

**ALASKA STATE LEGISLATURE
HOUSE LABOR AND COMMERCE STANDING COMMITTEE**

January 27, 2017

3:17 p.m.

MEMBERS PRESENT

Representative Sam Kito, Chair
Representative Adam Wool, Vice Chair
Representative Andy Josephson
Representative Louise Stutes
Representative Chris Birch
Representative Colleen Sullivan-Leonard

MEMBERS ABSENT

Representative Gary Knopp
Representative Bryce Edgmon (alternate)

COMMITTEE CALENDAR

PRESENTATION ON RESIDENTIAL BUILDING CODES BY: MAX MIELKE,
ALASKA PLUMBERS & PIPEFITTERS

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

MAX MIELKE

Alaska Plumbers & Pipefitters, Local 262
Juneau, Alaska

POSITION STATEMENT: Gave a presentation on residential building codes.

BRAD AUSTIN, Training Coordinator
Alaska Plumbers & Pipefitters, Local 262
Juneau, Alaska

POSITION STATEMENT: Offered information during a presentation on residential building codes and licensing.

WENDELL WHISTLER, Alaska Joint Electrical Apprenticeship
Training & Trust
Fairbanks, Alaska

POSITION STATEMENT: Testified on residential building codes.

JOHN PLUTT, Training Director
Plumbers & Pipefitters Apprenticeship and Journeyman Training
Center
Fairbanks, Alaska

POSITION STATEMENT: Testified on residential building codes.

WALTER ROBINSON, Business Representative
International Brotherhood of Electrical Workers (IBEW), Local
1547
Fairbanks, Alaska

POSITION STATEMENT: Testified on behalf of the IBEW 1547 about
residential building codes.

DOUG TANSY, Business Representative
International Brotherhood of Electrical Workers (IBEW), Local
1547
Fairbanks, Alaska

POSITION STATEMENT: Testified about residential building codes.

WAYLON KNUDSEN
Palmer, Alaska

POSITION STATEMENT: Testified about residential building codes.

PATRICK DALTON
Delta Junction, Alaska

POSITION STATEMENT: Testified about residential building codes.

BRANDON MCGUIRE, Organizer
Alaska Plumbers & Pipefitters, Local 367
Anchorage, Alaska

POSITION STATEMENT: Testified about residential building codes.

ACTION NARRATIVE

[3:17:32 PM](#)

CHAIR SAM KITO called the House Labor and Commerce Standing
Committee meeting to order at 3:17 p.m. Representatives Wool,
Josephson, Stutes, Birch, Sullivan-Leonard, and Kito were
present at the call to order.

PRESENTATION ON RESIDENTIAL BUILDING CODES BY: MAX MIELKE,
ALASKA PLUMBERS & PIPEFITTERS

[3:17:56 PM](#)

CHAIR KITO announced the only order of business before the committee would be a presentation on residential building codes.

[3:18:47 PM](#)

MAX MIELKE, Alaska Plumbers & Pipefitters, Local 262, gave a presentation on residential building codes. He stated that Alaska Plumbers & Pipefitters, Local 262, does not oppose, in general, the adoption of the International Residential Code (IRC) and would support and help that decision. He stated his desire to include the Universal Plumbing Code (UPC) with any adoption of the IRC. He stated the UPC has been used in Alaska for over 40 years. Mr. Mielke stated that the codes work well for the construction industry and licensing provisions, but there are some gaps. Currently there are over 6,000 licensed plumbers and electricians in Alaska and 1,500 mechanical electrical and mechanical administrators that use "the codes." Codes are important for licensed plumbers to ensure plumbing systems are installed correctly.

[3:22:48 PM](#)

MR. MIELKE stated that the UPC and the National Electric Code (NEC) use the most up to date technology and safety provisions anywhere in the world and meet American National Standard Institute (ANSI) standards. He asserted that licensing is important for public safety and health. If the IRC were adopted without licensing provisions for the UPC or NEC, it would be confusing. Alaska certificates of fitness are required for electrical and plumbing work in the state.

[3:24:33 PM](#)

BRAD AUSTIN, Training Coordinator, Alaska Plumbers & Pipefitters, Local 262, stated that the qualifications for plumbing and electrical licenses include completion of 8,000 training hours, upon which the person is issued a card by the state. After the 8,000 hours, one can take the state plumbing or electrical test to attain a certificate of fitness, which is required before working for hire. He explained that a person can plumb and wire his/her own house without the certifications. Mechanical Administrators must have an administrator's license in order to perform work.

[3:25:57 PM](#)

REPRESENTATIVE BIRCH asked how publically funded projects outside an organized municipality are currently monitored.

MR. AUSTIN stated that the Fire Marshall is involved in plan review. Specifications in the plan require licensing, and mechanical contractors must prove their licensing, which the state or city will have owner representatives monitor. Engineering inspections are completed by architects and engineers.

