

ALASKA LEGISLATURE COMMITTEE FILES 1903-1900 00/2

4204 SLAB HB 55 - HB 63 (FILE 1)

1084



# RECORDS CERTIFICATION

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James A. Smith  
Signature of Camera Operator

11/27/89  
Date

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STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY  
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May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HJ 4-13-85 9:00AM

HOUSE BILL 55

TESTIMONY BEFORE THE SENATE LABOR AND COMMERCE COMMITTEE  
by Representative Virginia Collins  
February 19, 1986

Purpose. One of the priority issues identified by the Governor's Task Force on Drunk Driving was State funding for directing and funding public awareness programs on alcohol and drug use and responsible motor vehicle operation. House Bill 55 is an attempt to respond to this concern. HB 55 is designed to improve public awareness and information at the sites where alcoholic beverages are purchased or consumed.

Statement of the Problem: In the last few years there has been an increased public interest in the problem of drinking and driving. In response to this rising concern, the State of Alaska in recent years has enacted legislation aimed at removing the drunk driver from our streets and thus reducing alcohol-related accidents and fatalities. These statutes provide for the following:

1. Raised legal drinking age of twenty-one.
2. An implied consent statute
3. Preliminary breath testing on the roadway
4. Administrative license revocation upon arrest
5. Breath test refusal penalties same as DWI conviction
6. Citizen reporting, i.e., REDDI
7. Definition of Breath Alcohol level at .10 illegal per se
8. Mandatory sentencing
9. Mandatory fines
10. Victim compensation
11. Driver licensing information
12. Rehabilitation education
13. Compliance with conditions of court order
14. Mandatory liability insurance
15. Four new judges in the Anchorage area
16. Decrease in time between arrest and sentencing

Despite all of these efforts, drinking and driving continues to be a significant problem for the citizens of our state.

Recent newspaper headlines attest to the increasing public interest in the drunk-driving problem. Much of this increase results from campaigns conducted by such citizen groups as MADD (Mothers Against Drunk Driving). Organizations like MADD have been very effective in enlisting public and official support for more severe penalties for drunk drivers. In the past, efforts to strengthen drunk-driving laws have generally focused on increasing penalties.

One justification frequently cited for this approach is the apparent success of drunk-driving laws carrying strict penalties and ensuring that such penalties are actually carried out. Unfortunately, in the past it generally has been the experience that public concern has been temporary, and when the interest of the moment has passed, the intensity of the effort to overcome the drinking-driving problem tends to fade. If current efforts are to have a long-term effect, it is important that public awareness accompany all current and future legislation to stem the tide of drunk driving.

The passage of stricter drunk-driving laws alone will not reduce alcohol-related accidents or the incidents of drunk driving. For stricter laws to be effective, the public must know the laws and penalties and have an increased fear of apprehension and conviction.

To have an impact on the rate of accidents caused by drunk drivers, laws must not only be enacted but also well publicized and enforced. In some cases, it appears that current DWI laws and their penalties are not as highly publicized throughout Alaska as they could be.

A review of the research on the scope of the problem as it exists in other states as well as in Alaska is well documented. It is clear from reviewing the information that drinking and driving is a very complex problem which requires a combination or a variety of approaches. Although it appears from reviewing the literature that enactment of stronger drunk-driving laws has been successful in stemming the tide, it has not been entirely successful in eliminating the problem.

To be effective, enforcement programs must be accompanied by public information activities which ensure that there is a perception of increased probability of detection. A review of the research further indicates there is a strong connection between public awareness and the effectiveness of drunk-driving laws. Public awareness and accurate knowledge of the law, along with thorough enforcement procedures and stiff penalties are the major components, which will have a lasting impact on the large numbers of persons drinking and driving in Alaska, particularly in the case of social drinkers. Although this approach may not be as effective with problem drinkers, research indicates that the passage of stricter drunk-driving laws alone does not reduce alcohol-related accidents or the incidence of drunk driving. To increase the effectiveness of our efforts, the public must know the laws and the penalties and have an increased fear of apprehension and conviction.

The sale of alcohol is one of society's most highly regulated industries. There is good reason for this; it is a potentially dangerous substance posing extreme hazards to the health and welfare of consumers and motor vehicle operators on our public roads.

In the past decade, the vast majority of Americans have been concerned over public safety. This concern has risen steadily since 1971. In a recent Harris survey, 87% of the adult Americans polled blamed consumers themselves for injury resulting from misuse of products. Of the consumers surveyed, 73% believed that product safety objectives should be accomplished through publicity on product risks and dangers or by health warnings such as those required for cigarettes and over-the-counter drugs.

If a product has a hidden hazard, an unknowing consumer may be denied the valuable information necessary in deciding whether or not to risk using the product in the first place or how abuse of the product could impact his future welfare. Often, hazards in the use of alcohol are not visible to a consumer, and thus the consumer may not have a full appreciation for the severity of the decision to expose himself to that hazard. The probability of a hazard actually occurring, therefore, is of prime consideration in the consumer's behavior. Following this line of reasoning, an educated product consumer of alcoholic beverages is likely to be a more responsible consumer.

RECOMMENDATIONS:

The approaches for dealing with the drunk-driving problem are many, which include punitive, educational, rehabilitation, and behavioral. The value of placing warning signs in establishments where alcohol is sold and/or consumed should be effective because the message is subliminal. Research has shown that subliminal advertising has a greater long-term effect in influencing behavior than any other form of advertising. The prominent display of DWI warning signs in establishments that sell alcohol would, over a period of time, effect consumer behavior in a positive manner. Subliminal messages are conveyed to the unconscious rather than to the conscious level. Once having established the message on the unconscious level, repeated exposure to the message reinforces its effect and eventually will lead to changes in behavior which will influence consumers of alcoholic beverages to act responsibly, not necessarily for the good of others, but for themselves.

HB 55 REPRESENTS GOOD LEGISLATION; IT MAXIMIZES THE EFFECT OF CURRENT LAW AT MINIMAL EXPENSE TO THE PUBLIC TREASURY. HB 55 CARRIES A ZERO FISCAL NOTE.

THANK YOU FOR THE OPPORTUNITY TO TESTIFY. ON BEHALF OF MYSELF AND  
ALL THOSE WHO WILL BENEFIT FROM THIS BILL, I REQUEST YOUR SUPPORT IN PASSING  
HB 55 OUT OF COMMITTEE.

I AM AVAILABLE FOR ANY QUESTIONS YOU MAY HAVE.

TIMELINE SUMMARY OF SIGNIFICANT LEGISLATION  
REGARDING CONTROL OF DRUNK DRIVERS

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MUNICIPALITY OF ANCHORAGE

ALASKA STATE STATUTE

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January, 1977

## Established Mandatory

## Minimum Sentence:

1st offense	24 hours
2nd offense	3 days
3rd & subsequent	10 days

Illegal to operate motor  
vehicle with BAC .10% or  
higher (Per Se law)  
(AO 267-76)

January, 1978

Adopted procedure whereby in- voluntary blood test was made in medical setting upon refu- sal of breathalyzer test. (Administrative Procedure)
--

Established mandatory judicial re-  
ferral for alcohol screening/reha-  
bilitation  
(ch. 152 SLA 1978)

Established mandatory jail sentence  
of 10 days for DWLS.

Disallowed limited license on second  
offense for serious traffic misde-  
meanors  
(ch. 178 SLA 1978)

November, 1978  
(11/28/78)

Increased Mandatory Minimum  
sentence:

1st offense	3 consecutive days
2nd & subsequent	10 consecutive days

(AO 78-230S)

November, 1979

Adopted breath as well as  
blood standard for measurement  
of BAC  
(AO 79-194)

1980

(September)

Adopted mandatory minimum jail sentence:

1st offense 3 consecutive days  
2nd offense 10 consecutive days

Illegal to operate motor vehicle with BAC .10% or higher

Adopted breath alcohol measurement standard

Established admissibility of refusal under implied consent law as evidence in prosecution  
(ch. 129 SLA 1980)

(August)

Adopted state statute  
(AO 80-122)

1981

Assumes validity of chemical test if taken within four hours of arrest  
(AO 81-75)

[Reduction in hours of legal sale of alcohol]

1982

(September)

Established refusal under implied consent laws as misdemeanor offense with same sentence as DWI offense

Allowed for application of DWI law to airplanes and watercraft

Allowed forceable blood test for EAC in fatalities, injuries or cases where defendant is incapable of refusing

Required use of limited license for at least 60 days (rather than only 30 days)

Revised mandatory minimum sentence  
1st offense 72 consecutive hours  
2nd offense 10 consecutive days  
20 days if subsequent offense  
within one year  
(ch. 117 SLA 1982)

Adopted state statute but leaves  
in validity of chemical test if  
taken within four hours of arrest  
(AO 82-126)

November, 1982

Allows forfeiture of motor  
vehicle to Municipality on  
2nd or subsequent offense  
within 5 years of first  
offense

Permit impoundment (temporary  
seizure) of vehicle to Municipality for 30 days for 1st and  
2nd offense, 60 days for 3rd  
offense and 90 days on 4th or  
subsequent offense.  
(AO 82-205)

June, 1983  
Effective 10/17/83

Revised mandatory minimum sentence  
1st offense 72 hours (unchanged)  
2nd offense w/in 10 years 20 days  
3rd offense w/in 10 years 30 days

Established mandatory minimum fines  
1st offense \$250  
2nd offense \$500  
3rd offense \$1000

Established administrative revocation of driver's license by law enforcement officer if BAC is .10% or higher or driver refuses breath test. Driver receives 7-day temporary license; driver has seven days to appeal.

Revises terms of license revocation under administrative or court authority - provides minimums:

- 1st offense 90 days (last 60 days may be limited)
- 2nd offense 1 year
- 3rd offense 10 years

Court revocation may be either concurrent or consecutive with administrative action.

Revises procedure to recover valid license: driver must post SR22, pay fee and pass written and road test.

Revises penalty for driving with license revoked. If revocation was for 1st DWI conviction, mandatory minimum 30 days in jail. If revoked for 2nd or subsequent DWI, mandatory jail sentence of 90 days to serve.

Allows for impoundment or forfeiture of vehicle on 3rd & subsequent offense.

Suspended imposition of sentence is no longer permitted for DWI, Breath Test Refusal, or Driving with License Revoked.

