

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

5372 SLAB SB 300 (file 2) - SB 309

8672

## RECOMMENDATIONS

### UNIFY MODEL CODES AND STANDARDS

It is recommended that the State of Alaska unify and simplify the use of model codes and standards by adopting the latest editions of codes and standards that are most commonly used throughout the western United States and whose provisions are most known and understood by the construction industry in Alaska and the national suppliers to it.

Model building codes and standards recommended to be adopted initially would include the following codes and standards that have been adopted previously by the State of Alaska in these or earlier editions and have been adopted already by some of the local jurisdictions:

- ANSI A17.1, 1984, Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks.
- ANSI A117.1, 1986, Providing Accessibility and Usability for Physically Handicapped People.
- ASHRAE 90A- 1980, 90B-1975, and 90C-1977, Energy Conservation in New Building Design.
- NATIONAL ELECTRICAL CODE, 1984 edition,
- NATIONAL ELECTRICAL SAFETY CODE, 1984 edition,
- UNIFORM ADMINISTRATIVE CODE, 1985 Edition
- UNIFORM BUILDING CODE, 1985 Edition
- UNIFORM BUILDING CODE STANDARDS, 1985 Edition
- UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1985 Edition
- UNIFORM FIRE CODE, 1985 Edition
- UNIFORM FIRE CODE STANDARDS, 1985 Edition
- UNIFORM MECHANICAL CODE, 1985 Edition
- UNIFORM PLUMBING CODE, 1985 Edition
- UNIFORM SOLAR ENERGY CODE, 1985 Edition
- UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE, 1985 Edition

The latest editions of standards published by the National Fire Protection Association that are currently in use throughout Alaska should be adopted initially.

### CONSOLIDATE BUILDING REGULATIONS

The building regulations are recommended to be effective throughout the entire State of Alaska.

The building regulations that are now scattered throughout the Alaska Statutes and the Alaska Administrative Code are recommended to be consolidated in one title of the Alaska Administrative Code with appropriate consolidation of the authorizing Alaska Statutes.

## SIMPLIFY REGULATION ADOPTION PROCEDURES

All revisions to the building regulations of the State of Alaska are recommended to be adopted as amendments to the Alaska Administrative Code. There must be written announcement of the proposed amendments, public hearings and teleconferences for public comment, and adoption by the decision of a building code board.

## ESTABLISH A SINGLE CODE ADMINISTRATIVE AGENCY

All code enforcement is recommended to be consolidated within a new Division of Building Safety. This would be a single state-wide agency, with regional offices for convenient public access to staff and services and reduced travel costs.

The plan review and field inspection personnel would be cross-trained for to avoid duplication of staff services and travel with regular staff training for uniformity of code interpretations and standardization of field inspection. Appropriate certifications of code enforcement personnel would be implemented.

## CONSOLIDATE PERMIT PROCESSES

It is recommended that the single agency provide one-stop permit application services, expedited plan review services, and access to code enforcement staff for clarifications.

Regional offices are recommended to be established in the Anchorage, Fairbanks, and Juneau with appropriate satellite offices in smaller communities.

## SIMPLIFY APPEALS PROCESSES

It is recommended that a Building Regulations Board, composed of technically-qualified persons, be established that would act as a quasi-judicial appeals board to consider appeals concerning code interpretations and the decisions of code officials.

Public hearings would be held after due notice and testimony taken in person or by teleconference from other locations. The decisions of such Building Regulations Board would be appealable to the court system.

## ALLOW LOCAL BUILDING REGULATION ENFORCEMENT

It is recommended that the local code enforcement agencies in Anchorage, Fairbanks, and Juneau have code enforcement delegated to their jurisdictions with expanded scope to include all activities for which they provide qualified services. Other cities could assume such duties as may be appropriate.

## IMPLEMENTATION

### PHASED PLAN OF IMPLEMENTATION

The building regulation reform in the State of Alaska must be accomplished in a phased sequence of steps that will allow the continued enforcement of building regulations within the State of Alaska and allow the orderly consolidation of building regulations and code enforcement functions. The steps listed below are in general, chronological order of priority.

#### UNIFY ADOPTION OF BUILDING REGULATIONS

Legislation must be drafted that will determine the process by which building regulations are written. Provisions must be made that all new building regulations and the revisions to existing regulations will be adopted as amendments to the Alaska Administrative Code. The process must be similar to that presently used by the Departments of Labor and Public Safety. This would include published announcements and letters describing the proposed amendments, public hearings concerning them to in major cities, and teleconferences for public comment. The final language of the regulations and revisions must be the decision of a new Building Regulations Board.

#### UNIFY CODE ADMINISTRATION

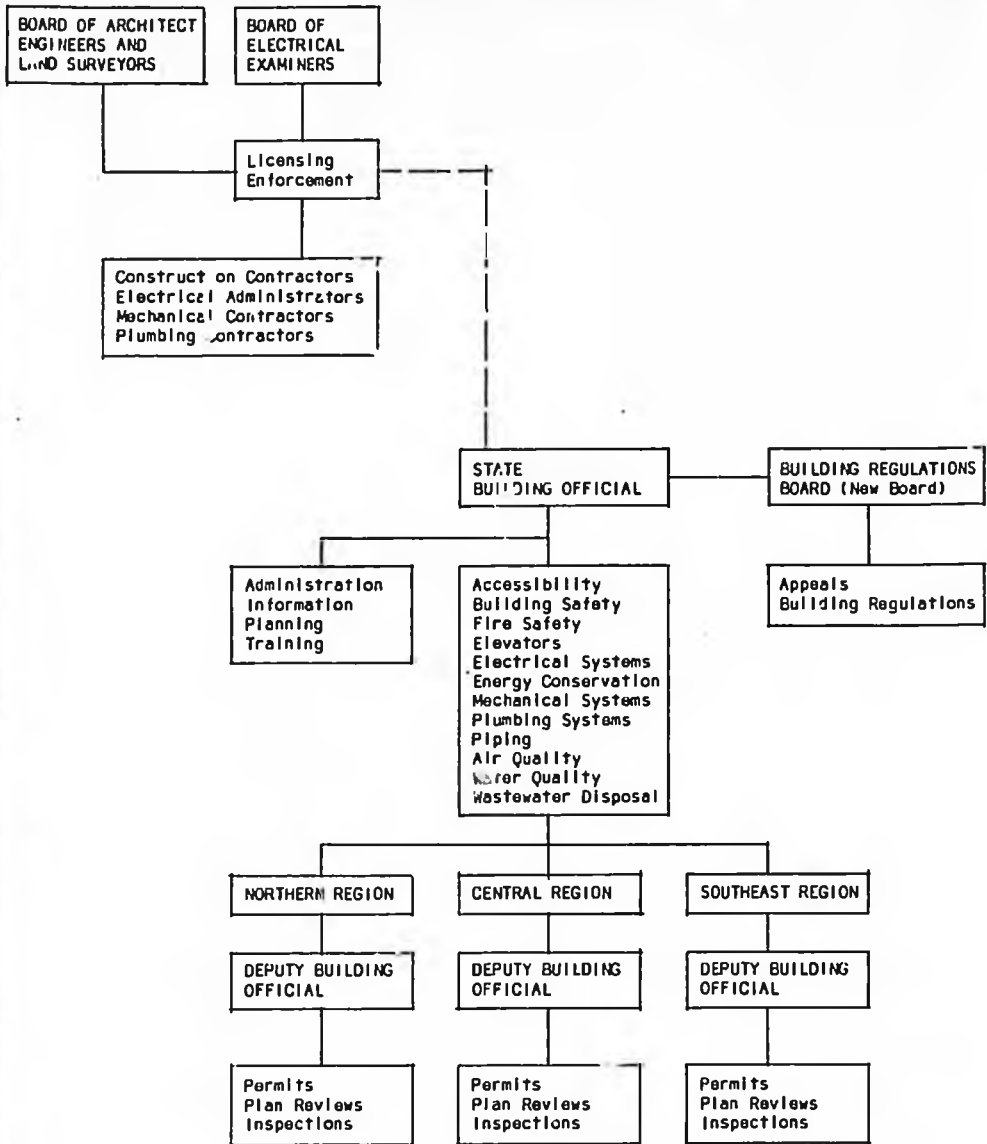
Legislation must be drafted that will establish a new Division of Building Safety within one of the existing departments of the State of Alaska. Table 4 shows a suggested organization for this agency. Provision must be made for consolidation of all building regulation activities that now are scattered among nine or more departments. These code enforcement services would include permit application and issuing, plan review, field inspection, certifications, licensing, appeals processing, and related functions.

The first consolidation should be the building regulation activities currently under the Departments of Labor and Public Safety since these departments contain a major portion of code enforcement functions. Additional building regulations activities and functions from other departments should be combined with them in an orderly manner.

Consolidation of field inspection services would take place over an extended period of time to allow continuity of inspections for construction currently under way and for orderly transfers of personnel. Time must be allowed for cross-training of some field personnel.

TABLE 4

SUGGESTED DIVISION OF BUILDING SAFETY



Code enforcement functions currently performed by local jurisdictions would continue until full consolidation is completed. Consideration should be given for contracting of state field inspections within certain regions by personnel of such local jurisdictions as a means of reducing travel expenses and avoiding construction delays.

#### UNIFY MODEL CODES AND STANDARDS

Legislation must be drafted that will accomplish the consolidation of in an orderly manner. New regulations must be put into effect that will supercede all existing regulations. The latest editions of the recommended model codes and standards presently in use in Alaska and that are known and understood by the construction industry in Alaska and the national suppliers to it.

Legislation must be drafted that latest edition of all such model codes and standards must be adopted, with amendments appropriate for Alaska's climate and conditions, by the end of the calendar year following the year of the first printing of the latest edition. This usually occurs in a three-year cycle.

EXAMPLE: The 1988 Edition of the UNIFORM BUILDING CODE most probably will be first printed in May, 1988. This edition would have to be adopted, with amendments appropriate for Alaska's climate and conditions, by December 31, 1989.

#### ESTABLISH A BUILDING REGULATIONS BOARD

Legislation must be drafted that will establish a new Building Regulations Board. This new Board would act as a quasi-judicial appeals board to consider appeals concerning code interpretations and the decisions of code officials. All of its appeal decisions would be appealable to the court system.

It also would have the authority to consider revisions to the building regulations, to conduct hearings concerning proposed revisions to building regulations, and to decide the final language of such revisions.

The new Building Regulations Board would be composed of nine technically-qualified persons, appointed by the Governor and confirmed by the Legislature, who would serve three-year, staggered terms. The members should be selected from among architects, engineers, constructors, developers, code officials, and others knowledgeable about building design and construction and code enforcement. This new Board would be similar to appeal boards now existing in Anchorage, Fairbanks, and Juneau.

## ESTABLISH BUILDING LICENSING LIAISON

Legislation must be drafted that will transfer the administration of the existing Board of Registration for Architect, Engineers, and Land Surveyors, and the Board of Electrical Examiners into the same state department with the new Division of Building Safety.

Transfer of this administrative functions into the same department would improve the inter-agency efforts to enforce the existing provisions for professional licensing and practice and for licensing and certification of construction-related business and occupations.

## DELEGATE AUTHORITY TO LOCAL JURISDICTIONS

Legislation must be drafted that will allow code enforcement authority to be delegated to cities, boroughs, and municipalities that have assumed such services. These services could include permit application and issuing, plan review, field inspection, certifications, licensing, appeals processing, and related functions.

Local jurisdictions would continue to have the power to adopt local amendments to the state-wide building regulations provided that they are no less stringent.

Local appeal boards could act as a quasi-judicial body concerning building regulation matters within the local jurisdiction and, if specifically delegated, within the same region. All decisions of the local appeal boards would be appealable to the state-wide Building Regulations Board.

APPENDIX

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DUWL Engineers, Inc.  
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DIRECTORY OF ORGANIZATIONS

ALASKA CENTRAL CHAPTER ICBU  
7233 Madelynn Drive  
Anchorage, Alaska 99504-4656  
907-337-6315

ALASKA NORTHERN CHAPTER ICBU  
PO Box 73437  
Fairbanks, Alaska 997707-3437  
907-452-1881-2241

ALASKA SOUTHEAST CHAPTER ICBU  
PO Box 211411  
Auk Bay, Alaska 99821  
907-586-5231

AMERICAN NATIONAL STANDARDS INSTITUTE, INC. (ANSI)  
1430 Broadway  
New York, New York 10018  
212-354-3300

Safety Code for Elevators and Escalators  
Energy Conservation in New Building Design  
Standard for Providing Accessibility and Usability  
for Physically Handicapped People  
Other specialized standards that often are cited  
in other codes.

AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM)  
1961 Race Street  
Philadelphia, Pennsylvania 19103  
215-299-5400

AMERICAN SOCIETY OF HEATING, REFRIGERATING AND  
AIR-CONDITIONING ENGINEERS, INC.  
1791 Tullie Circle NE  
Atlanta, Georgia 30329  
404-636-8400

ASHRAE Standard for Energy Conservation  
in New Building Design

BUILDING OFFICIALS & CODE ADMINISTRATORS,  
INTERNATIONAL (BUCA)  
4051 West Flossmoor Road  
Country Club Hills, Illinois 60477  
312-799-2300

COUNCIL OF AMERICAN BUILDING OFFICIALS (CABO)  
5203 Leesbury Pike, Suite 708  
Falls Church, Virginia 22041  
703-931-4533

INTERNATIONAL ASSOCIATION OF PLUMBING AND  
MECHANICAL OFFICIALS (IAPMO)  
5032 Alhambra Avenue  
Los Angeles, California 90032  
213-223-1471

INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS (ICBO)  
5360 South Work Mill Road  
Whittier, California 90601.  
213-699-0541

Uniform Administrative Code  
Uniform Building Code  
Uniform Fire Code  
Uniform Mechanical Code  
Uniform Plumbing Code  
Uniform Sign Code  
Uniform Code for the Abatement of Dangerous Building  
Uniform Swimming Pool, Spa, and Hot Tub Code  
Uniform Building Security Code  
Uniform Solar Energy Code.  
Related standards

NATIONAL CONFERENCE OF STATES ON BUILDING  
CODES AND STANDARDS (NCSBCS)  
481 Carlisle Drive  
Herndon, Virginia 22070  
703-437-0100

NATIONAL FIRE PROTECTION ASSOCIATION (NFPA)  
Batterymarch Park  
Quincy, Massachusetts 02269  
617-328-9290

National Electrical Code  
Life Safety Code  
Other related standards that often are cited  
in other codes.

ALASKA CENTRAL CHAPTER ICBO  
7233 Madelynne Drive  
Anchorage, Alaska 99504-4656  
907-337-6315

COMMITTEE ON STATE BUILDING CODES

Donald Cather	Code Official
John Crittenden	Architect
Earl Fullingim	Architect
Walter Gardner	Electrical Consultant
V Kay Larson	Construction Manager
John McCool	Architect
Jack McGary	Code Official
Richard Meyer	Code Official
James Sipman	Architect
Ron Watts	Code Official



Senate Labor and Commerce Committee

Senator Tim Kelly, Chairman

HEAD OF FIRE CHIEFS  
FIRE

Wm SCHAEFER - FISKS MARSHALL

[Redacted box]

SS 300

SS in Public SAFETY

NOT COMMERCE

Dr. W. STRELL - PUBLIC HEALTH

CONFERENCE

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DWIGHT PERKINS SB300  
PLUMBERS & PIPEFITTERS  
586-2874



TELECOPY COVER SHEET  
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FROM: \_\_\_\_\_ PHONE: \_\_\_\_\_

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## MEMORANDUM

TO: Senator Tim Kelly, Chairman  
Senate Labor and Commerce Committee

Copy: Senator Richard I. Eliason, Member  
Senator Bettye M. Fahrenkamp, Member  
Senator Mike Szymanski, Member  
Senator Rick Uehling, Member  
Senator Jan Faiks, Senate President (Bill Sponsor)

FROM: Walter R. Gardner, Member, APDC Code Consolidation Committee

DATE: January 21, 1988

SUBJECT: Committee Teleconference, January 20, 1988 3:30PM  
SENATE SPONSOR'S SUBSTITUTE BILL 300

I was able to speak, briefly, during the above subject teleconference, to voice my strong support for the Bill.