[3:27:38 PM](#)

REPRESENTATIVE WOOL asked Mr. Mielke if he opposes the implementation of the IBC codes and carving out a portion for the UPC.

MR. MIELKE clarified that the plumbing and electrical portions of the IRC do not include licensing provisions. He stated he would like the UPC to fit into that.

[3:28:34 PM](#)

CHAIR KITO asked if all municipalities that adopt their own building codes use the UPC.

MR. AUSTIN answered yes. He added that Anchorage adopted codes through Title 23, and any reference to the International Plumbing Code or other codes reference the UPC. The adoption of the IRC by the Department of Public Safety references the statute that adopts the UPC. He stated that is a pretty standard process.

CHAIR KITO asked if that is the case for residential codes that are adopted by municipalities.

MR. AUSTIN answered yes, and added that the UPC covers residential and commercial.

CHAIR KITO asked if licensed plumbers in Alaska are able to construct a facility in accordance with the IRC.

MR. AUSTIN answered that of the 6,000, about 1,200 are plumbers; the rest are electricians. He stated that he is not sure how using an international plumbing code mixed in with the UPC licensing would work. He noted there are many differences between the two codes regarding drainage and venting.

[3:31:11 PM](#)

MR. MIELKE added that the IRC is a less stringent code than the UPC. He stated the IRC would not meet the same standards as the UPC.

CHAIR KITO asked if the plumbing portion of the IRC is not as safe as the uniform code standard.

MR. MIELKE answered that he would have safety concerns with the plumbing portion of the IRC.

[3:32:33 PM](#)

REPRESENTATIVE JOSEPHSON asked if adopting the IRC would reduce quality in other specialties. He stated that the aim of the potential legislation is to improve quality, and he asked if adopting the IRC would reduce quality in all specialties.

[3:33:29 PM](#)

MR. AUSTIN answered that there are differences in the plumbing sections of the codes and he is unsure of other specialties, but he doesn't think there is an issue with building codes. He stated a code is not instructions for a lay person to follow; it's very trade specific. He stated his concern regarding the differences between the UPC and the IRC for plumbing, and suggested his preference to implement code the same way the state adopted the international building code. In the IRC there are mechanical systems which the state has already adopted. He added that in addition to the UPC, other adopted codes include the Uniform Swimming Pool, Spa, and Hot Tub Code and the Uniform Solar Energy Code. He stated that there is likely also a fuel and oil code. He compared the IRC to a spider web, in that it tries to cover everything on the building side. He suggested that codes be referred to the departments of each specialty.

[3:35:54 PM](#)

REPRESENTATIVE WOOL asked whether the plumbing trade is consistent across the state.

MR. AUSTIN answered that plumbing, using the UPC is efficient, fast, and technologically current. He informed that codes are updated every three years.

[3:37:31 PM](#)

CHAIR KITO opened public testimony.

3:38:18 PM

WENDELL WHISTLER, Alaska Joint Electrical Apprenticeship Training & Trust, testified about residential building codes. He stated that the international codes are a weakening of the electrical codes. In Fairbanks, there are a lot of unique geographical issues, so local amendments within the city limits strengthen the national electric code. He stated his opposition to adopting the electrical portion of the IRC. He acknowledged that if the infrastructure of a building is weak, then there is no ability to expand or modify without major reconstruction. He implored the committee to maintain NEC as the standard.

3:41:10 PM

JOHN PLUTT, Training Director, Plumbers & Pipefitters Apprenticeship and Journeyman Training Center, testified about residential building codes. He stated that members of Plumbers & Pipefitters have been trained on the UPC since its adoption in the State of Alaska. In the Interior of Alaska, there are 300 state plumbing license holders and another 90 apprentices working to attain that license. He stated his belief that the UPC is a superior code to any other code, particularly the "I-codes." The training for plumbing licensure must be approved by the State of Alaska, costs \$100 per year, and requires 16 hours of training every two years. The training allows plumbers to get familiar with new technologies and updates in code. He informed that the "I-codes" are less stringent. In the colder weather of the Interior, the City of Fairbanks uses the uniform plumbing codes and adds further requirements. He stated that he is not in favor of any code to take the place of the UPC. Changing the code would require a large cost and new training.

3:44:06 PM

WALTER ROBINSON, Business Representative, International Brotherhood of Electrical Workers (IBEW), Local 1547, testified on behalf of IBEW 1547 about the use of the IRC. He stated that he is not opposed to the use of the IRC so long as the NEC remains the standard for electrical work in residential homes. The NEC is the standard in Alaska, is what Alaska's electrical workforce has trained and tested on, and is a standard throughout the nation. He observed that last year Alaska had 17 fatalities from electrical fires in homes. He expressed it

would not be wise or ethical to lower the electrical work standards for the state.

