

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

8665 HOUSE LABOR & COMMERCE

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 224

Revision Date: _____
 Title: State plumbing code
 Sponsor: Representative Kohring
 Requestor: House Labor & Commerce

Department Affected: Labor
 BRU: Labor Standards & Safety
 Component: Mechanical Inspection
 COMPONENT SERIAL NO. 346

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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CHANGE IN REVENUE						
FUND SOURCE #						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ None

ANALYSIS: (Attach a separate page if necessary)

This bill would allow the department to adopt, by regulation, codes approved by the International Association of Plumbing and Mechanical Officials as the minimum plumbing code standards of the state.

Prepared by: John A. Abshire, Director *John A. Abshire* Phone: 269-4914
 Division: Labor Standards & Safety Date: 3/21/95

Approved by Commissioner: Tom Cashen, Commissioner
 Agency: Department of Labor *Tom Cashen* Date: 3/21/95

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A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE JAMES

TO: HB 224

1 Page 1, following line 2:

2 Insert a new bill section to read:

3 **** Section 1.** AS 18.56.300(e)(3) is amended to read:

4 (3) "state building code" means

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

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

17 (C) for plumbing standards, the [PUBLICATIONS
18 IDENTIFIED AS THE] minimum plumbing code adopted for the state
19 under AS 18.60.705; and

20 (D) for electrical standards, the minimum electrical standards
21 prescribed by AS 18.60.580."

22 Page 1, line 3:

23 Delete **** Section 1.**

24 Insert **** Sec. 2.**

1 Renumber the following bill sections accordingly.

2 Page 2, line 3:

3 Delete "(c) - (d)"

4 Insert "(d) - (e)"

5 Page 2, following line 10:

6 Insert a new subsection to read:

7 "(c) Notwithstanding (a) of this section, heat exchangers may be of a single
8 wall construction if the

9 (1) heat transfer medium is water, propylene type glycol, or another
10 essential nontoxic fluid having a toxicity rating or class of one, as listed in Clinical
11 Toxicology of Commercial Products, Fifth Edition;

12 (2) pressure of the heat transfer medium is limited to a maximum of
13 30 pounds per square inch by an approved safety relief valve; and

14 (3) heat exchanger is prominently and permanently labeled with
15 instructions concerning (1) - (2) of this subsection."

16 Reletter the following subsections accordingly.

17 Page 2, line 15, following "state":

18 Insert ", except that the adoption may not change or delete the heat exchanger
19 provisions in (c) of this section"

20 Page 2, line 17:

21 Delete "(a) or (c)"

22 Insert "(a) or (d)"

23 Page 2, line 18, following "state":

24 Insert ", but the amendments may not amend or delete the heat exchanger provisions
25 in (c) of this section"

1 Page 2, following line 21:

2 Insert a new bill section to read:

3 **** Sec. 5. AS 18.62.070 is amended to read:**

4 **Sec. 18.62.070. PERSONS REQUIRED TO OBTAIN CERTIFICATE. A**
5 **person engaged in one of the following trades shall first obtain from the department**
6 **the appropriate certificate of fitness in that trade:**

7 (1) electrical wiring subject to the standards established in
8 AS 18.60.580; and

9 (2) plumbing subject to the uniform plumbing code; in this paragraph,
10 "uniform plumbing code" means the [PUBLICATIONS IDENTIFIED AS THE]
11 minimum plumbing code adopted for the state under AS 18.60.705."



Alaska State Legislature

HOUSE OF REPRESENTATIVES
Representative Vic Kohring

Official Business

P.O. Box V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

TO: Representative Pete Kott
Chairman, House Labor & Commerce Committee

FROM: Representative Vic Kohring *VK*

DATE: March 10, 1995

RE: HB 224

I respectfully request you schedule House Bill 224, relating to the plumbing code, on Wednesday March 22. Gene Rutland, President of the Mechanical Contractors Association will be in town on that date and would like to testify in support of the legislation.

I have enclosed copies of the sponsor statement, The Department of Labor's position paper, and other letters of support. The department stated their would be a zero fiscal note and would forward it to your office as soon as the bill is scheduled for a hearing.



Official Business

Alaska State Legislature

HOUSE OF REPRESENTATIVES

Representative Vic Kohring

State Capitol
Juneau, AK 99801-1182

Sponsor Statement

House Bill 224

An Act relating to the State Plumbing Code

HB 224 is a housekeeping bill which seeks unanimity among the various codes covered in Section 18.60. With the passage of House Bill 101 last year, regarding the national electrical code, the plumbing code remains the last construction code (with the exception of the elevator code) to require legislative action for updates and amendments.

Under this bill the Department of Labor may, by regulation, adopt all or part of the new code published by the International Association of Plumbing and Mechanical Officials (IAPMO). In addition, the department may adopt amendments, if those amendments are in the best interest of the state.

Every three years, IAPMO produces an update to the Uniform Plumbing Code, the Uniform Swimming Pool, Spa, and Hot Tub Code, and the Uniform Solar Energy Code, which are then approved at the following annual conference. To have these codes adopted on the state level, however, the legislature must introduce and pass legislation. Due to various interests and concerns, new codes are not always adopted. In fact, the state continued to use the 1979 code until the 1991 version was adopted and became effective, June 12, 1991. The 1979 code became so obsolete that it was generally ignored by the construction industry, the local jurisdictions, and design engineers.

The plumbing code is a very technical document which establishes minimum guidelines for safety purposes. I believe it should be reviewed and amended by those qualified to do so and not subjected to political posturing. HB 224 would allow the department to look at each update, adopt them by regulation with public input, and make amendments to create a code which is applicable to Alaska.



Alaska State Legislature

HOUSE OF REPRESENTATIVES
Representative Vic Kohring

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United Association of Journeymen and Apprentices of the
Plumbing and Pipe Fitting Industry of the United States and Canada

LOCAL NO. 262

STREET ADDRESS 723 West 10th Street

CITY, STATE, ZIP Juneau, Alaska 99801

SUBJECT MATTER

DATE 3/14/95

Representative Vic Kohring
Alaska State Legislature District 26
Alaska State Capital, Room 428
Juneau, Alaska 99801

Dear Representative Kohring,

As Business Manager of a Union, I seldom get the opportunity to say, "Thank you," but, lo and behold, your introduction of House Bill 224, amending the statutes to allow amendmer's to the Uniform Plumbing Code by regulation, does indeed have merit. We have, on many past occasions, fallen victim to legislative scheduling and lack of direct knowledge when it comes to code related legislation. We would be much more comfortable with amendments made by regulation within the department, assuming the code minimums established by your bill, are adopted. We offer you our full support and our gratitude. Thank you.

I am respectfully yours,

Dennis Dalman
Business Manager
U.A. Local 262


BILL NO: HB 224

DATE: March, 16 1995

TITLE: "An Act relating to the plumbing code" **CONTACT:** Dwight Perkins
465-2700

The adoption of this Bill will eliminate the delay in adopting new editions of the minimum plumbing design and installation standard for the State. This bill will also allow the Department of Labor, Division of Labor Standards and Safety, Mechanical Inspection Section to amend the code through the regulation process which includes public comment. The Department of Labor Supports passage of HB 224.

APPROVED:



Tom Cashen, Commissioner

DATE:

3-16-95

POSITION PAPER/Department of Labor



United Association of Journeymen and Apprentices of the
Plumbing and Pipe Fitting Industry of the United States and Canada

LOCAL NO

367

STREET ADDRESS 610 W 54th

CITY, STATE, ZIP

Anchorage, AK 99518

SUBJECT MATTER

DATE

March 16, 1995

MAR 20 1995

Representative Vic Kohring
Alaska State Capital Room #428
Juneau, AK 99801

Dear Representative Kohring:

On behalf of the members of U.A. Local 367, let me express support for House Bill 224.

Thank you for your interest in taking action on matters like updates to the Uniform Plumbing Code.

Sincerely,

Larry Gallagher
Business Manager
U.A. Local 367

Article 8. Plumbing Code.

Section

705. Plumbing code
 710. Duties of the department
 715. Administration
 720. Cost of permits

Section

725. Enforcement; reinspection
 730. Penalty for violations
 735. Borough or city regulation
 740. Definitions

Collateral references. — 13 Am. Jur. 39A C.J.S., Health and Environment, 2d, Buildings, § 29. §§ 28-32.

Sec. 18.60.705. Plumbing code. (a) The following publications are adopted as the minimum plumbing code for the state:

(1) chapters 1 — 13 of Part II and the appendices of the 1991 edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials and adopted at the 61st annual conference, September 1990;

(2) the 1991 edition of the Uniform Swimming Pool, Spa, and Hot Tub Code, published by the International Association of Plumbing and Mechanical Officials and adopted at the 61st annual conference, September 1990, but excluding Part I, Administration, pages xiii — xxi; and

(3) the 1991 edition of the Uniform Solar Energy Code, published by the International Association of Plumbing and Mechanical Officials and adopted at the September 1990 annual conference, but excluding Part I, Administration, pages xv — xxii.

(b) Notwithstanding (a) of this section, the use of a pipe or pipe fitting containing more than 8.0 percent lead, or of solder or flux containing more than 0.2 percent lead in the installation or repair of a public water system or in the installation or repair of plumbing of a residential or nonresidential facility that provides water for human consumption is prohibited. This subsection does not apply to the use of leaded joints necessary to repair cast iron pipe. (§ 1 ch 15 SLA 1972; am § 1 ch 88 SLA 1980; am § 1 ch 101 SLA 1988; am § 3 ch 29 SLA 1991)

Revisor's notes. — Enacted as AS 18.60.680. Renumbered in 1972.

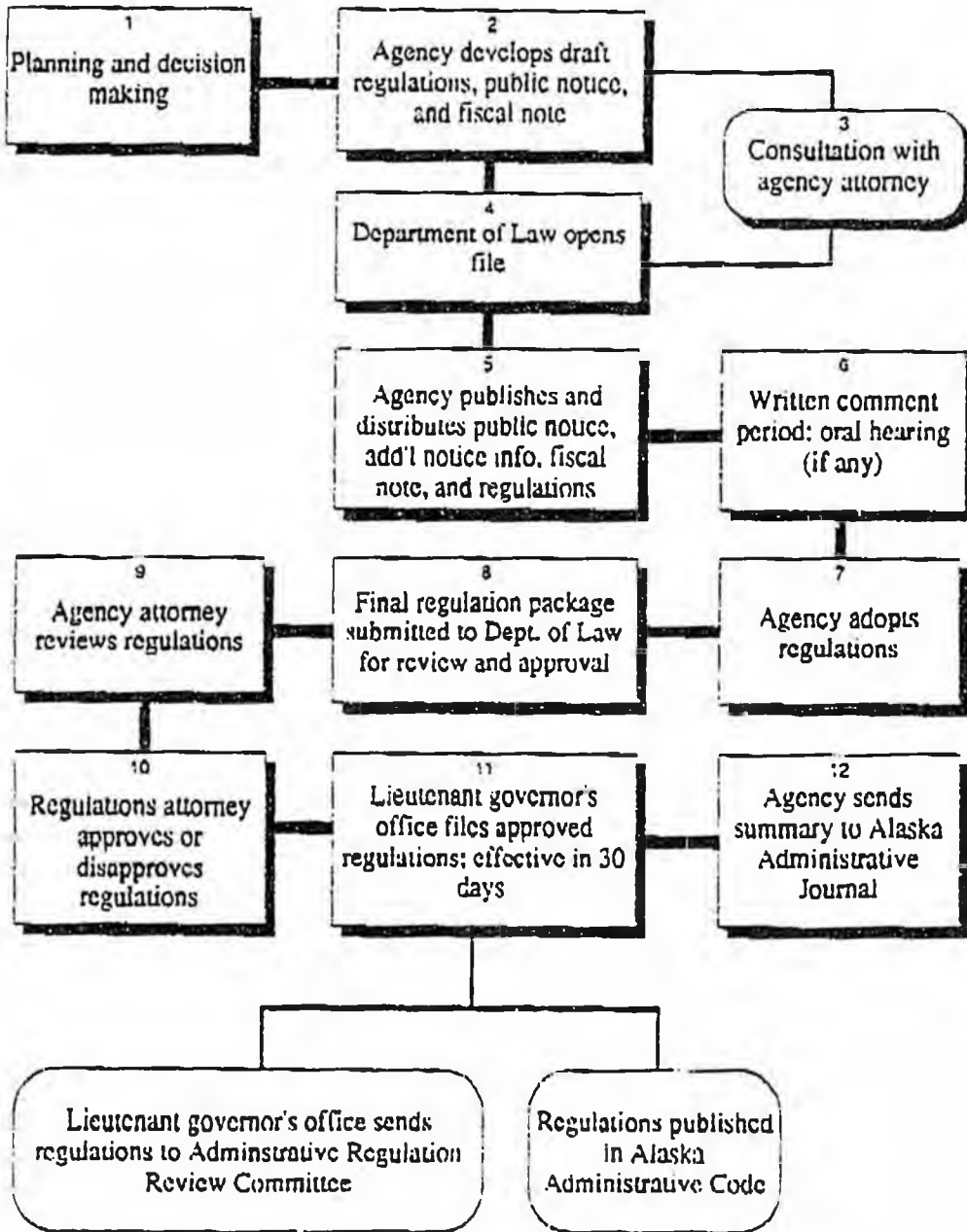
Cross references. — For certificates of fitness required to perform work subject to this section, see AS 18.62.010.

Effect of amendments. — The 1991 amendment, effective June 12, 1991, re-wrote subsection (a).

Editor's notes. — Section 3, ch. 101, SLA 1988 provides that (b) of this section "applies to the installation or repair of a water system or plumbing begun on or after June 5, 1988."

Post-It™ brand fax transmittal memo 7671		# of pages > 1
To MICHAEL L. TIBBIE	From DWIGHT JOHNSON	
CC: REG. KOHRING	CO: DOL	
Dept. 0	Phone #	
Fax #	Fax #	

Steps in the Regulations Process



PLEASE OPPOSE HOUSE BILL #224

AMENDMENT AND OR ADOPTION OF THESE CODES SHOULD BE LEFT TO LOCAL AUTHORITY OR LEGISLATURE.

SECTION 1003 (c) UPC IS GOOD EXAMPLE. CITY OF EMERALD USED COMMON SENSE APPROACH. QUOTE "HEAT TRANSFER MEDIUM IS WATER OR PROPYLENE GLYCOL" WHICH IS NON TOXIC. (COPY OF THIS EXCEPTION ATTACHED).

I WOULD OPPOSE THIS SECTION OF UPC TO PROHIBIT USE OF ~~ANY~~ TOXIC SUBSTANCE IN "HEAT TRANSFER MEDIUM" THAT NOTABLE WATER IS EXCLUDED.