Before I proceed with my additional comments, I would like to make you aware of my qualifications. I have been a participant in all, save one, of the meetings of the ICBO/APDC Committee, as a representative of the electrical industry. I have been an Alaskan resident for the past 30 years, working in the industry all of that time. I served as Alaska State Code Committee Chairman for the National Electrical Contractors Association for 4 years, a member of the International Association of Electrical Inspectors for 12 years, Chairman of the local chapter for 4 years, presently a member of the Northwestern Section of IAEI Executive Committee for 6 years, a Certified Inspector General for 7 years, a member of IBEW/NECA Apprenticeship Committee for 6 years, a member of Municipality of Anchorage Building Board for 7 1/2 years, a member of the National Fire Protection Association, Electrical Section for 6 years and member of the State of Alaska Board of Electrical Examiners for 2 years, Chairman for approximately 1 year, until "sunsetting". Presently, I am a self-employed Electrical Consultant, for the past 6 years.

As the testimony progressed, it was very apparent that all participants agreed, in principal, but did not agree on some of the fine points. You can rest assured, that this was the subject of many hours of deliberation, with the compromise Bill, that has been presented, as an equitable balance, for all concerned parties. What I received from the testimony, was that this was a very good Bill, with the support of everyone, as to purpose.

During the testimony, there were several issues that were questioned, as to intent, that I would like to address: (The opinions expressed are mine, and not necessarily those of the balance of the Committee.)

1-The Certification of Plan Reviewer's and Code Enforcement Personnel:

The prime purpose of this section was to require all enforcement personnel to be certified, by testing procedure, with a National, or International, recognized organization. There are a number of organizations that offer these certificates. The International Congress of Building Officials and the International Association of Electrical Inspectors, are two that come to mind, for the electrical discipline. Other organizations, of similar nature, have certifications for other disciplines.

2-Plastic pipe was also brought out, as an issue. This is a sore point with the electrical industry, in that it would require that an exposed, bare conductor be properly attached to all exposed metallic water lines and run back to the electrical panelboard, in the event of the installation of discontinuous metal water piping was used in the structure. (i.e. plastic pipe). This is a technical issue that does not deserve to be debated at this time, but would be the subject of a specific regulation, at a later time.

3- Accessibility Standards was noted to be an issue:

Much Committee discussion over the acceptance of the Federal Accessibility Standards OR ANSI 117.1. The consensus was, the Federal Standard would adequately meet the Alaskan requirements and allow flexibility, when changes are made.

4- Comments by Mr. Kent Lee Woodman:

I, for one, was completely taken aback, (no, appalled) by some of the statements made during the testimony. The following is a partial rebuttal, for the record:

A- House Bill 116, by Representative Sund, et al, has been voted out of the House Finance Committee, and passed the House 25 yeas, 2 Nays with 2 excused. Representative Cotton has asked for reconsideration. House Bill 116 is primarily set up for Electrical Administrator's. It will have little, or nothing, to do with Senate Bill 300.

B-Mr. Woodman's assertion that the information was available to the public, on the 13th of January. This is only partially correct. The final draft was available on the 13th of the month.

In a meeting of February 5, 1987, in which the writer was the featured speaker, with Mr. Woodman in attendance, a preliminary review was presented to the full membership of the AEICA. Had anyone been interested, the information was available

from any member of the AFDC Committee, who would have welcomed any input and/or participation.

C- The assertion that "many" would be moved from Labor, to Commerce, is without basis, or foundation. An early review of the manning requirements, for the present duties performed by Labor, appears to be in the area of 8 1/2 PCN "slots" to accomplish the work, now being performed by the Department of Labor personnel.

D- Section 1. The earlier statement referring to the "wish to 'sunset' the Board of Electrical Examiners" appears to have taken a 180° turn. Now it appears that they want the Board in the Department. The present licensing of all contractor's, and business, are in the Department of Commerce. The only addition to the licensing function, would be the 1/2 of a PCN "slot" for the Certificate of Fitness for the electricians and plumbers.

E- Section 2. See above paragraph C.

F- Section 3. Section 18.61.010(c).

The specific intent of this paragraph, and wording, was to allow for certain changes to the National Codes, to allow for unique Alaskan conditions. A specific example (electrical) would be the requirements for grounding, by the use of a ground rod, on the North Slope. The perma-frost content of the soil will not allow the ground rod function, in the manner that the Code had anticipated, when the Article was originally put into the Code. A separate grounding conductor must be installed, in addition to the circuit conductors, to obtain the necessary function of the "ground".

The implied, and stated, idea that the Bill would make the Code less stringent, is in error.

G- Section 3. Section 18.61.030.

The stated enforcement personnel would be the Building Official or his/her designee. (Inspectors and Plan Reviewers)

H- Section 3. Section 18.61.040.

1. The Uniform Administrative Code allows, under Section 294, the Board to adopt rules of procedure, normally the Robert's Rules of Order, under Chapter 3 Paragraph 3, and would govern. This would be established in Regulations.

2. See above H-1.

3. To be established.

4. All is presently established in the Department

of Commerce.

5. See above H-1.

6. This item would be the subject of Regulations.

7. In the event of a "Stop-work" order, or a "Change directive", from the Code Enforcement Official, the contractor/owner has a number of options: First, correct the violations to the satisfaction of the Code Official; Second, appeal the determination to the "Mini-Board", for a determination, within 8 days; Third, appeal the determination to the Full Board, for resolution within the 33 day case limit. It is anticipated that all pertinent information (i.e. photographs, drawings and/or specifications) would be in the hands of the Board members, within the allowable time limit, in order that they may render an immediate decision.

8. To be answered/supplemented in Regulations.

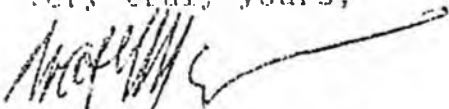
I- Section 12. 18.70.100(a) Violations.

The existing Statute AS 08.09.080 is applicable, as presently written. The filing would be against the Electrical Administrator.

J- Section 21.

Am unable to comprehend the implication, or substance, of Mr. Woodman's paragraph relating to the Thermal and Lighting Energy Standards.

Very truly yours,



Walter S. Gardner  
Electrical Consultant  
7731 Island Drive  
Anchorage, Alaska 99504-2776

333-0771

cc: Ron Watts, Chairman APDC Code Consolidation Committee

## LEGISLATIVE TESTIMONY: SSB 300 - 20 Jan 88

My name is Kent Lee Woodman. I am an electrical contractor, engineer, journalist and an Alaskan since 1953. My remarks are presented on my own behalf and for the ALASKA INDEPENDENT ELECTRICAL CONTRACTOR'S ASSOCIATION, for which I am the Director of Administration.

Our Association is over 10 years old, is non-profit and is dedicated to safer and more economical electrical contracting and products in Alaska. We operate one of 2 Apprenticeship Training Courses approved by the U.S. Department of Labor.

NOT 2  
P. 10

A short comment on a parallel activity of which you should be aware: HB 116 by Sund, which would have extended the Board of Electrical Examiners last year prior to the sunset of that group, is alive and well. Though no copies have been made available to the public yet, the first hearing was held Monday on a complete re-write of this bill. which if approved, would RE-ESTABLISH THE BOARD AGAIN! My comments on that debacle will be presented at appropriate hearings downstream. Meantime, we should all bear in mind that that bill goes HEAD-TO-HEAD with this one. While this one attempts to cure many long lingering problems, that one would divide and drag us back down into the darkness of past, unfortunate episodes. It is actively promoted by a Board past president and another gentleman described by a staffer as "Real big in the IBEW."

And now to SSB 300: A complete typed copy of my testimony, together with the text of the several language changes we recommend, will be turned in here today.

We would note that this new sponsor substitute bill only became available to the public on the 13th of this month, leaving precious little time to absorb its sweeping changes. We comment with the caveat that more detailed study may develop more comment; which we will forward of course.

We generally FAVOR the concept of the bill. This Association has long advocated a streamlining of the regulation and inspection of our trade. In the past, with both the Departments of Labor and Commerce each getting into the act, as well as the now sunsetted Board of Electrical Examiners, we had triplication and much lack of coordination and communication among the parties.

Especially in these austere times, it is timely and proper to consider any consolodations which will reduce costs, not to mention the painful cross-purpose tasking which we have enjoyed until now.

This Association FAVORED sunset of the Board and FAVORED combining all the aspects of our trade into one Department. Until now we had leaned towards LABOR because that's where MOST OF THE EFFORT: LICENSING, INSPECTION AND INVESTIGATION WAS HOUSED.

It is still not clear why the MANY from Labor must move to the FEW of Commerce, but if in the Legislature's considered opinion, and with the concurrances of the Departments, we'll abide.

Here are our comments and questions in the same order as presented in the draft we received on the 13th:

Section 1, PURPOSE: We concur in the stated purpose near the end of this paragraph which calls for CONSOLIDATION of governmental functions. Though we do not have the resources to do whole-sale research, we hope that this bill leaves no stone unturned, and that we will not be surprised later to learn that one obscure reference still gives some other department some misc authority to license, inspect etc.

It is very important that the testing, licensing, inspection and administration of the ELECTRICAL ADMINISTRATORS also be vested in the same Department....perhaps Division, as the workers; i.e. the Journeymen, Apprentices etc. We'd hope that CONTRACTOR'S LICENSES will also come from this same place. By the way, why could we not obtain business licenses there as well and avoid applying, receiving, mailing back and applying again? **CENTRAL LICENSING,**

Section 2, TRANSFER OF AUTHORITY: As in the introduction above, we only question why the MANY move to the FEW instead of the reverse.

Section 3, 18.61.010 ADOPTION: We note that this provision would have appropriate codes adopted by Departmental Regulation rather than as items of legislative action. This is **IMPORTANT**: don't change it. May we remind you that we are still operating under the 1979 Plumbing Code? The regulation process will provide ample opportunity for comment, and relieve the Legislature of technical detail.

Section 3, 18.61.010(c): Taken literally, this section allows the Department to make **LESS STRINGENT** the provisions of the several codes. This is important because it cannot be done at the Municipal level. Most codes contain superfluous or inappropriate provisions from which we must be saved. Don't change this section.

Section 3, 18.61.020(b): This section about Municipal elections of Code enforcement, ends with an **extremely awkward double negative** that takes about 5 readings to comprehend. We recommend that if the meaning there is intended and correct, that language be amended to:

**"A municipality shall not amend a code to cause it to be less stringent than one adopted by the department."**

LANGUAGE IS OK

Section 3, 18.61.030: This section is unclear. In the case of electrical, would the enforcement official be at least a licensed ADMINISTRATOR, or are we talking Journeyman or something altogether different? We are concerned that this be pinned down firmly now, and not be left to whim and Departmental neglect or selective enforcement later.

Section 3, 18.61.040: BUILDING REGULATION BOARD. We generally concur with the concept and the construction of the Board as stated, however we find several items missing which need inclusion:

1. How many members constitute a quorum<sup>4hr</sup> to do business?  
(Suggest 8)

2. How many members constitute a majority<sup>6 votes to win</sup> for voting?  
(Suggest 7)

3. How many minimum to sit on a non-expedited appeal?  
(Suggest 8) <sup>ALBANY IN - 3</sup>

4. Who provides the administrative support to operate this Board, publish its activity, keep the files etc? <sup>DEPT.</sup>

5. Where will it meet? Will there be an alternating cycle or will they be out of reach of the bulk of the population they serve by meeting in Juneau with the Department HQ? Will the members be geographically appointed? It needs to be put here or in intent.

6. Why are ALARM and SIGNAL/COMMUNICATIONS expertise left out of this Board? We (and the Department of Labor's Mechanical Inspection Section) have repeatedly called for licensing of these important, high-tech fellow tradespersons: now is the time to fix the whole thing. (We have recommended language appended)

7. We'd propose that an ADMINISTRATIVE APPEAL process be open prior to rolling all the costs of the Board. If a contractor gets a notice to stop or change something, it may be that a carefully written letter to the Department may clear up a misunderstanding and save

lots of time and money. The hard requirement to go to the Board can be used to great inconvenience and expense on normal work, let alone Bush jobs. (recommended language is appended)

8. If the event being appealed occurred in Fairbanks or Anchorage, what are the chances that the appellant will need to fly to Juneau along with all the rest of the retinue for the hearing? Who pays the costs if the Appellant prevails? What ARE hearing and appeal costs? Will regulation set them at prohibitive levels? Need to set them or deny them here!

Section 7, 18.62.010: CERTIFICATE OF FITNESS REQUIRED. It appears that the effect of this section will be to require Utility employees to obtain licenses. Is that the purpose? If so, we concur.

Section 12, 18.70.100(a): VIOLATIONS. We feel that the language, as presented in the draft, lacks flexibility. As written, each infraction, no matter how severe, no matter how infrequent or inconsequential, MUST BECOME a misdemeanor with fine and imprisonment or both. We can think of countless instances where an honest difference of opinion on a code matter, a personality conflict between contractor and inspector, or an out and out error or overstepping of one party or the other, could result in a Cease and desist order that is cleared up quickly and to mutual advantage. To FORCE this as the automatic next step is NOT IN THE PUBLIC INTEREST. There needs to be inserted some language which escalates the program and leaves options to the Department, prior to whacking the contractor with an axe. (suggested language is appended)

Additionally, who is the guilty party when a notice is placed against a contractor; the Administrator? Owner? Officers? It's hard to send a company to prison.

Section 31, SAVING CLAUSE. The last sentence in this paragraph, as written, would appear to provide an umbrella under which the Department may retain non-complying regulations forever. Some deadline needs established, or contractors will be torn between new law and old regulations. *OK SECTION*

MISC: Where are the fiscal notes for this bill? It cannot be done without cost. What are the specific line item job numbers which will be moved, deleted etc? If we are going to save money, let's see it and let's hold them to it! *IS THERE A PROPOSED ORGANIZATIONAL CHART?*

CONCLUSION: As you can see, our concerns are primarily language and intent, and not major policy. We are saddened that the time allowed us to participate in this was ABSOLUTELY MINIMUM. We'd be pleased to work with anyone drafting final legislation or regulations to follow.

Thank you for your interest. I would be pleased to answer questions.

## SUGGESTED LANGUAGE FOR INCLUSION IN SSB 300

## SECTION 18.61.040: BUILDING REGULATION BOARD.

Suggest the section be amended by adding:

- (11) a contractor exclusively engaged in the installation of alarm, communications and low voltage equipment.
- (12) a public member

## SECTION 18.61.050 HEARINGS.

Suggest this section be amended as shown, to include one administrative appeal step prior to gearing up a full Board action:

(a) A person who is denied a permit or issued a notice of violation under a code adopted under AS 18.61.010 may submit an administrative appeal to the Commissioner of the Department within 15 days after said denial or notice of violation. The appeal must be in writing and must communicate the conditions for the appeal, including remedial action taken, if any. If the situation has been remedied to the satisfaction of the Department and the complainant, no further action need be taken.

(b) A person who has exhausted the Administrative Appeal in section (a) above, or who elects not to exercise the Administrative Appeal, may appeal the denial of the permit or notice of violation to the board within 15 calendar days after the denial of the permit or the notice of violation is affirmed by the administrative official, or within 15 calendar days after receiving final notice of action under section (a) above.

## SECTION 18.70.100(a): VIOLATIONS.

Suggest this language be amended to prevent mandatory misdemeanor charges coming of public record in those cases with a satisfactory resolution.

(a) A person who violates a [ANY] provision of AS 18.70.010 - 18.70.100 or the published regulations or orders adopted under those sections and for which no satisfactory resolution of the violation has been reached [IT] from which an [NO] appeal has not been taken within 30 days after the issuance of a....(continue)

end end end

(AIECA: January 1988)

PREPARED TELECONFERENCE NOTES:

NSSB 300

01/20/88

Sipman

My name is James Sipman; the last name is spelled... I am an architect in private practice here in Washington.

