

HB

399

HFIN

FILE

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: CSHB 399 (L&C)
() Polish Date: _____

Revision Date/Time (correction): 4/26/02 11:12 AM Dept. Affected: Law
Title: "An Act relating to the licensing and regulation of mechanical administrators and to the mechanical code . . ." BRU: Civil Division
Sponsor: House Rules by Request of the ARRC Component: Legislation/Regulations
Requester: House Labor and Commerce Committee Component No.: 2209

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0
Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
CSHB 399 (L&C) amends certain definitions so as to make reference to the mechanical code adopted by Department of Public Safety. Certain regulations of the Department of Community and Economic Development that apply the mechanical code that applies to certain construction contractors and mechanical administrators are annulled.

Passage of this legislation will have no additional fiscal impact on the Department of Law.

Prepared by: Joan M. Kasson Phone: (907) 465-5370
Division: Attorney General's Office Date/Time: 4/26/02 11:12 AM
Approved by: Kathryn Daughhetee for Bruce M. Botelho, Attorney General Date: 4/26/2002
Agency: Department of Law

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 399(L&C)
(H) Publish Date: 4/2/02

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
Title: Uniform Mechanical Code BRU: Alaska Housing Finance Corp.
Component: Operations
Sponsor: House Rules
Requester: House Labor and Commerce Component No.: 110

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type-Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0
Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Section 4 amends AHFC's "state building code" definition for construction standards on housing eligible mortgage purchases.

With an immediate effective date, there may be some confusion among inspectors and builders in the middle of the upcoming construction season regarding which code is required. There will have to be an effort on the part of AHFC and others to get out the word regarding the changes proposed in the bill. This will include changing workshop curriculum, mail-outs, newspaper ads, bulletins and other such notices.

These costs are anticipated to be minimal, and can be assumed with existing budgetary authority.

Prepared by: John Bitney, Legislative Liaison Phone 330-8445
Division: Alaska Housing Finance Corporation Date/Time 2/25/02 5:18 PM
Approved by: Larry Persily, Deputy Commissioner Date 02/25/2002
Agency: Department of Revenue

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: CS HB 399 (L&C)
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DCED
Title An act relating to the Uniform Mechanical Code BRU: Occupational Licensing (117)
and other safety codes Component Occupational Licensing
Sponsor Rules by Request
Requester House Finance Component Ifo. 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (1156 - Receipt Supported Services)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The bill annuls the DCED regulations establishing the mechanical code that applies to certain construction contractors and mechanical administrators. It states that the mechanical code referenced in the definition of mechanical administrator is the mechanical code adopted by the Department of Public Safety. It directs the department to offer applicants for mechanical administrator licenses the choice of being tested on either the 1997 Uniform Mechanical Code or the 2000 International Mechanical Code. The exam option will be offered through December 31, 2003. The bill does not specify what exam will be offered after that date.

Prepared by: Jennifer Strickler, Administrative Manager
Division Occupations' Licensing
Approved by: Deborah B. Sedwick, Commissioner
Agency Department of Community & Economic Development

Phone (907) 465-2144
Date/Time 4/4/02 4:42 PM
Date 4/4/2002

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill version: CSHB 399(FIN)
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DPS
Title An act relating to the Uniform Mechanical BRU Fire Prevention
Code and other safety codes Component Fire Prevention Operations
Sponsor House Rules by Request
Requester House Finance Component No. 494

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0
Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The bill annuls the DCED regulations establishing the mechanical code that applies to certain construction contractors and mechanical administrators. It states that the mechanical code referenced in the definition of mechanical administrator is the mechanical code adopted by the Department of Public Safety. It directs DCED to offer applicants for mechanical administrator licensing the choice of being tested on either the 1997 Uniform Mechanical code or the 2000 International Mechanical Code. The exam option will be offered through December 31, 2003. After that date, applicants will be tested exclusively on the version of the mechanical code adopted by the Department of Public Safety.