[ Minimum legal age to purchase/consume increased from 19 to 21 -- over three year period, effective January, 1984. ]

[ State tax on alcohol increased (last increase was 1962). ]

Ford  
2/27/86

Original sponsors: Collins, Uehling  
and Gruenberg

1 IN THE HOUSE

BY THE LABOR AND  
COMMERCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 55 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to liquor licensees' duty to contact  
7 taxis for patrons and to display alcohol warning  
8 signs."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 \* Section 1. AS 04.11.370 is amended to read:

11 Sec. 04.11.370. SUSPENSION AND REVOCATION OF LICENSES AND PER-  
12 MITS. Except as provided in (b) of this section, a [A] license or  
13 permit shall be suspended or revoked if the board finds that one or  
14 more of the following grounds exists:

15 (1) misrepresentation of a material fact on an application  
16 for a license or permit;

17 (2) continuation of activities authorized under a license  
18 or permit would be contrary to the best interest of the public;

19 (3) failure on the part of the licensee to correct defects  
20 which constitute violations of this title, regulations adopted under  
21 this title, or other laws within a prescribed time after receipt of  
22 notice issued by the board or its agent;

23 (4) conviction of a licensee of a violation of a provision  
24 of this title, a regulation adopted under this title, or an ordinance  
25 adopted under AS 04.21.010;

26 (5) conviction of the agent or employee of a licensee of a  
27 violation of this title, a regulation adopted under this title, or an  
28 ordinance adopted under AS 04.21.010, if the licensee is found by the  
29 board to have either knowingly allowed the violation or to have

1 recklessly or with criminal negligence failed to act in accordance  
2 with the duty prescribed under AS 04.21.030 with the result that an  
3 agent or employee violates a law, regulation, or ordinance;

4 (6) failure of the licensee to comply with the laws and  
5 regulations pertaining to public health in the state;

6 (7) use of the licensed premises as a resort for illegal  
7 possessors or users of narcotics, prostitutes, or pimps; in addition  
8 to any other legally competent evidence, the character of the premises  
9 may be proved by the general reputation of the premises in the commu-  
10 nity as a resort for illegal possessors or users of narcotics, prosti-  
11 tutes, or pimps;

12 (8) occurrence of illegal gambling within the limits of the  
13 licensed premises;

14 (9) permitting any public offense involving moral turpitude  
15 to occur on the licensed premises;

16 (10) violation by a licensee of this title, a regulation  
17 adopted under this title, or an ordinance adopted under AS 04.21.010;

18 (11) violation by an agent or employee of a licensee of a  
19 provision of this title, a regulation adopted under this title, or an  
20 ordinance adopted under AS 04.21.010, if the licensee is found by the  
21 board to have either knowingly allowed the violation or to have reck-  
22 lessly or with criminal negligence failed to act in accordance with  
23 the duty prescribed under AS 04.21.030 with the result that the agent  
24 or employee violates the law, regulation, or ordinance.

25 \* Sec. 2. AS 04.11.370 is amended by adding a new subsection to read:

26 (b) The board may not suspend or revoke a license or permit for  
27 the conviction of a licensee or permittee of a violation of AS 04.21.-  
28 035 or 04.21.036.

29 \* Sec. 3. AS 04.16 is amended by adding a new section to read:

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Sec. 04.16.205. PENALTY FOR FAILURE TO CONTACT TAXI OR DISPLAY ALCOHOL WARNING SIGNS. The board may impose a civil penalty, not to exceed \$100, upon a licensee that the board finds, after notice and hearing, has violated AS 04.21.035 or 04.21.036.

\* Sec. 4. AS 04.21 is amended by adding new sections to read:

Sec. 04.21.035. DUTY TO CONTACT TAXI. A licensee or a licensee's agent or employee shall make reasonable efforts to procure a taxi, where regular taxi service is available, for any person in the premises who requests a taxi. The licensee is not responsible for paying the cost of the taxi.

Sec. 04.21.036. DISPLAY OF ALCOHOL WARNING SIGNS. (a) A licensee, except a common carrier licensee, shall conspicuously display at the main public exit and in all restrooms, a sign that reads "Drunk Drivers Go To Jail - Why Risk It - Call A Taxi." The sign shall include a prohibitory symbol. The sign must be at least 18 inches wide and six inches high, with lettering at least one and one-fourth inches high.

(b) The state shall furnish, without cost, signs required under this section to any licensee requesting them.

CHAIRMAN'S INFORMATION:

SCS (SHB 55 (L&C))

1) BILL TITLE: "An act relating to liquor licensees' duty to contact taxis for patrons and to display alcohol warning signs."

a) Introduced: Rep Collins, Uehling, Gruenberg

b) Co-sponsors:

2) INTENT: Measure requires liquor licensees' to make reasonable efforts to call a taxi when a patron requests a taxi. Additionally it would require the posting of alcohol warning signs at each public entrance and exit. Violation of these provisions will result in the revocation or suspension of a licensees' permit.

Senate L&C CS modifies the penalty section for those licensees' who are in violation of this law, (civil fine not to exceed \$100, imposed by the ABC Board after hearing and notice) and requires that signs be placed at the main exit and in all restrooms.

FISCAL NOTE: 0 (but with the proviso that the Dept of H&SS will fund the cost of the signs from its operating budget.)

N.B. NO EFFECTIVE DATE CLAUSE

3) ADDITIONAL REFERRALS: HESS, Rules

4) PUBLIC HEARINGS:

a) Sponsor:

b) Public Witnesses:

5) BILL ACTION:

- a) Hold in committee?
- b) Assign to sub committee for further review?
- c) Move from committee?
- d) Close public hearings?

6) COMMITTEE ACTION?

- a) amendments?
- b) CS adoption? Need to adopt L&C CS

= CHANGES IN L&C CS;

Ford  
2/18/86

Pg. 2 LINES 26-28  
Pg. 3 LINE 8  
Original sponsors: Collins, Uehling  
and Gruenberg

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IN THE HOUSE BY THE LABOR AND  
COMMERCE COMMITTEE

SENATE CS FOR CS FOR HOUSE BILL NO. 55 (L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to liquor licensees' duty to contact taxis for patrons and to display alcohol warning signs."

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

\* Section 1. AS 04.11.370 is amended to read:

Sec. 04.11.370. SUSPENSION AND REVOCATION OF LICENSES AND PERMITS. Except as provided in (b) of this section, a [A] license or permit shall be suspended or revoked if the board finds that one or more of the following grounds exists:

(1) misrepresentation of a material fact on an application for a license or permit;

(2) continuation of activities authorized under a license or permit would be contrary to the best interest of the public;

(3) failure on the part of the licensee to correct defects which constitute violations of this title, regulations adopted under this title, or other laws within a prescribed time after receipt of notice issued by the board or its agent;

(4) conviction of a licensee of a violation of a provision of this title, a regulation adopted under this title, or an ordinance adopted under AS 04.21.010;

(5) conviction of the agent or employee of a licensee of a violation of this title, a regulation adopted under this title, or an ordinance adopted under AS 04.21.010, if the licensee is found by the board to have either knowingly allowed the violation or to have

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recklessly or with criminal negligence failed to act in accordance with the duty prescribed under AS 04.21.030 with the result that an agent or employee violates a law, regulation, or ordinance;

(6) failure of the licensee to comply with the laws and regulations pertaining to public health in the state;

(7) use of the licensed premises as a resort for illegal possessors or users of narcotics, prostitutes, or pimps; in addition to any other legally competent evidence, the character of the premises may be proved by the general reputation of the premises in the community as a resort for illegal possessors or users of narcotics, prostitutes, or pimps;

(8) occurrence of illegal gambling within the limits of the licensed premises;

(9) permitting any public offense involving moral turpitude to occur on the licensed premises;

(10) violation by a licensee of this title, a regulation adopted under this title, or an ordinance adopted under AS 04.21.010;

(11) violation by an agent or employee of a licensee of a provision of this title, a regulation adopted under this title, or an ordinance adopted under AS 04.21.010, if the licensee is found by the board to have either knowingly allowed the violation or to have recklessly or with criminal negligence failed to act in accordance with the duty prescribed under AS 04.21.030 with the result that the agent or employee violates the law, regulation, or ordinance.

\* Sec. 2. AS 04.11.370 is amended by adding a new subsection to read:

(b) The board may not suspend or revoke a license or permit for the ~~first~~ conviction of a licensee or permittee of a violation of AS 04.21.035 or 04.21.036.

\* Sec. 3. AS 04.21 is amended by adding new sections to read:

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Sec. 04.21.036. DISPLAY OF ALCOHOL WARNING SIGNS. (a) A licensee, except a common carrier licensee, shall conspicuously display at the main public entrance and in one lighted area where alcohol is sold at retail, a sign that reads "Drunk Drivers Go To Jail - Why Risk It - Call A Taxi." The sign shall include a prohibitory symbol. The sign must be at least 18 inches wide and six inches high, with lettering at least one and one-fourth inches high.

(b) The state shall furnish, without cost, signs required under this section to any licensee requesting them.

*main  
secret  
& restor*

Offered: 5/1/85  
Referred: Rules

Original sponsors: Collins, Uehling  
and Gruenberg

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

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CS FOR HOUSE BILL NO. 55 (Finance) am

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - FIRST SESSION

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A BILL

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For an Act entitled: "An Act relating to liquor licensees' duty to contact taxis for patrons and to display alcohol warning signs."

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BILL SHEFFIELD, GOVERNOR

**DEPT. OF HEALTH AND SOCIAL SERVICES**

POUCH H 05F  
JUNEAU, ALASKA 99811  
PHONE: 586-6201

OFFICE OF ALCOHOLISM AND DRUG ABUSE

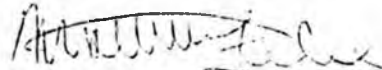
January 24, 1986

The Honorable Fred Zharoff  
Chair, Labor & Commerce Committee  
Alaska State Senate  
P.O. Box V  
Juneau, Alaska 99811

Dear Senator Zharoff:

This is to inform you that this office has agreed to fund HB 55 for a total sum of \$3,000.00. This funding was committed during House Judiciary testimony last year. We feel the signs as described in HB 55 would be in line with our drunk driving prevention initiative.

Sincerely,



Matthew C. Felix  
Coordinator

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entry  
& restaurant*

Sec. 04.21.035. DUTY TO CONTACT TAXI. A licensee or a licensee's agent or employee shall make reasonable efforts to procure a taxi, where regular taxi service is available, for any person in the premises who requests a taxi. The licensee is not responsible for paying the cost of the taxi.