Thank you for providing us the opportunity... Teleconference and... the... of...

As you all know, regulatory reform... years, through... a broad... for example, it... sectors of the...

SB 300... if not all... one of... including...

Current... the... in... and... the... but... standards... availability... throughout...

Another important... private... individuals... provide... to... will...

The current draft... the... modifications...

make them more applicable to Alaskan conditions, and at the time regulations are promulgated for each applicable code additional public input will occur to allow an end result acceptable to most if not all interested parties. To repeat, the purpose of this bill will not preclude those parties who might have concerns, as this time about some individual portions of the bill, from expressing their views and suggestions during the public comment period.

Holding Codes and the Alaska State Department of Environmental Conservation  
Division of Environmental Quality  
1000 North Steese Avenue  
Anchorage, Alaska 99503  
Phone: 277-6112

This is a good bill that will help to protect our natural resources and the environment. I am pleased to see that the bill has been passed by the legislature. I hope that the bill will be signed into law soon. I will continue to monitor the progress of the bill and will be happy to provide any assistance that I can.

Thank you for your interest in this bill. I am sure that you will be pleased with the results. I will be happy to answer any questions that you may have. I will be in touch with you again in the future.

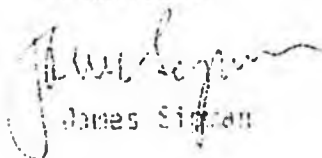
make them more applicable to Alaskan conditions, and at the time regulations are promulgated for each applicable code, additional public input will occur to allow an end result acceptable to most if not all interested parties. To repeat, the passage of this bill will not preclude those parties who might have reservations at this time about some individual portion or section from being heard when the final regulations/amendments are proposed.

Building Codes and Standards are established to promote the general health, safety and welfare of the residents of a specific jurisdiction. I believe that such codes and standards should be uniform and equally applied throughout that jurisdiction. In this case the State of Alaska.

This is a good time for reviewing existing and proposed building regulations. Because of the current slowdown in the design and construction communities, all interested parties can take the necessary time to see that a responsible and equitable solution is reached. Additionally, it would be great to have regulatory reform in place as we try to turn the state's economy around.

This bill is of major interest to many of us in the design and construction sector. I think that I can speak for many of my colleagues in saying we urge your careful consideration and passage of the bill in its currently presented format. Thank you again for your time and patience.

Submitted:

  
James Sipman

# International Conference of Building Officials

## ALASKA CENTRAL CHAPTER

7233 Madelynne Drive

Anchorage, Alaska 99504-4656

907-337-6315

DATE: January 22, 1988

TO: Senator Tim Kelly, Chairman, Senate Labor and Commerce Committee

FROM: Ron Watts, Chairman, Building Code Adoption and Consolidation Task Force

COPY: Senator Richard I. Eliason, L & C Committee  
Senator Bettye M. Fahrenkamp, L & C Committee  
Senator Mike Szymanski, L & C Committee  
Senator Rick Uehling, L & C Committee  
Senator Jan Faiks, Senate President and Bill Sponsor

SUBJECT: SSSB 300 - Building Code Adoption and Consolidation

This is followup to our teleconference on January 20, 1988. I will attempt to be as brief and concise as possible. As Chairman of the Building Code Adoption and Consolidation Task Force of the Alaska Chapters International Conference of Building Officials working under the Alaska Professional Design Council, the following positions stated are what I believe are a majority consensus opinion of the many diverse organizations and groups concerned about consolidation.

### I. GENERAL COMMENTS

It is significant to note that there has been thousands of work hours by architects, engineers, code officials, contractors, material supplies and state officials exerted from late 1985 until present over the issues of code adoption and consolidation. Every aspect and ramification of code adoption and consolidation has been researched and discussed excluding cost of consolidation. Consolidation has been discussed with every major organization affected and with some organizations several times. The accumulated number of direct code related experience years of the professionals involved in this consolidation effort would add up to thousands. The recommendations have not been put forward lightly, but only after extensive research and debate.

Most agree that there is a great need for building code regulatory reform and that reform is overdue. The proposed Senate Bill 300 will solve many of the major concerns and problems. The task force committee felt that this bill and most bills that are placed into the state statutes, should be broad and general in nature and a statute that sets guidelines and general directions. The committee also felt that regulations should then deal with specifics, especially in dealing with technical code changes and state regional code needs. To this end the current sponsor substitute bill very accurately reflects the intent of thousands of work hours put into this consolidation effort.

### II. PRIORITIES

The overall priorities of the building code adoption and consolidation effort in this bill are stated in priority as follows:

(1)

SSSB 300 Building Code Adoption and Consolidation,  
January 22, 1988  
Page 2

- A. Adoption of a unified set of state building codes with a time schedule for updating.
- B. Establishment of an appeals process and building regulations board.
- C. Consolidation of present fragmented building code activities into one state department.

III. MAJOR REASONS FOR NEEDED CONSOLIDATION

- A. Fragmentation of codes occur in approximately 8 or 9 different state departments.
- B. Presently the state only partially adopts building codes.
- C. There are no earthquake or structural building codes presently in the State of Alaska except in local jurisdictions.
- D. Presently there is no appeals process to an independent body or board.
- E. There is a desperate need to solve problems facing architects, engineers, contractors, building owners and local enforcement officials that have to deal with the fragmented state code enforcement agencies.

IV. INTENT OF THE CODE ADOPTION AND CONSOLIDATION EFFORTS - SSSB 300

- A. Not to expand present state bureaucracy but to consolidate, reduce, and save the State money.
- B. Not to expand state code enforcement at this time beyond what presently exists.
- C. Not to make any major changes in policy of enforcement except by consolidating code activities (within state government).
- D. Not to change or add any enforcement requirements to Bush communities.
- E. That newly adopted codes would not apply to Bush homes unless the community so chose or unless there were a special state mandate such as energy requirements, etc.
- F. Obtain legislation that will require code adoption and consolidation within the State of Alaska.
- G. Allow technical professionals to set up and regulate the required changes to the codes and regional requirements by the public input and regulation process.

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Page 3

V. PROBLEMS AND QUESTIONS ADDRESSED

A. What are the effects of Senate Bill 300 on Bush communities?

Comments:

1. As has been stated, it is not the intent of this bill to have complete statewide building codes apply to every structure constructed in the State of Alaska. That is completely unrealistic and probably not even possible at this time.
2. It is recommended that details of how the codes should be administered in Bush areas be permitted to go through the public hearing process and be determined through regulations.
3. If the committee and legislature feels that an exception must be placed into this bill, then we recommend that the exemptions be for four-dwelling units (four-plex) or less. All commercial buildings larger than four dwelling units would require architects, engineers, and contractors to construct buildings according to State building codes even if there are not complete inspections around the state. Another point is that state statutes presently require all buildings of a five plex or greater to be designed by a registered professional in the State of Alaska.
4. It has been strongly recommended that an exclusion by population not be placed into this bill. A population exclusion could conceivably exclude public buildings from any type of design, review, and compliance with any building codes.

B. How would the new Building Regulations Board work and how much would it cost?

1. The committee recommended an 11 person combined multi-disciplined Board.

Reasons: A tremendous amount of research and debate has occurred over this topic. It was felt that a larger combined multi-disciplined board could serve the functions of several smaller boards. It was not recommended that a separate board be set up for electrical, mechanical, plumbing, or fire and life safety.

2. All code changes would go through this technical board and have public hearings, debates, etc.
3. This technical quasi-judicial board would rule on matters of interpretations, alternate materials, appeals, code changes, etc.

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4. All appeals from this quasi-judicial board would go to Superior Court, not to an elected body or to an administrative official.

Comments: All national codes are set up so as to prevent highly technical building code matters from being debated or influenced by the political process in elected municipal or state legislative bodies. It is felt nationally that there is no more appropriate way or group of people more qualified to make judgement on technical code matters than a group of independent, private professionals appointed to a building board and that are not associated with the governing agencies or the political process.

5. What is the cost of supporting this new independent state board?

Comments: The cost could range from a few thousand dollars to many thousands of dollars annually depending on how the board is set up and structured. This is a very important issue that the committee felt needed to be resolved. However, it was determined that placing specific procedural requirements in Senate Bill 300 was inappropriate. The details of procedures and functions should be worked out by appropriate knowledgeable individuals within the administration who would be responsible for insuring that the board is set up and functions properly. Item #6 makes some suggestions for minimizing cost.

6. Suggestions for establishing a functional building board process and minimizing cost.

Comments: It has been suggested that the presently established qualified boards in Anchorage, Fairbanks, and Juneau be designated as regional state boards in addition to their municipal functions. If there was a need for the state to utilize one of these regional boards, the state would ask for their appeal or concern to be placed before the board and the state should reimburse the local jurisdiction for the time that any board spent on state appeals or other matters. It has also been suggested that three or four members from each of the Anchorage, Fairbanks, and Juneau boards be designated by the governor as a state board to specifically hear and make judgment on local regional requirements and changes to the state codes through the regulations process. Most matters could be handled by teleconference and possibly only require one or two joint meetings per year of the combined board.

7. Should there be a combined multi-disciplined board or separate boards in the State?

Comments: As has been stated earlier, it was strongly recommended that there not be separate electrical, mechanical, plumbing, or fire

## SSSB 300 Building Code Adoption and Consolidation

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and life safety boards set up or legislated in the state. A combined multi-disciplined board can function adequately and perform the required functions of separate boards. This would prevent significant administrative problems and save cost.

C. Specific comments by Kent Woodman reference Building Regulations Board:

1. The specific details of quorum, majority voting, appeals, administrative support, files, etc. should be handled by rules of procedure for the board. These rules of procedure are set up to include all such details. These type details should not be included in this bill and should not be placed into statute. Many things can change that would require another bill before the legislature in order to undo restrictions or obstructions to efficient functioning of this board.
2. In response to Mr. Woodman's question about why are alarm and signal communications expertise left out of this board is because the composition was made up and recommended based on the greatest need and greatest number of appeals that normally come before such board. This specialized field is a very minute portion of the electrical code and probably only possibly would have one appeal in every five years come before the board on these subjects. As a consequence, it would not justify placing an individual to take up an important position on a board for which their particular discipline may only very rarely be encountered.
3. In response to Mr. Woodman's comment about proposing an administrative appeal process. That presently is the way that the state operates now. Any appeal to a higher supervisor in any department is an administrative appeal. That process can go completely to the commissioner or governor. That is a very inefficient and inappropriate way to handle appeals. All appeals, prior to going to the building regulation board, would be reviewed by an administrated official who normally is designated as the Building Official. That official determines that they agree or do not agree with the state inspector and that if private individual or party did not agree with that official's decision, they would have the option of appealing to an independent board.
4. In response to the question concerning cost of appeals. It is recommended that appeal cost not be included in this bill. The reason is because cost may fluctuate depending on many factors. If cost were determined to be unreasonable, then the board would rule upon appropriate cost or the legislature could step in and set a maximum fee if they were not satisfied with the fees. However, this should be done after the problem has arisen as a fix to the problem and not creating a problem in advance.

(5)

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3. In response to Mr. Woodman's comment about proposing an administrative appeal process. That presently is the way that the state operates now. Any appeal to a higher supervisor in any department is an administrative appeal. That process can go completely to the commissioner or governor. That is a very inefficient and inappropriate way to handle appeals. All appeals, prior to going to the building regulation board, would be reviewed by an administrated official who normally is designated as the Building Official. That official determines that they agree or do not agree with the state inspector and that if a private individual or party did not agree with that official's decision, they would have the option of appealing to an independent board.
  4. In response to the question concerning cost of appeals. It is recommended that appeal cost not be included in this bill. The reason is because cost may fluctuate depending on many factors. If cost were determined to be unreasonable, then the board would rule upon appropriate cost or the legislature could step in and set a maximum fee if they were not satisfied with the fees. However, this should be done after the problem has arisen as a fix to the problem and not creating a problem in advance.
- D. Should there be a state handicap code? Presently the bill proposes a handicapped standard to be established as a state code. The state definitely needs this standard in order to comply with state and federal requirements, in particular those that are federally funded or receive partial federal funds. If the legislature so chooses, then there could be a code placed that says the handicapped requirement would only apply to federally funded projects as is presently the case.
- E. Why not move all code agencies physically together but leave each separate entity reporting to the same departments as they presently report to?
1. The primary purpose of this bill is to minimize the problems created by this present fragmentation of building codes throughout several state agencies.
  2. We would have the same problems and inefficiencies as exist today except there would simply be more confusion under one roof. This is an unmanageable type organization that would probably create more problems than we presently have.

(6)

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F. How can enforcement be improved in the state and not add significant cost to the state budget?

Suggestions:

1. Enforcement of state building codes in proximity to local jurisdictions that already have qualified inspectors could go out at the request of the state and inspect in their geographical regions. This would provide a greater and larger base of operation for local regional communities and would provide better enforcement of state codes outside of local jurisdictions.
2. Also the local jurisdiction could be reimbursed for the expense of sending local inspectors to perform state work. This would solve the problem of tremendous transportation cost to the state and the practice of the state flying in to a local community, raising havoc and then flying away.

G. Which department should consolidation occur in?

The department in which consolidation occurs is probably a lesser if not the least of the priorities and concerns of the majority of professionals that are interested and concerned with consolidation. There has been a tremendous opposition to consolidation occurring in the Department of Labor. There is more support for the consolidation to occur in Public Safety. However, the Department of Commerce is a viable alternative. It definitely makes sense to have the licensing functions of the professionals and trades located in the same department as the building codes.

In conclusion, I would like to emphasize that there is a tremendous amount of support for this consolidation effort around the State of Alaska. If the legislature will establish the mandate for code adoption and consolidation, we can assure you there are specific rules and regulations set forth in the national model codes to insure that local due process will occur and that technical details and local regional concerns will be handled in an orderly and professional manner.

Please do not hesitate to contact me if you have any questions or if I can be of any assistance. My telephone number is 786-8307.