Prepared by: Gary Powell, Director Phone 269-5491
Division Fire Prevention Date/Time 4/26/02 1:20 PM
Approved by: Commissioner Glenn G. Godfrey Date 4/26/2002
Agency Department of Public Safety

ALASKA STATE LEGISLATURE

Rep. Lesil McGuire, Chair
Sen. Robin Taylor, Vice-Chair
Sen. Lyda Green
Sen. Georgianna Lincoln
Rep. Jeannette James
Rep. Joe Hayes



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Juneau, AK 99801-1182
(907) 465-5446 fax: 465-6592
Interim
716 W. 4th Ave. Suite 430
Anchorage, AK 99501
(907) 269-0250 fax: 269-0249

Administrative Regulation Review Committee Sponsor Statement CS for HB 399 (L&C)

“An Act relating to the licensing and regulation of mechanical administrators and to the mechanical code and other building codes; annulling certain regulations adopted by the Department of Community and Economic Development relating to the mechanical code that applies to certain construction contractors and mechanical administrators; relating to the examination of applicants for mechanical administrators licenses; and providing for an effective date.”

Since passage of the Administrative Procedures Act, the Legislature has delegated its authority to implement statute to the Departments. The regulation process allows full time employees of the State to work with stakeholders in determining the best way to apply the intent of the legislature.

For the most part the system works fairly well, with state employees reading the statute and bringing forward ideas on how government and the public should work together in the particular area being regulated. That is not the case with 12 AAC 21.990 (7) and 12 AAC 39.992(b).

HB 399 has been introduced by the Administrative Regulation Review Committee to repeal regulations implemented by the Department of Commerce and Economic Development, Division of Occupational Licensing. The regulations in this case clearly contradict statute.

Alaska Statutes, require the division to test and issue licenses for Mechanical Contractor Administrators under the “Uniform Mechanical Code” (UMC) a trademarked and copyrighted document. This past fall the Division decided that the UMC would no longer be the standard for testing. This decision was based on regulations implemented by the Department of Public Safety, State Fire Marshall to use the “International Mechanical Code” for its inspections.

Regardless of what Public Safety did, that does not give authority to another Department to ignore the statutes governing its operation. Since this is obviously the case here, the Committee feels an obligation to send a clear message that Legislative Intent and Language is the law and policy of state government. Passage of HB 399 will send that message to every Department and Division in the state. Amendments by the Labor and Commerce Committee have endeavored to also correct the problems that the Department will face because of their oversight.

Online Public Notice

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Submitted by	Date Modified	Ak Admin Journal Attachments	Public (Web edit)
Pat Park-Fisher/DOL/DCED on 01/03/2002 at 10:06 AM	01/10/2002 09:27:58 AM	[not printed]	No files attached

Changes to Mechanical Code Regulations Related to Construction Contractors & Mechanical Administrators

Category: Adopted Regulations - Text or Summary of Text

Department: Community & Economic Development

Publish Date: 01/03/2002

Location: Statewide
Region: Statewide

Body of Notice:

ORDER CERTIFYING THE CHANGES TO REGULATIONS OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

The Department of Community and Economic Development adopted regulations dealing with the mechanical code related to construction contractors and mechanical administrators on November 27, 2001 under the authority of AS 08.18.171, AS 08.40.230, AS 08.40.240, AS 08.40.270, AS 08.40.490, and AS 44.33.020 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Department of Community and Economic Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on January 19, 2002 as provided in AS 44.62.180.

Revision History:

01/03/2002 10:06:36 AM by Pat Park-Fisher/DOL/DCED/State/Alaska/US
01/10/2002 09:27:58 AM by Pat Park-Fisher/DOL/DCED/State/Alaska/US

[Home Page](#) | Notices by: [Department](#) | [Category](#) | [Publish Date](#)

Register 161, April 2002 PROFESSIONAL REGULATIONS

~~(Words underlined indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not underlined.)~~

CHAPTER 21. CONSTRUCTION CONTRACTORS.