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Offered: 5/1/85  
Referred: Rules

Original sponsors: Collins, Uehling  
and Gruenberg

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

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CS FOR HOUSE BILL NO. 55 (Finance) am

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to liquor licensees' duty to contact

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Call A Taxi." The sign shall include a prohibitory symbol. The sign

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BILL SHEFFIELD, GOVERNOR

**DEPT. OF HEALTH AND SOCIAL SERVICES**

OFFICE OF ALCOHOLISM AND DRUG ABUSE

POUCH H 05F  
JUNEAU, ALASKA 99811  
PHONE: 586-6201

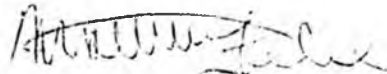
January 24, 1986

The Honorable Fred Zharoff  
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Sincerely,



Matthew C. Felix  
Coordinator

CO/2



Official Business

# Alaska State Legislature

Senate

Committee on Labor & Commerce

Pouch V  
State Capitol  
Juneau, Alaska 99811

CSHB 55(fin)am Summary:

Measure requires that a licensee make a reasonable effort to contact a taxi for a patron who requests one, and that the licensee display an alcohol warning sign at each entrance and exit of a licensed premiss. Further, the bill requires the state to furnish alcohol warning signs, without cost, to any licensee requesting them. Penalty provisions for violation of these sections would result in revocation or suspension of license or permit.

SCS CSHB 55 (L&C) would not invoke a penalty on the first conviction, and modifies the requirement for alcohol warning signs to be placed at each entrance and exit of a licensed premiss. SCS would require signs at the main public entrance and in one lighted area.

Latest Senate CS would require the posting of signs in all restrooms and at the main public exit of a licensed premiss. Penalty provisions may be imposed by the board, after a hearing and notice, and may include a civil penalty not to exceed \$100.

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

*CC  
Sup 48*

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No.: CASHB 55(JUD)  
 Title: An Act relating to licensees'  
 duty to contact taxi & display signs  
 Sponsor: Collins  
 Requestor: House Judiciary  
 Date of Request: 4/13/85

FISCAL DETAIL

Agency Affected: Dept. of Health & Social Service  
 Program Category Affected: Office of Alcoholism & Drug Abuse  
 BRU, Program or Subprogram(s) Affected: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

<b>CAPITAL</b>						
----------------	--	--	--	--	--	--

<b>REVENUE</b>						
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FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

According to testimony before the Judiciary Committee by the Department of Health + Social Services, Office of Alcoholism and Drug Abuse, that because this bill represents a positive approach to problems caused by alcohol abuse, the department is willing to fund the cost of the required signs up to the amount cited in the original fiscal note. The funds will come from the operating budget and require no additional appropriation.

Prepared By: Hayden Kaden, Counsel *HK* Phone: 465-4990  
 Division: House Judiciary Committee Date: 4/15/85

Approved by Commissioner *[Signature]* Date: \_\_\_\_\_  
 Agency: Legislature

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

*700*

FISCAL NOTE



# RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James A. Smith  
Signature of Camera Operator

11/24/89  
Date

HPB

63

File 1

CHAIRMAN'S INFORMATION: CSHB 63(L&C)

1) BILL TITLE: "An act relating to the plumbing code; and providing for an effective date."

a) Introduced: Governor

b) Co-sponsors:

2) INTENT: This measure adopts a portion of the 1985 plumbing code, as well as adopting the Uniform Solar Energy and the uniform swimming pool, spa, hot tub code in their entirety.

Under the House version, plastic pipe is limited to type V nonrated residential construction, and also grandfathers in those projects which had used plastic pipe prior to the effective date of the act.

The L&C CS expands the use of plastic to type V residential construction, and increases the population threshold for exemption from plumbing code conformity. Additionally, the SCS places certain liabilities on municipalities for adopting standards which violate state code, and holds the state harmless for liability for damages arising from the installation of materials not permitted by the code.

FISCAL NOTE: 0

3) ADDITIONAL REFERRALS: Rules

4) PUBLIC HEARINGS:

a) Sponsor:

b) Public Witnesses:

5) BILL ACTION:

a) Hold in committee?

b) Assign to sub committee for further review?

c) Move from committee?

d) Close public hearings?

6) COMMITTEE ACTION?

a) amendments?

b) CS adoption? Need to adopt the Senate L&C CS

Cramer  
5/9/86 ✓

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE LABOR AND  
COMMERCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 63 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the plumbing code; and providing  
7 for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 18.60.705 is amended to read:

10 Sec. 18.60.705. PLUMBING CODE. The following publications are  
11 adopted [DEPARTMENT OF LABOR SHALL ADOPT,] as the official minimum  
12 plumbing code for the state: [,]

13 (1) the Uniform Plumbing Code, 1985 [1979] edition, adopted  
14 at the 54th [49TH] Annual Conference, September, 1983 [1978], Interna-  
15 tional Association of Plumbing and Mechanical Officials, chs. 1 - 13  
16 and appendices, Useful Tables, and Installation Standards, but ex-  
17 cluding Part I, Administration, pages 1a - 6a, and subject to AS 18.-  
18 60.710 - 18.60.740 and the changes specified in (b) of this section;

19 (2) the Uniform Solar Energy Code, 1985 edition, adopted at  
20 the 54th Annual Conference, September, 1983, International Association  
21 of Plumbing and Mechanical Officials, chs. 1 - 9 and appendices, but  
22 excluding Part I, Administration, pages 3 - 9; and

23 (3) the Uniform Swimming Pool, Spa and Hot Tub Code, 1985  
24 edition, adopted at the 54th Annual Conference, September, 1983,  
25 International Association of Plumbing and Mechanical Officials, chs.  
26 1 - 5, but excluding Part I, Administration, pages 1 - 9.

27 \* Sec. 2. AS 18.60.705 is amended by adding a new subsection to read:

28 (b) The 1985 edition of the Uniform Plumbing Code adopted under  
29 (a)(1) of this section is adopted with the following changes:

1 (1) on page 37, chapter 4, Drainage Systems, section 401,  
2 Materials, subsection (a), sub-subsection (2), all material is ex-  
3 cluded and the following language is adopted:

4 "(2) ABS or PVC installations may not be used in a  
5 hotel or motel and are limited to residential combustible  
6 construction of two stories or less."

7 (2) on page 45, chapter 5, Vents and Venting, section 503,  
8 Materials, subsection (a), sub-subsection (2), all material is ex-  
9 cluded and the following language is adopted:

10 "(2) ABS or PVC installations may not be used in a  
11 hotel or motel and are limited to residential combustible  
12 construction of two stories or less."

13 (3) on page 75, chapter 10, Water Distribution, section  
14 1004, Materials, subsection (a), the second and third sentences are  
15 excluded and the following language is adopted:

16 "Asbestos-cement, PE, or PVC water pipe that is manufactured  
17 to recognized standards may be used for cold water distribution  
18 systems outside a building. CPVC and PB water pipe and tubing  
19 may be used for hot and cold water distribution systems within a  
20 residential combustible building of two stories or less other  
21 than a hotel or motel."

22 \* Sec. 3. AS 18.60.715 is amended by adding a new subsection to read:

23 (f) Notwithstanding any other provision of law, CPVC, PVC, and  
24 PB plastic pipes may be used for fire control sprinkler systems. The  
25 department may approve other types of plastic pipes for use in fire  
26 control sprinkler systems.

27 \* Sec. 4. AS 18.60.735 is amended to read:

28 Sec. 18.60.735. BOROUGH OR CITY REGULATION. AS 18.60.705 -  
29 18.60.740 do not affect the authority of a [ANY] municipality to

1 establish [PRESCRIBE] by ordinance, rule or order, standards for the  
2 municipality's [THEIR RESPECTIVE] areas of jurisdiction that are no  
3 less stringent than those established under AS 18.60.705. This chap-  
4 ter is not intended to duplicate or preempt code administration or  
5 enforcement by municipalities. An [ANY] organized municipality or  
6 unorganized village, whether or not the municipality or village is  
7 within an organized borough, having a population of less than 5,000  
8 [2,500 POPULATION] is exempt from AS 18.60.705 - 18.60.740 [THE PRO-  
9 VISIONS OF THIS ACT].

10 \* Sec. 5. AS 18.60.735 is amended by adding a new subsection to read:

11 (b) A municipality that establishes standards under (a) of this  
12 section is liable to a property owner for the cost of removing plumb-  
13 ing installed in compliance with a municipal standard if the plumbing  
14 is held to violate a state standard and for the cost of replacing the  
15 plumbing with plumbing that conforms to state standards, and shall  
16 hold the state harmless from liability for any damages arising from  
17 the use of the plumbing methods or materials that conformed to munici-  
18 pal standards but did not conform to state standards.

19 \* Sec. 6. AS 18.60.740(1) is amended to read:

20 (1) "code" means the 1985 editions of the Uniform Plumbing  
21 Code, the Uniform Solar Energy Code, and the Uniform Swimming Pool,  
22 Spa and Hot Tub Code [1979 EDITION], adopted at the 54th [49th] Annual  
23 Conference, September, 1983 [1978], International Association of  
24 Plumbing and Mechanical Officials, as modified and adopted in AS 18.-  
25 60.705;

26 \* Sec. 7. Notwithstanding secs. 1, 2, and 6 of this Act, the installa-  
27 tion of a plastic pipe, made from a substance permitted under the official  
28 state plumbing code as amended by this Act, in a plumbing or drainage  
29 system before the effective date of this Act may not be held to violate the

1 official state plumbing code as amended by this Act.

2 \* Sec. 8. This Act takes effect immediately in accordance with AS 01.-  
3 10.070(c).  
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Official Business

# Alaska State Legislature

Senate

Committee on Labor & Commerce

Pouch V  
State Capitol  
Juneau, Alaska 99811

CSHB 63(L&C): Summary

This measure adopts a portion of the 1985 Uniform Plumbing Code, as well as adopting the Uniform Solar Energy Code and the Uniform Swimming Pool, Spa, and Hot Tub Code in their entirety.

The version which passed the House permits the use of plastic pipe in limited applications, and also "grandfathers" in those projects which had used plastic pipe prior to the effective date of this act.

Under the House version of the bill, plastic pipe is limited to type V, non rated, residential construction.