Respectfully submitted,

*Ron Watts*

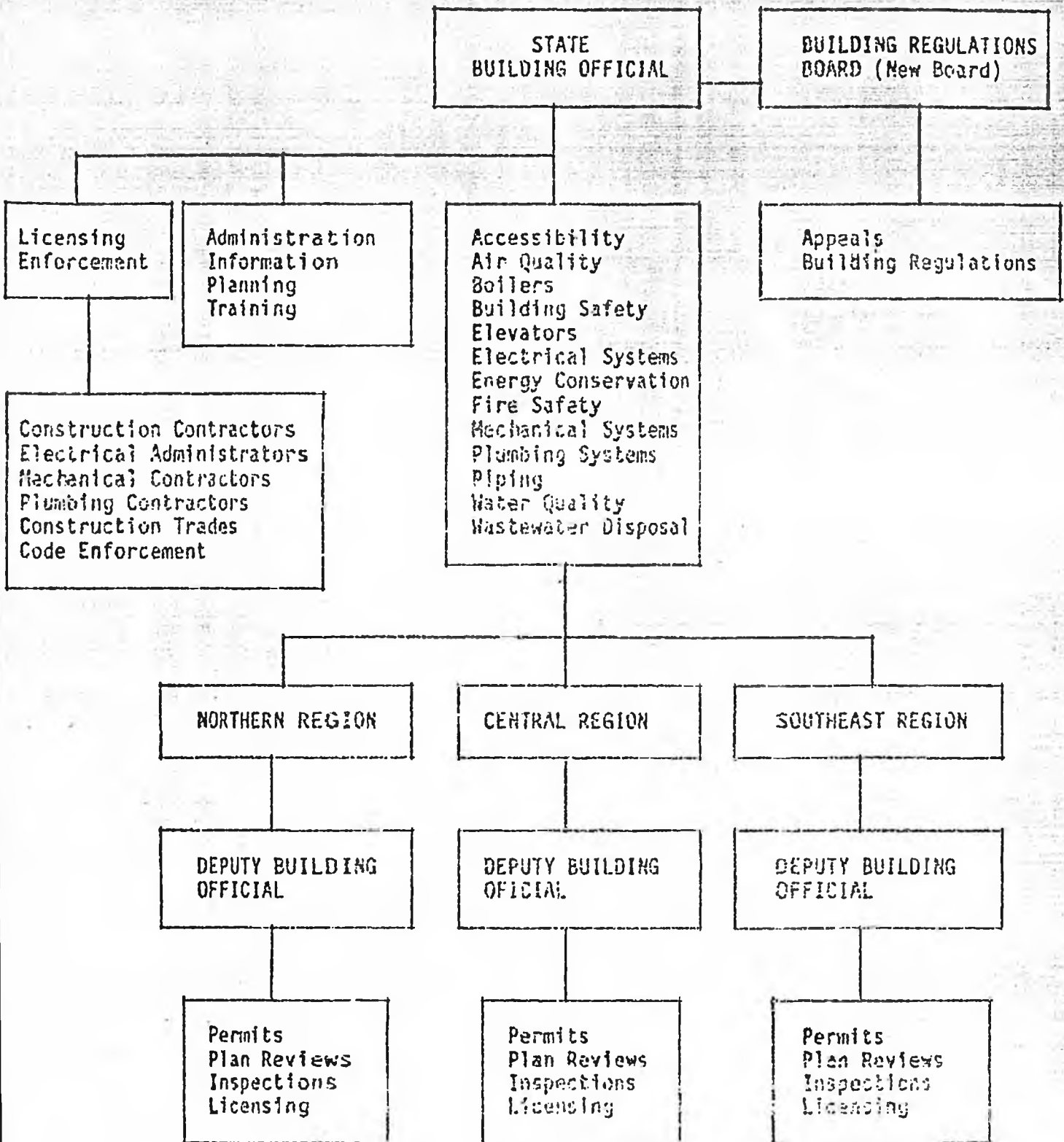
Ron Watts, Chairman  
Alaska Professional Design Council  
Building Code Consolidation Task Force

FRAGMENTED BUILDING REGULATIONS  
ADMINISTERED WITHIN THE STATE OF ALASKA

<u>DEPARTMENT</u>	<u>DIVISION</u>	<u>ACTIVITY</u>
COMMERCE & ECONOMIC DEVELOPMENT	Occupational Licensing	Architects, Contractors, Electric Admin., Engineers, Land Surveyors
	Measurement Standards	Mobile Home Inspection
COMMUNITY AND REGIONAL AFFAIRS	Community Development	Energy Conservation in Residential Buildings
	Energy	Grants, Loans
EDUCATION	Education Finance Support Services	School Construction, Plan Reviews
ENVIRONMENTAL CONSERVATION	Environmental Quality	Drinking Water, Plan Reviews, Inspections, Wastewater, Disposal, Plan Reviews, Inspections
HEALTH & SOCIAL SERVICES	Planning	Health Care, Construction, Plan Reviews
LABOR	Labor Standards	Amusement Rides, Ski Lifts, Boilers, Electrical, Elevators, Plumbing, Permits, Boiler Certification, Elevator
	OSHA	Safety Compliance, Voluntary Compliance, Industrial Hygiene, Powder Handling, Hazardous Materials
PUBLIC SAFETY	Fire Prevention	Arson Investigation, Fire Code Inspection, Building Plan Reviews, Fire Service, Training, Fireworks Permits, Hazardous Materials
REVENUE	Alaska Housing Finance Corp.	Loans for Residential Construction, Business Loans
TRANSPORTATION AND PUBLIC FACILITIES	Design and Construction	Building Plan Reviews, Building Construction Inspection, Permit Review, Harbors & Waters

(8)

### SUGGESTED CONSOLIDATED ORGANIZATION OF BUILDING AND FIRE



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5-1004P  
Utermohle  
3/3/88

Original sponsor: Faiks

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IN THE SENATE

BY THE LABOR AND  
COMMERCE COMMITTEE

CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 300 (L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FIFTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to building, construction, an safety codes; consolidating building regulation; transferring certain functions to the Department of Labor; relating to fire protection; relating to the division of fire prevention; relating to certificates of fitness; and providing for an effective date."

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

\* Section 1. PURPOSE. The purpose of this Act is to better serve the public and increase efficiency and cost effectiveness of state government by adopting uniform building, construction, and safety codes; establishing a procedure for periodic revisions and updates of uniform building, construction, and safety codes; establishing an appeals procedure for violations of uniform building, construction, and safety codes; and consolidating governmental functions relating to adoption and enforcement of building, construction, and safety codes into the Department of Labor.

\* Sec. 2. TRANSFER OF AUTHORITY. (a) The division of fire prevention and its statutory powers and duties are transferred to the Department of Labor from the Department of Public Safety. The responsibility for state fire prevention and protection functions and for the regulation of fire-works is transferred to the Department of Labor from the Department of Public Safety.

(b) The authority to adopt and enforce regulations governing access to public buildings and facilities by the physically handicapped, aged, and infirmed is transferred to the Department of Labor from the Department of

1 Transportation and Public Facilities.

2 (c) The authority to adopt and enforce regulations governing thermal  
3 and lighting energy standards for public and private buildings is trans-  
4 ferred to the Department of Labor from the Department of Transportation and  
5 Public Facilities and the Department of Community and Regional Affairs.

6 (d) The responsibility for licensing architects, engineers, land  
7 surveyors, construction contractors, and electrical administrators is  
8 transferred to the Department of Labor from the Department of Commerce and  
9 Economic Development.

10 \* Sec. 3. AS 08.01.065(d) is amended to read:

11 (d) The commissioner of administration shall separately account  
12 for occupational licensing fees deposited in the general fund by each  
13 [THE] department. The annual estimated balance in the account may be  
14 used by the legislature to make appropriations to the appropriate  
15 department to carry out its [THE] activities under this title [OF THE  
16 DIVISION OF OCCUPATIONAL LICENSING].

17 \* Sec. 4. AS 08.01.110(2) is amended to read:

18 (2) "commissioner" means the commissioner of commerce and  
19 economic development with respect to a board or occupation under the  
20 Department of Commerce and Economic Development, or the commissioner  
21 of labor with respect to a board or occupation under the Department of  
22 Labor, as appropriate;

23 \* Sec. 5. AS 08.01.110(3) is amended to read:

24 (3) "department" means the Department of Commerce and  
25 Economic Development with respect to a board or occupation under that  
26 department, or the Department of Labor with respect to a board or  
27 occupation under that department, as appropriate;

28 \* Sec. 6. AS 08.18.011(a) is amended to read:

29 (a) It is unlawful for a person to submit a bid or work as a

1 contractor until that person has been issued a certificate of regis-  
2 tration by the Department of Labor [COMMERCE AND ECONOMIC DEVELOP-  
3 MENT]. A partnership or joint venture shall be considered registered  
4 if one of the general partners or venturers whose name appears in the  
5 name under which the partnership or venture does business is regis-  
6 tered.

7 \* Sec. 7. AS 08.18.041 is amended to read:

8 Sec. 08.18.041. FEES. The department [DEPARTMENT OF COMMERCE  
9 AND ECONOMIC DEVELOPMENT] shall set registration and renewal fees  
10 under AS 08.01.065 for the following:

- 11 (1) general contractor;
- 12 (2) specialty contractor.

13 \* Sec. 8. AS 08.18.116 is amended to read:

14 Sec. 08.18.116. INVESTIGATIONS. The department [EITHER THE  
15 DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT OR THE DEPARTMENT OF  
16 LABOR] may investigate alleged or apparent violations of this chapter.  
17 The department [THESE DEPARTMENTS], upon showing proper credentials,  
18 may enter, during regular hours of work, a construction site where it  
19 appears that contracting work is being done. The department [DEPART-  
20 MENTS] may make inquiries about the identity of the contractor or the  
21 person acting in the capacity of a contractor. Upon demand, a con-  
22 tractor or person acting in the capacity of a contractor, or that  
23 person's representative, shall produce evidence of current registra-  
24 tion.

25 \* Sec. 9. AS 08.18.117 is amended to read:

26 Sec. 08.18.117. ISSUANCE OF CITATIONS. The department [EITHER  
27 THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT OR THE DEPARTMENT  
28 OF LABOR] may issue a citation for a violation if there is probable  
29 cause to believe a person has violated this chapter. Each day a

1 violation continues after a citation for the violation has been issued  
2 constitutes a separate violation.

3 \* Sec. 10. AS 08.18.118(c) is amended to read:

4 (c) The department is [DEPARTMENT OF COMMERCE AND ECONOMIC  
5 DEVELOPMENT AND THE DEPARTMENT OF LABOR ARE] responsible for the  
6 issuance of books containing appropriate citations, and [EACH] shall  
7 maintain a record of each book issued and each citation contained in  
8 it. The [EACH] department shall require and retain a receipt for  
9 every book issued to an employee of the [THAT] department.

10 \* Sec. 11. AS 08.18.118(d) is amended to read:

11 (d) The department [THAT ISSUES A CITATION UNDER THIS CHAPTER]  
12 shall deposit the original or a copy of the citation with a court  
13 having jurisdiction over the alleged offense. Upon its deposit with  
14 the court, the citation may be disposed of only by trial in the court  
15 or other official action taken by the magistrate, judge, or prosecu-  
16 tor. The department [THAT ISSUED THE CITATION] may not dispose of the  
17 citation [IT] or copies of it or of the record of its issuance except  
18 as required under this subsection and (e) of this section.

19 \* Sec. 12. AS 08.18.118(e) is amended to read:

20 (e) The department [DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOP-  
21 MENT AND THE DEPARTMENT OF LABOR] shall require the return of a copy  
22 of every citation issued by the [RESPECTIVE] department under this  
23 chapter, and of all copies of every citation that has been spoiled or  
24 upon which an entry has been made and not issued to an alleged viola-  
25 tor. The department [DEPARTMENTS] shall also maintain, in connection  
26 with every citation issued by the [RESPECTIVE] department, a record of  
27 the disposition of the charge by the court where the original or copy  
28 of the citation was deposited.

29 \* Sec. 13. AS 08.18.121(f) is amended to read:

1 (f) If the department [DEPARTMENT OF COMMERCE AND ECONOMIC  
2 DEVELOPMENT OR THE DEPARTMENT OF LABOR] determines that a contractor  
3 or a person acting in the capacity of a contractor, is in violation of  
4 this chapter, the [THAT] department may give written notice to the  
5 person prohibiting further action by the person as a contractor. The  
6 prohibition continues until the person has submitted evidence accept-  
7 able to the [THAT] department showing that the violation has been  
8 corrected.

9 \* Sec. 14. AS 08.18.121(g) is amended to read:

10 (g) A person affected by an order issued under this chapter may  
11 seek equitable relief preventing the department [DEPARTMENT OF COM-  
12 MERCE AND ECONOMIC DEVELOPMENT OR THE DEPARTMENT OF LABOR] from en-  
13 forcing the order.

14 \* Sec. 15. AS 08.18.131 is amended to read:

15 Sec. 08.18.131. INJUNCTION. In an action instituted in the  
16 superior court by the department [DEPARTMENT OF COMMERCE AND ECONOMIC  
17 DEVELOPMENT OR THE DEPARTMENT OF LABOR], the court may enjoin a person  
18 from acting in the capacity of a contractor in violation of this  
19 chapter. In addition to other relief, the court may impose a civil  
20 penalty of not more than \$250 for each violation. Each day that an  
21 unlawful act continues constitutes a separate violation.

22 \* Sec. 16. AS 08.18.141(b) is amended to read:

23 (b) Criminal prosecution for a violation of this chapter does  
24 not preclude the department [DEPARTMENT OF COMMERCE AND ECONOMIC  
25 DEVELOPMENT OR THE DEPARTMENT OF LABOR] from seeking available civil  
26 remedies.

27 \* Sec. 17. AS 08.18.171(2) is repealed and reenacted to read:

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

29 \* Sec. 18. AS 08.18.171(4) is amended to read:

1 (4) "department" means the Department of Labor [COMMERCE  
2 AND ECONOMIC DEVELOPMENT, UNLESS THE CONTEXT INDICATES OTHERWISE].

3 \* Sec. 19. AS 08.40.175 is amended to read:

4 Sec. 08.40.175. CEASE AND DESIST ORDER. (a) If the commis-  
5 sioner [OF LABOR] determines that a person is acting as an electrical  
6 administrator in violation of this chapter the commissioner may issue  
7 a cease and desist order prohibiting further action by the person as  
8 an electrical administrator. The cease and desist order remains in  
9 effect until the person has submitted evidence acceptable to the  
10 commissioner [OF LABOR] showing that the violation has been corrected.

11 (b) A person affected by an order issued under (a) of this  
12 section may seek equitable relief preventing the commissioner [OF  
13 LABOR] from enforcing the order.

14 \* Sec. 20. AS 08.40.178 is amended to read:

15 Sec. 08.40.178. INJUNCTIVE RELIEF. The commissioner [OF LABOR]  
16 may seek an injunction in the superior court to enjoin a person from  
17 violating this chapter.

18 \* Sec. 21. AS 08.40.200(1) is amended to read:

19 (1) "department" means the Department of Labor [COMMERCE  
20 AND ECONOMIC DEVELOPMENT];

21 \* Sec. 22. AS 08.40.200 is amended by adding a new paragraph to read:

22 (6) "commissioner" means the commissioner of labor.

23 \* Sec. 23. AS 08.48.011(a) is amended to read:

24 (a) There is [CREATED] the State Board of Registration for  
25 Architects, Engineers, and Land Surveyors in the Department of Labor.  
26 The board shall administer the provisions of this chapter and comply  
27 with the Administrative Procedure Act (AS 44.62).

28 \* Sec. 24. AS 08.48.071(a) is amended to read:

29 (a) The following record of the board's proceedings and of all

1 applications for registration or authorization shall be kept by the  
2 department [DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT] under  
3 AS 08.01.050:

4 (1) the name, age, and last known address of each appli-  
5 cant;

6 (2) the date of application;

7 (3) the place of business of the applicant;

8 (4) the education, experience, and other qualifications;

9 (5) the type of examination required;

10 (6) whether or not the applicant was rejected;

11 (7) whether or not a certificate of registration or au-  
12 thorization was granted or endorsed;

13 (8) the date of the action of the board;

14 (9) other action taken by the board;

15 (10) other information that [WHICH] may be considered neces-  
16 sary by the board.

17 \* Sec. 25. AS 08.48.071(e) is amended to read:

18 (e) The department [DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOP-  
19 MENT] shall, under AS 08.01.050, preserve the records under (a) of  
20 this section for the previous five years.

21 \* Sec. 26. AS 08.48.071(f) is amended to read:

22 (f) The department [DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOP-  
23 MENT] shall assemble statistics relating to the performance of its  
24 staff and the performance of the board, including but not limited to,

25 (1) the number of architects, engineers, and land surveyors  
26 registered over a five-year period;

27 (2) the rate of passage of examinations administered by the  
28 board;

29 (3) the number of persons making application for

1 registration as a professional architect, engineer, or land surveyor  
2 over a five-year period;

3 (4) an account of registration fees collected under AS 08.-  
4 48.201(b);

5 (5) a measure of the correspondence workload of a [ANY]  
6 licensing examiner employed by the department to carry out this chap-  
7 ter.

8 \* Sec. 27. AS 08.48.265 is amended to read:

9 Sec. 08.48.265. FEES. The department [DEPARTMENT OF COMMERCE  
10 AND ECONOMIC DEVELOPMENT] shall set fees under AS 08.01.065 for ex-  
11 aminations, registrations, certificates of authorization, and renewals  
12 of a certificate.

13 \* Sec. 28. AS 08.48.341 is amended by adding a new paragraph to read:

14 (14) "department" means the Department of Labor.