12 AAC 21.990 is amended by adding a new paragraph to read:

~~20~~

(7) "Uniform Mechanical Code" has the meaning given in 12 AAC 39.992(b).

(Eff. 7/2/77, Register 62; am 1 / 19 / 2002, Register 161)

Authority: AS 44.33.020

CHAPTER 39. MECHANICAL ADMINISTRATORS.

12 AAC 39.992 is amended and a new subsection is added to read:

12 AAC 39.992. DEFINITIONS. (a) In this chapter,

...

(b) In this chapter and in AS 08.40.270, AS 08.40.490, and AS 08.18.171, "Uniform

Mechanical Code" means the mechanical code adopted by the Department of Public Safety under

13 AAC 50.023, and includes the International Mechanical Code (Eff. 7/7/94, Register 131; am

11/26/94, Register 132; am 1 / 19 / 2002, Register 161)

Authority: AS 08.40.230 AS 08.40.240 AS 44.33.020

UNIFORM MECHANICAL CODE™

← NOTE

2000 EDITION



Adopted at the Seventieth Annual Conference
September, 1999

INTERNATIONAL ASSOCIATION OF PLUMBING AND
MECHANICAL OFFICIALS
A Not-for-profit Association

Building Department. She had a question for Occupational Licensing. She said that in February 2001, the ICBO had offered an overview of the International Mechanical Code, and that there were administrators at that time who wanted to be licensed under that. She said she was told by the Occupational Licensing Department that a person could not be certified under a code until it was adopted. "So," she said "we're kind of in a Catch 22 here." People did not want to take the tests and pay for them if they couldn't get certified, she said.

Number 0107

MS. REARDON replied that last February, the code change had not been adopted, and continuing education regulations require that an applicant have continuing education in the code that is in effect, which was the Uniform Code. The department had no way of knowing in February that the state regulation change would go through, so did not want to approve continuing education that might turn out not to have been on the appropriate topic.

MS. RONNING said she had received several calls from people who want to renew their licenses, and asked if she offered a class next week, would it be accepted?

MS. REARDON asked Ms. Ronning to contact her office. "Now that we know that the code is, in fact, changing," she said, she would see how rapidly they could approve the continuing education courses in the International Code.

MS. RONNING emphasized, "The training is out there; the problem is getting your office to accept it."

MS. REARDSON said she would call Ms. Ronning to see what could be done.

Number 0132

REPRESENTATIVE JAMES said her big concern was that, "We have regulations that have been written and are going into effect on the fifteenth of September, and we have statutory conflict. In the statute it says that the UMC will be used for mechanical engineers, and that's exactly the problem that Catherine Reardon has indicated." She asserted that the new regulations have overridden statutes, which is a legislative prerogative.

CHAIR MCGUIRE said that she agreed with representative James that, "That is the problem we have been trying to get at." She noted that Ms. Reardon is in a situation where they have to alter their regulations to be able to accept new standards, but, "Until you've adopted your regs which shouldn't be going into effect until September 15, not only can she not do it, but there is some question about whether or not she even has the authority to under statute."

Number 0139

MR. POWELL said he could respond to part of that, but would like to defer the rest to the Department of Law. He said there is a conflict that has existed for a number of years that has never been resolved, and that is if you read the entire statute, it says, "Uniform Mechanical Code as published by ICBO and IATMO." The ICBO no longer participates in that publication, so that in

itself is a conflict ...". He reiterated that the Fire Marshal's office was following the [legal] advice that the problem would be taken care of in a "cleanup" change once it was determined which code would be adopted. At that time, other related references would be changed to match or to harmonize.

Number 0152

MR. STARK said he thought it would be helpful to have the statutes clarified. "It is not clear which codes apply," he said. For example, under the examination of applicants that Ms. Reardon's office supervises, they talk about "the Uniform Mechanical Code currently in effect in the state." He said he thought the courts might well read that broadly enough to include the International Mechanical Code. So it would be helpful for the legislature to clear this up, that and the conflict to which Mr. Powell had referred.