I HAVE BEEN UNABLE TO FIND RECORD OF ANY INJURY DUE TO USE OF "SINGLE WALL CONSTRUCTION" IN WATER OR PROPYLENE GLYCOL.

A MANAGER-ENGINEER AT ITT BELL & GOSSETT TOLD ME THAT COST TO USER OF DOUBLE WALL AS OPPOSED TO SINGLE WALL IS APPROXIMATELY 3 TIMES AND 12 TO 40% INCREASE IN ENERGY USE DEPENDING ON MANUFACTURE OF EQUIPMENT. HE ALSO STATED THAT PRIMARY USE OF DOUBLE WALL EQUIPMENT HEATING OILS, HYDRAULIC FLUIDS ETC.

SOMEONE, SOMEWHERE, SHOULD HAVE TO JUSTIFY THESE COSTS.

PLEASE ADVISE IF YOU ARE ABLE TO FIND RECORD OF ANY ILLNESS OR DEATH CAUSED BY USE OF SINGLE WALL COIL CONSTRUCTION USED IN WATER OR PROPYLENE GLYCOL. OTHER TOXIC SUBSTANCES EXCLUDED.

THANK YOU FOR YOUR CONSIDERATION.

ENCL

Jack Coffey

§ 9.401.1

BUILDING REGULATIONS

§ 9.401.1

(10) inches (254mm) above the roof, or as required by the Administrative Authority.

Section 1003(k). Heat Exchangers. Amend by adding Exception 1 as follows:

Exception. 1. Heat exchangers for potable water systems may use single wall construction provided all of the following conditions are met.

- A. The heat transfer medium is water or propylene type glycol.
- B. The pressure of the heat transfer medium is limited to a maximum of 30 psi by an approved safety relief valve.
- C. The heat exchanger is prominently and permanently labeled with instructions concerning items (A) and (B) above.

Section 1004. Materials. Delete this section in its entirety and replace with the following:

(a) Water pipe and fittings shall be brass, copper, cast iron, and PB, ductile iron or other approved materials. Asbestos cement, CPVC, PE, or PVC water pipe manufactured to recognized standards may be used for cold water distribution systems outside a building. CPVC and PB water pipe and tubing may be used for hot and cold water distribution systems within a building. PB fittings and joints shall be of the brass insert type with crimped ring joint or poly-lock system. All materials used in the water supply system, except valves and similar devices, shall be of a like material except where otherwise approved by the Administrative Authority.

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

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

(d) Galvanized water piping is prohibited.

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

Section 1007(e). Pressure Relief Valve. Delete this section in its entirety and replace with the following:

(e) Relief valves located inside a building shall be provided with a drain not smaller than the relief valve outlet, of galvanized steel or hard-drawn copper piping and fittings and shall extend from the valve to the inside of the building with the end of the pipe not more than two (2) feet (.6m) nor less than six (6) inches, (152.4mm) above the floor and pointing downward. Such drain may terminate at other approved locations. No part of such drain pipe shall be trapped and the terminal end of the drain pipe shall not be threaded.

Section 1008(a). Installation, Inspection, and Testing. Delete the last two (2) sentences of subsection (a).

Section 1008(b). Delete this section in its entirety and replace with the following:

All underground water service piping shall comply with current MUS Standards.

Section 1101(d). Sewer Required. Amend this section as follows:

(d) The public sewer may be considered as not being available when such public sewer or

AS WRITTEN, 2ND PAGE IS AS
AMENDED BY THE CITY OF FIBKS.

1003

UNIFORM PLUMBING CODE

(j) Water Closet Flushometer Tanks shall be protected against backflow by an approved backflow prevention assembly, device or method.

(k) Heat Exchangers, and other assemblies or methods of construction using potable water shall be of listed construction and materials. Potable water shall be separated from the fluids or gases by a minimum of two separate walls, with a positive, vented leak detection path. The sections in contact with potable water shall be of material and weights suitable for potable water as set forth in this chapter.

(l) Inlets to Tanks, Vats, Sumps, Swimming Pools and other receptors when protected by a listed atmospheric vacuum breaker shall have such atmospheric vacuum breaker installed on the discharge side of the last valve with the critical level not less than six (6) inches (152.4 mm) or in accordance with its listing above the flood level rim of such equipment, and all downstream piping. Water supply inlets not protected by atmospheric vacuum breakers shall be protected by an approved airgap. Where atmospheric vacuum breakers or airgaps are not installed other backflow preventers suitable for the possible contamination or pollution may be installed in accordance with the requirements for that type of device or assembly as set forth in this chapter.

(m) Lawn Sprinkling Systems shall be equipped with listed atmospheric vacuum breakers installed on the discharge side of each of the last shutoff valves. Where atmospheric vacuum breakers can not be installed because of piping elevation or valves, other listed backflow preventers shall be installed in accordance with their requirements as set forth in this chapter.

(n) Potable Water Outlets with Hose Attachments other than water heater drains and clothes washer connections shall be protected by a listed non-removable hose bibb type backflow preventer or by a listed atmospheric vacuum breaker installed at least six (6) inches (152.4 mm) above the highest point of usage and located on the discharge side of the last valve. In climates where freezing temperatures occur, a listed self-draining frost proof hose bibb with an integral backflow preventer shall be used.

(o) Water Cooled Compressors, Degreasers or any other water cooled equipment shall be protected by a listed backflow preventer installed in accordance with the requirements of this chapter.

NOTE: Some water cooled equipment may produce back-pressure and shall be equipped with the appropriate protection.

(p) Water Inlets to Water Supplied Aspirators shall be equipped with a listed atmospheric vacuum breaker mounted at least six (6) inches (152.4 mm) above the aspirator unit or equipped with a listed backflow preventer installed in accordance with its listing requirements and this

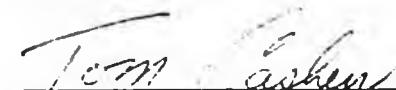
BILL NO: HB 224

DATE: March, 16 1995

TITLE: "An Act relating to the plumbing code" CONTACT: Dwight Perkins
465-2700

The adoption of this Bill will eliminate the delay in adopting new editions of the minimum plumbing design and installation standard for the State. This bill will also allow the Department of Labor, Division of Labor Standards and Safety, Mechanical Inspection Section to amend the code through the regulation process which includes public comment. The Department of Labor Supports passage of HB 224.

APPROVED:



Tom Cashen, Commissioner

DATE: 3-16-95

POSITION PAPER/Department of Labor


**ALASKA BEST
PLUMBING & HEATING, INC.**

1845 Caribou Way
Fairbanks, AK 99709
Phone (907) 455-8506 Fax (907) 455-4871

State Contractor Lic. #A13894 Mechanical Administrator Lic # AA23

March 21, 1995

Representative Jeannette James
House District 34
FAX: 465-2381

*COPY LINDA
ANDERSON
AND
INTERIOR
Delegation.*


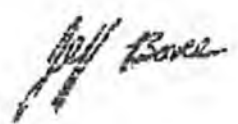
Representative James,

I support House Bill 224 with an amendment equal to the City of Fairbanks amendment concerning single wall coil use.

The amendment would address all codes and concerns on single wall coil issues and would not be a health hazard. This is a much needed change and would greatly benefit consumers without any cost in enforcement.

Thank you for your consideration in this matter.

Sincerely,



Jeff Bovee
President

JNB/ecb
winword\datafile\letters\James224.rtf

Comfort Mechanical
P.O. Box 81863
Fairbanks, Ak 99708
(907) 479-3771/ FAX (907) 479-7775

March 21, 1995

RE: HB224

Dear Jeannette James,

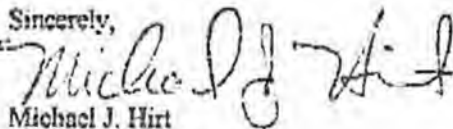
I was recently informed that HB224 has circumvented the Legislative Affairs Committee, which you chair, and instead is in the Commerce Committee. I am sorry to hear that as I feel the amendment I'd like to see to HB224 may not fall on receptive ears in that committee. I'm already skeptical of the bill, in that it appears to give the Department of Labor more power through regulations than they have demonstrated in the past to handle appropriately. The Department of Labor, of course, wants this power, and obviously is choosing a path to speed it's course, somewhat like the fox watching the henhouse. A teleconference, which last week was scheduled for the 29th of March, has been rescheduled for tomorrow and we, in the interior, have just by chance learned of it today. I wonder if someone found out that a meeting of master plumbers, and other related industry people, had been planned to be held on March 22, 1995 at 5:30 p.m., and changed their teleconference accordingly. There will, of course, be comments made at the teleconference, however fewer, that represents our concerns.

"Government," said George Washington, "is not reason; it is not eloquence; it is FORCE! It is a dangerous servant and a fearful master." If our local concerns can be addressed and properly responded to through the proposed bill, then I am all for it. The amendment we are proposing can be an example of how we will be treated through regulation. The amendments to HB224 are as follows:

1. Heat exchangers. Add an Exception. Heat exchangers may be of a single wall construction provided that: (A) The heat transfer medium is water, propylene type glycol or other essential non-toxic fluid having a toxicity rating or class of (1), as listed in Clinical Toxicology of Commercial Products, 5th Edition; and (B) The pressure of the heat transfer medium is limited to a maximum of 30 PSI by an approved safety relief valve; and (C) The heat exchanger is prominently and permanently labeled with instructions concerning items (A) and (B) above.

2. Administrative Authority. Add an Exception. Will be defined as the most local entity (Political subdivision such as a city would be more local than a borough). That has an official on it's payroll to Administer the UPC, part or full time according to the building demand within it's defined boundaries.

Sincerely,



Michael J. Hirt
Owner Comfort Mechanical

enclosures

cc: Steve Frank, Bert Sharp, Mike Miller,
Georgiana Lincoln, John Davies, Tom
Brice, Pete Kelley, Al Vezzy, Gene
Therriault, Steve Shuttleworth, Linda
Anderson

March 22, 1995

Representative John Davies
Alaska State Legislature
Juneau, Alaska

MAR 1995
BUILDING
DEPARTMENT

Re: House Bill 224, Adoption of the State Plumbing Code

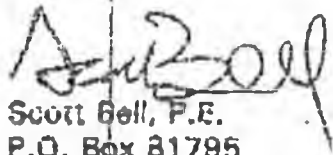
Dear Representative Davies:

As a registered professional mechanical engineer with over twelve years of experience designing plumbing systems in our state, I urge you to vote for adoption of the new state plumbing code only if the proposed heat exchanger amendment is included. The proposed amendment will allow single-wall domestic water heat exchangers only if non-toxic heat transfer mediums are used in the heating system; public safety will be maintained. Without the amendment, the state plumbing code will require double-wall heat exchangers to heat domestic hot water. Double-wall heat exchangers are much more expensive and much less efficient than single-wall heat exchangers.

The proposed state plumbing code is a model code jointly issued by the International Conference of Building Officials (ICBO) and the International Association of Plumbing and Mechanical Officials (IAPMO). Both are private organizations whose codes have been adopted in most of the western states. Model plumbing codes issued by other code organizations such as the Building Officials and Code Administrators International (BOCA) and the Southern Building Code Congress International (SBCCI) have long been adopted in other parts of the United States and allow single-wall domestic water heat exchangers as long as the heat transfer medium is non-toxic. More revealing, the International Plumbing Code recently issued jointly by ICBO, BOCA and the SBCCI as a nation-wide model plumbing code allows the use of single-wall heat exchangers with non-toxic heat transfer mediums. The proposed heat exchanger amendment would bring the state plumbing code into alignment with the nation-wide model plumbing code.

Thank you for taking the time to read this letter and I urge you to vote for HB 224 only if the proposed heat exchanger amendment is included.

Sincerely,


Scott Bell, P.E.
P.O. Box 81785
Fairbanks, Alaska 99708
(907) 452-2128 (work)

COPY LINDA
ANDERSON
AND DEPT. OF
LABOR

cc: Interior Legislative Delegation



ANDERSON MECHANICAL SYSTEMS & SERVICE
807 CLOUD ROAD/99705-5038
P.O. BOX 72001/FAIRBANKS, AK 99707-2001
(907)451-0184/FAX 488-9535

MARCH 25, 1995

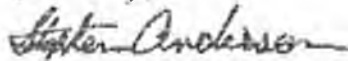
To: 19th Alaska State Legislature
Interior Delegation
Labor & Commerce Committee

I'm opposed to the passage of HB 224 for two main reasons: its exclusion of single-wall heat exchangers and its effective abandonment of the people's right to meaningfully influence the regulations they're bound to live by. Any Plumbing Code requiring the use of double-wall heat exchangers in all circumstances would place an unnecessary additional cost of living on every individual. As a plumbing contractor the least-priced system for providing domestic hot water and space heating in the majority of residential and commercial structures on which I work is the packaged boiler with single wall tankless coil, a system standard in my area for more than 30 years, but illegal since the 1991 UPC. The added business of new double-wall units and the replacement of existing single-wall units would prove to be a bonanza of work for me and my colleagues, but at the needless expense of the majority of the State's residents.

I'm appalled at the implications of Section 2. It seems to make the Department of Labor a repository of authority into which the best interests of the people of Alaska would be lost. It would not only waive the people's final opportunity to influence the adoption of regulation but as the jurisdictional conflicts between the Fairbanks and Kodiak Building agencies and the Department of Labor suggest it may be an indirect assault on the broader issues of Home rule. Isn't it ironic that in this emerging era of government downsizing and the national enlightenment to shed costly local responsibilities to local control that this proposed action would essentially wrest an underpinning of the building industry (i.e., local officials understand local conditions best) from functioning, funded entities. Can the State of Alaska afford this kind of backward thinking?

My opposition to HB 224 is not based on economic self-interest. Similarly, defeat of this measure doesn't increase the scope of my influence as its adoption would to the respective regulators. My opposition is simply based on common sense. Please use your influence to defeat HB 224 and amend existing regulations to allow single-wall heat exchangers as codified by the City of Fairbanks and others. I would also appreciate knowing your opinions on this matter.

Thank you.



Stephen Anderson
Owner/Master Plumber/Mechanical Administrator

CITY MANAGER
POST OFFICE BOX 1397, KODIAK, ALASKA 99615

TELEPHONE (907) 486-8640
FAX (907) 486-8600

March 22, 1995

Chairman Pete Kott
House Commerce and Labor Committee
House of Representatives
State Capitol
Juneau, Alaska 99811-0001

RE: House Bill 224—Adoption of the State Plumbing Code

Dear Chairman Kott:

We understand that in House Bill 224 the Alaska State Legislature is in the process of adopting the 1994 edition of the Uniform Plumbing Code. The City of Kodiak would like to request your support for an amendment to HB 224 that has been put forth by the City of Fairbanks.