15 \* Sec. 29. AS 18 is amended by adding a new chapter to read:

16 CHAPTER 61. BUILDING, CONSTRUCTION, AND SAFETY CODES.

17 Sec. 18.61.010. ADOPTION OF BUILDING, CONSTRUCTION, AND SAFETY  
18 CODES. (a) The Department of Labor shall adopt by regulation the  
19 following codes as the minimum building, construction, and safety  
20 criteria for the state:

21 (1) Uniform Administrative Code, published by the Interna-  
22 tional Conference of Building Officials;

23 (2) Uniform Building Code, published by the International  
24 Conference of Building Officials;

25 (3) Uniform Fire Code, published by the International  
26 Conference of Building Officials and Western Fire Chiefs Association;

27 (4) Uniform Mechanical Code, published by the Internationa-  
28 l Conference of Building Officials and the International Association of  
29 Plumbing and Mechanical Officials;

1 (5) Uniform Plumbing Code, published by the International  
2 Association of Plumbing and Mechanical Officials;

3 (6) Uniform Solar Energy Code, published by the Interna-  
4 tional Association of Plumbing and Mechanical Officials;

5 (7) Uniform Swimming Pool, Spa and Hot Tub Code, published  
6 by the International Association of Plumbing and Mechanical Officials;

7 (8) Uniform Sign Code, published by the International  
8 Conference of Building Officials;

9 (9) Uniform Code for the Abatement of Dangerous Buildings,  
10 published by the International Conference of Building Officials;

11 (10) Energy Conservation in New Buildings (ASHREA/IES 90);

12 (11) National Electrical Code (ANSI/NFPA 70), published by  
13 the National Fire Protection Association;

14 (12) National Electrical Safety Code (ANSI C2), adopted by  
15 the American National Standards Institute;

16 (13) Safety Code for Elevators and Escalators (ANSI/ASME  
17 A17.1), published by the American Society of Mechanical Engineers;

18 (14) Boiler Construction Code, published by the American  
19 Society of Mechanical Engineers;

20 (15) Safety Code for Aerial Passenger Tramways, B77.1;

21 (16) Uniform Federal Accessibility Standard (41 C.F.R.  
22 101-19.6, Appendix A);

23 (17) other building, construction, and safety codes or  
24 standards that the department finds necessary to protect the public  
25 health, safety, and welfare.

26 (b) The department shall adopt the latest edition of each code  
27 listed in (a) of this section by the end of the calendar year follow-  
28 ing the calendar year in which the latest edition of the code is  
29 published.

1 (c) The department may amend, supplement, or delete provisions  
2 of a code listed in (a) of this section, as necessary to make the code  
3 applicable to environmental and economic conditions existing in a  
4 region of the state.

5 (d) A regulation adopted under this section applies only to a  
6 building, structure, installation, facility, or edifice erected or in  
7 the process of being erected and that is used or intended for use as

8 (1) a commercial, industrial, business, or institutional or  
9 other public building; or

10 (2) a residential building containing three or more dwell-  
11 ing units.

12 (e) A regulation adopted under this section may not take effect  
13 before the 60th legislative day after the department submits the regu-  
14 lation to the legislature for its review.

15 Sec. 18.61.020. ADOPTION AND ENFORCEMENT OF CODES BY MUNICIPALI-  
16 TIES. (a) Except as otherwise provided, adoption of a code under  
17 AS 18.61.010 is not intended to preempt administration or enforcement  
18 of a building, construction, or safety code adopted by ordinance by a  
19 municipality.

20 (b) If a municipality chooses to regulate activities within its  
21 boundaries that are subject to a building, construction, or safety  
22 code adopted by the department under AS 18.61.010, the municipality  
23 shall adopt by ordinance the code adopted by the department. The  
24 municipality may amend the code if the amended code is not less strin-  
25 gent than that adopted by the department.

26 Sec. 18.61.030. CERTIFICATES OF COMPETENCY FOR CODE ENFORCEMENT  
27 PERSONNEL. The administrative official shall require that an employee  
28 of the department authorized to enforce a code adopted under AS 18.-  
29 61.010 hold an appropriate certificate of competency and maintain

competency through continuing education.

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Sec. 18.61.040. BUILDING REGULATIONS BOARD. (a) There is created the Building Regulations Board in the department.

(b) The board consists of 11 persons who are appointed by the governor and who serve at the pleasure of the governor. The members of the board shall be

(1) an architect experienced in the design of commercial and industrial structures;

(2) an architect experienced in the design of residential structures;

(3) a mechanical engineer;

(4) an electrical engineer;

(5) a civil engineer experienced in structural design;

(6) a general contractor experienced in the construction of commercial and industrial structures;

(7) a general contractor experienced in the construction of residential structures;

(8) a mechanical contractor;

(9) an electrical administrator;

(10) a fire protection consultant; and

(11) a person who is a member of a labor union.

(c) Members of the board serve a term of three years. A member of the board serves until a successor is appointed. An appointment to fill a vacancy on the board is for the remainder of the unexpired term. Members of the board serve without compensation but are entitled to per diem and travel expenses authorized by law for boards under AS 39.20.180.

(d) The board shall

(1) recommend modifications to building, construction, and

1 safety codes adopted by the department under AS 18.61.010;

2 (2) serve as a hearing board under AS 18.61.050;

3 (3) adopt regulations under the Administrative Procedure  
4 Act (AS 44.62) governing

5 (A) the procedures of the board; and

6 (B) the conduct of hearings before the board and  
7 hearing committees.

8 (e) A majority of the board members constitutes a quorum for the  
9 conduct of business. A quorum being present, a majority of the total  
10 membership of the board is required to take official action.

11 (f) The administrative official is an ex officio, nonvoting  
12 member of the board and serves as secretary to the board.

13 Sec. 18.61.050. HEARINGS. (a) A person who is denied a permit  
14 or issued a notice of violation under a code adopted under AS 18.61.-  
15 010 may appeal the denial of the permit or notice of violation to the  
16 board within 15 calendar days after the denial of the permit or the  
17 notice of violation is affirmed by the administrative official. The  
18 appeal shall be in writing.

19 (b) The board shall hear the appeal within 35 calendar days  
20 after the appeal is received by the board, unless the appellant re-  
21 quests a later date. The board shall issue an oral decision on the  
22 appeal at the conclusion of the hearing and a written decision within  
23 15 calendar days after the conclusion of the hearing.

24 (c) If the board affirms the decision of the administrative  
25 official, the appellant shall immediately comply with the decision of  
26 the board.

27 Sec. 18.61.060. EXPEDITED HEARING. (a) If time is of the  
28 essence, a person who is denied a permit or issued a notice of vio-  
29 lation under a code adopted under AS 18.61.010 may appeal the denial

1 of the permit or notice of violation to the board and request an  
2 expedited hearing by a hearing committee within eight calendar days  
3 after the denial of the permit or the notice of violation is affirmed  
4 by the administrative official. The appeal and request for an ex-  
5 pedited hearing shall be in writing.

6 (b) A hearing committee consists of three appointed members of  
7 the board, two of whom shall be knowledgeable about the codes that are  
8 relevant to the appeal.

9 (c) If the board grants the request for an expedited hearing,  
10 the board shall appoint the hearing committee and the hearing commit-  
11 tee shall hold the hearing within eight calendar days after the appeal  
12 and request for an expedited hearing is received by the board. The  
13 hearing committee shall issue an oral decision on the appeal at the  
14 conclusion of the hearing and a written decision within eight calendar  
15 days after the hearing.

16 (d) If the board denies the request for an expedited hearing,  
17 the board shall hear the appeal under AS 18.61.050.

18 Sec. 18.61.070. JUDICIAL REVIEW. The department or a person  
19 aggrieved by the decision of the board or a hearing committee may  
20 petition for review in the superior court.

21 Sec. 18.61.190. DEFINITIONS. In this chapter

22 (1) "administrative official" means the person designated  
23 by the commissioner of commerce and economic development to enforce  
24 the codes;

25 (2) "code" means a building, construction, or safety code  
26 or standard adopted under AS 18.61.010;

27 (3) "department" means the Department of Labor.

28 \* Sec. 30. AS 18.05.040(b) is amended to read:

29 (b) A regulation may not be adopted under (a) of this section

1 that duplicates, conflicts with, or is inconsistent with the plumbing  
2 codes adopted under AS 18.61.010 [AS 18.60.705 - 18.60.740].

3 \* Sec. 31. AS 18.62.010 is amended to read:

4 Sec. 18.62.010. CERTIFICATE OF FITNESS REQUIRED. In connection  
5 with work performed subject to the electrical codes and plumbing codes  
6 adopted under AS 18.61.010 [STANDARDS ESTABLISHED IN AS 18.60.580 AND  
7 AS 18.60.705], a person may not be employed without a certificate of  
8 fitness to perform the work [, EXCEPT THAT A CERTIFICATE OF FITNESS  
9 MAY NOT BE REQUIRED OF EMPLOYEES OF AN ELECTRIC UTILITY THAT DOES NOT  
10 HAVE WITHIN ITS SERVICE AREA ANY PORTION OF A CITY OR UNIFIED MUNICI-  
11 PALITY HAVING MORE THAN 2,500 POPULATION].

12 \* Sec. 32. AS 18.62.030 is amended to read:

13 Sec. 18.62.030. ACCOUNTING FOR FEES [FEE. WHEN SUBMITTING AN  
14 APPLICATION, AN APPLICANT SHALL PAY A FEE OF \$40 FOR A CERTIFICATE  
15 VALID FOR ONE YEAR OR \$75 FOR A CERTIFICATE VALID FOR THREE YEARS].  
16 The commissioner of administration shall separately account for cer-  
17 tificate of fitness fees that the department [DEPARTMENT OF LABOR]  
18 deposits in the general fund. The annual estimated balance in the  
19 account may be used by the legislature to make appropriations to the  
20 department to carry out the purposes of this chapter.

21 \* Sec. 33. AS 18.62.070 is repealed and reenacted to read:

22 Sec. 18.62.070. PERSONS REQUIRED TO OBTAIN CERTIFICATE. (a) A  
23 person engaged in a trade subject to the electrical codes adopted  
24 under AS 18.61.010 shall first obtain a certificate of fitness from  
25 the department.

26 (b) A person engaged in a trade subject to the plumbing codes  
27 adopted under AS 18.61.010 shall first obtain a certificate of fitness  
28 from the department.

29 \* Sec. 34. AS 18.62 is amended by adding a new section to read:

1           Sec. 18.62.090. DEFINITION. In this chapter "department" means  
2 the Department of Labor.

3 \* Sec. 35. AS 18.70.100(a) is amended to read:

4           (a) A person who violates a [ANY] provision of AS 18.70.010 -  
5 18.70.100 or the published regulations or orders adopted under those  
6 sections and who, within 30 days after the issuance of a final order,  
7 does not correct the violation or appeal [IT FROM WHICH NO APPEAL HAS  
8 BEEN TAKEN WITHIN 30 DAYS AFTER] the issuance of a final order is [,  
9 SEVERALLY, FOR EACH VIOLATION,] guilty of a misdemeanor, and is pun-  
10 ishable by a fine of not more than \$500, or by imprisonment for not  
11 more than six months, or by both. A person aggrieved by a final  
12 order of the department [DEPARTMENT OF PUBLIC SAFETY] may appeal to  
13 the superior court within 30 days after the issuance of the order.  
14 The imposition of one penalty for a violation does not excuse the  
15 violation and a person guilty of a violation shall correct the vio-  
16 lation within a reasonable time. [WHEN NOT OTHERWISE SPECIFIED, EACH  
17 10 DAYS THAT A PROHIBITED CONDITION IS MAINTAINED IS A SEPARATE OF-  
18 FENSE.]

19 \* Sec. 36. AS 18.70 is amended by adding a new section to read:

20           Sec. 18.70.990. DEFINITIONS. In this chapter "department" means  
21 the Department of Labor.

22 \* Sec. 37. AS 29.10.200 is amended by adding a new paragraph to read:

23           (49) AS 18.61.020 (building, construction, and safety code  
24 adoption and enforcement)

25 \* Sec. 38. AS 29.35.530(c) is amended to read:

26           (c) The division of fire prevention, the Department of Environ-  
27 mental Conservation, or the Department of Health and Social Services  
28 [, OR THE DEPARTMENT OF LABOR] may

29           (1) request copies of inventories submitted under AS 29.-

1 35.500; and

2 (2) provide educational materials related to hazardous  
3 materials and hazardous wastes.

4 \* Sec. 39. AS 35.10.015(a) is amended to read:

5 (a) The Department of Labor [DEPARTMENT] shall prepare, adopt,  
6 and enforce regulations governing the construction of public buildings  
7 and facilities by or for the state, including the University of  
8 Alaska, and its political subdivisions, whether financed in whole or  
9 in part by federal funds, to ensure that public buildings and facil-  
10 ities are accessible to, and usable by, the physically handicapped,  
11 aged, or infirm. The regulations of the department must conform to a  
12 standard comparable to applicable provisions of federal law, regula-  
13 tions, and standards.

14 \* Sec. 40. AS 35.10.015(b) is amended to read:

15 (b) The Department of Transportation and Public Facilities  
16 [DEPARTMENT] shall develop and maintain an inventory of all public  
17 buildings and facilities with respect to their compliance with the  
18 regulations adopted under (a) of this section. The Department of  
19 Transportation and Public Facilities [DEPARTMENT] shall make an annual  
20 report to the governor and the legislature describing work performed  
21 in the preceding calendar year to upgrade public buildings and facili-  
22 ties to conform with the regulations. In addition, the Department of  
23 Transportation and Public Facilities [DEPARTMENT] shall develop cost  
24 estimates and recommended priorities for the upgrading of public  
25 buildings and facilities that do not conform with the regulations  
26 adopted under (a) of this section and shall include these estimates  
27 and the recommended priorities in the annual report to the governor  
28 and the legislature.

29 \* Sec. 41. AS 35.10.015(e) is amended to read:

1 (e) After June 25, 1976, a [NO] public building or facility in  
2 the state may not be planned, designed, financed, constructed, opened  
3 to public use, or otherwise placed in operation unless it meets the  
4 standards established under (a) of this section. If the standards for  
5 a public building or facility are not provided for in federal law,  
6 regulation, or standards, the Department of Labor [DEPARTMENT] shall  
7 determine the extent of, and adopt regulations setting the standards  
8 for, access to and use of the public building or facility by the  
9 physically handicapped, aged, or infirm.

10 \* Sec. 42. AS 39.50.200(b) is amended by adding a new paragraph to  
11 read:

12 (49) Building Regulations Board (AS 18.61.040).

13 \* Sec. 43. AS 44.31.020 is amended by adding new paragraphs to read:

14 (5) adopt and enforce building, construction, and safety  
15 codes;

16 (6) adopt and enforce energy conservation standards for  
17 buildings.

18 \* Sec. 44. AS 44.62.330(a) is amended by adding a new paragraph to  
19 read:

20 (55) Building Regulations Board (AS 18.61.040).

21 \* Sec. 45. AS 46.11.010 is amended to read:

22 Sec. 46.11.010. THERMAL AND LIGHTING ENERGY STANDARDS FOR PUBLIC  
23 BUILDINGS. (a) All public facilities of the state [, THE CONSTRUC-  
24 TION OF WHICH BEGINS AFTER JULY 1, 1980,] shall be designed to comply  
25 with the thermal and lighting energy standards adopted by the Depart-  
26 ment of Labor [TRANSPORTATION AND PUBLIC FACILITIES] under AS 44.31.-  
27 020 [AS 44.42.020(a)(14)].

28 (b) By June 30, 1988, all public facilities of the state exist-  
29 ing on July 1, 1980, shall be modified, to the extent economically

1 feasible, to comply with the thermal and lighting energy standards  
2 adopted by the Department of Labor [TRANSPORTATION AND PUBLIC FACIL-  
3 ITIES] under AS 44.31.020 [AS 44.42.020(a)(14)].