Offered: 2/14/86  
For Today's Calendar

*Simplification  
autonomously  
Economic Impact*

Original sponsor: Rules/Governor

BY THE LABOR AND  
COMMERCE COMMITTEE

*Bacolas*  
*Fritz unamended 1979*  
*1979 code*  
*Purnett*  
*Shoens*  
*Jankins*  
*Edwards*  
*Kim*

1 IN THE HOUSE

CS FOR HOUSE BILL NO. 63 (L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - SECOND SESSION

A BILL

2  
3  
4  
5  
6 For an Act entitled: "An Act relating to the plumbing code; and providing  
7 for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 18.60.705 is amended to read:

10 Sec. 18.60.705. PLUMBING CODE. The following publications are  
11 adopted [DEPARTMENT OF LABOR SHALL ADOPT,] as the official minimum  
12 plumbing code for the state: [,]

13 (1) the Uniform Plumbing Code, 1985 [1979] edition, adopted  
14 at the 54th [49TH] Annual Conference, September, 1983 [1978], Interna-  
15 tional Association of Plumbing and Mechanical Officials, chs. 1 - 13  
16 and appendices, Useful Tables, and Installation Standards, but ex-  
17 cluding Part I, Administration, pages 1a - 6a, and subject to AS 18.-  
18 60.710 - 18.60.740 and the changes specified in (b) of this section;

19 (2) the Uniform Solar Energy Code, 1985 edition, adopted at  
20 the 54th Annual Conference, September, 1983, International Association  
21 of Plumbing and Mechanical Officials, chs. 1 - 9 and appendices, but  
22 excluding Part I, Administration, pages 3 - 9; and

23 (3) the Uniform Swimming Pool, Spa and Hot Tub Code, 1985  
24 edition, adopted at the 54th Annual Conference, September, 1983,  
25 International Association of Plumbing and Mechanical Officials, chs.  
26 1 - 5, but excluding Part I, Administration, pages 1 - 9.

27 \* Sec. 2. AS 18.60.705 is amended by adding a new subsection to read:

28 (b) The 1985 edition of the Uniform Plumbing Code adopted under  
29 (a)(1) of this section is adopted with the following changes:

1 (1) on page 37, chapter 4, Drainage Systems, section 401,  
2 Materials, subsection (a), sub-subsection (2), all material is ex-  
3 cluded and the following language is adopted:

4 "(2) ABS or PVC installations are limited to  
5 type VN residential construction."

6 (2) on page 45, chapter 5, Vents and Venting, section 503,  
7 Materials, subsection (a), sub-subsection (2), all material is ex-  
8 cluded and the following language is adopted:

9 "(2) ABS or PVC installations are limited to  
10 type VN residential construction."

11 (3) on page 75, chapter 10, Water Distribution, section  
12 1004, Materials, subsection (a), the second sentence is not adopted.  
13 The third sentence of subsection (a) is excluded and the following  
14 language is adopted:

15 "CPVC and PB water pipe and tubing may be used for  
16 hot and cold water distribution systems within a type  
17 VN residential building."

18 \* Sec. 3. AS 18.60.740(1) is amended to read:

19 (1) "code" means the 1985 editions of the Uniform Plumbing  
20 Code, the Uniform Solar Energy Code, and the Uniform Swimming Pool,  
21 Spa and Hot Tub Code [1979 EDITION], adopted at the 54th [49th] Annual  
22 Conference, September, 1983 [1978], International Association of  
23 Plumbing and Mechanical Officials, as modified and adopted in  
24 AS 18.60.705;

25 \* Sec. 4. Notwithstanding secs. 1 - 3 of this Act, the installation of  
26 a plastic pipe, made from a substance permitted under the code as amended  
27 by this Act, in a plumbing or drainage system before the effective date of  
28 this Act may not be held to violate the code as amended by this Act.

29 \* Sec. 5. This Act takes effect immediately in accordance with

1 AS 01.10.070(c).

municipality responsibility

Bill No. Committee Substitute for  
House Bill 63 (L&C)  
Title "An Act relating to the Plumbing Code."

Date February 11, 1986

Contact: Eileen Plate  
465-2700  
Bob Bacolas  
465-4870

Committee Substitute for House Bill 63 provides for the modification and adoption of the 1985 Uniform Plumbing Code; and for adoption of the Uniform Solar Energy Code, and Uniform Swimming Pool, Spa and Hot Tub Code. The 1979 Uniform Plumbing Code currently in effect in Alaska is outdated.

The International Association of Plumbing and Mechanical Officials revises its minimum standards for the installation of plumbing every three years to incorporate technological advances, and the 1985 edition is the most recent effort in this regard. The standards for the installation of solar energy and the spa and hot tub standards have not previously been adopted in Alaska; the minimum standards for swimming pools were formerly included in the Uniform Plumbing Code.

In response to a number of water quality, worker safety and fire safety questions that have been posed on the use of plastic pipe in drainage and water distribution systems, the Committee Substitute modifies several provisions in the 1985 plumbing code to limit the use of plastic pipe in Alaska. As modified in this bill, Alaska's minimum plumbing standards on the use of plastic pipe would, therefore, be less restrictive than the 1979 code presently in effect and more restrictive than 1985 code per se. This appears to be a reasonable compromise on the issue.

The Department notes that Section 4 of the Committee Substitute provides that plastic pipe which was installed in the state prior to the effective date of the bill need not comply with either the 1979 code or the 1985 code as modified in this bill. The Department's understanding is that this "grandfather" clause stems from confusion that was created when various local governments adopted the 1982 or 1985 Uniform Plumbing Codes, which permitted such installations of plastic pipe. While the Department does not object to such a "grandfather" clause, it should be noted that it may be perceived as inequitable by those persons whom the Department has required to comply with the 1979 code. In several instances the Department's enforcement action in this regard has necessitated the removal of plastic pipe and installation of permissible materials.

This bill also removes an anomalous provision that instructs the Department of Labor to adopt the specific publications that constitute the plumbing code. The current statute leaves no discretion in the department as to whether to adopt or as to what to adopt. Thus the actions of the department in going

**POSITION PAPER** Department of Labor

through the formal adoption procedures are unnecessary. Under the amendment in this bill, the statute will simply declare what constitutes the plumbing code. This is the approach already employed for the electrical code under AS 18.60.580.

Committee Substitute for House Bill 63 would not have a fiscal impact on the Department of Labor.

APPROVED:



Jim Robison, Commissioner  
Department of Labor

AS18.60.710 DOCUMENT

CHAPTER = 18.60  
SECTION = 18.60.710  
TITLE = 18

HEADINGS TITLE 18.  
Health and Safety.  
CHAPTER 60.  
Safety.  
ARTICLE 8.  
Plumbing Code.

CITATION Sec. 18.60.710.

CATCH LINE

DUTIES OF THE DEPARTMENT.

TEXT The department is responsible for the administration of the code. The department may promulgate regulations designed for maximum practical implementation of the code, and may grant exceptions from specific code provisions, where distance or other factors make implementation impractical. Specific consideration shall be given to outlying villages and sparsely populated areas to ensure that AS 18.60.705 18.60.740 will not impose an undue financial burden. The department may by regulation designate appropriate inspection to a public or private utility company. A company so designated may refuse utility connections if an installation does not meet the requirements of this code.

HISTORY (Sec. 1 ch 15 SLA 1972)

AS18.60.715 DOCUMENT

CHAPTER = 18.60  
SECTION = 18.60.715  
TITLE = 18

HEADINGS TITLE 18.  
Health and Safety.  
CHAPTER 60.  
Safety.  
ARTICLE 8.  
Plumbing Code.

CITATION Sec. 18.60.715.

CATCH LINE

ADMINISTRATION.

TEXT (a) The code applies to all new construction, all new work in relocated buildings and to any alteration, repairs or reconstruction of buildings except as provided otherwise under AS 18.60.705 - 18.60.740.

(b) The department may inspect work installed, removed, altered or replaced on any plumbing, gas or drainage piping,

plumbing fixture, water heater or water treating equipment in a building or other location. No permit or inspection is required for the following work: the stopping of leaks in drains, soil, waste or vent pipes, the clearing of stoppages in or repairing of leaks in pipe valves or fixtures, repairs or alterations not of a substantive nature which can be reasonably exempted from inspection.

(c) Nothing in AS 18.60.705 - 18.60.740 prohibits a person from performing plumbing work on his own property.

(d) The department may adopt regulations establishing fees for inspections conducted under AS 18.60.705 - 18.60.740. Fees may be established under this chapter only for inspections requested by the owner of a structure.

(e) The department shall maintain a record of all plumbing inspections performed by it and of all inspection fees and permit fees collected by it.

HISTORY (Sec. 1 ch 15 SLA 1972; am sec. 2 ch 88 SLA 1980)

AS18.60.720 DOCUMENT

CHAPTER = 18.60

SECTION = 18.60.720

TITLE = 18

HEADINGS TITLE 18.

Health and Safety.

CHAPTER 60.

Safety.

ARTICLE 8.

Plumbing Code.

CITATION Sec. 18.60.720.

CATCH LINE

COST OF PERMITS.

TEXT

(a) If the department by regulation requires permits for plumbing work, fees may not exceed the following:

(1) for issuing each permit .....\$2.00

(2) a permit for each

(A) plumbing fixture or trap or set of fixtures on one trap, including water, drainage piping and backflow protection .....1.50

(B) building sewer or trailer park sewer .....5.00

(C) drain in rainwater system .....2.00

(D) cesspool .....5.00

(E) private sewage disposal system .....10.00

(F) water heater and/or vent .....1.50

(G) gas piping system of one to five outlets .....1.50

(H) gas piping system of six or more outlets, per outlet .....30

(I) industrial waste pretreatment interceptor, including its trap and vent, but excluding kitchen type grease interceptors functioning as fixture traps .....1.00

(J) installation, alteration or repair of water piping or water treating equipment .....1.50

(K) repair or alteration of drainage or vent piping .....1.50

(L) lawn sprinkler system or any one meter which includes backflow protection devices .....2.00

(3) for vacuum breakers or backflow protective devices on tanks, vats, or for installation on unprotected plumbing fixtures including necessary water piping

(A) one to five .....2.00

(B) over five, each .....30

(b) The department shall keep a record of all fees collected and all inspections performed.

HISTORY (Sec. 1 ch 15 SLA 1972)

AS18.60.725 DOCUMENT

CHAPTER = 18.60

SECTION = 18.60.725

TITLE = 18

HEADINGS TITLE 18.  
Health and Safety.  
CHAPTER 60.  
Safety.  
ARTICLE 8.  
Plumbing Code.

CITATION Sec. 18.60.725.

CATCH LINE

ENFORCEMENT OF COMPLIANCE.

TEXT (a) A department inspector shall give written notice to the owner of a constructed premise or the contractor of a premise under construction of each violation of the code. The notice of violation shall accurately describe the violation and give specific reference to the section and paragraph of the code. In addition, the notice shall prescribe the necessary changes so that the work will comply with the code.