The purpose of the amendment is to allow the use of single wall heat exchangers for potable hot water heating systems. Section 603.3.4 (revised numbering) in the 1994 Uniform Plumbing Code requires double wall heat exchangers. Until the 1991 edition of the Uniform Plumbing Code, single wall heat exchangers met the intent of the code. They have been installed throughout Kodiak for years, providing an efficient dependable heating system for potable water. Before adoption of the 1991 Uniform Codes by the City of Kodiak, the local building code review committee recommended an exception to Section 1003(k), in the Uniform Plumbing Code which allowed for the continued use of single wall heat exchangers. The language for the exception was taken from the National Plumbing Code, which is similar to The International Plumbing Code which allows single wall heat exchangers.

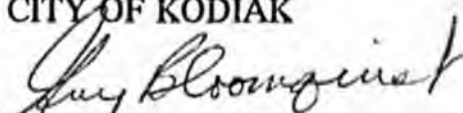
After conducting public hearings, the City of Kodiak adopted the 1991 edition of the Uniform Plumbing Code with the exception to allow single wall heat exchangers. (See attached ordinance.)

The primary fuel used for heating in Kodiak is oil. Natural gas is not available. Double wall heat exchangers for oil fired boilers are not efficient. Requiring double wall heat exchangers for oil fired boiler systems will in essence, require a separate hot water heater be installed in buildings. This is an unfair burden for Kodiak and all Alaskan residents, considering that single wall heat exchangers work well in Kodiak and are accepted throughout much of the United States.

Your support for the Fairbanks sponsored amendment to HB 224 will be appreciated by the citizens of Kodiak.

Sincerely,

CITY OF KODIAK



Gary Bloomquist
City Manager

(b) No person shall apply for a second permit under this exception within a 24 month period for purposes of new construction. (Ord. 722 §10, 1984; Ord. 662 (part), 1983; Ord. 650 (part), 1982)

14.12.050 Permit application. Application for permit shall be made on suitable forms provided by the building official. The application shall be accompanied by any required fees established by resolution or motion of the city council. (Ord. 938 §5, 1992; Ord. 650 (part), 1982)

14.12.060 Permit fees. Repealed by Ordinance Number 938, effective July 1, 1992. Repealed §14.12.060 derived from Ordinances 722 and 650.

14.12.070 Inspections. All plumbing and drainage systems shall be inspected by the building official to ensure compliance with all requirements of this code. (Ord. 650 (part), 1982)

14.12.080 Code--exception. Subsection 1003(k) is amended to read:

(k) **Heat Exchangers** and other assemblies or methods of construction using potable water shall be of listed construction and materials. Potable water shall be separated from the fluids or gasses by a minimum of two separate walls, with a positive, vented leak detection path. The sections in contact with potable water shall be of material and weights suitable for potable water as set forth in this chapter.

Exception: Heat exchangers may be of a single wall construction provided that (1) the heat transfer medium is water or other practically nontoxic fluid having a toxicity rating or class of 1, as listed in Clinical Toxicology of Commercial Products, 5th Edition; (2) the pressure of the heat transfer medium is limited to a maximum of 30 psig by an approved safety or relief valve; and (3) the heat exchanger is prominently and permanently labeled with instructions concerning items (1) and (2) above.

(Ord. 914 §2, 1991)



CITY OF

FAIRBANKS

March 23, 1995

REPRESENTATIVE JEANNETTE JAMES
State Capitol - Room #102
Juneau, Alaska 99801-1182
FAX: (907) 465-2381

Re: House Bill 224 - Single Wall Coil Amendment/State Plumbing Code

Dear Ms. James:

On behalf of the City of Fairbanks Building Department, I would like to thank you for supporting our proposed amendment. Your comments during the teleconference were appreciated by the Fairbanks contingent. If we would have had more notification we could have provided more pertinent public testimony.

However, the obstacle as we see it is the Department of Labor. We are not comfortable with establishing more power and authority within this department by virtue of House Bill 224. Their assurances that they will "consider" our input during the regulatory process lack credibility. Their lack of objectivity and past track record speaks for itself.

Thank you again for your support.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve J. Shuttlesworth".

Steve J. Shuttlesworth
Building Official

SJS:nld

cc: Linda Anderson, Government Consultant
Pat Cole, City Manager
Eugene Rutland, Mechanical Contractors' Association of Fairbanks
City of Fairbanks Code Review Commission
City of Fairbanks Plumbers' Examining Board
Leonard Kimball, Building Official, Kodiak
File

**TABLE 609.14.1
MINIMUM AIR GAPS FOR PLUMBING FIXTURES**

FIXTURE	MINIMUM AIR GAP	
	Away from a wall ^a (Inches)	Close to a wall (Inches)
Lavatories and other fixtures with effective opening not greater than 1/2 inch in diameter	1	1 1/2
Sink, laundry trays, gooseneck back faucets and other fixtures with effective openings not greater than 3/4 inch in diameter	1 1/2	2 1/2
Over-rim bath fillers and other fixtures with effective openings not greater than 1 inch in diameter	2	3
Drinking water fountains, single orifice not greater than 7/16 inch in diameter or multiple orifices with a total area of 0.150 square inch (area of circle 7/16 inch in diameter)	1	1 1/2
Effective openings greater than 1 inch	Two times the diameter of the effective opening	Three times the diameter of the effective opening

For SI: 1 inch = 25.4 mm.

^a Applicable where walls or obstructions are spaced from the nearest inside edge of the spout opening a distance greater than three times the diameter of the effective opening for a single wall, or a distance greater than four times the diameter of the effective opening for two intersecting walls.

609.14.2 Protection by a reduced pressure principle backflow preventer. Openings and outlets shall be protected by a reduced pressure principle backflow preventer.

609.14.3 Protection by a backflow preventer with intermediate atmospheric vent. Openings and outlets shall be protected by a backflow preventer with an intermediate atmospheric vent.

609.14.4 Protection by a vacuum breaker. Openings and outlets shall be protected by atmospheric-type or pressure-type vacuum breakers. The critical level of the vacuum breaker shall be set a minimum of 6 inches (152 mm) above the flood level rim of the fixture or device. Ball cocks shall be set in accordance with Section 426.3.1. Vacuum breakers shall not be installed under exhaust hoods or similar locations which will contain toxic fumes or vapors. Pipe-applied vacuum breakers shall be installed not less than 6 inches (152 mm) above the flood level rim of the fixture, receptor or device served.

609.14.4.1 Deck-mounted and integral vacuum breakers. Approved deck-mounted vacuum breakers and faucets with integral vacuum breakers shall be installed in accordance with the manufacturer's instructions with the critical level not less than 1 inch (25.4 mm) above the flood level rim.

609.14.4.2 Hose connections. Sillcocks, hose bibbs, wall hydrants and other openings with a hose connection shall be protected by an atmospheric-type or pressure-type vacuum breaker or a permanently attached hose connection vacuum breaker.

609.15 Connections to the potable water system. Connections to the potable water system shall conform to Sections 1609.15.1 through 609.15.6.

609.15.1 Beverage dispensers. The water supply connection to carbonated beverage dispensers shall be protected against backflow by a double check valve with an intermediate atmospheric vent conforming to ASSE 1012. The double check valve with an intermediate atmospheric vent device and the piping downstream therefrom shall not be affected by carbon dioxide gas. Secondary protection in the form of a dual check valve conforming to ASSE 1032 shall be installed on the beverage-dispensing equipment.

609.15.2 Connections to boilers. The potable supply to the boiler shall be equipped with a backflow preventer with an intermediate atmospheric vent, complying with ASSE 1012 or CSA CAN/CSA B64.3. Where conditioning chemicals are introduced into the system, the potable water connection shall be protected by an air gap or a reduced pressure principle backflow preventer, complying with ASSE 1013, CSA CAN/CSA B64.4 or AWWA C511.

609.15.3 Heat exchangers. Heat exchangers utilizing an essentially toxic transfer fluid shall be separated from the potable water by double-wall construction. An air gap open to the atmosphere shall be provided between the two walls. Heat exchangers utilizing an essentially nontoxic transfer fluid are permitted to be of single-wall construction.

609.15.4 Connections to automatic fire sprinkler systems and standpipe systems. The potable water supply to automatic fire sprinkler and standpipe systems shall be protected against backflow by a double check-valve assembly or a reduced pressure principle backflow preventer.

Exception: Where systems are installed as a portion of the water distribution system in accordance with the requirements of this code and are not provided with a fire department connection, isolation of the water supply system shall not be required.

Comfort Mechanical
P.O. Box 81863
Fairbanks, Ak 99708
(907) 479-3771/ FAX (907) 479-7775



March 22, 1995

RE: HB224

To Teleconference Participants,

On February 24, 1995 at 11:50 a.m I received a long distance phone call from Mr. Jerry Mankel in Anchorage, the chief boiler inspector for the state of Alaska. He referred to a boiler with a single wall coil that I had previously installed at the Alaska Veterinary Clinic at 410 Trainer Gate Rd. Fairbanks, Ak., and asked if I intended to change the system to comply with the 1991 UPC Section 1003 (K). I informed him that at the time the job was bid and designed, the 1979 UPC was in force with the state and the 1988 UPC with the city and had no such language referring to a single wall coil. The project was built within the City of Fairbanks, and was subject to the Administration Authority of the City Building Department. They, during construction of the project, had adopted the 1991 UPC at approximately the same time as the state had, however, had chosen through the application of logic and reason, to amend and clarify the code language through city ordinance, to be consistent with the UPC intent.

I had in good faith paid for a permit with the city and expected them to be the Administrative Authority to follow. I told Mr. Mankel that I had no intention of changing anything at the present time. We also talked about other interpretations of the ASME code, that because of recent misinterpretation by state officials, had caused thousands of dollars of expense, to interior owners, only to find that the officials had misinterpreted the code intent. I asked if he agreed with the city ordinance allowing single wall coils, in cases where potable water was on both sides of the coil, and he said, "I only enforce the state statutes... I don't try to interpret them." Mr. Mankel's and my conversation was pleasantly toned and ended at that point.

I would like to see HB224 amended as follows:

1. Heat exchangers. Add an Exception. Heat exchangers may be of a single wall construction provided that (A) The heat transfer medium is water, propylene type glycol or other essential non-toxic fluid having a toxicity rating or class of (1), as listed in Clinical Toxicology of Commercial Products, 5th Edition; and (B) The pressure of the heat transfer medium is limited to a maximum of 30 PSI by an approved safety relief valve; and (C) The heat exchanger is prominently and permanently labeled with instructions concerning items (A) and (B) above.

2. Administrative Authority. Add an Exception. Will be defined as the most local entity (Political subdivision such as a city would be more local than a borough) that has an official on it's payroll to Administrator the UPC part or full time according to the building demand within it's defined boundaries.

Without these amendments I would respectfully not support passage of HB224

Sincerely,

Michael J. Hiri
Owner Comfort Mechanical

COPY

LINDA
ANDERSON
AND
INTERIOR
DELEGATION

cc: Interior Delegation, Fairbanks City Building Dept

2 A 22
3/19/95
10:30

TO: LIDA ANDERSON.

ALASKA BEST
PLUMBING & HEATING, INC.
1845 CARIBOU WAY
FAIRBANKS, AK 99709
Phone (907) 455-8506
Fax (907) 485-4871

Not
FOR GENERAL
DISTRIBUTION

February 27, 1995

Mr. Scott Shanders
TJ's Logo
13 Timberland
Fairbanks, AK 99709
Phone: 452-8888

A TYPICAL
EXAMPLE OF THE
PROBLEM THAT WE
FACE IN THE
CITY OF FAIRBANKS

SPRUE

Scott,

I wanted to give you the maximum boiler with good efficiency for you boiler replacement installation. The boiler I have installed does that but it can do more than you need also. The state of Alaska boiler inspector has written an inspection report that addresses the more part. I will put a tag on the boiler that says it is derated and not to fire above 1.4 gallons per hour nozzle size. This will satisfy the inspector for part of the report. (i.e. 200,000 BTU rule.) Rest assured you have more than enough capacity for your heating needs with this boiler derated. It still has more output with better efficiency than what you had before.

In addressing his problem with the tank-less coils, please note he is not the plumbing inspector and does not have the authority to enforce the alleged problem he is citing. In addition, The City of Fairbanks under home rule authority has amended the adoption of 1991 Uniform Plumbing Code to allow this condition to exist without having to change it. My proposal to you states that I will install this job to City of Fairbanks code requirements. It is the same system you had before, just new parts. I believe you have had no problems with this system and you can see that this is just an administrative push-pull between different city/state/federal agencies. I happen to believe the City of Fairbanks has taken a practical stand to the alleged problem for the following reasons:

The potential for cross contamination (mixing boiler water with non-potable water) is next to nil for several reasons.

- a.) Boiler has max. of 30 PSI. City pressure is 45 PSI plus.
- b.) Boiler water is not considered hazard material and the chance of harmful bacterial life in water that is 140 degrees plus is very small.
- c.) The materials used in systems are tested many times over the operation pressures that they are being used at.

Alaska Best Plumbing & Heating, Inc.

Page 1

d.) The operating temperatures are controlled by two temperature sensors. One to operate the unit and one to be an emergency over limit. Over temperature of heating system that would cause premature failure of construction materials is exceedingly unlikely.

e.) Failure rate on coils in this type of duty application appears to be low to nothing. If the coil fails it is usually caused by outside circumstances that are beyond anyone's control. (i.e. Freezing)

Other consideration are Energy Kinetics System 2000 has a single wall plate to plate heat exchanger and it has been accepted as an approved exchanger to fall under the 200,000 BTU heat exchanger.

I suspect most all heat exchangers supplied with this series of boilers under 200,000 BTUs will not be able to transfer more than 200,000 BTUs due to construction, design, physical limitations.

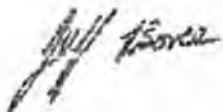
The problem is no one has done the accepted mechanical test to prove this and stamp it with a mechanical engineer's approval in acknowledgment but it makes sense that approximately twenty-seven feet of 1/2" fin copper can't produce that kind of BTUs. In my opinion, I personally feel that the real problem is lack of common sense and no ability to make practical decisions based on knowledge. The administrative authority can make these decisions but they lack the ability to get over an assumed liability that they perceive by their actions. They (the administrative authority) have constantly passed the buck that it is someone else's responsibility to instigate change. I would suggest instead of looking for items of little consequence the time would be better spent thinking positive and doing necessary work or lowering the work force.