4 \* Sec. 46. AS 46.11.900(9) is amended to read:

5 (9) "thermal and lighting energy standards" means the  
6 thermal and lighting energy standards established by the American  
7 Society of Heating, Refrigeration, and Air Conditioning Engineers as  
8 revised

9 [(A)] by the commissioner of labor [TRANSPORTATION AND  
10 PUBLIC FACILITIES UNDER AS 44.42.020(a)] for public facilities  
11 and [; OR

12 (B) BY THE COMMISSIONER OF COMMUNITY AND REGIONAL  
13 AFFAIRS] for buildings and structures that are not public facil-  
14 ities.

15 \* Sec. 47. Notwithstanding AS 18.61.010(b), enacted by sec. 29 of this  
16 Act, the Department of Labor shall adopt as the initial plumbing code for  
17 the state under AS 18.61.010, the edition of the Uniform Plumbing Code that  
18 is in effect under AS 18.60.705 on July 1, 1988.

19 \* Sec. 48. Notwithstanding AS 18.62.030, as amended by sec. 32 of this  
20 Act, a certificate of fitness issued before the effective date of this  
21 section is valid for the term for which the certificate was issued.

22 \* Sec. 49. The revisor of statutes shall

23 (1) delete "Department of Public Safety" and insert "department"  
24 in AS 18.70.020, 18.70.030, 18.70.040, 18.70.050, 18.70.060, 18.70.070,  
25 18.70.080, 18.70.081, 18.70.090, 18.70.100(b), 18.70.310(a), 18.70.310(b),  
26 18.70.310(c), and 18.70.310(d);

27 (2) delete "Public Safety" and insert "Labor" in AS 18.70.010;  
28 AS 18.72.050(2); and AS 29.35.500(a) and 29.35.530(a);

29 (3) delete "public safety" and insert "labor" in AS 18.70.-

1 080(b);

2 (4) delete "Community and Regional Affairs" and insert "Labor"  
3 in AS 44.83.400(2)(B);

4 (5) delete "community and regional affairs" and insert "labor"  
5 in AS 46.11.040(3)(B); and

6 (6) delete "Commerce and Economic Development" and insert "La-  
7 bor" in AS 46.11.900(2).

8 \* Sec. 50. AS 18.60.850, AS 18.70.300, and AS 44.42.020(a)(14) are  
9 repealed.

10 \* Sec. 51. AS 18.60.180, 18.60.190, 18.60.200, 18.60.210, 18.60.220,  
11 18.60.230, 18.60.240, 18.60.250, 18.60.260, 18.60.270, 18.60.280, 18.60.-  
12 290, 18.60.300, 18.60.310, 18.60.320, 18.60.330, 18.60.340, 18.60.350,  
13 18.60.360, 18.60.370, 18.60.390, and 18.60.395 are repealed.

14 \* Sec. 52. AS 18.60.580, 18.60.590, 18.60.600, 18.60.610, 18.60.620,  
15 18.60.630, 18.60.640, 18.60.650, 18.60.660, 18.60.670, 18.60.675, 18.60.-  
16 680, 18.60.685, 18.60.690, and 18.60.695 are repealed.

17 \* Sec. 53. AS 18.60.705, 18.60.710, 18.60.715, 18.60.720, 18.60.725,  
18 18.60.730, 18.60.735, and 18.60.740 are repealed.

19 \* Sec. 54. AS 18.60.750, 18.60.755, 18.60.760, 18.60.765, 18.60.770,  
20 18.60.775, and 18.60.780 are repealed.

21 \* Sec. 55. AS 18.60.800 and 18.60.820 are repealed.

22 \* Sec. 56. SAVINGS CLAUSE. Litigation, hearings, investigations, and  
23 other proceedings under a law amended or repealed by this Act, or in con-  
24 nection with functions transferred by this Act, continue in effect and may  
25 be continued and completed notwithstanding a transfer or amendment or  
26 repeal provided for by this Act. Regulations adopted under authority of a  
27 law amended, transferred, or repealed by this Act remain in effect for the  
28 term adopted or until repealed or otherwise amended under provisions of  
29 this Act.

1 \* Sec. 57. EFFECTIVE DATE. (a) Sections 1 - 29, 35 - 47, 49, 50, and  
2 56 of this Act take effect July 1, 1988.

3 (b) Section 51 of this Act takes effect on the effective date of  
4 regulations adopting the Boiler Construction Code under AS 18.61.010, as  
5 enacted by sec. 29 of this Act.

6 (c) Section 52 of this Act takes effect on the effective date of  
7 regulations adopting the National Electrical Code and the National Elec-  
8 trical Safety Code under AS 18.61.010, as enacted by sec. 29 of this Act.

9 (d) Sections 30 and 53 of this Act take effect on the effective date  
10 of regulations adopting the Uniform Plumbing Code under sec. 47 of this Act  
11 and AS 18.61.010, as enacted by sec. 29 of this Act.

12 (e) Section 54 of this Act takes effect on the effective date of  
13 regulations adopting the Uniform Building Code under AS 18.61.010, as  
14 enacted by sec. 29 of this Act.

15 (f) Section 55 of this Act takes effect on the effective date of  
16 regulations adopting the Safety Code for Elevators and Escalators under  
17 AS 18.61.010, as enacted by sec. 29 of this Act.

18 (g) Sections 31 - 34 and 48 of this Act take effect on the effective  
19 date of regulations adopting the Uniform Administrative Code under AS 18.-  
20 61.010, as enacted by sec. 29 of this Act, the effective date of sec. 52 of  
21 this Act, or the effective date of sec. 53 of this Act, whichever is lat-  
22 est.

S B

308

# Alaska State Legislature

SENATOR BETTYE FAHRENKAMP  
CHAIRMAN, LEGISLATIVE COUNCIL  
CHAIRMAN, OIL AND GAS COMMITTEE  
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## Senate

### MEMORANDUM

TO: Senator Arliss Sturgulewski, Chair  
Community and Regional Affairs Committee

FROM: Senator Bettye Fahrenkamp

RE: Proposed Committee Substitute for SB 308

DATE: March 7, 1988

---

This Committee Substitute for Senate Bill 308 would allow money appropriated to the energy efficient grant fund to be applied toward state or federal housing projects.

The attached background information also applies to the proposed companion bill CSHB 318.

#### Explanation of Changes

New Title. Title has been changed to allow for a new provision in the bill which amends AS 18.55.998(a), relating to an existing grant program. The title would read:

"An Act relating to grants for energy efficient homes."

Section 1. No changes in the findings section.

Section 2. The original section 2 has been replaced with a new section amending AS 18.55.998(a) relating to the supplemental housing development grant fund. This fund is used to pay supplemental costs of building HUD homes in Alaska. Use of this fund is currently limited to supplementing the cost of on-site sewer and water facilities, road construction to project sites, and extension of electrical distribution facilities to individual residences. This section of the bill adds "energy efficient design features in homes" to the list of existing uses. (Current statute attached).

This amendment was suggested by the Department of Community and Regional Affairs. (See attached letter from Commissioner Hoffman).

Page 2

Section 3. This is the original section 2 with one change. Subsection (b) has been changed to include "agencies of the state and federal government."

(B) a community in the first judicial district of the state with a population of 4,500 or less. (§ 11 ch 167 SLA 1978; am § 14 ch 113 SLA 1982)

Effect of amendments. — The 1982 amendment in subsection (a), substituted "division of housing assistance in the Department of Community and Regional Affairs" for "board of directors of the Alaska Housing Finance Corporation" in the first and second sentences, added the language beginning "other than in an area" to the end of the first sentence, and substituted the language beginning "the interest rate on a loan" for "an interest rate approved by the board of directors of the Alaska Housing Finance Corporation" at the end of the subsection. In subsection (b), the amendment added the subparagraph (A) designation, substituted "a community in the second, third, or fourth judicial district" for "any community" and added "or" to the end, in that subparagraph, and added subparagraph (2)(B).

Sec. 18.55.998. Supplemental housing development grants. (a) There is created in the Department of Community and Regional Affairs a supplemental housing development grant fund. Subject to the availability of appropriations for the purpose, the department shall make grants to regional housing authorities established under AS 18.55.996 for the cost of on-site sewer and water facilities, road construction to project sites, and extension of electrical distribution facilities to individual residences.

(b) A grant may be made only for residential housing for which federal loan or grant approval has been obtained from the United States Department of Housing and Urban Development and which will be made available to the public on a nondiscriminatory basis. A grant may not be used to retire or repay obligations or debts of the grant recipient. A grant may only be for the difference between the maximum amount available under federal law or regulation for construction of the residential housing for which the grant is made and the actual costs of the construction. A grant may not exceed 20 percent of the United States Department of Housing and Urban Development total development cost per unit in effect at the time the grant is made.

(c) Grant money may be used only for the purposes specified in (a) of this section. No part of the grant money may be used for administrative or other costs of a regional housing authority whether the costs are directly associated with the construction or general costs of the authority.

(d) The department shall adopt regulations to carry out the purposes of this section. The provisions of the Administrative Procedure Act (AS 44.62) apply to regulations adopted under this section. (§ 7 ch 86 SLA 1981)

# STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

- P.O. BOX B  
JUNEAU, ALASKA 99811-2100  
PHONE: (907) 465-4700
- 949 E. 36TH AVENUE, SUITE 400  
ANCHORAGE, ALASKA 99508-4302  
PHONE: (907) 563-1073

February 11, 1988

The Honorable Kay Brown  
Alaska State House of Representatives  
P. O. Box V  
Juneau, AK 99811

FEB 21 1988

Dear Rep. <sup>KAB</sup> Brown:

This is in response to your inquiry as to what options are available to address the energy concerns on this year's HUD housing standards that will not be covered by the new residential energy standard because of the nine-month moratorium.

According to Marlin Knight, Alaska's HUD representative, 277 single-family residences will be constructed in rural Alaska with HUD financing. Of that number, 190 will receive some form of State financial assistance. According to Mr. Knight, HUD will not know until May in which communities the projects will be located, but it will be in all of the rural regions. As a guide, the following are the locations of HUD projects this past year:

<u>Housing Authority</u>	<u>Location</u>	<u>No. Units</u>
Tlingit-Haida	Hydaburg	25
Northwest Inupiat	Kotzebue	25
Bering Straits	Unalakleet	15
	White Mountain	15
AVCP	Nunapitchak	15
	Aniak	24
	Tununak	11
	Pitkas Point	9
Bristol Bay	Ekwok	20
Aleutian	Unalaska	15
Metlakatla	Metlakatla	15
	Total	189

Regarding options to address the energy-efficiency of the 190 HUD homes that will be constructed with State financial assistance, the following are options that can be considered:

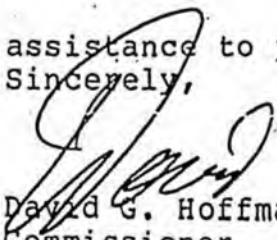
1. Education - This option would represent the status quo, except that education on energy-efficient conservation is being provided to the housing authorities through the Alaska Craftsman Training Program. While the housing authorities have been receptive to the information provided, their actions are limited by HUD's restriction of \$92,000 per home.

February 11, 1988

2. Amend AS 18.55.997 - The Supplemental Housing Development Grant Program matches HUD funding with State funds. Currently, the law allows the program to fund only the cost of on-site sewer and water facilities, road construction to project sites, and extension of electrical distribution facilities to individual residences. The law could be amended to include energy-efficiency in the allowable activities without necessarily needing an increase of State funding. If additional State funds are not earmarked for energy efficiency, however, this category must compete with the present categories which have been using up the funds.
3. Support the Incremental Costs of Building to the State Standard - According to our calculations, depending on the region in which the homes will be built, it will cost from \$1,279 to \$3,307 to build to the State standard over HUD's minimal standard. This would annually save \$209 to \$470, respectively, in energy costs to the low-income consumers. In FY89, this would have cost the State \$400,000 initially, and save an estimated \$94,000 annually in fuel costs (a 4.2-year payback).
4. Pay the Incremental Cost of Making the Homes Superinsulated - For an additional \$4,000, the homes could be built to reduce this energy consumption by at least 50%. This would cost the State an additional \$760,000 in 1988, but would have saved, conservatively, an estimated \$134,000 in fuel costs in the first year. (A 5.6-year paybook)

I agree with your concern regarding the energy-efficiency of new low-income rural housing. That is why we have made it a priority to work with the housing authorities on providing them technical assistance, and have adopted the residential energy standard.

I hope that the information is of assistance to you.  
Sincerely,

  
David G. Hoffman  
Commissioner

cc: Steve Baden  
Program Coordinator  
Conservation Programs  
Department of Community and  
Regional Affairs

FROM DON MARKLE, Program  
Director

The Alaska Craftsman Home Program is about better built homes and people's health, safety, and comfort. The Consumer Federation of America estimates that poor indoor air pollution costs this country \$100 billion annually. Clearly, with estimates as high as 20,000 radon induced deaths a year nationally, the mitigation methods for indoor air pollution taught in the Alaska Craftsman workshops and embodied in the voluntary standards are sorely needed. Radon is only one of over 100 indoor pollutants found in homes that cost people money and affect health.

Rural Alaskans spend between 16% and 37% of their incomes on energy bills. In many cases the government pays those costs. A superinsulated Alaska Craftsman Home saves the home owner (or government) from 50% to 80% of the heating costs and could eventually reduce Alaska's home heating bill \$80,000,000 annually.

The Alaska Craftsman Home Program is designed to provide, technical information for the shelter industry and citizens of Alaska through an information network of people and publications. The program has its roots in the very successful \$50,000,000 Canadian R-2000 program and is closely tied to it. ACHP has trained 24 volunteer Alaskans to conduct workshops on the technology detailed in the new Alaska Craftsman Home Building Manual.

The program is a partnership of The Department of Community and Regional Affairs, University of Alaska Cooperative Extension Service, Energy Rated Homes of Alaska, and Alaska State Homebuilders Association.

The ACHP has set a voluntary performance standard based on the latest technology. Building this way results in significantly reduced energy bills, reduced home maintenance, increased comfort, reduced noise from outside sources, and improved indoor air quality. Plans are evaluated and homes are tested to assure compliance with the standards.

Legislation is pending to appropriate ~~some~~ \$1,721,000 to the program by HB 318, 319 and SB 308. Funding is needed in the areas of program support for administration, training activities, monitoring (22%), public education (19%), and incentives (59%). All activities, including the incentives, are educational in nature and approximately 25 jobs will be created as a result of this appropriation..

The program needs state support to revitalize our housing industry and allow Alaska to compete in the international housing market. Many political, economic development, and environmental groups recognize the potential of this program and support it. A growing listing of these include:

The Alaska Municipal League -	Northwest Arctic Mayors Conference -
The Matanuska Susitna Borough -	The Kenai Peninsula Borough -
The Kodiak Island Borough -	The Municipality of Anchorage -
Fairbanks North Star Borough -	City of Kodiak
City of Wasilla -	City of Palmer -
City of Anderson -	City of Kenai -
Housing Authorities -	City of Soldotna -
North Slope Borough Utilities -	Association of
Alaska Center for the Environment -	The Joint Energy Task Force of Utilities -
Alaska State Homebuilders Association -	The American Lung Association -
Mat-Su Homebuilders Association -	Interior Economic Development Council -
The Anchorage Daily News -	Interior Homebuilders Association -
	Building Industry Association of Anchorage -
	The Frontiersman



## Alaska Craftsman Home program

Research, demonstration and development around the world has changed the way homes are being built in Northern climates. So many technical changes have taken place that an educational network is needed to keep the building industry in Alaska informed of the advancements. With such a network the Alaska building industry can stay abreast of advancements in other parts of the world as well as other parts of the state. The Alaska Craftsman Home Program is that educational network.

The Alaska Craftsman Home Program provides a voluntary education service which today can inform homebuilders of the methods to reduce the thermal requirements of a residence. The energy savings that can be achieved is only one benefit of an education network allowing research and field application experience to be systematically exchanged within the Alaska housing industry. The program is designed to provide:

- . technical information for the industry
- . a forum for the industry to help determine objectives for the State Finance and University Research Community.

### GOAL:

The immediate goal of the Alaska Craftsman Home Program is to:

- . build thermal efficiency into the shelter industry in Alaska through education.

