

HOUSE BILL NO. 356
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES BRUCKMAN, Gruenberg

Introduced: 5/21/91

Referred: Labor & Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to construction involving freon systems; and providing for an effective
2 date."

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

4 * Section 1. AS 18.60 is amended by adding new sections to read:

5 **ARTICLE 13A. FREON CONSTRUCTION STANDARDS.**

6 **Sec. 18.60.860. FREON CONSTRUCTION STANDARDS.** The Department of Labor
7 shall adopt regulations under AS 44.62 (Administrative Procedure Act) establishing standards for
8 the construction of freon systems in buildings. The standards shall constitute the official
9 minimum freon construction standards for the state.

10 **Sec. 18.60.865. ADMINISTRATION.** (a) The department is responsible for the
11 administration of the standards established under AS 18.60.860.

12 (b) The department may inspect work installed, removed, altered, or replaced that is
13 subject to the standards.

14 (c) The department shall maintain a record of all inspections performed by it under the

1 standards.

2 Sec. 18.60.870. ENFORCEMENT OF COMPLIANCE. (a) The department shall give
3 written notice of each violation of the standards to

4 (1) the owner of the structure being constructed; and

5 (2) to the contractor performing the construction, unless the owner is performing
6 the construction.

7 (b) The notice of the violation must accurately describe the violation, identify the
8 standards provision being violated, and describe the changes necessary to correct the violation.

9 Sec. 18.60.875. PENALTY FOR VIOLATION. A person who violates a provision of
10 the standards and who, after receiving notification under AS 18.60.870, fails to correct the
11 violation is guilty of a class A misdemeanor.

12 Sec. 18.60.880. MUNICIPAL REGULATION. AS 18.60.860 - 18.60.890 do not affect
13 the authority of a municipality to prescribe by ordinance a code for the municipality that is at
14 least as stringent as the standards. AS 18.60.860 - 18.60.890 are not intended to preempt
15 administration or enforcement of the code by a municipality.

16 Sec. 18.60.885. APPLICATION. The standards apply to new construction, new work
17 in relocated buildings, and the alteration, repair, and reconstruction of buildings.

18 Sec. 18.60.890. DEFINITIONS. In AS 18.60.860 - 18.60.890,

19 (1) "building" means a structure, installation, facility, or edifice that is used or
20 intended for use for a commercial, industrial, business, institutional, or public purpose, or as a
21 residence containing four or more dwelling units;

22 (2) "department" means the Department of Labor;

23 (3) "standards" means the standards adopted by the department under
24 AS 18.60.860.

25 * Sec. 2. The Department of Labor shall adopt the initial freon construction standards required by
26 AS 18.60.860, enacted by sec. 1 of this Act, within 90 days after the effective date of this Act.

27 * Sec. 3. AS 18.60.860 - 18.60.890, enacted by sec. 1 of this Act, do not apply to new construction,
28 new work in relocated buildings, or the alteration, repair, or reconstruction of buildings, unless the new
29 construction, new work, or the alteration, repair, or reconstruction begins after December 31, 1992.

30 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).