(b) In case of complaints by a contractor, builder or installer charging arbitrary actions or incompetence on the part of an inspector, the commissioner, after reviewing written presentation of the dispute, may require reinspection by a new inspector who has no connection with either disputant.

HISTORY (Sec. 1 ch 15 SLA 1972)

R0601 \* END OF DOCUMENTS IN LIST - ENTER RETURN OR ANOTHER COMMAND.

AS18.60.730 DOCUMENT

CHAPTER = 18.60  
SECTION = 18.60.730  
TITLE = 18

HEADINGS TITLE 18.  
Health and Safety.  
CHAPTER 60.  
Safety.  
ARTICLE 8.  
Plumbing Code.

CITATION Sec. 18.60.730.

CATCH LINE

PENALTY FOR VIOLATIONS.

TEXT A person who violates a provision of the code, and who, after receiving the notification required by AS 18.60.725, refuses to correct the violation, after proof of the violation, is subject to a fine of not more than \$1,000.

HISTORY (Sec. 1 ch 15 SLA 1972)

AS18.60.735 DOCUMENT

CHAPTER = 18.60  
SECTION = 18.60.735  
TITLE = 18

HEADINGS TITLE 18.  
Health and Safety.  
CHAPTER 60.  
Safety.  
ARTICLE 8.  
Plumbing Code.

CITATION Sec. 18.60.735.

CATCH LINE

BOROUGH OR CITY REGULATION.

TEXT AS 18.60.705 - 18.60.740 do not affect the authority of any municipality to prescribe by ordinance, rule or order, standards for their respective areas of jurisdiction no less stringent than those established under AS 18.60.705. This chapter is not intended to duplicate or preempt code administration or enforcement by municipalities. Any organized municipality or unorganized village having less than 2,500 population is exempt from the provisions of this Act.

HISTORY (Sec. 1 ch 15 SLA 1972)

AS18.60.740 DOCUMENT

CHAPTER = 18.60

SECTION = 18.60.740

TITLE = 18

HEADINGS TITLE 18.

Health and Safety.

CHAPTER 60.

Safety.

ARTICLE 8.

Plumbing Code.

CITATION Sec. 18.60.740.

CATCH LINE

DEFINITIONS.

TEXT In AS 18.60.705 - 18.60.740

(1) "code" means the Uniform Plumbing Code, 1979 edition, adopted at the 49th Annual Conference, September 1978, International Association of Plumbing and Mechanical Officials;

(2) "commissioner" means the commissioner of labor;

(3) "department" means the Department of Labor;

(4) "inspector" means a qualified inspector employed by, designated by, or under contract to the Department of Labor.

HISTORY (Sec. 1 ch 15 SLA 1972; am sec. 3 ch 88 SLA 1980)

# International Conference of Building Officials

Alaska Southeast Chapter

CSHB 63

## IN THE LEGISLATURE OF THE STATE OF ALASKA FOURTEENTH LEGISLATURE

MEMBERS OF THE SENATE LABOR AND COMMERCE COMMITTEE,

The three Alaska Chapters of the International Conference of Building Officials urge you to adopt the 1985 Uniform Plumbing Code unamended. This position was strongly supported by the building and fire safety personnel who testified at the House Labor and commerce Committee teleconference hearings held on March 21, 1985.


Our organization is comprised of professional code administrators from all regions of the State. We represent Federal, State and Municipal governmental agencies. Duties of our members include administration of fire and life safety requirements as well as the Plumbing, Building, Electrical and Mechanical Codes in Alaska.

The 1979 Plumbing Code is outdated and does not reflect current changes in construction technologies. We believe that national consensus, or model, codes should be adopted with a minimum of changes to promote uniformity in commerce. There are no conditions unique to Alaska which would justify adoption of the amendments contained in CSHB 63.

The language proposed in the substitute bill is not clear, understandable or effective. The term "VN" as used in the amendments is not defined in the Plumbing Code. In Section Four, the "grandfather" clause will not solve the problem of inconsistent regulations within the State. Each major city in Alaska has already, or is currently adopting the 1985 Plumbing Code without these restrictions on the use of plastic pipe.

We look forward to being of assistance to the Legislature in all future construction code-related matters.

Respectfully,



Stephen O. Shows, Secretary  
Alaska Southeast ICBO Chapter

# International Conference of Building Officials

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Alaska Southeast Chapter

April 1, 1986

Senator Fred Zharoff, Chairman  
Senate Labor and Commerce Committee  
P.O. Box V  
Juneau, Alaska 99811

Honorable Senator Zharoff,

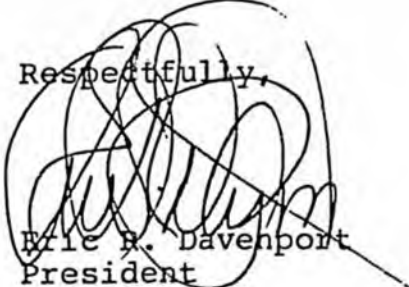
There is much concern about adoption of the current Uniform Plumbing Code. Support for adoption is statewide amongst virtually all Building and Code Officials, Architects, Engineers, and others in the development industry.

Alaska is faced with two major problems. First is uniformity between jurisdictions. Code standards in one jurisdiction is not usually the same as in the next. Many times State Inspectors are enforcing older, "out-of-sync" codes than those of the jurisdiction within which the project is located.

Secondly, code provisions are made with advancing technologies in mind. The code development and adoption process at the national level is done by experts in the field. By maintaining or adopting older code editions the State of Alaska is precluding professionals in the construction field from taking full advantage of the most advanced, cost effective materials and techniques known. This has serious affects on all Alaskans in terms of finances and life safety.

For these reasons the Alaska Southeast Chapter of the International Conference of Building Officials strongly supports adoption of the unamended 1985 Plumbing Code.

Respectfully,



Eric R. Davenport  
President



ALASKA FIRE CHIEF'S ASSOCIATION

POST OFFICE BOX 304 • CORDOVA, ALASKA 99574 • TEL. (907) 424-7475

RECEIVED

APR 1 1986

BY BUILDING DIVISION

March 28, 1986

Mr. Steve Shows  
155 S. Seward  
Juneau, Alaska 99801

Dear Mr. Shows:

There seems to be some question as to the stand the Fire Service takes on the use of plastic pipe for plumbing in certain occupancies. The question arises around the adoption of the new Uniform Plumbing Code without the amendments previously inserted restricting some usage.

The State Fire Marshal's Office no longer feels that those amendments are required since data has not indicated that plastic pipe has in fact contributed at all to loss of life or increased fire spread where it has been used.

I believe that its use is not a critical fire and life safety matter and consequently the Plumbing Code should be adopted as it. Local jurisdictions will still have the option of being more restrictive when they adopt it if they are still doubtful about the matter.

Sincerely,

Dewey Whetsell  
President

ALASKA 1984 FIRE LOSS ANALYSIS

THIS IS AN ANALYSIS OF THE FIRE LOSS IN ALASKA FOR 1984 LISTED BY TYPE OF PROPERTY. SPECIAL PROPERTY INCLUDES WILDLAND FIRES WHICH CONTRIBUTE TO THE LARGE NUMBER OF REPORTED INCIDENTS. PLEASE NOTE THE NUMBER OF INCIDENTS, INJURIES, DEATHS, AND THE AMOUNT OF PROPERTY LOSS IN RESIDENTIAL PROPERTIES.

<u>FIXED PROPERTY USE</u>	<u># OF INCIDENTS</u>	<u>% OF TOTAL</u>	<u>INJURIES</u>	<u>DEATHS</u>	<u>\$ LOSS</u>	<u>% OF TOTAL</u>
Unclassified	1				\$ 300	
Public Assembly	87	2.3	6		2,077,838	6.0
Educational	48	1.3	2		5,201,500	15.1
Institutional	21	.5	1		4,765	
<b>Residential</b>	<b>1,296</b>	<b>35.2</b>	<b>60</b>	<b>32</b>	<b>16,479,411</b>	<b>47.8</b>
Store/Office	111	3.0	5	1	2,572,695	7.5
Industrial	61	1.6			156,465	.5
Manufacturing	24	.6			2,000,826	5.8
Storage	122	3.3	7	1	3,253,440	9.4
Special	<u>1,908</u>	51.8	<u>18</u>	<u>1</u>	<u>2,719,823</u>	7.9
<b>TOTAL</b>	<b>3,679</b>		<b>99</b>	<b>35</b>	<b>\$34,467,063</b>	



**ALASKA STATE  
HOMEBUILDERS ASSOCIATION**

RECEIVED  
MAR 26 1986  
BUILDING DIVISION  
BY \_\_\_\_\_

PO Box 3259  
Juneau, Alaska 99803  
(907) 789-0626

24 March 1986

PRESIDENT  
Preston "Buck" Burnett  
9352 Center Court  
Juneau, Alas. 99801  
(907) 789-9143

FIRST VICE PRESIDENT  
JAMES N. MALAPANES  
(907) 376-5130

SECOND VICE PRESIDENT  
MERLE K. BEETER  
(907) 364-1136

TREASURER  
MITCHEL L. ROBINSON  
(907) 262-5047

SECRETARY  
G. GREG BOLES  
(907) 247-8357

NATIONAL REPRESENTATIVE  
JESS HALL  
(907) 283-4659

NATIONAL DIRECTOR  
N. CLAIBORN PORTER, JR.  
(907) 562-2263

BUILD PAC CHAIRMAN  
FREDRICK WIKE  
(907) 376-3976

IMMEDIATE PAST PRESIDENT  
BEVERLY McCLINTOCK  
(907) 456-7421

AT LARGE  
LARRY GREEN  
(907) 225-4513

AT LARGE  
HOWARD MORGAN  
(907) 243-5681

EXECUTIVE OFFICER  
RW "BILL" BAXANDALL  
(907) 789-0626

Mr. Steve Shows  
City & Borough of Juneau Building Department  
155 South Franklin Street  
Juneau, Alaska 99801

Dear Steve;

Per our discussion of this past week regarding legislative action on the adoption of the 1985 Uniform Plumbing Code.

This is to inform you that the Alaska State Homebuilders Association Board of Directors, at their March 18 board meeting, passed a motion in support of passage of legislation to adopt the use of the 1985 UPC without admendments.

If we can be of further assistance in this matter, please advise.

Sincerely,

Preston Burnett, President  
Alaska State Homebuilders Association

cc: Clark Gruening





ALASKA CHAPTER  
THE AMERICAN INSTITUTE OF ARCHITECTS

March 28, 1986

State of Alaska  
Senate Labor and Commerce Committee

Dear Senators,

We urge you to support an unamended adoption of the 1985 Uniform Plumbing Code.