In summary, the City Inspector will inspect next week. I will send the card showing compliance for code violation #1 as corrected 050085. I am forwarding a copy of this letter to Terry Hines and his boss for their perusal.

Please note I believe they may try bully tactics or just drop this matter. To date I personally know of no court cases or any boilers being shut down for this problem. I am willing to pay the cost to fight this or, at my option, side step this by a plate to plate exchanger.

Scott, I appreciate your trust and faith in me on this subject.

Thank you,



Jeff Bovee
Master Plumber
Mechanical Administrator for
Alaska Best Plumbing & Heating, Inc.
wwwword@terralinkhand.net

Alaska Best Plumbing & Heating, Inc.

Page 1

Sladen Plumbing & Heating, Inc.

9 MILE RICHARDSON HWY. (SHOP)
P.O. BOX 55518 NORTH POLE, ALASKA 99705
(907) 488-3359 • FAX (907) 488-2711

March 17, 1995

City of Fairbanks
410 Cushman Street
Fairbanks, Alaska 99701

Attention: Mr. Larry Long, Plumbing Inspector

Dear Mr. Long,

FAXED
3-20-95

*Long & Sladen
signed 3/20/95*

*LINDA
ANDERSON*

FOR DISTRIBUTION

MAR 1995
BUILDING
DEPARTMENT

Thank you for your letter dated March 14, 1995 concerning the use of single wall heat exchange coils and other matters. I would like to attend the meeting on the 22nd of March, however I will be out of town until April 5, 1995. I would appreciate it if you would read this letter at the meeting as my testimony.

We are opposed to the State adopting the Uniform Plumbing Code by regulation House Bill number 224, Section 2. As 18 60 705 would allow the International Association of Plumbing and Mechanical Officials (IAPMO) to dictate to our state and our community the type of mechanical systems required in our buildings. We have unique problems to overcome in Alaska. Many things that work in other states do not work in our arctic environment. Most members of IAPMO do not have the practical experience of building in our climate to dictate codes to us. Regulatory agencies are often controlled by hidden agendas which have nothing to do with providing the population, whom are our customers, with safe and practical mechanical systems to operate in our climate. Regulatory agencies are not as accountable as our legislature. Regulatory agencies do not stand for periodic election, therefore, they have little if any accountability. In my experience, these agencies care very little for the knowledge of our local professional craftsmen, local professional engineers, and our local building officials. Regulatory agencies seem to be politically motivated and cater to special interest groups. We need to get politics out of our industry.

Our company has worked with local engineers on many design/build projects for the US Air Force and The US Army Corp of Engineers. We have developed innovative, cost effective and safe mechanical systems for these projects. We have utilized the latest industry technology for these systems, which have proven reliable and safe, and would not be approved by our current codes. These design/build projects are located on federal military reservations and are not governed by our state codes.

Slapen Plumbing & Heating, Inc.

9 MILE RICHARDSON HWY. (SHOP)
P.O. BOX 55518 NORTH POLE, ALASKA 99705
(907) 488-3359 • FAX (907) 488-2711

March 17, 1995
City of Fairbanks
Page Two

Therefore, I think our state should create a mechanical code review board that would make code adoption recommendations directly to our state legislature who would then adopt the various codes. The review board could consist of individuals from the following geographical areas of our state:

- 1-Mechanical Administrator, 1 Mechanical Engineer, and 1 Municipal Building Official from South of the 60th parallel
- 1 Mechanical Administrator, 1 Mechanical Engineer, and 1 Municipal Building Official from North of the 60th parallel to South of the 63rd parallel
- 1 Mechanical Administrator, 1 Mechanical Engineer, and 1 Municipal Building Official from North of the 63rd parallel

This board would be a good representation of professionals who deal with our industry problems on a daily basis. The board could be individuals willing to serve on a voluntary basis. The board could meet bi-yearly and make recommendations to the legislature based on our local experience.

We are in favor of amending the State Plumbing Code to allow the use of single wall coils for domestic hot water heat exchangers. Our company has installed thousands of boilers which have single wall heat exchangers for domestic hot water generation. During some 30 years we have never seen a single wall coil contaminate a water system. Most hydronic heating systems are located on the east coast of our country. Single wall coils are in use and have been in use there for more than 75 years. In fact, I do not know of one boiler manufacturer that offers a double wall coil, vented to the atmosphere, for use in residential boilers. We have installed heat exchangers which utilize double wall coils vented to the atmosphere (in order to comply with our regressive State Plumbing Code) and they are very inefficient in their heat exchange rate. We agree with Mayor Hayes' letter completely.

Finally, we recommend that our state and the City of Fairbanks adopt the National Plumbing Code and the International Plumbing Code. These codes are better suited for our climate conditions and were not developed for special interest groups. In our estimation, IAPMO has become entangled in politics and special interest groups and no longer serves our industry nor the general public. Therefore, we oppose any legislation that adopts any IAPMO codes. Political and special interest group agendas do not protect the health and economy of Alaskans.

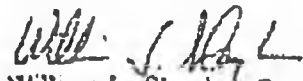
Slayden Plumbing & Heating, Inc.

9 MILE RICHARDSON HWY. (SMDP)
P.O. BOX 55518 NORTH POLE, ALASKA 99705
(907) 488-3359 • FAX (907) 488-2711

March 17, 1995
City of Fairbanks
Page Three

Thank you for your continued interest and efforts for our industry. Please call us if we can be of any assistance. We will forward this letter to our local legislatures and Representative Kohring.

Very Truly Yours,



William L. Slayden, President
Master Plumber, City of Fairbanks
Mechanical Administrator, State of Alaska

9-LS0740VR /
Bannister
4/5/95

CS FOR HOUSE BILL NO. 224()
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES KOHRING, Green

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the state plumbing code."

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

3 * Section 1. AS 18.56.300(e)(3) is amended to read:

4 (3) "state building code" means

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

11 (B) for mechanical standards, the standards set out in the
12 version of the Uniform Mechanical Code adopted by the Department of Public
13 Safety under AS 18.70.080, including the provisions of that code applicable to
14 buildings used for residential purposes containing fewer than four dwelling
15 units, notwithstanding the exclusion of those buildings from the Department of

1 Public Safety's jurisdiction made by AS 18.70.080(a)(2);
2 (C) for plumbing standards, the [PUBLICATIONS
3 IDENTIFIED AS THE] minimum plumbing code adopted for the state under
4 AS 18.60.705; and
5 (D) for electrical standards, the minimum electrical standards
6 prescribed by AS 18.60.580.

7 * Sec. 2. AS 18.60.705 is amended to read:

8 Sec. 18.60.705. PLUMBING CODE. (a) Except as provided otherwise in
9 this section, the [THE] following publications are adopted as the minimum plumbing
10 code for the state:

11 (1) chapters 1 - 13 of Part II and the appendices of the 1991 edition of
12 the Uniform Plumbing Code, published by the International Association of Plumbing
13 and Mechanical Officials and adopted at the 61st annual conference, September 1990;

14 (2) the 1991 edition of the Uniform Swimming Pool, Spa, and Hot Tub
15 Code, published by the International Association of Plumbing and Mechanical Officials
16 and adopted at the 61st annual conference, September 1990, but excluding Part I,
17 Administration, pages xiii - xxi; and

18 (3) the 1991 edition of the Uniform Solar Energy Code, published by
19 the International Association of Plumbing and Mechanical Officials and adopted at the
20 September 1990 annual conference, but excluding Part I, Administration, pages xv -
21 xxii.

22 (b) Unless changed by the department under (c) - (d) of this section,
23 [NOTWITHSTANDING (a) OF THIS SECTION,] the use of a pipe or pipe fitting
24 containing more than 8.0 percent lead, or of solder or flux containing more than 0.2
25 percent lead, in the installation or repair of a public water system or in the installation
26 or repair of plumbing of a residential or nonresidential facility that provides water for
27 human consumption is prohibited. This subsection does not apply to the use of leaded
28 joints necessary to repair cast iron pipe.

29 * Sec. 3. AS 18.60.705 is amended by adding new subsections to read:

30 (c) After the International Association of Plumbing and Mechanical Officials
31 approves a new, published edition of the Uniform Plumbing Code, the Uniform

1 Swimming Pool, Spa, and Hot Tub Code, or the Uniform Solar Energy Code, the
2 department may, by regulation, adopt one or more of these codes to constitute part or
3 all of the minimum plumbing code standards of the state.

4 (d) The department may by regulation adopt amendments to the uniform codes
5 adopted under (a) or (c) of this section, if the amendments are in the best interests of
6 the state.

7 * Sec. 4. AS 18.60.735 is amended to read:

8 Sec. 18.60.735. BOROUGH OR CITY REGULATION. AS 18.60.705 -
9 18.60.740 do not affect the authority of a municipality to prescribe by ordinance, rule,
10 or order [,] standards for their respective areas of jurisdiction no less stringent than
11 those established under AS 18.60.705. In addition, a municipality may grant a
12 waiver from the plumbing code adopted under AS 18.60.705 for single-wall heat
13 exchangers installed on or after June 12, 1991, but before the effective date of this
14 Act. AS 18.60.705 - 18.60.740 are not intended to duplicate or preempt code
15 administration or enforcement by municipalities. An organized municipality or
16 unorganized village having less than 2,500 population is exempt from the provisions
17 of AS 18.60.705 - 18.60.740.

18 * Sec. 5. AS 18.60.740(1) is amended to read:

19 (1) "code" means the code adopted under AS 18.60.705
20 [AS 18.60.705(a) AS AMENDED BY AS 18.60.705(b)];

21 * Sec. 6. AS 18.62.070 is amended to read:

22 Sec. 18.62.070. PERSONS REQUIRED TO OBTAIN CERTIFICATE. A
23 person engaged in one of the following trades shall first obtain from the department
24 the appropriate certificate of fitness in that trade:

25 (1) electrical wiring subject to the standards established in
26 AS 18.60.580; and

27 (2) plumbing subject to the uniform plumbing code; in this paragraph,
28 "uniform plumbing code" means the [PUBLICATIONS IDENTIFIED AS THE]
29 minimum plumbing code adopted for the state under AS 18.60.705.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 224

Revision Date: _____

Department Affected: Labor

Title: State plumbing code

BRU: Labor Standards & Safety

Component: Mechanical Inspection

Sponsor: Representative Kohring

Requestor: House Labor & Commerce

COMPONENT SERIAL NO. 346

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

CHANGE IN REVENUE						
FUND SOURCE #						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ None

ANALYSIS: (Attach a separate page if necessary)

This bill would allow the department to adopt, by regulation, codes approved by the International Association of Plumbing and Mechanical Officials as the minimum plumbing code standards of the state.

Prepared by: John A. Abshire, Director Phone: 269-4914

Division: Labor Standards & Safety Date: 3/21/95

Approved by Commissioner: Tom Cashen, Commissioner

Agency: Department of Labor Date: 3/21/95

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American Mechanical Inc.

P.O. Box 72991 • Fairbanks, Alaska 99707 • (907) 479-5754

March 31, 1995

Pete Kott
Chairman
House Labor & Commerce Committee

Re: Plumbing Code Bill
CS for House Bill No. 224

Dear Mr. Kott,

I am a State of Alaska Licensed General Contractor including a Residential Endorsement, State of Alaska Licensed Mechanical Administrator, City of Fairbanks Licensed Master Plumber and State of Alaska Licensed Journeyman Plumber. I have been in the Plumbing and Mechanical Trade for 25 years. I have contracted for and completed projects in Barrow, Prudhoe Bay, Nome, Kotzebue, Aleutian Islands, Fairbanks, Anchorage, Sitka, Metlakatla and other various remote sites.

I am in favor of the original bill as submitted and sponsored by Representatives Kohring, Green. The State Plumbing Code should be adopted by regulation, in order to enable the Department of Labor to protect the citizens from the hazards of improper plumbing installations. The reasons for my concerns and justifications are as follows:

1. The Uniform Plumbing Code is updated and printed every three years. The existing system of adopting each new edition by statute is awkward and inefficient. For example after the adoption of the 1979 edition the Legislature failed to adopt another current edition until 1991. This bill would allow the State to adopt each new edition by regulation.
2. Adopting each new edition of the code by regulation would allow for public comments and input from industry and government.

4868 Old Airport Road • FAX (907) 479-5771


I object to the proposed amendment regarding single wall heat exchangers (coils) for the following reasons:

1. Including this amendment in the statute precludes public comment.
2. This amendment is being supported by factions from a small geographical area and as written, ignores the rest of the State.
3. This amendment would allow an exception to the code that represents significant and identifiable hazard to the health of the citizens of the entire State. In addition it may put the State at risk for liability resulting from potential illness or death due to this exception to the code.
4. There have been instances of glycol poisoning from failed single wall coils in the State.

I believe as a life long resident of this State that all children, men and women should have assurance that when they turn on their water faucet clean safe water is guaranteed.

As evidence of this conviction I would like to use my own family home as an example. When I built I installed a boiler for home heating only. For the domestic hot water I installed an oil-fired water heater, thus separating the two systems. As a result I know that my immediate and extended family and many friends that come to visit are not put at risk by failure of a single wall coil in my plumbing system. It seems ironic that we could still be at risk from the potential failure of a single wall coil elsewhere in the Municipal Utilities System that supplies our water. If such a tragedy should occur I will know that I did my part to prevent it. It is not unreasonable to expect the State of Alaska to do as much.

I remain cordially yours,



Dennis L. Michel
President

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES

P.O. Box 56622
North Pole, Alaska 99705
(907) 488-1546
FAX (907) 488-9006

While in Juneau
State Capitol
Juneau, Alaska
99801-1182
(907) 465-3743
FAX (907) 465-2381

April 10, 1995

House of Representatives

House District 34

To: Representative Pete Kott
Chair, Labor & Commerce Committee

From : Representative Jeannette James 

Re: HB224

I understand you are planning to hear and pass out HB224 this afternoon. I understand as well, without the benefit of reading the committee substitute that the provision relating to single wall heat exchanger coils is to allow grandfathering of these systems but to require all new installations to be double wall.

This is just not acceptable for the people in my area of the state and as well we are getting support from other areas who also use single wall as a safe and reasonable installation.

I personally have problems with giving the Dept of Labor carte blanche authority for establishing State of Alaska Plumbing Codes, mostly because past experience does not reflect their consideration for all areas of the state. The National Plumbing Code and the International Plumbing Code allow single wall coils providing that non-toxic transfer fluids are utilized.

Pete, this is a "make work" bill, and the citizens of these communities are the ones who will pay the bill. Double wall exchangers will cost approximately \$1500 more to install and as well they are less efficient. If we are allowed to only grandfather in existing single wall units, then the problems associated with persons wishing to sell their homes can only become a nightmare.

