meet or exceed the energy requirements found in the most recently  
8 published edition, as adopted under AS 46.11.100, of the

9 (1) International Energy Conservation Code; or

10 (2) ANSI/ASHRAE/IESNA Standard 90.1, Energy Standard for  
11 Buildings Except for Low-Rise Residential Buildings, as published by the American  
12 Society of Heating, Refrigerating and Air-Conditioning Engineers.

13 **\* Sec. 2.** AS 46.11 is amended by adding a new section to read:

14 **Sec. 46.11.100. Statewide building energy codes.** (a) The state fire marshal

1 shall adopt by regulation a statewide building energy code for residential buildings  
2 and a statewide building energy code for commercial buildings.

3 (b) The residential energy code must meet or exceed the requirements of the  
4 most recently published version of the International Energy Conservation Code.

5 (c) The commercial energy code must meet or exceed the requirements of the  
6 most recently published version of the ANSI/ASHRAE/IESNA Standard 90.1, Energy  
7 Standard for Buildings Except for Low-Rise Residential Buildings, as published by  
8 the American Society of Heating, Refrigerating and Air-Conditioning Engineers.

9 (d) Before a person builds a new building or renovates an existing building, a  
10 person identified under (g) of this section shall review the building plans to determine  
11 whether the plans comply with the energy code that applies to the building.

12 (e) During construction of a new or renovated residential building, the owner  
13 shall have the building inspected to determine whether the building complies with the  
14 residential energy code. A person identified under (g) of this section shall perform the  
15 inspection.

16 (f) The state fire marshal or a municipality that has adopted a building code  
17 under AS 18.60.735 may inspect a commercial building during construction to  
18 determine whether the building complies with the commercial energy code.

19 (g) The following persons may review building plans under (d) of this section,  
20 inspect buildings under (e) or (f) of this section, or do both:

21 (1) for commercial buildings, the state fire marshal;

22 (2) for a residential or commercial building, a municipal building  
23 inspector, if the municipality has adopted a building code under AS 18.60.735; or

24 (3) for a residential building,

25 (A) an architect registered under AS 08.48;

26 (B) an engineer registered under AS 08.48;

27 (C) a person approved by the Alaska Housing Finance  
28 Corporation to perform inspections under AS 18.56.300(b); or

29 (D) an individual who is registered under AS 08.18 to perform  
30 home inspections for new homes.

31 (h) The state fire marshal may charge a reasonable fee for a plan review under

1 (d) of this section, an inspection under (e) or (f) of this section, or for both.

2 (i) This section does not apply to

3 (1) a residential building that is paid for with private money and that is  
4 located in

5 (A) a municipality that has a population of fewer than 2,500  
6 persons, unless the municipality has a mechanism in place for inspecting  
7 residential buildings and reviewing residential building plans and adopts the  
8 residential energy code; or

9 (B) a community that is not a municipality and that has a  
10 population of fewer than 2,500 persons; or

11 (2) a structure that is paid for with private money unless the structure  
12 has indoor plumbing or a central heating system, or both.

13 (j) Not later than January 31 of each year, the state fire marshal shall provide a  
14 report to the legislature that indicates the rate of compliance for new and renovated  
15 buildings with the energy codes. At least 90 percent of new and renovated building  
16 space must comply with the energy codes within eight years after the effective date of  
17 this Act.

18 (k) In this section,

19 (1) "building" means a residential or commercial building;

20 (2) "commercial building" means a building that does not meet the  
21 definition of "residential building" in this subsection;

22 (3) "commercial energy code" means the energy code for commercial  
23 buildings;

24 (4) "energy code" means a statewide building energy code adopted  
25 under (a) of this section;

26 (5) "renovate" means to change 50 percent or more of the building  
27 space;

28 (6) "residential building" means a building that is limited to one, two,  
29 or three dwelling units;

30 (7) "residential energy code" means the energy code for residential  
31 buildings.

1     \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
2 read:

3           APPLICABILITY. AS 18.60.705(d), enacted by sec. 1 of this Act, and AS 46.11.100,  
4 enacted by sec. 2 of this Act apply to plans begun on or after the effective date of this Act to  
5 build or renovate a building. In this section, "building" and "renovate" have the meanings  
6 given in AS 46.11.100.

7     \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
8 read:

9           REVISOR'S INSTRUCTION. The revisor of statutes is requested to renumber  
10 AS 46.11.900 as AS 46.11.095 and, in that section, to substitute "AS 46.11.020 - 46.11.095"  
11 for "this chapter."

12     \* **Sec. 5.** This Act takes effect 18 months after the day it becomes law.