Architects in Alaska have long been concerned with uniformity of the codes in the simplest form possible. Our profession has also supported building safety as a fundamental element of all types of construction. The American Institute of Architects has led the way, nationwide, in both of these areas.

CS HB 63 conflicts with current contemporary directions in the code industry. Specific amendments regarding the use of plastic pipe are not appropriate for adoption on a state level. They do not represent unique Alaskan conditions. They confuse the design professional and create inconsistencies between the codes. In addition, restricting the use of plastic pipe will add unnecessary costs to a project which will be passed on to the consumer in an unproductive way.

Please give careful attention to this bill. We would be pleased to discuss it in greater depth at your convenience.

Respectfully,

A handwritten signature in cursive script, appearing to read "Gary Gillette".

Gary Gillette, President  
AK Chapter AIA

A handwritten signature in cursive script, appearing to read "Catherine Fritz".

Catherine Fritz, Chair  
AK Chapter AIA Codes and Standards Committee

PLEASE REPLY TO: Catherine Fritz, 586-5231

# STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

**DEPT. OF ENVIRONMENTAL CONSERVATION**  
DIVISION OF ENVIRONMENTAL QUALITY  
P.O. BOX 0, JUNEAU, ALASKA 99811-1800

Telephone: (907)

Address:

(907) 465-2653

April 2, 1986

Mr. Steve Shows  
ICBO - Southeast Chapter  
c/o City and Borough of Juneau Engineering Dept.  
155 South Seward Street  
Juneau, Alaska 99801

Dear Mr. Shows:

This is a reply to your inquiry of April 1, 1986 regarding our opinion of the effect on potable water quality of different types of pipe materials.

At an earlier date we had provided a statement to Representative Peter Goll concerning the possible conditions under which water being carried by plastic pipe could pick up organic contaminants. That same information is herein provided to you as follows:

#### Permeation of organic compounds through plastic pipe walls:

Both laboratory studies and actual field incidents have shown that passage of organic contaminants contained in soil or groundwater into plastic pipe and the water that it carries is possible, and indeed has occurred in municipal water systems. Studies have shown that this mode of contamination is possible for all common varieties of plastic water pipe.

#### Leaching of organic compounds from uncontaminated plastic pipe or pipe glue materials:

Existence of organic contaminants in potable water carried by non-contaminated plastic pipe has been shown to occur in laboratory studies. The origin of these compounds has been traced to the actual pipe itself and to the solvents used to cement sections of pipe together. It appears to be a phenomenon common to all types of plastic pipe.

The highest concentrations of contaminants are usually found within the first two weeks following installation of the pipe, with concentrations decreasing to below detectable levels after this period. However, use of higher than average amounts of plastic pipe cement has been shown to increase the levels and persistence of these contaminants in the water carried.

Additional information on other types of pipe:

Metal pipe has also been implicated as the source of inorganic contaminants in drinking water, primarily as the result of corrosion of pipe or joint material.

Several nationwide studies have shown that corrosion of metal pipe can supply sometimes significant levels of contaminants to the drinking water it carries, most notably copper, lead, zinc and iron. Water systems with high quality, and therefore chemically aggressive waters, have been known to cause significant corrosion of metal components of the system. The Seattle water system is one such example.

In Alaska we have had several incidents of aggressive source water dissolving lead from the tin-lead solder in copper pipe joints to the point where state standards were exceeded for lead in drinking water. The attached article describes this condition in the villages of St. Michael, Birch Creek, Gambell and Shismaref. In addition, this problem was extensively investigated by the North Slope Borough for eight water systems within the borough, with state standards for lead being exceeded in the villages of Point Lay, Nuiqsut and Barrow.

It is significant to note that the most feasible method recommended for mitigating the lead contamination problem in the North Slope water systems was to completely replace all of the pipe joints (copy of study attached).

Asbestos-cement pipe is also susceptible to corrosion by chemically aggressive waters, liberating asbestos fibers into the water in the process. However, information from the U.S. Environmental Protection Agency concerning the health effects of ingested asbestos is inconclusive at this time.

As you can see, there are drawbacks to the use of almost any kind of pipe, given particular operating conditions. However, at this time we feel we have insufficient evidence to limit the use of any type of pipe due to concern of health effects related to the pipe.

Sincerely,



Richard M. Farnell, Coordinator  
Drinking Water Program

Enclosures



**NFIB**® National Federation  
of Independent Business

The Guardian of Small Business

April 2, 1986

Sen. Fred Zharoff, Chairman  
Senate Labor and Commerce Committee  
State Capitol  
Pouch V  
Juneau, Alaska 99811

REF: HB 63 - Adoption of 1985 Edition of Plumbing Code

Dear Sen. Zharoff:

The National Federation of Independent Business is a national organization whose primary function is to represent small business interests in state legislatures and Congress. In Alaska, NFIB has in excess of 4,100 members representing a broad cross section of all types of businesses. Our members are very concerned about the existing situation in Alaska where the edition of the Plumbing Code adopted by the State is several years behind the times and is resulting in great confusion and much higher construction costs for any type of commercial structure.

The confusion results because the state adopted version of the Plumbing Code is the 1979 Edition while all municipalities who have a plumbing code have adopted either the 1982 or the 1985 editions. Since there are many differences between the 1979 edition and both later editions, anyone putting up a structure must make sure that their structure complies with edition adopted by their local municipality except when the 1979 code differs. Since the State adopted code controls because it is adopted by statute, the builder must modify their building to conform to the 1979 version.

The provision of the 1979 code which was modified in both the 1982 and 1985 editions and which impacts commercial buildings the most, is the one which mandates cast iron sewer pipe rather than the specified plastic pipe permitted by the later editions. This provision alone results in the cost of the sewer system being two to three times more costly than the plastic pipe approved in the later editions.

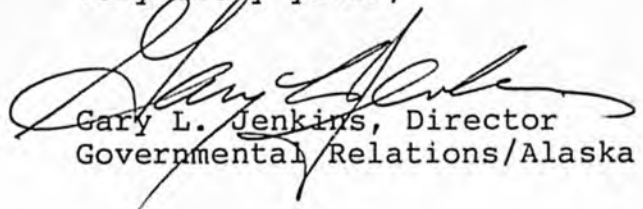
The situation is further compounded by the fact that even though communities of less than 2,500 in population are exempted from having to comply with the state adopted version of the plumbing code, the fire marshall and Dept. of Labor inspectors in some cases are requiring them to comply with it. In a recent state wide poll, our members voted in favor of having a uniform code statewide by a margin of 64% in favor with 24% opposed and 12% undecided.

NFIB/ALASKA  
Legislative Office  
P.O. Box 210194  
Auke Bay, AK 99821  
907/586-4100

Sen. Zharoff  
Page 2

We urge the Senate Labor and Commerce Committee to take quick action on HB 63 and amend it so that the 1985 Plumbing Code is adopted without the exceptions inserted by the House. We need a consistent code statewide, not more confusion and hassles. Your attention to this issue will be appreciated very much.

Very truly yours,



Gary L. Jenkins, Director  
Governmental Relations/Alaska



**CAMERON  
PLUMBING & HEATING**  
P. O. Box 2720  
JUNEAU, ALASKA 99803

Phone 789-2896

# JOB ESTIMATE

PHONE

DATE

4-2-86

JOB NAME/LOCATION

Coventry Town Homes

40-Unit (4-10 plexes)

TO Dan Callahan

dba Westwind Construction

**JOB DESCRIPTION:**

Per plans and specifications, Plumbing and to include 2 and 1/2 bath rooms each unit.

Using the 1979 UPC plumbing code, ABS plastic drainage to be used \$95,700.00

Using the 1985 UPC plumbing code, Cast iron pipe would be used, add \$45,000.00

**EXCLUSIONS:** HEAT, caulking around tub, sewer line, water lines, well, bathroom accessories, permit fees, electrical, excavation, insulation of water lines. Water & sewer to terminate 5' outside buildings.

PLEASE EXAMINE THIS ESTIMATE CAREFULLY. IF WE HAVE FAILED TO LIST ANY ITEMS THAT YOU WANTED INCLUDED, PLEASE CALL US IMMEDIATELY AS THIS ESTIMATE INCLUDES ONLY MATERIALS AND LABOR AS SHOWN ABOVE.

ESTIMATE is good for 30 days only, until signed.

THIS ESTIMATE IS FOR COMPLETING THE JOB AS DESCRIBED ABOVE. IT IS BASED ON OUR EVALUATION AND DOES NOT INCLUDE MATERIAL PRICE INCREASES OR ADDITIONAL LABOR AND MATERIALS WHICH MAY BE REQUIRED SHOULD UNFORESEEN PROBLEMS OR ADVERSE WEATHER CONDITIONS ARISE AFTER WORK HAS STARTED.

ESTIMATED  
JOB COST

see above

ESTIMATED  
BY

*S. J. Cameron*

LICENSED • BONDED • INSURED

## ALASKA PLUMBING

3600 Spartan Street • Juneau, Alaska 99801  
(907) 789-3600

Commercial • Residential • Marine  
Hydronic Heating • Solar

To Whom it may concern,

Last year we plumbed evergreen  
Condor. The cost was 65,000.00 This project would  
Have cost approximately 110,000.00 under the 1985  
Amended code U.P.C. Under the un-amended 1985  
code this project would still only cost 65,000.00

Small Alaska owned businesses like ours,  
rely on affordable housing, which is 90% of our  
business. Plastic plumbing is one of the key ways  
for solution to provide affordable housing. We  
support the 1985 unamended code.

Yours truly  
Bill Ashby  
owner Alaska Plumbing

Valley Bakery  
Box 9  
Tok, Ak. 99780  
March 19, 1986

Dear Mr. Zharoff,

The NFIB has brought to my attention HB 63, Adoption of 1985 Plumbing Code. I strongly encourage you to adopt it.

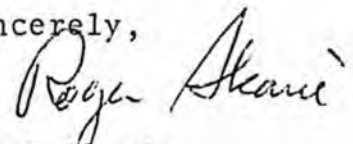
In 1983 I started a bakery in Tok. As there were unsuitable buildings to occupy, I was able to secure a loan to build my own. I tried to do everything as accurately and professionally as possible. However, I did not contact the Fire Marshall's office.

While in Fairbanks I sought advice concerning venting my oven at the Petrolane office. The owner suggested I contact the Fire Marshall's office, which I did. When I left his office, I was completely deflated. I not only paid \$137.00 for a plan review, I also had to submit requests for waivers--they were promptly denied.