I would urge you take some option which allows for more conciliatory actions. We need to be sure while we are cutting state spending which will automatically have a negative effect on the economies of our communities, we don't add to their costs of doing business because although the fears represented under "health & safety" has never happened, it "might."

Thank you for your consideration.

Attached are copies of correspondence I have received on this issue.



Interior Building Association, Inc.

P.O. Box 70727 - Fairbanks, Alaska 99707

April 7, 1995

Copy Interior Delegation
AND LABOR Commerce Committ.

To Whom It May Concern:

Re: HB 224 (Adoption of State Plumbing Code)

Please be advised that the Interior Building Association supports the City of Fairbanks' position as outlined in the attached letter dated March 13, 1995. Furthermore, our Association is mandated by the National Home Builders Association to promote and support safe and affordable housing, and it is our belief that the amendment proposed by the City of Fairbanks meets that criteria.

The risk of contamination of domestic potable water is extremely negligible and fall safe with a properly installed single-wall heat exchanger and back-flow presenter with non-toxic fluid transfer medium. The best test of any system or device is the test of time by actual use from the public. The referenced single-wall heat exchanger system has performed safely and efficiently, and to our knowledge, without any serious incidence of failures for several decades in the Fairbanks' area. The National Plumbing Code has approved the single-wall heat exchanger system by conducting rigorous laboratory testing and monitoring the system from all geographical locations within the USA.

The single-wall heat exchanger system is approximately 33% more efficient than the double-wall heat exchanger system, and cost approximately 50% less than the double-wall system to install. All cost savings are directly past on to the individual consumer. The requirement for the double-wall system is costly to install, mechanically inefficient to operate, and is a source of unnecessary frustration to the individual taxpayer in regard to providing a plumbing code standards with dual enforcement from local code jurisdictions and state code enforcement.

Without the amendment as proposed by the City of Fairbanks, the Interior Building Association request with dutiful regard that you oppose this legislation.

Thank you for your attention in this matter. If you have any concerns or questions, please feel free to contact me or our Association at your convenience.

Sincerely,

Randy L. Wakoffeld
President

Enclosure



MECHANICAL CONTRACTORS

of Fairbanks, Inc.

P.O. Box 74706 Fairbanks, AK 99707-4796
1840 Second Avenue (907) 456-8347
FAX NO. (907) 451-6132



April 7, 1995



COPY

House of Representatives
Representative John Davies
State Capitol
Juneau, AK 99801-118

RE: House Bill 224

Dear Representative Davies,

The Mechanical Contractors of Fairbanks is an association of Fairbanks area firms engaged in the Plumbing & Heating Industry. Attached is our membership roster.

Our Association supports the portion of this bill that allows the use of single wall heat exchanger for domestic hot water generation with the language contained in Representative Jeannette James' amendment.

The requirement in the Uniform Plumbing Code for double wall heat exchangers to heat domestic hot water is a **solution looking for a problem**. The cumulative experience of our membership totals hundreds of years. Collectively, we have no first hand knowledge of any death or illness caused by failure of a single wall heat exchanger when used to heat domestic hot water. The Corps of Engineers requires plumbing installation to be executed in accordance with the National Standard Plumbing Code. Since double wall heat exchangers are not required by the National Standard Plumbing Code, all military bases in the State of Alaska use the single wall heat exchangers for heating domestic hot water.

We oppose the portion of the bill that allows the Department of Labor to adopt and amend the Uniform Plumbing Code by regulation. The track record and unresponsive attitude of the Department of Labor personnel in the Fairbanks area leads us to oppose granting this Department the authority to adopt and amend, without statutory action, the code that governs such an important part of our industry.

Please listen to the people in the industry who use plumbing codes and have the actual experience with the results of the requirements.

Post-It™ brand fax transmittal memo 7871		# of pages >
To	J. JAMES	
From	S. SHUTTLEWORTH	
Co.	House REP	
Co.	CITY FBK	
Dept.	Phone #	
Fax #	465-2381	Fax # 459-6719

Sincerely,

Eugene R. Rutland
Executive Director



MECHANICAL CONTRACTORS

of Fairbanks, Inc.

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1840 Second Avenue (907) 456-8347
FAX NO. (907) 451-6132



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Michael Desmond

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Dennis Wise

WILBUR BROTHERS
1241 Noble Street
Fairbanks, Alaska, 99701
452-3838 Fax 452-3321
Jack Wilbur

Revised April 18, 1994



CITY OF

FAIRBANKS

April 5, 1995

REPRESENTATIVE JEANNETTE JAMES
State Capitol - Room #102
Juneau, Alaska 99801-1182
FAX: (907) 465-2381

Re: Revised House Bill 24 As Referred Back to Labor and
Commerce Subcommittee

Dear Jeannette:

I have just been informed by Ms. Anderson that House Bill 224 As Amended has been pulled back into committee. I have also been informed that the previous single wall coil amendment and sunset clause have been deleted. The new language of House Bill #224, as we understand, will recognize grandfather installations; however, all new boiler installations would require double wall heat exchangers. The essence of the new language would prohibit new single wall coil installations. **THIS IS UNACCEPTABLE TO THE CITY OF FAIRBANKS. THIS REVISED LANGUAGE REPRESENTS THE WORST POSSIBLE SCENARIO. IF THESE CONDITIONS ARE FACTUAL WE RESPECTFULLY REQUEST THAT HOUSE BILL 224 BE DEFEATED.**

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve J. Shuttleworth", written over a horizontal line.

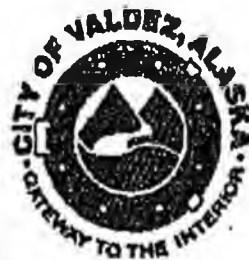
Steve J. Shuttleworth
Building Official

SJS:nld

cc: Mayor James Hayes, City of Fairbanks
Pat Cole, City Manager, City of Fairbanks
Representative Gene Therriault

the GOLDEN HEART CITY -- "extremely Alaska"

410 Cushman Street Fairbanks, Alaska 99701



Community Development Dept.
April 6, 1995

Representative Gene Kubina
Room 406
State Capitol
Juneau, Alaska 99801-1182

Post-It™ brand fax transmittal memo 7871		# of pages > 2	
To	Steve Shumilovskii	From	D. Henry
Co.	GF	Co.	COV
Dept.	Blde Official	Phone #	
Fax #	954-6719	Fax #	

Sent by facsimile to 907-465-3799

RE: HB 224

COPY INTERIOR Delegation

Dear Gene:

I recently became aware of House Bill 224. This bill is currently in the Labor and Commerce subcommittee. As I understand it, HB 224 will give the Department of Labor authority to adopt regulations adopting the most recent plumbing code.

The bill as proposed has three problems as I see it:

1. The bill limits the adoption of a plumbing code to only one choice. I am aware of at least two other model codes that may be more suitable for Alaska.
2. The legislation gives the Department of Labor the authority to adopt the code and any amendments, if the amendments are in the best interest of the State. It says nothing about the citizens. I believe that local government can best serve the interest of the citizens. As you know, local government is where the rubber meets the road and is much more responsive to the citizenry than state government.

Which leads me to the third area of concern:

3. Attached to HB 224 is an amendment that would sunset the an amendment that has been proposed that would amended section 603.3.4 of the proposed 1994 Uniform Plumbing Code and allow for the use of a single wall coil. A single wall coil is how I heat hot water in my home and I'll bet that is how you heat hot water in you home as well as many of the homes in Valdez. The 1991 Uniform Plumbing Code as adopted by the State and for that matter, the City of Valdez requires a double wall heat exchanger. However, local governments such as

page 2
letter to G. Kubina
April 6, 1995

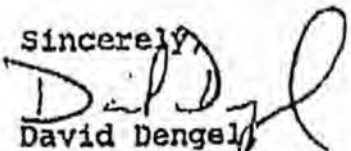
Valdez, Fairbanks, Kodiak and others have amended or allow alternative methods that allow single wall heat exchangers. The Department of Labor disagrees with this and says that we are less stringent than the State regulations and therefore, our amendments and interpretations that allow a single wall coil are not legal. In Fairbanks, it will cost approximately \$1,200 more to install a double wall heat exchanger in a single family dwelling. Housing is expensive to begin with, this double wall heat exchanger is unnecessary and the city of Valdez does not require it as do several other municipalities.

I have been unable to find evidence of any health or safety problem in using a single wall coil to heat hot water. I find it interesting that the legislation will allow preexisting conditions to continue but will require all future installation be a double wall heat exchanger.

Gene, I'm sure that you will agree with me in that local government, controlled at a local level works! This is clearly a matter of who can serve the public best and I will tell you that it is the local governments, the people who are there everyday who serve best. I would ask that you not support HB 224 as presently proposed.

If you have any questions please do not hesitate to call me.

Sincerely,


David Dengel
Assistant City Manager/ Director
of Community Development



CITY OF

FAIRBANKS

RECEIVED BY

APR 03 1995

Rep. Jeannette James

FAXED 3-29-95

March 29, 1995

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
Office of Representative Jeannette James
State Capitol Room #102
Juneau, AK 99801-1182

Attention: Representative Jeannette James

Re: Work Draft #328 Subcommittee Substitute House Bill 224

Dear Ms. James:

The City of Fairbanks has just received a copy of the proposed work draft from the Labor and Commerce Subcommittee. The new language of the bill includes the provision for single wall coil acceptance; however, Section (8) of said bill places a sunset clause on the single wall coil after two years. This is simply unacceptable to the City of Fairbanks. There is no benefit for a sunset clause.

In our opinion, the sunset clause is further evidence that the proponent of the bill and the Department of Labor are apprehensive about relinquishing any review authority or consideration of local code amendment issues.

If the single wall coil is acceptable for two years, why is a sunset clause necessary?

The City of Fairbanks adamantly opposes the sunset clause.

Sincerely,

[Handwritten signature of Steve J. Shuttleworth]

Steve J. Shuttleworth
Building Official

SJS:nld



CITY OF

FAIRBANKS

March 29, 1995

FAXED
3-29-95

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
Office of Representative Jeannette James
State Capitol Room #102
Juneau, AK 99801-1182

Attention: Representative Jeannette James

Re: Work Draft #328 Subcommittee Substitute House Bill 224

Dear Ms. James:

As a plumbing inspector for the City of Fairbanks, I face the daily dilemma of the State prohibition for single wall coils. The continued frustration of dealing with conflicting regulations is simply too much for our contractors. The purpose of the Fairbanks amendment was to solve a problem with the adoption of the State plumbing code. Our amendment was a result of input from local contractors, engineers and industry. The sunset clause recently inserted into House Bill 224 would require "re-inventing the wheel" every two years. **WE STRONGLY URGE YOU TO ELIMINATE THE SUNSET CLAUSE AS IT SERVES NO PURPOSE.**

Sincerely,

Larry R. Long
Plumbing Inspector
CITY OF FAIRBANKS

LL:nd

the GOLDEN HEART CITY ... "extremely Alaska"

410 Cushman Street Fairbanks, Alaska 99701



MECHANICAL CONTRACTORS

of Fairbanks, Inc.

P.O. Box 74798 Fairbanks, AK 99707-4798
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FAX NO. (907) 461-8132



FAX TRANSMISSION

Date/Time: 04/07/95 4:20 PM

To: Representative Jeannette James
Fax : 1-907-465-2381

From: Eugene R. Rutland, Executive Director of Mechanical
Contractors of Fairbanks

Subject: House Bill 224

Number of pages including the cover sheet: 4



MECHANICAL CONTRACTORS

of Fairbanks, Inc.

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April 7, 1995

House of Representatives
Representative Jeannette James
State Capitol
Juneau, AK 99801-118

RE: House Bill 224

Dear Representative James,

The Mechanical Contractors of Fairbanks is an association of Fairbanks area firms engaged in the Plumbing & Heating Industry. Attached is our membership roster.

Our Association supports the portion of this bill that allows the use of single wall heat exchanger for domestic hot water generation with the language contained in your amendment.

The requirement in the Uniform Plumbing Code for double wall heat exchangers to heat domestic hot water is a solution looking for a problem. The cumulative experience of our membership totals hundreds of years. Collectively, we have no first hand knowledge of any death or illness caused by failure of a single wall heat exchanger when used to heat domestic hot water. The Corps of Engineers requires plumbing installation to be executed in accordance with the National Standard Plumbing Code. Since double wall heat exchangers are not required by the National Standard Plumbing Code, all military bases in the State of Alaska use the single wall heat exchangers for heating domestic hot water.

We oppose the portion of the bill that allows the Department of Labor to adopt and amend the Uniform Plumbing Code by regulation. The track record and unresponsive attitude of the Department of Labor personnel in the Fairbanks area leads us to oppose granting this Department the authority to adopt and amend, without statutory action, the code that governs such an important part of our industry.

Please listen to the people in the industry who use plumbing codes and have the actual experience with the results of the requirements.

Sincerely,

Eugene R. Rutland
Executive Director



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Jack Wilbur

Revised April 18, 1994



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ASSOCIATE MEMBERS

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 456-4414 Fax 452-4846
 Buzz Jackovich

Revised December 14, 1994

Alaska State Legislature

Legislative Committee:
Resources
Legislative Budget & Audit
Administration Regulation Review
Military & Veteran Affairs

Legislative Budget Subcommittees:
University of Alaska
Department of Natural Resources
Department of Law



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(907) 468-6172
FAX (907) 451-0293

While in Session
State Capitol
Juneau, Alaska 99801-1102
(907) 465-4457
FAX (907) 485-3519

Representative John Davies

District 29

March 30, 1995

Ronald Price
Price Associates

Ste. 301

Dear Ronald:

Thank you for your recent letter regarding House Bill 224 (HB 224) regarding the Uniform Plumbing Code.

After consulting with the Department of Labor and reviewing the bill, it is my understanding that HB 224 does nothing more than give the Department of Labor the ability to make changes in the code administratively. Any such change would fall under the normal procedures for changing or adopting regulations embodied in the Administrative Procedures Act. Those procedures call for extensive public notice and input.

Your specific concerns about single wall heat exchangers would then be addressed by the Department of Labor, and, frankly, that is the proper place to do that. As a legislator, I do not have a tremendous amount of expertise in plumbing issues. That is why we as a state have trained professionals, who are bound by the public process, make these decisions. To do otherwise would add extra time and layers of bureaucracy. Incidentally, Tom Cashen, Commissioner of the Department of Labor, has assured me that he intends to make allowances for single wall exchangers where the fluids are non-toxic.

I appreciate you taking the time to inform me of your concerns.