MR. STARK added that he thought it would be helpful for everyone to understand that once a mechanical contractor or mechanical administrator takes the test and passes it, that person never has to take the test again. "So two years from now, people who are licensed at the end of this month will not be taking that new test on the International Mechanical Code," he explained. "They will merely be required to show continuing ... education on the existing code"

CHAIR MCGUIRE indicated that she agreed with his statement that there needs to be some clarification, saying that in the meantime, Ms. Reardon is "in a pickle."



International Mechanical, Inc.

646 E. DOWLING RD. ANCHORAGE, ALASKA 99518
(907) 563-3044 FAX (907) 561-7689

March 11, 2002

Representative Lesil McGuire
State Capital Building, Suite 418
Juneau, AK 99801-1182

Dear Representative McGuire,

I support CS HB 399 and HB 437. These Acts preserve the existing statutes that require Mechanical Contractors and Mechanical Administrators to be licensed and conduct their operations according to the Uniform Mechanical Code. In addition CS HB 399 reaffirms that legislative statute cannot be overturned by bureaucratic regulation. I also support HB 436, a measure that will insure that all safety codes used in Alaska are developed in a fair, open and balanced manner.

Our best regards,

Ray G. Carey
President
Mechanical Administrator License No. 1
INTERNATIONAL MECHANICAL CO., INC.

Cc: File



PATRICK MECHANICAL INC.

(907) 452-3334

Fax (907) 452-3369

E-Mail: patrick@ptialaska.net

Mailing Address:

P.O. Box 80510
Fairbanks, Alaska 99708

Physical Address:

3307 International Street
Fairbanks, Alaska 99701

3/13/02

Members of State Legislature

Subject: CS HB 399 & HB 437

Dear Sirs/Madams

I would like to express my support for CS HB 399 and HB 437. These Acts will reaffirm existing statutes that require Mechanical Administrators to be licensed and conduct their operations according to the Uniform Mechanical Code. In addition, CS HB 399 clearly sends the message that regulatory agencies cannot overturn laws written by the Legislature through regulatory actions. I also support HB 436, a measure that will insure that all safety codes used in Alaska are developed in a fair, open and balanced manner.

I would also like to take this opportunity to express my disgust with the process that has taken place and prompted me to write this letter and request your help. This has been an ongoing issue with Mechanical Administrators in the State for some time now. Throughout this regulatory process, we as Administrators have had our opinions ignored and dismissed outright without comment or response by the Dept. of Public Safety. This Dept. has used deception, outright lies and willful indifference throughout (our local association has documentation on file of this fact). Further, they have ignored the process that is required by law in the adoption of regulations.

At the time the Dept. of Public Safety started considering which code to adopt, they had already made up their minds that it would be the International Mechanical Code, IMC. Ironically, at that time, the IMC was not even in publication.

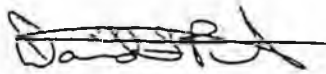
Needless to say, our industry has been trained to the UMC and is required by law to receive continuing education to this code. There will be considerable expense borne by our businesses to retrain our employees and ourselves to a new code. The Dept. of Commerce and Economic Development even sent a letter to the Dept. of Public Safety stating their dept. would incur expenses. Yet, the Dept. of Public Safety maintains there will be no expenses associated with the adoption of the IMC. I would like to note that the Mechanical Administrators license renewal fees have recently been increased. When the number of Mechanical Administrators in the State is multiplied by the increased amount, it is very close to the costs that the Dept. of Commerce Economic Development stated they would incur to make the switch.

I still question the reasoning for the switch in codes. Was the UMC so bad that it required change, especially to a totally new code that has been untested? Do we really want Alaska to be the testing ground for a new code? It seems that the prudent course of action would be to stick with a code that has served the State well for decades.

I would also like to note that I am taking some of my personal time to write this letter. According to some of the documentation I have reviewed, those state officials who advocate this change are doing so during normal working hours. Are we really paying them to fight the citizens of this State?

I would appreciate your support and request you vote for these bills when they are presented to you. Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Peet", written over a horizontal line.