Presently, the Fire Marshall's office still wants me to tear open my walls and replace plastic pipe with non-burnable materials. I do not think this is reasonable, justifiable or warranted. For 9 months of the year I am open only 3 days a week which satisfies the local demand for our products. Knowing this, you can imagine the budgetary restraints we have.

I certainly hope you will think of all small businessmen while you are making your decision concerning this bill. Costs are high to replace plumbing and salaries often are not commensurate with the replacement demands. We need your support.

Sincerely,



Roger Skarie

cc: National Federation of Independent Business

JON A. REISWIG, M.D.  
A PROFESSIONAL CORPORATION  
ORTHOPAEDIC SURGERY  
3260 HOSPITAL DRIVE  
JUNEAU, ALASKA 99801  
—  
TELEPHONE 586-1211

March 28, 1986

Senator Fred Zharoff  
State Capitol  
Pouch V  
Juneau, AK 99811

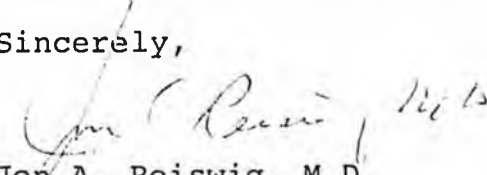
Dear Senator Zharoff:

I have been practicing in Juneau for the past 13 years and finally am about to complete the building of a new office. I was given a certain amount of time by the hospital board to vacate the space I am renting and, therefore, had to build during the winter months. Because of that I elected to build with modules, using Evergreen Mobile Co. in Issaquah, WA, since they have had experience building medical clinics. The modules are now in place and the roof is being constructed.

It is now my understanding that the state inspector reviewed my building and noted that there are plastic pipes for some of the plumbing instead of cast iron. It is also my understanding that this plastic pipe meets all local codes not only here in Juneau, but in the state of Washington, but that there is a requirement here in the state of Alaska for commercial buildings to use cast iron pipe. I have discussed this with my builder and other people and all those I have talked with confirm the consensus that plastic pipe is just as good, if not better, than cast iron and the only reason that it is required at this time is at the insistence of the Pipe Layer's Union. I, of course, was unaware of the requirement and at this time do not know exactly what to do. One of the objectives in using the modules was, #1, to be able to build during the winter and, #2, to complete the project under a minimum amount of time because I had been given a certain date to leave the hospital. If it is now insisted that I must change this pipe, this could easily go beyond the specified period of time that is available to me and in addition, the amount of monies that have been set aside by the bank, including AIDA.

I have been informed that the senate is considering a bill which would delete the requirement for cast iron pipe and allow plastic pipe to be used. May I at this time strongly urge you to consider favorably the use of plastic pipe.

Sincerely,

  
Jon A. Reiswig, M.D.

JAR:slr



# CITY OF KOTZEBUE

P.O. BOX 46. KOTZEBUE. ALASKA 99752

ALL AMERICA  
CITY

442-3401 CITY HALL  
442-3157 DAY CARE CENTER  
442-3816 GEORGE FRANCIS MEMORIAL LIBRARY  
442-3500 MUNICIPAL WATER PLANT  
442-3465 PLANNING DEPARTMENT  
442-3351 POLICE DEPARTMENT

442-3465 PUBLIC WORKS DEPARTMENT  
442-3066 RECREATION CENTER  
442-3921 REGIONAL FIRE TRAINING CENTER  
442-3779 TEEN CENTER  
442-3404 VOLUNTEER FIRE DEPARTMENT

March 14, 1986

Senator Frank Ferguson  
Alaska State Legislature  
Pouch V (MS-3100)  
Juneau, Alaska 99811

Dear Frank:

Enclosed please find some background information that you and I had briefly discussed during your last visit here in Kotzebue.

As you can see, the current Legislature (as passed by the House) would have definite repercussions in rural Alaska.

We would appreciate your consideration in any assistance that you may provide.

Sincerely,

Leo P. Schaeffer, Jr.  
City Manager

cc:  
Senator Zharoff  
Chairman  
Labor of Commerce

"GATEWAY TO NORTHWEST ALASKA"

March 13, 1986

MEMORANDUM

TO: City Manager

FROM: Sandy Huss, Building Inspector ~~USA~~

RE: Background on Minimum State Plumbing Code Legislation

This is in response to your request for background information on the current legislation to update the Uniform Plumbing Code.

At the present time the State has adopted the 1979 Uniform Plumbing Code. A feature of this Code which later editions do not feature is the prohibition of plastic pipe in most buildings (limiting them to residential structures of not more than two stories). Efforts were made by the legislature to adopt the 1982 edition of this Code but opposition by the Fairbanks plumbers union and others to inclusion or expansion of plastic provisions resulted in the failure to pass this legislation. This year the Alaska Department of Labor through the Governor requested adoption of the 1985 edition of the UPC without any amendment. HB 63 performed this task. SB 238 followed a different track in that it included amendments which would put us on the 1985 UPC but maintain the 1979 UPC ban on extensive use of plastic pipe.

The House Labor & Commerce Committee finally substituted another bill which was a mirror image of the SB 238 and this passed the Committee, passed the House floor and went to the Senate where it now sits in the Senate Labor & Commerce Committee. According to Sen. Fred Zharoff's staff member Michael Thill, the Committee does not plan to deal with the bill for a couple of weeks and does not consider any intention to re-write the bill.

The problems with this legislation is as follows:

- 1). Our current use of plastic in the water mains and sewer lines in the City is prohibited by both the 1979 and 1985 Codes (as proposed to be amended).
- 2). The major re-model of the Water Treatment Plant using extensive plastic piping was and is illegal under these provisions as it is not considered a residential structure.
- 3). Future plans to repair, replace, modify or expand either the water system or the treatment plant would be prohibited by this legislation.
- 4). While this law would only apply to cities of at least 2,500, if the new borough would pass the law would apply to all of the cities in the new borough.

- 5). This legislation would also prohibit the use of plastic piping in sprinkler systems, a new technological feature which has recieved Code approval and is heralded as a significant breakthrough in lowering the cost and expanding the availability of sprinkler systems.
- 6). This legislation has direct and expensive impacts on our local building market as copper and cast iron drain systems are significantly more expensive than plastic drain systems, are more freeze sensitive, and create many more maintenance problems.
- 7). Adoption of this legislation with the continued ban on plastic pipe would make millions and millions of dollars of State-funded rural water and sewer construction in violation of the Plumbing Code. Rigid enforcement of the provisions would also make future systems utilize metal pipe for which no adequate freeze protection technology is currently available and significantly increase the cost of these future projects.

If you have any questions, please feel free to contact me.

CMH:dm

cc: Mr. Tom Bolen  
Chairman, BCAB

Mr. John Ward  
Public Works Director

Mr. Glen Lamkin  
Maintenance Supervisor

file

**REFRIGERATION  
& FOOD EQUIPMENT, INC.**

1901 West Tudor Road  
ANCHORAGE, ALASKA 99503

March 19, 1986

Senator Fred Zharoff  
Senate Labor and Commerce Committee  
Pouch V  
Juneau, AK. 99811

RE: HB 63 - 1985 Edition of the Plumbing Code

Dear Senator Zharoff:

I recently learned of an amendment concerning cast drain lines in commercial buildings the plumbers and pipefitters union had successfully lobbied for.

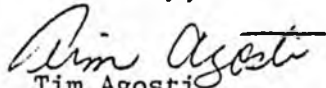
However, this ammendments presents a problem for plumbing contractors. Without uniforming between the state codes and local codes, you may get some inspectors enforcing the code in one manner, while another inspector will enforce it in a different manner. In addition, iron pipe costs more, thereby pushing up the cost of already expensive state projects.

I therefore urge you to throw out this amendment, since it did not have any justification in the beginning, and adopt a state code that is more in line with the existing local codes.

Thank you.

CC: NFIB/ALASKA

Sincerely,



Tim Agosti  
V.P. Operations

3/15/86

Dear Sen. Zhuroff,

I am writing concerning HB 63, 1985 Edition of Plumbing Code. Having just completed several projects here in Petersburg I was very frustrated that I was not able to use either the 1982 or 1985 version of the plumbing code which allows plastic pipe for commercial sewer applications. Now I find that a self serving union has got the legislature to not allow plastic again under the new 1985 code. This change hurts every business man that tries to develop his land or building. Not only that but, as in my case, the Pipefitters union didn't benefit at all as I still did the work myself. The only thing that happens <sup>is</sup> ~~is~~ the cost of my projects have ~~is~~ gone up far more than is needed.

Thus I urge you to support development in Alaska and remove the ~~is~~ cast iron pipe requirement from the Plumbing Code.

Thank you.

Dave Ahn

PHONE: 789-9318

# AUKE BAY BIBLE CHURCH

11970 GLACIER HWY.

JOHNNY REIMER, PASTOR

Box 21016  
Auke Bay, Alaska 99821

"The Church with a Warm Heart"

March 31, 1986

Senator Fred Zhanoff  
State Capital  
Pouch V  
Juneau, AK. 99811

Dear Mr. Zhanoff -

You are aware, I am sure, of the proposed House Bill concerning the plumbing code in the State of Alaska. It is to this issue that I am addressing myself in this letter.

I am the pastor of the Auke Bay Bible Church where we are in the process of erecting a two-story building which is to be used for the education and fellowship needs of the congregation. We began the installation of the roughed-in plumbing according to the 1982 codes of the City and Borough of Juneau. Following an unannounced visit by the State Inspector we were informed that what had already been done would have to be torn out and replaced with cast iron. Since the building is being erected by a lot of volunteer help and cash donations from our people, working under certified contractors, this poses an extra heavy demand upon the congregation as well as needless delay in completing the project.

I would prevail upon you, sir, to exercise your skill and your influence to insist that the State of Alaska bring its code to meet that of the rest of the country and that of the City and Borough of Juneau.

I thank you for your concern and your immediate attention to this matter.

Sincerely yours,  
Johnny Reimer, Pastor

# International Conference of Building Officials

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Alaska Southeast Chapter

CSHB 63

## IN THE LEGISLATURE OF THE STATE OF ALASKA FOURTEENTH LEGISLATURE

MEMBERS OF THE SENATE LABOR AND COMMERCE COMMITTEE,

Removing the restrictions of the use of plastic pipe in this bill would lower capital construction costs for the State of Alaska and the private sector.

Based on McGraw Hill's Dodge Digest for 1985, plumbing costs for elementary schools average 8.1% and for high schools 7.8% of the total project costs. Preliminary figures from the State Department of Education (DOE) in Alaska indicate school construction costs of 525 million dollars since FY 1982.