Sincerely,

Representative John Davies

is this THE level of support we can expect?



CS FOR HOUSE BILL NO. 224(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered:
Referred:

Sponsor(s): **REPRESENTATIVES KOHRING, Green**

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the state plumbing code."

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

3 * Section 1. AS 18.56.300(e)(3) is amended to read:

4 (3) "state building code" means

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

11 (B) for mechanical standards, the standards set out in the
12 version of the Uniform Mechanical Code adopted by the Department of Public
13 Safety under AS 18.70.080, including the provisions of that code applicable to
14 buildings used for residential purposes containing fewer than four dwelling
15 units, notwithstanding the exclusion of those buildings from the Department of

1 Public Safety's jurisdiction made by AS 18.70.080(a)(2);

2 (C) for plumbing standards, the [PUBLICATIONS
3 IDENTIFIED AS THE] minimum plumbing code adopted for the state under
4 AS 18.60.705; and

5 (D) for electrical standards, the minimum electrical standards
6 prescribed by AS 18.60.580.

7 * Sec. 2. AS 18.60.705 is amended to read:

8 Sec. 18.60.705. PLUMBING CODE. (a) Except as provided otherwise in
9 this section, the [THE] following publications are adopted as the minimum plumbing
10 code for the state:

11 (1) chapters 1 - 13 of Part II and the appendices of the 1991 edition of
12 the Uniform Plumbing Code, published by the International Association of Plumbing
13 and Mechanical Officials and adopted at the 61st annual conference, September 1990;

14 (2) the 1991 edition of the Uniform Swimming Pool, Spa, and Hot Tub
15 Code, published by the International Association of Plumbing and Mechanical Officials
16 and adopted at the 61st annual conference, September 1990, but excluding Part I,
17 Administration, pages xiii - xxi; and

18 (3) the 1991 edition of the Uniform Solar Energy Code, published by
19 the International Association of Plumbing and Mechanical Officials and adopted at the
20 September 1990 annual conference, but excluding Part I, Administration, pages xv -
21 xxii.

22 (b) Unless changed by the department under (c) - (d) of this section,
23 [NOTWITHSTANDING (a) OF THIS SECTION,] the use of a pipe or pipe fitting
24 containing more than 8.0 percent lead, or of solder or flux containing more than 0.2
25 percent lead, in the installation or repair of a public water system or in the installation
26 or repair of plumbing of a residential or nonresidential facility that provides water for
27 human consumption is prohibited. This subsection does not apply to the use of leaded
28 joints necessary to repair cast iron pipe.

29 * Sec. 3. AS 18.60.705 is amended by adding new subsections to read:

30 (c) After the International Association of Plumbing and Mechanical Officials
31 approves a new, published edition of the Uniform Plumbing Code, the Uniform

1 Swimming Pool, Spa, and Hot Tub Code, or the Uniform Solar Energy Code, the
2 department may, by regulation, adopt one or more of these codes to constitute part or
3 all of the minimum plumbing code standards of the state.

4 (d) The department may by regulation adopt amendments to the uniform codes
5 adopted under (a) or (c) of this section, if the amendments are in the best interests of
6 the state.

7 * Sec. 4. AS 18.60.735 is amended by adding a new subsection to read:

8 (b) A municipality may grant a waiver from the plumbing code adopted under
9 AS 18.60.705 for a single-wall heat exchanger installed

10 (1) on or after June 12, 1991, but before the effective date of this Act;

11 or

12 (2) on or during the three years following the effective date of this Act,
13 if the heat exchanger replaces a single-wall heat exchanger that was installed before
14 the effective date of this Act.

15 * Sec. 5. AS 18.60.740(1) is amended to read:

16 (1) "code" means the code adopted under AS 18.60.705

17 [AS 18.60.705(a) AS AMENDED BY AS 18.60.705(b)];

18 * Sec. 6. AS 18.62.070 is amended to read:

19 Sec. 18.62.070. PERSONS REQUIRED TO OBTAIN CERTIFICATE. A
20 person engaged in one of the following trades shall first obtain from the department
21 the appropriate certificate of fitness in that trade:

22 (1) electrical wiring subject to the standards established in
23 AS 18.60.580; and

24 (2) plumbing subject to the uniform plumbing code; in this paragraph,
25 "uniform plumbing code" means the [PUBLICATIONS IDENTIFIED AS THE]
26 minimum plumbing code adopted for the state under AS 18.60.705.

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 3, 1995

FURTHER REFERRALS:

Date of Committee Action: ~~3-29-95~~ ⁴⁻¹⁰⁻⁹⁵

The LABOR AND COMMERCE Committee considered:

HB 224

HOUSE BILL NO. 224

STATE PLUMBING CODE

"An Act relating to the state plumbing code."

recommends it be replaced with the following committee substitute CS HB 224 (L&C) the same title a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) Labor

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
3-29-95 ACTION				
Pete Kost	✓	✓		
Alan Kukulski			✓	
Brian D. Porter	✓			
4-10-95 ACTION 9-LS-0740\U				
Pete Kost	✓	✓		
Alan Kukulski	✓			
Beverly Marek			✓	
John Kukulski			✓	
_____			✓	
Jim Sander			✓	

CHAIR'S SIGNATURE Pete Kost

Pete Kost 4-10-95

Post-It™ brand fax transmittal memo 7571 # of pages ▶

To <i>Debra Katt</i>	From <i>R. Shuttleworth</i>
Co.	Co. <i>City of - 26105</i>
Dept.	Phone # <i>457-6720</i>
Fax #	Fax # <i>457-6719</i>

Introduced by: Mayor Hayes
Councilmember Cleworth
Councilmember Wallace
Councilmember Immel
Councilmember Eley
Councilmember Wolting

Date: April 10, 1995

RESOLUTION NO. 356A

RESOLUTION REGARDING HB 224

WHEREAS, the city council is concerned over the ramifications of House Bill 224, currently being considered by the Alaska State Legislature; and

WHEREAS, HB 224 would continue the prohibition found in the 1991 Uniform Plumbing Code which prohibits single wall heat exchangers; and

WHEREAS, since natural gas is not available in Fairbanks, oil is the primary fuel used for heating; and

WHEREAS, double wall heat exchangers for oil fired boilers lack the efficiency of the single wall models, and the initial installation cost is more expensive; and

WHEREAS, single wall heat exchangers have proven to be a safe, efficient and practical water heating system for many years in Fairbanks; and

WHEREAS, the plumbing and heating specialists in the Fairbanks area who have extensive experience with these systems, overwhelmingly oppose the double wall requirement in the 1991 UPC, finding that the perceived health hazards of single wall heat exchangers are non-existent given the safeguards adopted by the City of Fairbanks and also by the City of Kodiak; and

WHEREAS, of the numerous plumbing codes recognized in the United States, the UPC published by the International Association of Plumbing and Mechanical Officials is the only current code which prohibits single wall heat exchangers; and

WHEREAS, HB 224 would grant vast powers to the Department of Labor to adopt, by regulation rather than by statute, the codes that would govern the people of this state; and

WHEREAS, granting such power to an administrative agency removes control from the people governed; and

WHEREAS, granting such power to an administrative agency is in contradiction to the principle of maximum local self-government provided for in the constitution of this state; and

WHEREAS, administrative and enforcement authority of plumbing codes is best vested with local governments.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA,

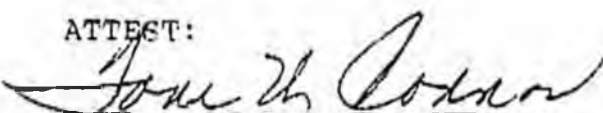
That the Legislature of the State of Alaska adopt a version of HB 224 which does not ban single wall heat exchangers and which does not grant to the Department of Labor the authority to adopt, by regulation, the codes which will govern this area.

PASSED AND APPROVED THIS 10 day of April, 1995.


JAMES C. HAYES, Mayor

AYES:
NAYS:
ADOPTED:

ATTEST:


Toni W. Connor, City Clerk

AIA Northern Alaska

A Section of the American Institute of Architects
Alaska Chapter

RECEIVED
APR 17 1995

AIA S. U.

April 11, 1995



Chairman Pete Kott
House Commerce and Labor Committee
House of Representatives
State Capitol
Juneau, Alaska 99811-0001

FAXED
4.11.95

**RE: House Bill 224 - Adoption of the State Plumbing Code
Single Wall Heat Exchangers**

Dear Chairman Kott:

Long before the introduction of HB 224, the Northern Section of the Alaska Chapter of the American Institute of Architects (AIA) passed a resolution regarding the continuing use of single wall heat exchangers. At our regular meeting in April, 1994, it was unanimously voted by the members present to prepare a letter in support of the City of Fairbanks, which has adopted a local amendment permitting the use of single wall heat exchangers in potable water systems.

The track record for single wall heat exchangers in Fairbanks is clear: they have proven to be a safe, reliable and energy efficient solution for many years, without an incident of contamination.

It is also important to note that the 1995 International Plumbing Code, which has been jointly issued by ICBO, BOCA and the SBCCI as a national "model" code, permits the use of single wall heat exchangers with heat transfer mediums that are essentially non-toxic. See attached.

We appreciate you taking the time to consider this issue, and urge you to support the continued use of single wall heat exchangers.

Sincerely,

Gary H. Pohl, AIA Co-Chairman

David Whitmore, AIA Co-Chairman

xc: Tom Cashen, Commissioner/ADOL
Steve Snuttleworth/City of Fairbanks

TABLE 609.14.1
MINIMUM AIR GAPS FOR PLUMBING FIXTURES

FIXTURE	MINIMUM AIR GAP	
	Away from a wall ^a (Inches)	Close to a wall (Inches)
Lavatories and other fixtures with effective opening not greater than 1/2 inch in diameter	1	1 1/2
Sink, laundry trays, gooseneck back faucets and other fixtures with effective openings not greater than 3/4 inch in diameter	1 1/2	2 1/2
Over-rim bath fillers and other fixtures with effective openings not greater than 1 inch in diameter	2	3
Drinking water fountains, single orifice not greater than 7/16 inch in diameter or multiple orifices with a total area of 0.150 square inch (area of circle 7/16 inch in diameter)	1	1 1/2
Effective openings greater than 1 inch	Two times the diameter of the effective opening	Three times the diameter of the effective opening

For SI: 1 inch = 25.4 mm.

^a Applicable where walls or obstructions are spaced from the nearest inside edge of the spout opening a distance greater than three times the diameter of the effective opening for a single wall, or a distance greater than four times the diameter of the effective opening for two intersecting walls.

609.14.2 Protection by a reduced pressure principle backflow preventer. Openings and outlets shall be protected by a reduced pressure principle backflow preventer.

609.14.3 Protection by a backflow preventer with intermediate atmospheric vent. Openings and outlets shall be protected by a backflow preventer with an intermediate atmospheric vent.

609.14.4 Protection by a vacuum breaker. Openings and outlets shall be protected by atmospheric-type or pressure-type vacuum breakers. The critical level of the vacuum breaker shall be set a minimum of 6 inches (152 mm) above the flood level rim of the fixture or device. Ball cocks shall be set in accordance with Section 426.3.1. Vacuum breakers shall not be installed under exhaust hoods or similar locations which will contain toxic fumes or vapors. Pipe-applied vacuum breakers shall be installed not less than 6 inches (152 mm) above the flood level rim of the fixture, receptor or device served.

609.14.4.1 Deck-mounted and integral vacuum breakers. Approved deck-mounted vacuum breakers and faucets with integral vacuum breakers shall be installed in accordance with the manufacturer's instructions with the critical level not less than 1 inch (25.4 mm) above the flood level rim.

609.14.4.2 Hose connections. Sillcocks, hose bibbs, wall hydrants and other openings with a hose connection shall be protected by an atmospheric-type or pressure-type vacuum breaker or a permanently attached hose connection vacuum breaker.

609.15 Connections to the potable water system. Connections to the potable water system shall conform to Sections 1609.15.1 through 609.15.6.

609.15.1 Beverage dispensers. The water supply connection to carbonated beverage dispensers shall be protected against backflow by a double check valve with an intermediate atmospheric vent conforming to ASSE 1012. The double check valve with an intermediate atmospheric vent device and the piping downstream therefrom shall not be affected by carbon dioxide gas. Secondary protection in the form of a dual check valve conforming to ASSE 1032 shall be installed on the beverage-dispensing equipment.

609.15.2 Connections to boilers. The potable supply to the boiler shall be equipped with a backflow preventer with an intermediate atmospheric vent, complying with ASSE 1012 or CSA CAN/CSA B64.3. Where conditioning chemicals are introduced into the system, the potable water connection shall be protected by an air gap or a reduced pressure principle backflow preventer, complying with ASSE 1013, CSA CAN/CSA B64.4 or AWWA C511.

609.15.3 Heat exchangers. Heat exchangers utilizing an essentially toxic transfer fluid shall be separated from the potable water by double-wall construction. An air gap open to the atmosphere shall be provided between the two walls. Heat exchangers utilizing an essentially nontoxic transfer fluid are permitted to be of single-wall construction.

609.15.4 Connections to automatic fire sprinkler systems and standpipe systems. The potable water supply to automatic fire sprinkler and standpipe systems shall be protected against backflow by a double check-valve assembly or a reduced pressure principle backflow preventer.

Exception: Where systems are installed as a portion of the water distribution system in accordance with the requirements of this code and are not provided with a fire department connection, isolation of the water supply system shall not be required.



a division of Familian NW

3105 INDUSTRIAL AVE.
P.O. BOX 74100
FAIRBANKS, AK 99701

(907) 456-1234
Fax: (907) 451-6244

House Labor & Commerce Committee
Rep. Kott, Rokeberg, Porter, Sanders, Masek, Elton, Kubina

Dear Labor & Commerce Committee Members,

Thank you for allowing us the opportunity to voice our concerns over HB224 this morning at the teleconference. I do want to emphasize some of these issues more directly

First, there does not seem to be any concern on the part of most legislators for "due process". That is, it appears that most of you are willing to turn the code decision making over to DOL where we, the people, will not have any influence over the regs that get passed. This is not the right thing to do. It is a well-known fact that government agencies prefer to make the decisions with little or no public input, and when they do get public input tend to ignore it.

The safety factor issue concerning the use of single-wall coils and glycol is, realistically, a non-issue. There seems to be a lot of emotion on the part of a few individuals over an extreme possibility. Historical evidence and statistical analysis strongly indicate there is no health or safety risk. Yet we have put in place regulations that are very cumbersome, wasteful, and expensive to the people of this state. I speak of this from the perspective of 28 years experience dealing with it.