The long range goal of the program is to:

- . assist the Alaska shelter industry in providing the best, most appropriate and affordable shelter available.

In order to achieve these goals and to make the Alaska Craftsman Home Program work there will be a coordinated and visible effort on the part of the Alaska State Government, the University of Alaska and building industry trade associations in Alaska. The program will be a voluntary program that will establish an educational network for the shelter industry in Alaska.


### DESCRIPTION:

#### PHASE 1

The Cooperative Extension Service and State Division of Community Development jointly initiated the program in 1985. A pilot series of building seminars were held March of 1986 in Juneau, Anchorage, and Fairbanks. One hundred three shelter industry people were introduced to the "superinsulation" building techniques through the Super Energy Efficient Home Workshop Series taught by internationally acclaimed experts. The reviews from the industry were very favorable. The program achieved its first goal, that being to secure the backing of the shelter industry in Alaska for a high quality builder education program on energy efficient building techniques.

#### PHASE 2

The second phase of the Alaska Craftsman Home Program began with the development of the first edition of the Alaska Craftsman Home Building Manual. The manual was developed by the Cooperative Extension Service with funding provided by the



U.S. Department of Energy, State Department of Community and Regional Affairs  
Office of Energy Programs and Chugach Electric Association.

November of 1986 a select group of Alaskans associated with the shelter industry met with the Cooperative Extension Service and the manual contractor to complete the content of the Alaska Craftsman Home Building Manual. The first edition of the manual was completed March of 1987. This manual is the written guide for the Alaskan homebuilder concerning the energy efficient building technology.

The Cooperative Extension Service began to solicit and find 24 people from around the State to take part in the educational effort November of 1986. These people have since become the backbone of the Alaska Craftsman Building Program and are the industry educators for Alaska. These 24 people represent all regions of the State and are divided into 12 training teams. They came to the program with a vast amount of expertise on building homes in Alaska.

The 12 training teams have been given the knowledge, audiovisuals, materials, manuals, inspiration and a mandate to teach two day workshops on the Alaska Craftsman Building Program superinsulation building technology in their respective regions.

### PHASE 3

Phase three activities will continue the educational effort through field workshops introducing the Alaska Craftsman techniques to the builders and interested people throughout Alaska. These workshops will be taught independently by the 12 Alaska training teams.

At the end of one year the training teams will come together again to critique the program. Materials, experiences and techniques will be reviewed. If necessary, the materials and program will be modified to the needs of the training teams and the clientele they serve. Techniques and experiences on retrofitting to Alaska Craftsman standards will be added to the program at this meeting and there is a possibility of rewriting the manual if warranted.

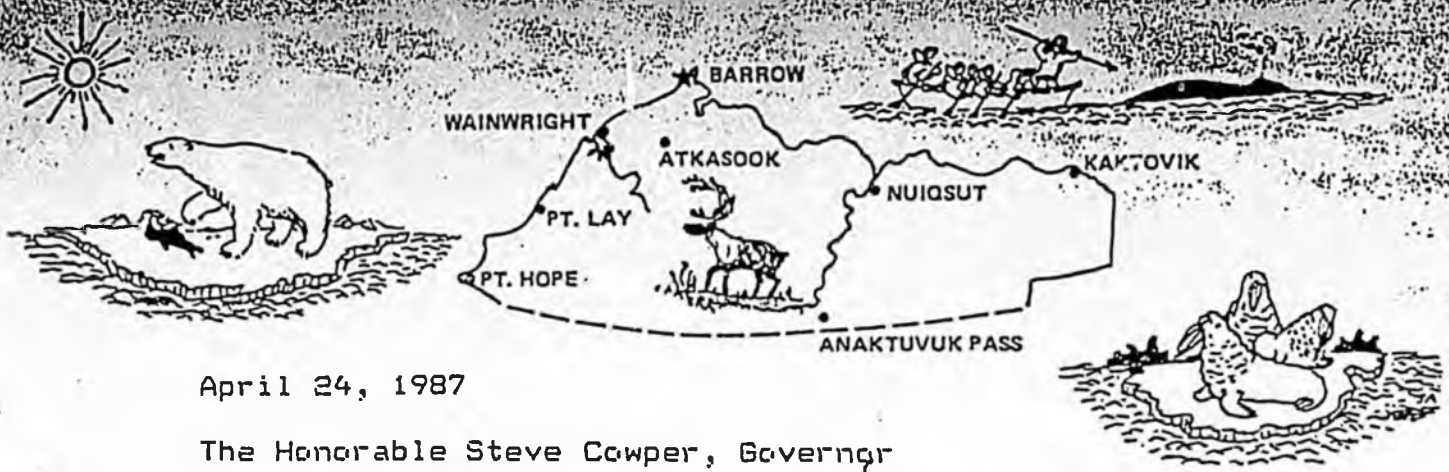
### Marketing:

A marketing campaign will be developed and initiated during the phase three activities. The marketing effort will lead to the development of a specific clientele for the Alaska Craftsman Home. Successful promotion and sale of the Alaska Craftsman home will depend on communicating the benefits inherent to them. The marketing campaign will focus on six primary benefits:

- . significantly reduced energy bills
- . increased comfort
- . reduced noise from outside sources
- . improved indoor air quality
- . more durable
- . improved re-sale value

### PHASE 4

The future of the program is now being developed. The goal is to establish an educational network that feeds new technology and research information to the builders in the Alaska and practical application experience and field needs to the research and product development community.



April 24, 1987

The Honorable Steve Cowper, Governor  
State of Alaska  
P.O. Box A  
Juneau, Alaska  
99811

FEB 22 1987

Dear Governor,

Recently we have received information regarding the Alaska Craftsman Home Program regarding education and implementation of efforts towards promoting high levels of energy efficiency for Alaskan Homes. Benefits to building super-insulated homes are far reaching encompassing home owners and the building industry, as well as having long range positive effects to community savings which assist in stimulating local economies, especially important to rural communities.

Here on the North Slope with communities paying the highest in the nation for heating fuel it is of the utmost importance to find and implement alternatives to insure our financial security for the years to come. Education for this generation and generations to come is very important. A recent state survey pointed out that the least likely way individual home owners learned about home energy efficiency was through the schools. With this in mind it is very important to establish a foundation on which to develop awareness for all alternatives available and capitalize on those alternatives that work.

The Alaska Craftsman Home Program Incentive Proposal is an idea which time has come, not for just our communities, but for all who call Alaska their "home". Development of the State of Alaska's Residential Thermal Standards brought us a long ways to promote the ideals of resource efficiency. Promotion on the commercial, community, and individual home owner level with it's development committed to education is indeed a worthwhile venture.

As Energy Planner for the North Slope Borough Utilities Dept. I support the Alaska Craftsman Home Program.

Best Regards

*[Signature]*  
Energy Planner  
N.S.B. Utilities

NORTH SLOPE BOROUGH

Dept. of Public Utilities • P.O. Box 69, Barrow, AK 99723 • Phone (907) 852 2511

Introduced by: Sewall, Glick

Date: September 1, 1987

Action: Adopted

FEB 22 1988

Vote: Unanimous

RECEIVED SEP 8 1987

KENAI PENINSULA BOROUGH  
RESOLUTION 87-81

IN SUPPORT OF THE ALASKA CRAFTSMAN HOME PROGRAM FOR REDUCED HOME ENERGY CONSUMPTION

WHEREAS, high quality energy efficient building technology developed by the Alaska Craftsman Home Program would substantially reduce home energy consumption, improve health and safety of the occupants of dwellings, improve indoor air quality, reduce the contributions of dwellings to outdoor air pollution, increase home durability, reduce home maintenance needs, and increase the economic stability of the owner; and

WHEREAS, the citizens of the Kenai Peninsula Borough will benefit substantially from the construction of energy efficient homes following the guidelines developed by the Alaska Craftsman Home Program;

NOW THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That it is the policy of the Kenai Peninsula Borough to encourage the construction of homes to the energy efficient standards of the Alaska Craftsman Home Program.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS 1 DAY OF September, 1987.

ATTEST:

*Jonathan W. Sewall*  
Jonathan W. Sewall, Assembly President

*Joanne Brundley*  
Borough Clerk

*by Catherine J. R. Race, Dep. Clerk*

BERING STRAITS REGIONAL HOUSING AUTHORITY

Regular Meeting  
of the  
Board of Commissioners  
April 14, 1987

Resolution 87-07

WHEREAS, high heating bills remain the greatest drain on income for Rural Alaska Residents, and

WHEREAS, programs such as the Low Income Household Energy Assistance Program (LIHEAP) and Power Cost Equalization (PCE) help Rural Alaska residents pay energy bills, and

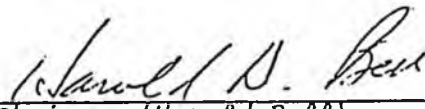
WHEREAS, even with these programs, many low income Rural Alaska residents must use large amounts of their limited cash to buy heating oil, and

WHEREAS, new high efficiency heating equipment could reduce oil consumption in thousands of rural homes by 30 - 50% , and

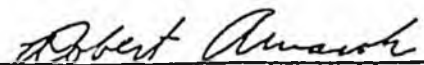
WHEREAS, these high efficiency units cost \$500 to \$1,000 and most Rural Alaska residents do not have sufficient capital to purchase these units,

NOW THEREFORE, be it resolved that the Board of Commissioners of the Bering Straits Regional Housing Authority support the idea of the State of Alaska establishing a Low Interest Revolving Loan Fund that would enable people to reduce their heating-oil consumption and save money;

Passed and approved by the Board of Commissioners of the Bering Straits Regional Housing Authority this 14 day of April, 1987.

  
\_\_\_\_\_  
Chairman (Harold Bell)

SEAL

Attest:   
\_\_\_\_\_  
Secretary (Robert Amarok)

Sum/Alaska / AKGA proposal

FYI + comments

Jul 57 - 443-5651

REVOLVING LOAN FUND  
TO PROMOTE EFFICIENT USE OF HEATING OIL IN RURAL ALASKA

**SUMMARY:** Establish a revolving loan fund which would enable rural residents to borrow up to \$1000 to purchase either a high efficiency heater or a high efficiency (retention-head) burner.

The loan fund should be administered by the Department of Community and Regional Affairs. Contracts to approve loans and collect payments should be given to rural oriented social service agencies or rural municipal governments.

Loans should be provided for a two and one half year period at five percent interest.

The size of the fund would depend upon the approach:

A single agency fund of \$100,000 could reach 225 households in an eight year period.

A statewide multi-agency fund of \$500,000 could reach 1164 households in an eight year period.

**PROBLEM STATEMENT:**

High heating bills remain the greatest drain on income for rural residents. In times of economic distress, rural residents have the ability to cut back and/or do without many items that require cash. Heat, however, is essential and in many areas of the state heat is synonymous with heating oil which can only be obtained with cash.

Various programs help rural residents pay energy bills. The Low Income Household Energy Assistance Program (LIHEAP) and the Power Cost Equalization (PCE) program provide significant help for large numbers of rural residents each year. The Low Income Weatherization Program has gradually helped lower consumption and energy bills in many communities.

Even with these programs, many low income rural residents must use large amounts of their very limited cash to buy heating oil. This situation contributes to the poverty of the individual families and the community as a whole.

Money spent for oil has very little positive effect on the local village economy. Dollars are "exported" to oil companies and only a small percentage circulates in the village or state to provide jobs and other economic benefits.

This situation could be very positively changed if heating equipment in rural areas was improved. New high efficiency heating equipment could reduce oil consumption in thousands of rural homes by thirty to fifty percent!

The most common type of oil heater in rural Alaska is the drip pot burner. Some recently built HUD houses have furnaces or boilers. Virtually all of the drip pot burners could be replaced with high efficiency heaters (Monitors or comparable) and many oil burners in the furnace and boilers systems could be replaced with high efficiency burners.

These replacement units could pay for themselves through reduced energy bills in one to three years.

The cost of these high efficiency units ranges from \$500 to \$1000. Though some rural homeowners have purchased these items on their own, many do not have sufficient capital or are unwilling to spend such a large amount of their limited funds for something that is not an essential need. (A heater is essential but replacing it is not unless it breaks.) Another factor is the fact that many people still do not know enough about the new technology.

The need for efficient heating equipment in rural Alaska is very significant. The Alaskan Statewide Housing Needs Study, Phase I Report, November, 1982, indicated that there were 7,913 occupied housing units in "remote" areas of the state. The study provided not data about the number of drip pot burners. However, RurAL CAP research and experience suggests that drip pot burners or inefficient burners are used in approximately fifty percent of these homes.

The study indicated that there were 28,355 "rural" housing units in Alaska in 1980. It would be safe to conclude that fifteen to twenty-five percent of these use drip pot heaters or inefficient burners.

The Department of Energy weatherization program does allow replacement of drip pot heaters and oil burners. However, this measure has only been authorized in since 1986. In addition, though many people could use the new technology, limited funds often prevent the program from supplying the heaters. Though several items can qualify under the energy saving guidelines, comfort is often a consideration that dictates installing new windows and doors instead of replacing the heating unit.

It is difficult to predict the number of rural people who would use a loan program. Previous energy conservation loan programs have not served rural people well because they were difficult to apply for and to obtain since many people could offer no collateral. Lack of information has also been a factor.

Borrowing money has also been inconsistent with native cultural habits though many do get loans to purchase commercial fishing equipment.

#### PROPOSAL BENEFITS:

A low interest revolving loan fund would enable people to significantly reduce their heating oil consumption and save money. In order to be most effective, the program should be operated through agencies that

have regular on-site contact with rural people. This would ensure that the program was well publicized. It would also help ensure repayment of the loans.

Quite likely, the program would have a high default rate. Even so, the state should view the program as a way to help rural residents deal with high energy bills in a more productive way than by giving grants or subsidies.

A loan program would have the additional benefit of giving rural people a degree of ownership of their problem. It would provide an incentive to take responsibility for their situation and provide a way for them to help themselves.

#### FINANCIAL ANALYSIS:

Two scenarios would be feasible. One option would provide a \$100,000 fund to one agency. A second option would appropriate \$500,000 which should be distributed to several agencies.

The attached rough calculations evaluate a ten year period. After the eighth year loans would not be made. Collection efforts would continue until the end of the tenth year. All remaining funds would be returned to the State and the program would end.

These calculations assume the following:

1. Each loan would be for \$1000, 2.5 years, at 5% interest. Repayment of the loan would be monthly.
2. The fund would be banked so as to draw interest at 10%.
3. Costs of operating the program would be 15% of the amount loaned for that year. After the eighth year it would be a fixed amount.
4. All loans would be made at the beginning of the year. (This would likely not be the case but it simplifies calculations.)
5. The default schedule would be:
  - 50% repaying the complete loan.
  - 15% repaying 75% of the loan.
  - 15% repaying 50% of the loan.
  - 10% repaying 25% of the loan.
  - 10% repaying 0% of the loan.

Given these assumptions, a \$500,000 fund would enable the state to finance approximately 1164 units for a total cost of \$385,281.00. A \$100,000 fund would finance approximately 225 units for a total cost of \$82,125.

A larger program could be instituted if demand for the loans warranted it and the state chose to do so.

FEB 07 1988

RESOLUTION OF THE ALASKA MUNICIPAL LEAGUE

RESOLUTION NO. 88-36

A RESOLUTION SUPPORTING ENERGY EFFICIENCY OF HOMES.

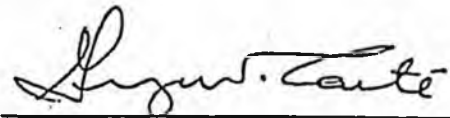
WHEREAS, high-quality energy-efficient building technology developed by the Alaska Craftsman Home Program would substantially reduce home energy consumption, improve the health and safety of the occupants, improve indoor air quality, reduce the contribution of dwellings to outdoor air pollution, increase home durability, reduce home maintenance needs, and increase the economic stability of the owner, and

WHEREAS, Alaska state lawmakers have introduced legislation which supports efficiency in homes that support the Alaska Craftsman Home Program and this legislation will help improve and stimulate the home building industry in Alaska through incentives and education and, thereby, improve the local economy of the State, and

WHEREAS, the citizens of the State of Alaska will benefit substantially from the building of energy-efficient homes as developed by the Alaska Craftsman Home Program;


NOW, THEREFORE, BE IT RESOLVED that it is the policy of the Alaska Municipal League to encourage the building of homes to the energy-efficient standards of the Alaska Craftsman Home program and further that the Alaska Municipal League supports legislation to establish similar state policy and state support for the Alaska Craftsman Home Program.