Dave Peet

Mechanical Administrator No. 606

Steve Miller
Plumbers & Steamfitters
UA Local #367
610 West 54th Ave.
Anchorage, Alaska 99518

To Whom It May Concern:

I have been training Apprentices, Journeymen and Mechanical Administrators, in both the plumbing and mechanical codes for the last six years, using the UPC and UMC. The UPC and UMC are both prescriptive code books and are easy to train someone about codes, and how they are to be used in the field.

I have been reviewing the International Codes for the past year, trying to find a way to teach classes from them. It would take approximately 21 different codes books to teach the International Mechanical Code book that the city is trying to adopt, every time you try to find an answer the code book references you to a different code book. (IBC, IPC, IFC, EC, IECC, IFGC & various NFPA code books). Since the IMC is not a prescriptive code it will be very difficult to train someone for taking tests or doing work in the field. I have spoken to a representative from the ICC on how to train someone in the IMC code, the answer was to use the UPC and the UMC to train for the IMC. Why use one code to train for the other?? Why not use the book you train from??

Everyone keeps saying that the IMC and the UMC are like documents. In 1997 the IMC and the UMC were identical books page per page except that the covers and forwards were different. Each book in 1997 had 252 pages. In 2000 the IMC has only 110 pages and the UMC has 284 pages. If these code books are so close to the same, why is there a 164 page difference.

Also to be able to use the IMC you need to have a copy of the IFGC to be able to do gas piping. The IFGC conflicts with the UPC in gas piping. The UPC is the adopted code book for the state.

UPC Uniform Plumbing Code
UMC Uniform Mechanical Code
IBC International Building Code
IPC International Plumbing Code
IFC International Fire Code
EC International Electrical Code
IEEC International Energy Conservation Code
IFGC International Fuel Gas Code
NFPA National Fire Protection Agency

(13, 31, 37, 58, 69, 70, 72, 82, 88 B, 91, 211, 704, 8501, 8502, 8504)

If you need additional information. My contact # (907)562-2810 or miller367@ualocal367.org

Subject: Fw: CS HB 399 & HB 437

Date: Wed, 13 Mar 2002 12:51:55 -0900

From: "Don Crane" <avm@gci.net>

To: <Representative_Lesil_McGuire@legis.state.ak.us>

Dear Representative McGuire:

I am asking for your support in favor of HB 399 and HB 437. The Department of Public Safety has adopted the International Mechanical Code by regulation, and entirely ignored the voice of the 700 plus licenced mechanical administrators in this state. The overwhelming majority of mechanical administrators in Alaska do not favor adoption of the International Mechanical Code, and will be the parties most negatively affected by this change. The Uniform Mechanical Code has been in use in this state since the early 1960's, and has served this state well. The International Mechanical Code is a brand new untested code.

House Bills 399 and 436 keep the existing statutes that require Mechanical Contractors and Mechanical Administrators to be licenced and conduct their operations according to the Uniform Mechanical Code. In addition, House Bill 399 reaffirms that legislative statute cannot be overturned by bureaucratic regulation.

I also support House Bill 436, a measure to insure that all safety codes used in Alaska are developed in a fair, open, and balanced manner.

Don L. Crane
President, AVM, Inc.
Mechanical Administrator No. 100

D-18 N

Subject: HB 399, 436 & 437

Date: Wed, 13 Mar 2002 19:48:49 -0800

From: "LOIS HALL" <anlwh@uaa.alaska.edu>

To: Representative_Harry_Crawford@legis.state.ak.us, Senator_Bettye_Davis@legis.state.ak.us,
Representative_Lesil_McGuire@legis.state.ak.us,
Representative_Lisa_Murkowski@legis.state.ak.us

I, William P. Hall, am a registered voter in district 22. I have been a journeyman plumber for 23 years. I strongly support HB 399, 436 & 437 in order to keep the Uniform Mechanical Code in place.