A couple of individuals are promoting some terribly inaccurate information. Other states, particularly in the northeastern part of the United States have managed to clear the smoke, and are rapidly moving back to single wall coils. Let's make a decision based on fact, not emotion, not someone's private agenda.

Thanks for your time and consideration.

Sincerely,



Royal Bidwell

PHYSICAL PLANT
University of Alaska Fairbanks

PO BOX 757380
 FAIRBANKS, ALASKA 99775-7380
 (907) 474-7000

DATE: April 24, 1995

Representative Jeanette James, Chair - House State Affairs Committee
 House of Representatives
 State Capitol
 Juneau, Alaska 99801-1182

SUBJECT: House Bill 224 - Adoption of the State Plumbing Code.
 Double wall hot water heat exchangers.

Dear Representative James,

The University of Alaska Fairbanks campus has almost 100 hot water heaters - many that have reached the end of their useful life. 95% of these hot water heaters are single wall and are heated by the campus district steam heating system. It will take several years to accomplish the replacement of these devices. The 1991 UPC requirement to replace these failing hot water heaters and install new hot water heaters with double wall heat exchangers will severely impact UAF - not only in replacement cost but also in increased maintenance and energy costs. As I understand it HB224 proposes to phase in this requirement by placing this UPC provision in effect in two years. **I appeal to you to incorporate an amendment in HB224, without a sunset provision, that will allow the use of single wall heat exchangers for domestic hot water when the heat transfer medium is non-toxic and reasonable provisions are included to protect against cross leakage.** Such amendments have been proposed by the City of Fairbanks, City of Valdez, and the City of Kodiak. I find the wording they propose acceptable. The proposed amendment is as follows:

Add the following to UPC Subsection 1003(k):

"Exception: Heat exchangers may be of single wall construction provided that (1) The heat transfer medium is water or other essentially non-toxic fluid ~~or gas~~ having a toxicity rating or class of 1, as listed in Clinical Toxicology of Commercial Products, 5th Edition or other accepted reference; and (2) The pressure of the heat transfer medium is limited to a maximum of 30 psig by an approved safety or relief valve; and (3) the heat exchanger is prominently and permanently labeled with instructions concerning items (1) and (2) above."

Post-It™ brand fax transmittal memo 7671 # of pages = 2

To: <i>Repr. J. James</i>	From: <i>J. C. Phillips, Director</i>
Co: <i>House of Reps.</i>	Co: <i>UAF Physical Plant</i>
Dept:	Phone #
Fax # <i>907-465-2321</i>	Fax # <i>474-5256</i>



STATE OF ALASKA

April 25, 1995

ALASKA STATE LEGISLATURE
Office of Representative Jeannette James
State Capitol Building Room 102
Juneau, Alaska 99801

Re: House Bill #324

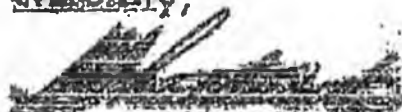
Dear Jeannette:

The single wall coil amendment is crucial for the City of Fairbanks; equally important is the concept of Home Rule Autonomy.

The present House Bill 224 as submitted from the House Labor and Commerce Committee is not acceptable, as it does not satisfy these conditions. This is a "make work bill" and purposely subverts Home Rule Autonomy; it denies the ability of cities and boroughs to do their job for the people they serve on a day to day and a face to face basis.

Thank you for your ~~continued~~ support.

Sincerely,


Steve J. Shuttleworth
Building Official

SJS:ald

cc: Mayor James Hayes, City of Fairbanks
Pat Cole, City Manager, City of Fairbanks

FAIRBANKS CITY - "extremely..."
416 Constitution Street Fairbanks, Alaska 99701

Application to Existing Buildings and Structures—Section 104

Sec. 104. (a) General. The subject of applications to existing buildings has been revised from earlier additions to the code (prior to the 1979 edition). The present provisions are intended to encourage rehabilitation of existing buildings which may have been allowed to deteriorate because they could not comply with the earlier editions of the code. These earlier codes required that the total building, including the existing building, be brought up to the current standards of the code if more than 50 percent of the value of the building was involved in the additions, alterations or reconstruction.

Sec. 104. (b) Additions, Alterations or Repairs. The present wording in this section will allow existing buildings to be altered, repaired or modified without complying with all provisions of the code as long as the new work complies with the code. The code also intends that the new work will not make the existing building unsafe nor should the new work cause any portion of the existing building to be in violation of the code. For example, any new addition or new alterations should not remove or block existing exits.

There are two separate provisions which relate to limiting any altered building to the height, number of stories and area specified for new buildings. At first, these two provisions seem to create a redundancy, but further study reveals that the first addresses the specific case of a change in occupancy and would apply even if no alterations or additions were made to the existing building. The second provision has the effect of not permitting an addition to an existing building if the existing building already is nonconforming due to excessive height, number of stories or area.

Section 104 (b) also intends to permit additions or alterations to existing non-complying buildings only when such additions or alterations will result in conditions no more hazardous than existing conditions.

Sec. 104. (d) Maintenance. This section has the effect of charging the building official with the responsibility of seeing that all buildings, both existing and new, are maintained properly. This section does not require that the building official develop a schedule for reinspection of existing buildings to determine whether or not they are being properly maintained. However, it does give the building official the authority to make a reinspection of any structure if there is reason to believe that the building has been improperly maintained. As discussed in Section 102, vigorous enforcement of this section will have the effect of reducing slums where they exist.

Alternate Materials and Methods of Construction—Section 105

This section of the U.B.C. may be one of the most important sections of the code. The intent is to implement the adoption of new technologies in materials and building construction which currently are not covered by the code. Furthermore, it gives the code even more of a performance character. The code thus encourages state-of-the-art concepts in construction and materials as long as they meet the performance intended by the code. Section 105 also charges the building official to require that substantiating data and evidence be submitted to show that the alternate is in fact equivalent to the performance required by the code. Moreover, the code charges the building official with maintaining a record of such approvals in the department files.

Modifications—Section 106

The provisions of Section 106 permit the building official to make modifications to the requirements of the code under certain specified circumstances. The building official may modify requirements if it is determined that strict application of the code is impractical and, furthermore, that the modification is in conformity with the intent and purpose of the code. Without this provision in the code, the building official has very little discretionary enforcement authority and, therefore, usually must see to it that the exact letter of the code is followed in all cases, no matter how unreasonable the application may seem.

The code does not intend to allow the building official to issue a variance to the provisions of the code to permit, for example, the use of only two exits where three are required by the code. This is clearly not in conformity with the intent and purpose of the code no matter how difficult it may be to meet the requirements of the code.

Section 106 would permit the building official, for example, to modify the requirements of Section 304 (c) relative to plan review fees where a housing project of several hundred buildings is to be constructed and only four different building plans are to be used for the construction. The amount of work expended by the building department and, consequently, the plan check fee to be charged in this particular case is not proportional to the number of buildings but rather to the number of separate building plans to be used. Therefore, a lower plan check fee could be developed by the building official to reflect the amount of work actually to be performed.

Tests—Section 107

The provisions of Section 107 provide the building official with discretionary authority to require tests to substantiate proof of compliance with the code requirements. The application of these provisions should be restricted to those cases where evidence of compliance is either nonexistent or involves actions considered to be impractical.

An example would be the placement of concrete where the quality control measures (i.e., cylinder tests) did not prove compliance with minimum strength requirements. Testing of core samples or perhaps use of nondestructive test methods might be appropriate to demonstrate compliance.

The second paragraph specifies that the tests be those which are specifically enumerated within the adopted construction regulations or, as an alternate, be those of other recognized national test standards where test standards do not exist. The building official has the authority to determine the test procedures necessary to demonstrate compliance. In addition to determining appropriate test methods or procedures, the building official is mandated to maintain records of such tests in accordance with local or state statutes.

Copied from the Handbook to the
UNIFORM Building Code As Published
by the INTERNATIONAL CONFERENCE OF
BUILDING OFFICIALS.

U.S. CITY BUILDING DEPT. 03:16PM



CITY OF

FAIRBANKS

FAKED
4-21-95

April 21, 1995

Alaska State Legislature
Office of Representative Jeannette James
State Capitol Building
Room 102
Juneau, Alaska 99801-1182

Dear Representative James:

I am again writing concerning HB 224 and the prohibition of single wall heat exchangers in the state plumbing code. Certain rural legislators indicated during the recent teleconference that HB 224 did not affect their constituents. That is not necessarily the case if those constituents plan to borrow money from the AHFC.

Municipalities and villages less than 2,500 population are exempt from the state plumbing code under AS 18.60.735 (I have attached a copy of the applicable sections). However, the state plumbing code requirements are applicable in those communities if the builder receives financing from the Alaska Housing Financing Corporation. Under 15 AAC 150.030(a) (copy attached), AHFC will not loan money for housing unless that housing meets state building codes. "State building code," as defined in 15 AAC 150.910(12) (copy attached), includes the plumbing standards adopted under AS 18.60.705 (which includes the prohibition against single wall heat exchangers).

I would ask that you share this information with the appropriate legislators. Thank you for all of your assistance in this matter. I consulted with Deputy City Attorney Paul Ewers regarding this matter. Please call either of us if you have any questions or if you need any further assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Shuttleworth".

Steve Shuttleworth
Building Official

the GOLDEN HEART CITY... "extremely Alaska"

410 Cushman Street Fairbanks, Alaska 99701

Representative Jeannette James
Re: House Bill #224 - Revised Language
April 20, 1995

Page 2

The current plumbing code also requires an approved protection device or method that protects a potable water supply.

In conclusion, the performance criteria established under section 105 of the Uniform Building Code is one of the recognized tools in which methods of construction and installation can be rationally evaluated. We encourage this type of approach to be incorporated in the language of House Bill 224.

We request that House Bill 224 not be advanced until the issue of single wall coil acceptance (without the sunset clause or grandfather clause) is included within the bill. We further recommend that the proposed statute include Home Rule Autonomy.

Sincerely,



Steve J. Shuttleworth
Building Official

SJS:nld

cc: Mayor James Hayes, City of Fairbanks
Pat Cole, City Manager, City of Fairbanks



CITY OF

FAIRBANKS -

Co. <i>Late Kott</i>	Phone # <i>457-6719</i>
Dept.	Co. <i>City of Fairbanks</i>
File #	Phone # <i>457-6719</i>
	Fax # <i>457-6719</i>

April 20, 1995

FAXED
 4-20-95

ALASKA STATE LEGISLATURE
 Office of Jeannette James
 State Capitol Building, Room #102
 Juneau, Alaska 99801-1182

Re: House Bill #224 - Revised Language

Dear Jeannette:

I have enclosed copies of the current building code and commentary regarding the code section pertaining to alternate methods and materials, Section 105.

THE IMPORTANT CONCEPT HERE IS "EQUIVALENCY". Current language in regulation and statute which use the phrase "less stringent" is problematic and subject to strict interpretation. A typical building code provision is based on: "the letter of the code", "the intent of the code", and "the spirit of the code".

ALTERNATE METHODS AND MATERIALS EMBRACES THE CONCEPT OF "EQUIVALENCY" BY MEETING THE PERFORMANCE CRITERIA OF THE INTENT AND SPIRIT OF THE CODE; THIS IS A COMMONLY ACCEPTED PRACTICE WITHIN BUILDING CODE ADMINISTRATION.

In our specific case, we need to ask the following questions: Does the installation of a single wall coil jeopardize the public safety and welfare? What provisions have been or should be incorporated in the design and installation of this particular heating appliance to ensure safety? These questions are specifically addressed by the implementation of the following criteria:

Heat exchangers may be of a single wall construction if:

1. The heat transfer medium is water, propylene type glycol or other essentially non-toxic fluid having a toxicity rating or class of (1), as listed in Clinical Toxicology of Commercial Products, 5th Edition; and
2. The pressure of the heat transfer medium is limited to a maximum of 30 PSI by an approved safety relief valve; and
3. The heat exchanger is prominently and permanently labeled with instructions concerning items (1) and (2) above.

the GOLDEN HEART CITY... "extremely Alaska"

410 Cushman Street Fairbanks, Alaska 99701

UNIVERSITY OF ALASKA FAIRBANKS
PHYSICAL PLANT

Letter To: Representative James & State Affairs Committee

Date: April 24, 1995

Some technical reasons for the inclusion of the proposed amendment are as follows:

1. At UAF the domestic water has a high level of hardness. This results in rapid scale build up in hot water heaters. We currently use a model of single wall heat exchanger that automatically descales heat exchanger tubes during normal operation. We have not located any replacement double wall heat exchanger with the same descaling capability. The frequent maintenance activities necessary to physically or chemically clean the scale from the double wall heat exchanger may result in a greater likelihood of potable water contamination with acid or bacteria.
2. The double wall heat exchanger has lower heat transfer efficiency. This will result in higher energy costs at UAF at a time when funding is declining and we are operating under a mandate to reduce energy and utility costs.
3. The steam in the district heating system at UAF is non-toxic. It consists of water and minute quantities of an anti-corrosion additive approved for food processing by FDA. It is distributed at 15 psi pressure and a temperature of 290 degrees F. Condensate returned to the steam plant is monitored 24 hours a day, 365 days a year. Any leak in a hot water heat exchanger would result in potable water leaking into the condensate return system - not into the potable water system - and being quickly detected at the steam plant. Even if steam did leak into the potable water system it would not result in a health hazard.

HB 224, in its current form, would require us to replace our aging hot water heaters with double wall heaters 2 years from its effective date - in spite of the circumstances described above.

Please incorporate the amendment as described above. I believe that it will adequately protect public health and help public and private organizations and individuals in their attempts to efficiently operate and maintain their facilities. Your assistance in forwarding this information to the other members of the House State Affairs Committee will be greatly appreciated.

Sincerely,



J.C. Phillips, Director - Physical Plant

Attachments:

xc.: M.L. Rice, Vice Chancellor Administrative Services
Facilities Management Team

15 AAC 150.010

FINANCE

Renewal and
- 15 AAC 150.780)

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15 AAC 150.015

REVENUE

15 AAC 150.030

Editor's note: Before Register 130, 118.235. The history note for 15 AAC July, 1994, the substance of 15 AAC 150.010 does not reflect the history of the 150.010 was contained in former 15 AAC section under its former number.