Adopted this 13th day of November 1987.



George W. Carte', President

ATTEST:

  
Scott A. Burgess, Executive Director

CITY OF PALMER, ALASKA

RESOLUTION NO. 765

RECEIVED  
FEB 07 1988

A RESOLUTION SUPPORTING THE ALASKA CRAFTSMAN HOME PROGRAM.

WHEREAS, high quality energy efficient building technology developed by the Alaska Craftsman Home Program would substantially reduce home energy consumption, improve the health and safety of the occupants, improve indoor air quality, reduce the contributions of dwellings to outdoor air pollution, increase home durability, reduce home maintenance needs, and increase the economic stability of the owner, and

WHEREAS, Alaska State lawmakers have introduced legislation in the form of Senate Bill 308 and House Bill 318 and 319 which supports the Alaska Craftsman Home Program, and

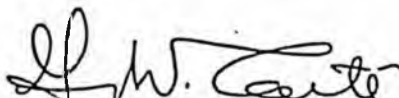
WHEREAS, these bills will help improve and stimulate the homebuilding industry in Alaska through incentives and education and thereby improve the local economy of the State, and

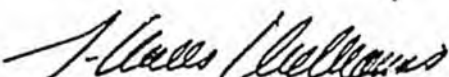
WHEREAS, the citizens of the State of Alaska and City of Palmer will benefit substantially from the building of energy efficient homes as developed by the Alaska Craftsman Home Program,

NOW, THEREFORE BE IT RESOLVED that the City of Palmer encourages the building of homes to the energy efficiency standards of the Alaska Craftsman Home Program.

BE IT FURTHER RESOLVED that the City of Palmer supports Alaska State Senate Bill 308 and House Bill 318 and 319 to establish similar State policy and State support for the Alaska Craftsman Home Program.

Approved and adopted by the Palmer City Council this 27<sup>th</sup> day of October, 1987.

  
\_\_\_\_\_  
GEORGE W. CARTE, MAYOR

  
\_\_\_\_\_  
S. WELLS WILLIAMS, ACTING CITY CLERK

RECEIVED  
FEB 17 1987

CITY OF KODIAK  
RESOLUTION NUMBER 51-87 FEB 11 1988

A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK SUPPORTING  
THE ALASKA CRAFTSMAN HOME PROGRAM

WHEREAS, high quality energy efficient building technology developed by the Alaska Craftsman Home Program would substantially reduce home energy consumption, improve the health and safety of the occupants, improve indoor air quality, reduce dwellings' contribution to outdoor air pollution, increase home durability, reduce home maintenance needs, and increase the economic stability of the owner; and

WHEREAS, the Alaska State Legislature has introduced legislation in the form of Senate Bill 308 and House Bills 318 and 319 that support the Alaska Craftsman Home Program with the expectation that these bills will help improve and stimulate the homebuilding industry in Alaska through incentives and education and thereby improve the local economy of the City of Kodiak; and

WHEREAS, the citizens of Kodiak will benefit substantially from the building of energy efficient homes as developed by the Alaska Craftsman Home Program,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, the City of Kodiak encourages the building of homes to the energy efficient standards of the Alaska Craftsman Home Program and further that the City of Kodiak supports Alaska State Senate Bill 308 and House Bills 318 and 319 to establish similar state policy and state support for the Alaska Craftsman Home Program.

PASSED AND APPROVED this 14th day of DECEMBER, 1987.

CITY OF KODIAK

Robert B. Brodie  
MAYOR

ATTEST: "

Marcelle Dalke  
CITY CLERK

FEB 16 1988

ASSOCIATION OF ALASKA HOUSING AUTHORITIES

RESOLUTION NO. 87-9

A RESOLUTION SUPPORTING THE ALASKA CRAFTSMAN HOME PROGRAM.

WHEREAS, high quality energy efficient building technology developed by the Alaska Craftsman Home Program would substantially reduce home energy consumption, improve the health and safety of the occupants, improve indoor air quality, reduce the contributions of dwellings to outdoor air pollution, increase home durability, reduce home maintenance needs, and increase the economic stability of the owner, and

WHEREAS, Alaska State lawmakers have introduced legislation in the form of Senate Bill 308 and House Bill 318 and 319 which supports the Alaska Craftsman Home Program, and

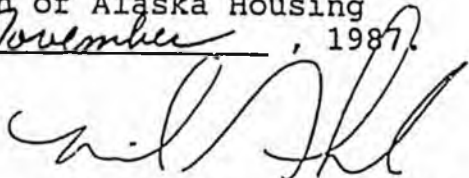
WHEREAS, these bills will help improve and stimulate the homebuilding industry in Alaska through incentives and education and thereby improve the local economy of the State, and

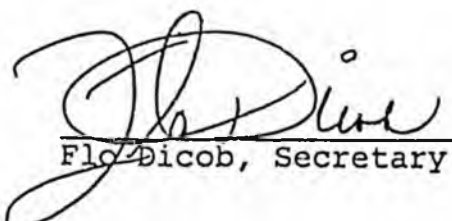
WHEREAS, the citizens of the State of Alaska will benefit substantially from the building of energy efficient homes as developed by the Alaska Craftsman Home Program,

NOW THEREFORE BE IT RESOLVED that the Association of Alaska Housing Authorities encourages the building of homes to the energy efficiency standards of the Alaska Craftsman Home Program.

BE IT FURTHER RESOLVED that the Association of Alaska Housing Authorities supports Alaska State Senate Bill 308 and House Bill 318 and 319 to establish similar State policy and State support for the Alaska Craftsman Home Program.

Approved and adopted by the Association of Alaska Housing Authorities this 24 day of November, 1987.

  
Mike Shuler, President

  
Flo Dicob, Secretary

*File*

FEB 16 1988



CITY OF ANDERSON

P.O. Box 3100 • Anderson, AK 99744 • Phone (907) 582-2500

In Reply  
Refer To:

April 20, 1987

The Honorable Steve Cowper  
Governor  
State of Alaska  
Pouch  
Juneau, Alaska 99811

Dear Governor Cowper:

On behalf of the City I am writing in support of the Alaska Craftsman Home Program, (ACHP). ACHP's efforts to promote residential energy efficiency in home building construction has been impressive.

The reduction in housing costs and maximization of thermal efficiency should be a major component in any attempt to develop Alaska's rural economy(s).

Local economic development efforts, currently underway in communities such as the City of Anderson, would be positively enhanced through the state's support of the ACHP.

Your support of programs such as the Alaska Craftsman Home Program, can help to ensure for the successful development of both rural and urban Alaska alike.

Thank you.

Sincerely,

THE CITY OF ANDERSON

*[Signature]*  
Lanston Chinn  
City Administrator

10/1

cc: Philip G. Loudon ✓

# International Conference of Building Officials

Alaska Southeast Chapter

## POSITION PAPER SB-308 HB-318 ENERGY EFFICIENT BUILDING TECHNOLOGY

Our members support this bill and all efforts to achieve affordable well built housing in Alaska.

The standards of the Alaskan Craftsman Home Program represent the latest in scientific technology adapted to our unique climatic and economic conditions. Homes built to these standards will be healthier, less expensive to maintain and more durable than other housing units.

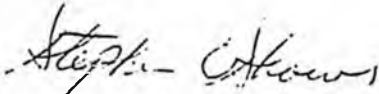
Creation of this fund will provide needed employment in the construction industry. This program could dramatically reduce the energy consumption of both new and existing dwellings in the State.

Local economies will benefit from the increase in disposable income which these energy savings will provide. Increased employment and improved general health of the population will contribute to long term economic stability.

These housing units are the legacy we will leave to future generations. Our innovations and courage will be appreciated now and for many years to come.

We request your continued support in this effort.

Sincerely,



Stephen O. Shows  
President

FEB 26 1988

By: Juanita Helms  
Introduced: 01/14/88  
Adopted: 01/21/88

RESOLUTION NO. 88-008

A RESOLUTION SUPPORTING ENERGY EFFICIENCY OF HOMES

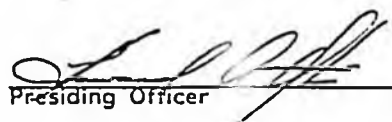
WHEREAS, high-quality energy-efficient building technology developed by the Alaska Craftsman Home Program would substantially reduced home energy consumption. improve the health and safety of the occupants, improve indoor air quality, reduce the contribution of dwellings to outdoor air pollution, increase home durability, reduce home maintenance needs, and increase the economic stability of the owner, and

WHEREAS, Alaska state lawmakers have introduced legislation which supports efficiency in homes that support the Alaska Craftsman Home Program and this legislation will help improve and stimulate the home building industry in Alaska through incentives and education and thereby, improve the local economy of the State, and

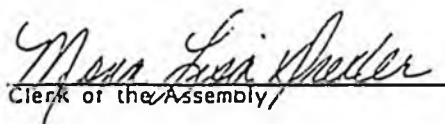
WHEREAS, the citizens of the borough will benefit substantially from the building of energy-efficient homes as developed by the Alaska Craftsman Home Program.

NOW, THEREFORE, BE IT RESOLVED that it is the policy of the Fairbanks North Star Borough to encourage the building of homes to the energy-efficient standards of the Alaska Craftsman Home Program and further that the borough assembly supports legislation to establish similar borough policy and borough support for the Alaska Craftsman Home Program.

PASSED AND APPROVED THIS 21ST DAY OF JANUARY, 1988.

  
Presiding Officer

ATTEST:

  
Clerk of the Assembly

FEB 29 1988

Sponsored by: Gieseler

CITY OF SEWARD, ALASKA  
RESOLUTION NO. 87-079

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SEWARD, ALASKA, IN SUPPORT OF THE ALASKA CRAFTSMAN  
HOME PROGRAM FOR REDUCED HOME ENERGY CONSUMPTION

WHEREAS, high quality energy efficient building technology developed by the Alaska Craftsman Home Program would substantially reduce home energy consumption, improve health and safety of the occupants of dwellings, improve indoor air quality, reduce the contributions of dwelling to outdoor air pollution, increase home durability, reduce home maintenance needs and increase the economic stability of the owner; and

WHEREAS, in the First Session of the Fifteenth Alaska Legislature, Senate Bill 308 and House Bill 318 supporting the Alaska Craftsman Home Program were introduced; and

WHEREAS, the adoption of said bills would improve and stimulate the home building industry in Alaska through incentives and education, thereby contributing to the overall economy of the state and the city of Seward; and

WHEREAS, the citizens of the city of Seward will benefit substantially from the construction of energy efficient homes following the guidelines developed by the Alaska Craftsman Home Program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, that:

Section 1. It is the policy of the city of Seward to encourage the construction of homes to the energy efficient standards of the Alaska Craftsman Home Program.

Section 2. The City Council supports the concepts as set out in Senate Bill 308 and House Bill 318 as introduced in the First Session of the Fifteenth Alaska Legislature to establish such a state policy and to provide support for the Alaska Craftsman Home Program. . .

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, this 14 day of September, 19 87.

FEB 29 1988

RECEIVED FEB 16 1987

Suggested By: City Council

CITY OF KENAI

RESOLUTION 87-57

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, SUPPORTING THE ALASKA CRAFTSMAN'S HOME PROGRAM FOR REDUCED HOME ENERGY CONSUMPTION CONCEPT.

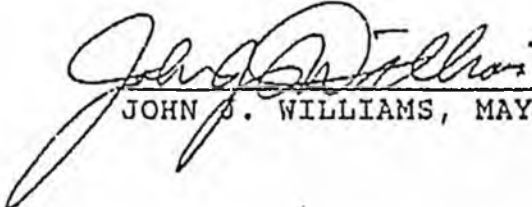
WHEREAS, in the first session of the Fifteenth Alaska Legislature, SB 308 and HB 318 supporting the Alaska Craftsman's Home Program were introduced, and

WHEREAS, the adoption of said bills would improve and stimulate the home building industry in Alaska through incentives and education thereby contributing to the overall economy of the state, the Kenai Peninsula Borough and the City of Kenai, Alaska, and

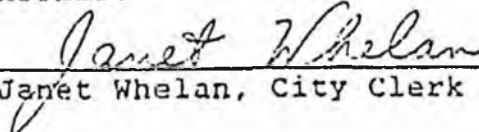
WHEREAS, the Alaska Craftsman's Home Program will be benefitted economically by reducing home energy consumption, they will also be benefitted by improved health and safety of such constructed dwellings, the indoor air quality will be improved and their home maintenance needs will be decreased.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, that said Council supports the concepts as set out in SB 308 and HB 318 as introduced in the first session of the Fifteenth Alaska Legislature to establish a state policy and to provide support for the Alaska Craftsman's Home Program.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 2nd day of September, 1987.

  
\_\_\_\_\_  
JOHN S. WILLIAMS, MAYOR

ATTEST:

  
\_\_\_\_\_  
Janet Whelan, City Clerk

MAR 1 1988

Introduced by: Mayor Jones  
 Introduced: 06/02/87  
 Drafted by: G.L.S.

## MATANUSKA-SUSITNA BOROUGH

Resolution Serial No. 87-66

A RESOLUTION SUPPORTING THE ALASKA CRAFTSMAN HOME PROGRAM FOR  
 REDUCED HOME ENERGY CONSUMPTION.

WHEREAS, high quality energy efficient building technology developed by the Alaska Craftsman Home Program would substantially reduce home energy consumption, improve health and safety of the occupants of dwellings, improve indoor air quality, reduce the contributions of dwellings to outdoor air pollution, increase home durability, reduce home maintenance needs, and increase the economic stability of the owner, and

WHEREAS, in the First Session of the Fifteenth Alaska Legislature, Senate Bill 308 and House Bill 318 supporting the Alaska Craftsman Home Program were introduced, and

WHEREAS, the adoption of said bills would improve and stimulate the home building industry in Alaska through incentives and education, thereby contributing to the overall economy of the state and the Matanuska-Susitna Borough, and

WHEREAS, the citizens of the Matanuska-Susitna Borough will benefit substantially from the construction of energy efficient homes following the guidelines developed by the Alaska Craftsman Home Program;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE

1. That ~~it is~~ <sup>it is</sup> the policy of the Matanuska-Susitna Borough to encourage the construction of homes to the energy efficient standards of the Alaska Craftsman Home Program.

2. That the Assembly supports the concepts as set out in Senate Bill 308 and House Bill 318 as introduced in the First Session of the Fifteenth Alaska Legislature to establish such a state policy and to provide support for the Alaska Craftsman Home Program.

PASSED AND APPROVED by the Assembly of the Matanuska-Susitna Borough this 2nd day of June, 1987

*Dorothy A. Jones*  
 Dorothy A. Jones, Mayor

ATTEST:

*Chris Seagraves*  
 Chris Seagraves, Borough Clerk

TTEST:

SB

309

ALASKA STATE SENATE



SENATOR TIM KELLY  
ANCHORAGE/EAGLE RIVER  
CHAIRMAN

SENATOR DICK ELIASON  
SITKA  
VICE CHAIRMAN

LABOR AND COMMERCE COMMITTEE

MEMBERS  
SENATOR BETTYE FAHRENKAMP  
FAIRBANKS

SENATOR RICK UEHLING  
ANCHORAGE

SENATOR MIKE SZYMANSKI  
ANCHORAGE

Letter of Intent for CSSB 309 (L&C)

It is the intent of the Legislature that a person injured while working as a processing worker shall not be able to claim benefits from the Fishermen's Fund even though that person may hold a commercial fishing license.