I can be reached at 8650 Williwaw Avenue
Anchorage, AK 99504

or by phone (907) 333-7089

Thank you, Bill Hall

REPRESENTATIVE <Representative_Mary_Crawford@legis.state.ak.us>
"REPRESENTATIVE" <Representative_John_Coghill@legis.state.ak.us>
"REPRESENTATIVE" <Representative_Sharon_Cissna@legis.state.ak.us>
"REPRESENTATIVE" <Representative_Mike_Chenault@legis.state.ak.us>
"REPRESENTATIVE" <Representative_Con_Bunde@legis.state.ak.us>
"REPRESENTATIVE" <Representative_Ethan_Berkowitz@legis.state.ak.us>

Good morning, My name is Warren Bumgarner from Eagle River Alaska. I am a licensed Mechanical Administrator and Mechanical Contractor in the State of Alaska. I also hold a municipality of Anchorage Sheetmetal Contractors License. I am in support of HB-399, HB-436, and HB-437. I am displeased with the Current Administration Appointees attempts to eliminate the well established UNIFORM MECHANICAL CODE for the untested and unproved International Mechanical Code.

Be advised that every Contractor in the state of Alaska is required to receive licensing, continuing education and conduct our operations under the current and proven Uniform Mechanical Code.

Please consider supporting these measures to insure the continued safe and proven installation of Mechanical Systems throughout Alaska.

Warren Bumgarner
Noble Mechanical Inc.
3651 East 67th ave.
Anchorage Alaska 99507

(907) 349-8611 (907) 349-5832 fax
noble@gci.net

Amended on page
2, line 10 delete "uniform"

CS FOR HOUSE BILL NO. 399(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 4/2/02

Referred: Finance

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE ADMINISTRATIVE REGULATION REVIEW COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the licensing and regulation of mechanical administrators and to the
2 mechanical code and other building codes; annulling certain regulations adopted by the
3 Department of Community and Economic Development relating to the mechanical code
4 that applies to certain construction contractors and mechanical administrators; relating
5 to the examination of applicants for mechanical administrator licenses; and providing
6 for an effective date."

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

8 * Section 1. AS 08.40.490(3) is amended to read:

9 (3) "mechanical administrator" means a person who is responsible for
10 (A) installing or modifying mechanical piping and systems,
11 devices, fixtures, equipment, or other mechanical materials subject to the
12 Uniform Plumbing Code, Uniform Swimming Pool, Spa, and Hot Tub Code,
13 and Uniform Solar Energy Code [, AND THE UNIFORM MECHANICAL

1 CODE] as published by the International Association of Plumbing and
 2 Mechanical Officials and the International Conference of Building Officials
 3 and the mechanical code adopted by the Department of Public Safety
 4 under AS 18.70.080; or

5 (B) certifying that an installation or modification described in
 6 (A) of this paragraph complies with the applicable codes;

7 * Sec. 2. AS 18.56.300(e)(3) is amended to read:

8 (3) "state building code" means

9 (A) for building standards, the standards set out in the version
 10 of the ~~Uniform~~ Building Code adopted by the Department of Public Safety
 11 under AS 18.70.080, including the provisions of that code applicable to
 12 buildings used for residential purposes containing fewer than four dwelling
 13 units, notwithstanding the exclusion of those buildings from the Department of
 14 Public Safety's jurisdiction made by AS 18.70.080(a)(2);

15 (B) for mechanical standards, the standards set out in the
 16 mechanical code [VERSION OF THE UNIFORM MECHANICAL CODE]
 17 adopted by the Department of Public Safety under AS 18.70.080, including the
 18 provisions of that code applicable to buildings used for residential purposes
 19 containing fewer than four dwelling units, notwithstanding the exclusion of
 20 those buildings from the Department of Public Safety's jurisdiction made by
 21 AS 18.70.080(a)(2);

22 (C) for plumbing standards, the minimum plumbing code
 23 adopted for the state under AS 18.60.705; and

24 (D) for electrical standards, the minimum electrical standards
 25 prescribed by AS 18.60.580.