[3:45:42 PM](#)

DOUG TANSY, Business Representative, International Brotherhood of Electrical Workers (IBEW), Local 1547, testified in favor of keeping the NEC as the standard for electrical work in Alaska. He added that more oversight and inspection from the state would avoid home fires and fatalities. He urged striving towards the highest standards for the safety of Alaskans.

[3:47:19 PM](#)

REPRESENTATIVE WOOL asked Mr. Tansy if he would support the IRC if the NEC is used for electrical standards.

MR. TANSY answered that is correct. He stated the IRC is fine as long as nothing is done to weaken electrical standards or plumbing standards. The NEC was created as a safety provision for the safe installation of electrical work - the residential code is a weakening of the standard. He added that additional codes are okay for the electrical professionals, as long as the code is not changed from the NEC to the IRC.

REPRESENTATIVE WOOL offered his understanding that the testifiers, both plumbers and electricians, agree that the IRC is less stringent than the current codes in use. He summarized the witnesses' statements that the international code is generally supported, but not for their specific trade. He asked for confirmation that the NEC and UPC codes are more stringent, that that is how the professionals are trained and how they want to continue to work.

MR. TANSY stated that is correct for plumbing and electrical trades, but he is not sure how the IRC would affect other building trades. He reiterated that the NEC is the higher level standard.

[3:50:14 PM](#)

REPRESENTATIVE BIRCH stated his understanding that the potential legislation aims to introduce some structure and guidelines in areas without guidelines, particularly in rural areas. He asked what the cost differential is, and asked for Mr. Tansy's perspective on introducing the IRC in places without any standard code.

MR. TANSY replied that the state does have structure for all electrical and plumbing work through licensing requirements. He stated his understanding that other parts of the homebuilding industry may not have structure, but there already is structure with testing and licensing requirements of the UPC and IRC.

[3:52:11 PM](#)

WAYLON KNUDSEN testified about residential building codes. He stated that as an electrician, he is required to have 16 hours of continuing education to retain both his NEC based license and fire alarm safety license. Both licenses are based off the national codes, not the international codes. The codes have major differences in safety. He stated that the current codes ensure safe installation and are specific to electrical work nationally and locally. He informed that state building codes apply statewide, though some local municipalities and boroughs adopt specific codes and standards. He stated his opposition to adopting international codes for the electrical trade, as doing so would reduce quality of installations in Alaska and would open the door for unlicensed electricians to perform unsafe installations in the state.

[3:54:18 PM](#)

PATRICK DALTON testified about residential building codes. He stated the proposed legislation would impose a uniform building system upon unorganized and unrepresented areas of Alaska. He pointed out that organized areas are able to establish building codes according to (indisc.) and constituents, which is a system that works and doesn't need fixing. He requested a poll about implementing a statewide system, and he predicted that those in favor would be from organized areas of the state. He declared that according to the Alaska Constitution, the legislature acts as the borough assembly for unorganized areas. Therefore, it is the duty of members of the legislature to put aside the wishes of their own districts to see what the unorganized boroughs want and need. He suggested that current organized areas should have uniform systems, but unorganized areas should be left out. He stated he is a member of an established voluntary international system that could be a model for a voluntary type of code to give people the option to comply voluntarily with a residential code.

[3:57:29 PM](#)

CHAIR KITO asked for an explanation and the name of the voluntary code available to people building in non-municipal areas.

MR. DALTON stated he builds log cabins and follows the International Log Building Association's standards. It's a voluntary organization that has established international building codes for log building. Log builders who join, pay fees, and become certified are established with the association. He suggested setting up a similar statewide organization with certification cards that would incentivize reputable builders to become certified. This would take the financial burden off the State of Alaska. He added that implementing a statewide system in rural areas wouldn't work, would be very costly, and is unwanted.

[3:59:25 PM](#)

BRANDON MCGUIRE, Organizer, Alaska Plumbers & Pipefitters, Local 367, stated his opposition towards a move from UPC to the international code for the plumbing industry. He mentioned he has spoken to many people involved in the plumbing industry, including from Flint, Michigan, who told him first-hand what happens when you take for granted the health and safety of community water and waste systems. He compared the two different code books [UPC and IRC] - one is half as thick as the other because it is not nearly as stringent. Removing the current policies will reduce safety for citizens. He reiterated that he is not in favor of moving from UPC to IRC.

[4:01:48 PM](#)

CHAIR KITO clarified that the committee is looking at adopting a statewide residential building code. He stated the committee has heard interest in having the plumbing and electrical components be assigned to the UPC and the NEC. He stated that there is no plan to changing the codes that exist already for a fourplex and above.

[4:02:35 PM](#)

CHAIR KITO closed public testimony.

[4:02:53 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Labor & Commerce Standing Committee meeting was adjourned at 4:03 p.m.