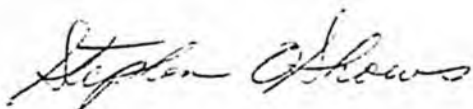
In DOE alone it is conservatively estimated that the State would have saved over 9 million dollars if the 1982 Uniform Plumbing Code (UPC) had been adopted as written.

By adopting the modern plumbing code savings of 1.75% could be realized on most public and private construction projects.

Statewide figures from the US Census Bureau indicate total commercial construction activity since 1982 was approximately 1.2 billion dollars.

There are no justifiable cost benefits to be gained by restricting plastic pipes beyond the provisions of the code.

Respectfully,



Stephen O. Shows, Legislative Chair  
Alaska Southeast ICBO Chapter

P.O. Box 770073  
Eagle River, Alaska 99577  
(907) 694-2190



## CURTIS PLUMBING, HEATING & HOME SUPPLY

March 28, 1986

Senator Fred Zharoff  
Pouch V  
Juneau, AK 99811

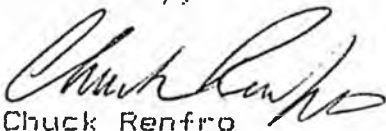
Dear Senator:

I am writing concerning "HB 63-Adopt 1985 Edition of Plumbing Code".

I feel the use of plastic ABS piping in a commercial plumbing waste system is both economical and safe. The argument for using cast iron instead of ABS due to the fire fume hazard is totally groundless. Plastic pipe surely will emit deadly fumes when burned, but so will any item in a building that will burn including cast iron pipe - notice the tar like substance used to preserve the pipe that in many cases is over 1/8 " thick. I feel the opposition wishes to keep cast iron only in order to keep gross costs up which in turn will make profits increase. I also suspect the larger more organized mechanical companies feel that it is more difficult to install cast iron and thus the little guy may not want to get involved due to lack of experience and/or capital.

It is time to get rational and start using common sense in this and many other areas of state government. More and more the silent majority is getting fed up and verbalizing their views. Please represent the people and put politics aside. Even a minority view can prevail if it is right. It just takes someone willing to back his convictions.

Sincerely,

  
Chuck Renfro

# STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : \_\_\_\_\_

**REQUEST**

Bill/Resolution No. : CSHB 63 (L & C)  
 Title : "An Act relating to the plumbing code"  
 Sponsor : Governor  
 Requestor : House Labor & Commerce  
 Date of Request : 2/10/86

**FISCAL DETAIL**

Agency Affected : Labor  
 BRU : Labor Standards & Safety  
 Components : Mechanical Inspection

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

**FUNDING : (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

Prepared by : Robert J. Bacolas, Sr.  
 Division : Labor Standards & Safety

Phone : 465-4870  
 Date : 2/10/86

Approved by Commissioner : Jim Robinson  
 Agency : Labor

Date : 2/10/86

Distribution (by Agency preparing fiscal note):  
 Legislative Finance  
 Legislative Sponsor

Added by 1982  
" " 1985

UNIFORM PLUMBING CODE

Administrative Authority no  
em is evident, special ap-  
im breakers.

ected to a sewer connected  
nlet side of a trap and shall  
eaker installed at least six  
r unit. The discharge pipe  
ad for free flow and shall

er 160°F (71°C) shall be of  
peratures of one hundred  
ut rendering any portion of

is shall be protected by an  
et forth in subsection (o) of

s where it is impractical to  
ne domestic water line, the  
idered a non-potable water  
s shall be connected to the  
k-siphonage from the non-  
r line shall be prevented by  
a tank having a pump for  
c water inlets to the non-  
roved airgap as required  
ractical to install tanks, as  
e type backflow or back-  
talled as follows:

ity or a vacuum within the  
pe vacuum breaker unit or  
ice shall be installed in the

unit shall be installed at a  
m) above the highest tank,  
n-potable water. Other ap-  
all be installed in a manner  
ority, but in no case less  
urrounding ground or floor.  
eam boilers, pumps, etc.,  
potable water line, an ap-  
l be installed in the supply  
shall be installed at least  
urrounding ground or floor.

he non-potable water line  
ons shall be properly iden-  
Administrative Authority.  
ne which may be used for  
be posted: DANGER —

WATER DISTRIBUTION

(p) Vacuum breakers shall be located outside any enclosure or hooded area containing fumes that are toxic or poisonous.

Section 1004—Materials

(a) Water pipe and fittings shall be of brass, copper, cast iron, galvanized malleable iron, galvanized wrought iron, galvanized steel, lead or other approved materials. Asbestos-cement, CPVC, PB, PE, or PVC water pipe manufactured to recognized standards may be used for cold water distribution systems outside a building. CPVC and PB water pipe and tubing may be used for hot and cold water distribution systems within a building. All materials used in the water supply system, except valves and similar devices shall be of a like material, except where otherwise approved by the Administrative Authority.

(b) Cast iron fittings up to and including two (2) inches (50.8 mm) in size, when used in connection with potable water piping shall be galvanized.

(c) All malleable iron water fittings shall be galvanized.

(d) Piping and tubing which has previously been used for any purpose other than for potable water systems shall not be used.

(e) Approved plastic materials may be used in water service piping, provided that where metal water service piping is used for electrical grounding purposes, replacement piping therefore shall be of like materials.

Exception: Where a grounding system, acceptable to the Administrative Authority is installed, inspected and approved, metallic pipe may be replaced with non-metallic pipe.

Section 1005—Valves

(a) Valves up to and including two (2) inches (50.8 mm) in size shall be brass or other approved material. Sizes over two (2) inches (50.8 mm) may have cast iron or brass bodies. Each gate valve shall be a fullway type with working parts of non-corrosive material.

(b) A fullway valve controlling all outlets shall be installed on the discharge side of each water meter and on each unmetered water supply. Water piping, supplying more than one building on any premises shall be equipped with a separate fullway valve to each building, so arranged that the water supply can be turned on or off to any individual or separate building; provided however, that supply piping to a single family residence and building accessory thereto, may be controlled on one valve. Such shutoff valves shall be accessible at all times. A fullway valve shall be installed on the discharge piping from water supply tanks at or near the tank. A fullway valve shall be installed on the cold water supply pipe to each water heater at or near the water heater. A fullway valve shall be installed for each apartment or dwelling of more than one (1) family. In lieu of the main supply shutoff in each apartment, individual shutoff valves may be provided at each fixture.

(c) All valves used to control two (2) or more openings shall be fullway gate valves or other approved valves designed and approved for the service intended.

April 25, 1986

Testimony before the Senate Labor and Commerce Committee  
Or. CSHB 63 April 23, 1986

Thank you Mr. Chairman and members of the committee for the opportunity to speak here today.

My name is Stephen Shows. I am representing the Northern, Central, and Southeast Chapters of the International Conference of Building Officials. Our membership is comprised mainly of State and local inspectors, building officials and private sector professionals. Our organizational goals promote uniform and appropriate statewide construction codes.

Toward this effort we support adoption of the 1985 UPC as written without amendments.

I am not representing the Municipalities, their Assemblies and Councils, who after independent review have adopted the 1982 or the 1985 UPC. Those communities include Anchorage, Fairbanks, Juneau, Sitka, Kodiak, Kenai, Soldotna and others. By statute communities who have a population of less than 2500 do not have to comply with any plumbing code.

There are three issues I would like to address.

The first concerns the proposed amendments in the Substitute limiting plastic pipe to VN residential buildings. This insertion makes the Bill more restrictive than the states current 1979 UPC. For example a two story apartment or condominium could no longer be plumbed in plastic although it is legal today.

The term "VN" is confusing and not contained or defined anywhere in the UPC. The Uniform Building Code does contain a method of determining if a building is a type five non rated structure, however many variables must be considered.. Since each of these criteria are subject to periodic change, you should cite the applicable edition of the building code you intend to use as a reference.

This may sound confusing but to accurately determine what type of building it is a plumber will have to know the height, number of floors or basements, floor area, width of all the yards around the structure and whether the building is sprinklered or not among other things... The 85 UPC is simple and direct. It says that if the code allows the building to be made of combustible materials than the pipes can also be combustible.

The second issue I will address are the concerns expressed about plastic pipes.

Experience has shown that these products have been used throughout Alaska and the Nation for many years and have proven themselves to be safe and dependable. The Alaska Department of Environmental Conservation (ADEC) indicates that there is no reason to restrict these pipes because of water quality. In fact they can solve the lead contamination problems encountered in many Alaskan communities that use rain water as their source and copper pipe distribution systems according to ADEC.

The Alaska Department of Labor OSHA official has informed me that there are no substantiated grounds to restrict the installation of plastic pipe from a worker safety standpoint. Containers of solvents and glue are explicit in their instructions to provide adequate ventilation. The "right to know law" in Alaska allows tradesmen to obtain complete information about the contents of any product used in the workplace.

The Alaska State Fire Marshal after careful review has deleted restrictions on the use of plastic pipe formerly contained in their regulations. The Alaska State Fire Chiefs Association has indicated that the use of plastic pipes as permitted in the 85 UPC is not a significant concern from a fire safety standpoint. In fact the fire service foresees low cost plastic pipe sprinkler systems as becoming a very important future element in saving lives and property in Alaska.

Electrical trade unions and conduit manufacturers waged this same battle nationally with recent adoptions of the National Electric Code. The State has adopted the 1984 NEC into State Law. That code permits PVC conduit to be used in most commercial and residential buildings just as the 85 UPC does. These amendments if adopted would have the State Department of Labor inspector come on jobsite and reject a PVC plumbing pipe full of water and at the same time approve a PVC electric pipe full of wires right next to it in the same wall.

The third issue speaks to the heart of the matter, economics.

Plastic pipe systems are less expensive because the materials are cheaper and it takes fewer hours to install them. Depending on the job and the contractor savings on drain waste and vent systems can range between 30 and 50%. Whether the consumer is a private individual looking for affordable housing, a small business, or a governmental agency these added costs are passed along with no tangible benefits to the owners. Real estate appraisers do not give higher values to buildings with metal pipe systems.

Finally in these times of economic restraint we ask you to carefully consider the millions of dollars individual Alaskans will be asked to spend needlessly on their construction projects in the years ahead if these restrictions on plastic pipe are not removed. We are known as a pioneering people here in the Northland, and we ask our leaders to embrace new technologies and to work together with us toward the spirit of a bright future.

Mr. Chairman, thank you.

SOS/drb