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

28 ANNULMENT OF REGULATIONS. The following regulations adopted by the
 29 Department of Community and Economic Development establishing the mechanical code that
 30 applies to certain construction contractors and mechanical administrators are annulled: 12
 31 AAC 21.990(7) and 12 AAC 39.992(b).

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

3 EXAMINATION OF APPLICANTS FOR MECHANICAL ADMINISTRATOR
4 LICENSES. On and after the effective date of this Act and through December 31, 2003,
5 notwithstanding the reference in AS 08.40.270(a) to the Uniform Mechanical Code, when
6 examining applicants for a mechanical administrator's license under AS 08.40.270(a), the
7 Department of Community and Economic Development may test the applicants on either the
8 1997 edition of the Uniform Mechanical Code published by the International Conference of
9 Building Officials or the 2000 edition of the International Mechanical Code published by the
10 International Code Council. The applicant shall select the code on which the applicant will be
11 tested.

12 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).

NOT Adopted

22-LS1461\O
Bannister
4/22/02

CS FOR HOUSE BILL NO. 399()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

**Offered:
Referred:**

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE ADMINISTRATIVE REGULATION
REVIEW COMMITTEE**

A BILL

FOR AN ACT ENTITLED

1 "An Act annulling certain regulations adopted by the Department of Community and
2 Economic Development relating to the mechanical code that applies to certain
3 construction contractors and mechanical administrators; and providing for an effective
4 date."

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

6 * Section 1. The uncodified law of the State of Alaska is amended by adding a new section
7 to read:

8 ANNULMENT OF REGULATIONS. The following regulations adopted by the
9 Department of Community and Economic Development establishing the mechanical code that
10 applies to certain construction contractors and mechanical administrators are annulled: 12
11 AAC 21.990(7) and 12 AAC 39.992(b).

12 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

AMENDMENT

To: HB 399
By: Representative Croft

OFFERED IN HOUSE FINANCE

Add new sections to read:

** Section 1. AS 08.18.171(7) is amended to read:

(7) "mechanical contractor" means a contractor whose business operations involve plumbing, pipe fitting, sheet metal, heating, air conditioning, ventilating, or sprinkler and dry chemical fire protection trades in order to install or modify mechanical piping and systems, devices, fixtures, and equipment or other mechanical materials subject to the Mechanical Code adopted under AS 18.70.080 and to the following codes as published by the International Association of Plumbing and Mechanical Officials [OR THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS]:

- (A) Uniform Plumbing Code;
- (B) Uniform Swimming Pool, Spa, and Hot Tub Code; and
- (C) Uniform Solar Energy Code; [AND
- (D) UNIFORM MECHANICAL CODE;]

* Sec. 2. AS 08.40.270(a) is amended to read:

- (a) Each applicant shall be examined to determine the applicant's
- (1) ability to understand plans, design specifications, and engineering terms commonly used in the mechanical field;
 - (2) knowledge of mechanical installations and piping;
 - (3) familiarity with the requirements of the Uniform Plumbing Code, Uniform Swimming Pool, Spa, and Hot Tub Code, and Uniform Solar Energy Code currently in effect in the state, and the [Uniform] Mechanical Code adopted under AS 18.70.080 [CURRENTLY IN EFFECT IN THE STATE];
 - (4) [REPEALED
 - (5)] personal skill and ability.

* Sec. 3. AS 08.40.490(3) is amended to read:

- (3) "mechanical administrator" means a person who is responsible for
- (A) installing or modifying mechanical piping and systems, devices, fixtures, equipment, or other mechanical materials subject to the Uniform Plumbing Code, Uniform Swimming Pool, Spa, and Hot Tub Code, and Uniform Solar Energy Code, [AND THE UNIFORM MECHANICAL CODE] as published by the International Association of Plumbing and Mechanical Officials, and the Mechanical Code adopted under AS 18.70.080 [INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS]; or
 - (B) certifying that an installation or modification described in (A) of this paragraph complies with the applicable codes;