15 AAC 150.015. AVAILABILITY OF FUNDS. Whenever in 15 AAC 150 — 15 AAC 155 a regulation of the Corporation refers to making, participating in the making, purchasing, or participating in the purchasing of loans or to the making or awarding of grants, the regulation is subject to the availability of funds to the Corporation for that purpose. (Eff. 5/7/93, Register 130)

Authority: AS 18.56.083

15 AAC 150.020. PUBLIC NOTICE OF MEETING. (a) Except in the case of a meeting of the board at which the issuance of Corporation bonds is authorized, not more than fifteen days and not less than seven days before each meeting, the Corporation will give public notice of the time, place, and subject of the meeting. In the case of a meeting of the board at which the issuance of Corporation bonds is authorized, the Corporation will give public notice of the time, place, and subject of the meeting at least 24 hours before the meeting. The Corporation will give the notice by advertisement in a newspaper of statewide circulation.

(b) The Corporation will, in its discretion, establish additional procedures to insure that the public has a reasonable opportunity to be heard and that business at meetings will be conducted in an orderly process. (Eff. 5/7/93, Register 130)

Authority: AS 18.56.040(j) AS 18.56.083

Editor's note: Before Register 130, 118.240. The history note for 15 AAC July, 1994, the substance of 15 AAC 150.020 does not reflect the history of the 150.020 was contained in former 15 AAC section under its former number.

15 AAC 150.030. MINIMUM CONSTRUCTION STANDARDS. (a) The Corporation will not make, participate in the making of, purchase or participate in the purchase of a loan for the acquisition, construction, or improvement of residential housing the construction of which began after June 30, 1992, unless the residential housing is in compliance with the state building code or is subject to an approved municipal building code. For purposes of this section, the construction of a residential unit will be considered to have been begun by June 30, 1992, if the pilings, footings, or foundation was started by that date.

(b) Each application for the purchase of a loan which is to be secured by a residential unit the construction of which began after June 30, 1992, must be accompanied by a release as described in 15 AAC 150.045 and by either proof of the issuance of a certificate of final approval by an authorized inspector certifying that the residential unit complies with the state building code or proof of the issuance of a certificate of

Article 8. Plumbing Code.

Section
 705. Plumbing code
 710. Duties of the department
 715. Administration
 720. Cost of permits

Section
 725. Enforcement; reinspection
 730. Penalty for violations
 735. Borough or city regulation
 740. Definitions

Collateral references. — 13 Am. Jur. 2d, Buildings, § 29. 39A C.J.S., Health and Environment, §§ 28-32.

Sec. 18.60.705. Plumbing code. (a) The following publications are adopted as the minimum plumbing code for the state:

(1) chapters 1 — 13 of Part II and the appendices of the 1991 edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials and adopted at the 61st annual conference, September 1990;

(2) the 1991 edition of the Uniform Swimming Pool, Spa, and Hot Tub Code, published by the International Association of Plumbing and Mechanical Officials and adopted at the 61st annual conference, September 1990, but excluding Part I, Administration, pages xiii — xxi; and

(3) the 1991 edition of the Uniform Solar Energy Code, published by the International Association of Plumbing and Mechanical Officials and adopted at the September 1990 annual conference, but excluding Part I, Administration, pages xv — xxii.

(b) Notwithstanding (a) of this section, the use of a pipe or pipe fitting containing more than 8.0 percent lead, or of solder or flux containing more than 0.2 percent lead in the installation or repair of a public water system or in the installation or repair of plumbing of a residential or nonresidential facility that provides water for human consumption is prohibited. This subsection does not apply to the use of leaded joints necessary to repair cast iron pipe. (§ 1 ch 15 SLA 1972; am § 1 ch 88 SLA 1980; am § 1 ch 101 SLA 1988; am § 3 ch 29 SLA 1991)

Revisor's notes. — Enacted as AS 18.60.660. Renumbered in 1972.

Cross references. — For certificate of fitness required to perform work subject to this section, see AS 18.62.010.

Effect of amendments. — The 1991 amendment, effective June 12, 1991, rewrote subsection (a).

Editor's notes. — Section 3, ch 101, SLA 1988 provides that (b) of this section "applies to the installation or repair of a water system or plumbing begun on or after June 5, 1988."

1991 UNIFORM BUILDING CODE

104-107

CURRENT CODE

comply with the type of construction or fire-resistive time periods required by this code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

(f) **Historic Buildings.** Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building or structure may be made without conformance to all the requirements of this code when authorized by the building official, provided:

1. The building or structure has been designated by official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance.
2. Any unsafe conditions as described in this code are corrected.
3. The restored building or structure will be no more hazardous based on life safety, fire safety and sanitation than the existing building.

Alternate Materials and Methods of Construction

Sec. 105. The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the building official.

The building official may approve any such alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

Modifications

Sec. 106. When there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of this code impractical and that the modification is in conformance with the intent and purpose of this code and that such modification does not lessen any fire-protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the code enforcement agency.

Tests

Sec. 107. Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that any material or construction does not conform to the requirements of this code, the building official may require tests as proof of compliance to be made at no expense to this jurisdiction.

(11) "residential housing" and "residential unit" have the meaning given to the term "residential housing" at AS 18.56.390(11), except they do not include mobile homes which have been placed on an impermanent foundation;

(12) "state building code" means:

(A) for building standards, the code for all residential buildings including those for buildings with fewer than four dwellings, set out in the version of the Uniform Building Code adopted by the Department of Public Safety under AS 18.70.080, even though the Department of Public Safety does not apply that code to buildings with fewer than four dwellings;

(B) for mechanical standards, the code for all residential buildings, including those for buildings with fewer than four dwellings, set out in the version of the Uniform Mechanical Code adopted by the Department of Public Safety under AS 18.70.080, even though the Department of Public Safety does not apply that code to buildings with fewer than four dwellings;

(C) for plumbing standards, the code adopted by the Department of Labor under AS 18.60.705 except where such code conflicts with requirements for residential wastewater disposal established by the Department of Environmental Conservation in which case the requirements of the Department of Environmental Conservation shall be the standard; and

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

(b) In addition to the definitions proved in 15 AAC 150.900, the following terms have the following meanings for purposes of 15 AAC 150.220 and 15 AAC 150.300 — 15 AAC 150.440:

(1) "Alaskan bidder" means a person or firm who:

(A) holds a current Alaska business license;

(B) submits a bid for goods, services, or construction under the name appearing on the person's current Alaska business license;

(C) has maintained a place of business within the state staffed by the bidder or an employee of the bidder for a period of six months immediately preceding the date of the bid; and

(D) is either incorporated and qualified to do business under the laws of the state, a sole proprietorship the proprietor of which is a resident of the state, a partnership all partners of which are residents of the state, or a joint venture in which each joint venturer (A) is an entity described in one of the other clauses of this subparagraph and (B) qualifies under (A) — (C) of this paragraph.

(2) "appropriate Corporation officer" means an officer or employee of the Corporation who has received a specific delegation of procurement authority, in writing, from the chief procurement officer;

(3) "chief procurement officer" means the executive director;

CHAPTER 150. ALASKA HOUSING FINANCE CORPORATION.

Article

- 1. General Provisions (15 AAC 150.010 — 15 AAC 150.130)
- 2. Appeals (15 AAC 150.200 — 15 AAC 150.240)
- 3. Procurement (15 AAC 150.300 — 15 AAC 150.440)
- 4. Disposition of Assets (15 AAC 150.500 — 15 AAC 150.540)
- 5. HUD Assisted Disposition of Real Property Acquired Under Renewal and Neighborhood Development Programs (15 AAC 150.600 — 15 AAC 150.780)
- 6. Definitions (15 AAC 150.900 — 15 AAC 150.910)

Editor's note: The Alaska Housing Finance Corporation regulations, exempt from the Administrative Procedures Act Filing requirements by AS 18.56.088(a), have been voluntarily filed under AS 44.62.120. Except for 15 AAC 150.300 15 AAC 150.440, they have not been reviewed and approved by the Department of Law under AS 44.62.060, and may not fully

conform to the Drafting Manual for Administrative Regulations (AS 44.62.050). As of Register 130, July, 1994, the Alaska Housing Finance Corporation regulations, which were formerly located in 15 AAC 18.210 — 15 AAC 118.960, have been transferred to 15 AAC 150 through 15 AAC 155.

ARTICLE 1. GENERAL PROVISIONS.

<p>Section</p> <ul style="list-style-type: none"> 10. General provisions 15. Availability of funds 20. Public notice of meeting 30. Minimum construction standards 40. Compliance with building energy efficiency standard 45. Release of corporation 50. Past due child support 60. Determination of interest rates 	<p>Section</p> <ul style="list-style-type: none"> 70. Contractor prerequisites for loans 80. Seller requirements; sellers' guide 90. Servicer requirements; servicers' guide 100. Minimum health and safety standards 110. Regions 120. Waiver of regulations 130. Contract formation and modifications
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15 AAC 150.010. GENERAL PROVISIONS. Except as otherwise provided, the provisions of 15 AAC 150 apply to all programs of the Corporation, including the programs established in 15 AAC 151 — 15 AAC 155. The provisions of 15 AAC 150.030 — 15 AAC 150.110 constitute a part of the regulations of the Corporation for each program of the Corporation described in 15 AAC 151 — 15 AAC 155 that involves the making, participating in the making, purchasing, or participating in the purchase of a loan by the Corporation and do not independently authorize or obligate the Corporation to make, participate in the making, purchase, or participate in the purchase of a loan. (Eff. 5/7/93, Register 130)

Authority: AS 18.56.088

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Sec. 18.60.730. Penalty for violations. A person who violates a provision of the code, and who, after receiving the notification required by AS 18.60.725, refuses to correct the violation, after proof of the violation, is subject to a fine of not more than \$1,000. (§ 1 ch 15 SLA 1972)

Sec. 18.60.735. Borough or city regulation. AS 18.60.705 — 18.60.740 do not affect the authority of a municipality to prescribe by ordinance, rule, or order, standards for their respective areas of jurisdiction no less stringent than those established under AS 18.60.705. AS 18.60.705 — 18.60.740 are not intended to duplicate or preempt code administration or enforcement by municipalities. An organized municipality or unorganized village having less than 2,500 population is exempt from the provisions of AS 18.60.705 — 18.60.740. (§ 1 ch 15 SLA 1972; am § 27 ch 30 SLA 1992)

Revisor's notes. — Enacted as AS 18.60.740. Renumbered in 1972. Effect of amendments. — The 1992 amendment, effective May 16, 1992, made a section reference substitution in the second sentence and made a stylistic change.

Sec. 18.60.740. Definitions. In AS 18.60.705 — 18.60.740
(1) "code" means the code adopted under AS 18.60.705(a) as amended by AS 18.60.705(b);
(2) "commissioner" means the commissioner of labor;
(3) "department" means the Department of Labor;
(4) "inspector" means a qualified inspector employed by, designated by, or under contract to the Department of Labor. (§ 1 ch 15 SLA 1972; am § 3 ch 88 SLA 1980; am § 2 ch 101 SLA 1988)

Revisor's notes. — Enacted as AS 18.60.750. Renumbered in 1972.

Article 9. Safety Glazing.

Section	Section
750. Labeling required	765. Penalty
755. Safety glazing materials required	770. Local ordinances
760. Employees not liable	780. Definitions

Collateral references. — 39A C.I.S., Health and Environment, §§ 28-62.



Alaska Society of Professional Engineers

FAIRBANKS CHAPTER
P. O. BOX 61170
FAIRBANKS, ALASKA 99706

April 26, 1995

Chairman Jeannette James
House State Affairs Committee
State Capitol
Juneau, Alaska 99801-1162



Re: House Bill 224
Adoption of the State Plumbing Code

Dear Chairman James:

It has recently come to the attention of our chapter that the Alaska Legislature is considering the adoption of the 1994 Uniform Plumbing Code with House Bill 224. At our April meeting, the Fairbanks Chapter of the Alaska Society of Professional Engineers unanimously resolved to support the requests of the cities of Valdez, Kodiak and Fairbanks, and the Kodiak Island Borough for an amendment to the Uniform Plumbing Code. This amendment would add an exemption to the code for single wall heat exchangers provided certain specific criteria are met.

Alaska covers a very large area and conditions vary greatly from one end of the state to the other. The key point of this issue to us is that the communities in this state that have taken the responsibility upon themselves to adopt and enforce local building codes are in the best position to determine appropriate amendments to adapt the "model" building codes, such as the Uniform Plumbing Code, to local conditions. Departments of the state administration should recognize these local amendments in their enforcement of the building codes.

Because this is not presently the case with the Department of Labor, we urge you to support the single wall heat exchanger amendment and to oppose any sunset clause for this amendment. Without this amendment or with the sunset clause for the amendment, we request that you oppose House Bill 224.

Very truly yours,

Alaska Society of Professional Engineers
Fairbanks Chapter

William C. Gryder, P.E.
President

cc: Interior Delegation

Post-It™ brand fax transmittal memo 7671		# of pages >
To: <i>Deke Kott</i>	From: <i>Bill Smith</i>	
Co.:	Co.:	
Dept.:	Phone #:	
Fax #:	Fax #:	



American Mechanical Inc.

P.O. Box 72991 • Fairbanks, Alaska 99707 • (907) 479-5754

APR 01 1995

March 31, 1995

Norman Rokeberg
Representative
House Labor & Commerce Committee

Re: Plumbing Code Bill
CS for House Bill No. 224

Dear Mr. Rokeberg,

I am a State of Alaska Licensed General Contractor including a Residential Endorsement, State of Alaska Licensed Mechanical Administrator, City of Fairbanks Licensed Master Plumber and State of Alaska Licensed Journeyman Plumber. I have been in the Plumbing and Mechanical Trade for 25 years. I have contracted for and completed projects in Barrow, Prudhoe Bay, Nome, Kotzebue, Aleutian Islands, Fairbanks, Anchorage, Sitka, Metlakatla and other various remote sites.

I am in favor of the original bill as submitted and sponsored by Representatives Kohring, Green. The State Plumbing Code should be adopted by regulation, in order to enable the Department of Labor to protect the citizens from the hazards of improper plumbing installations. The reasons for my concerns and justifications are as follows:

1. The Uniform Plumbing Code is updated and printed every three years. The existing system of adopting each new edition by statute is awkward and inefficient. For example after the adoption of the 1979 edition the Legislature failed to adopt another current edition until 1991. This bill would allow the State to adopt each new edition by regulation.
2. Adopting each new edition of the code by regulation would allow for public comments and input from industry and government.

4868 Old Airport Road • FAX (907) 479-5771

I object to the proposed amendment regarding single wall heat exchangers (coils) for the following reasons:

1. Including this amendment in the statute precludes public comment.
2. This amendment is being supported by factions from a small geographical area and as written, ignores the rest of the State.
3. This amendment would allow an exception to the code that represents significant and identifiable hazard to the health of the citizens of the entire State. In addition it may put the State at risk for liability resulting from potential illness or death due to this exception to the code.
4. There have been instances of glycol poisoning from failed single wall coils in the State.

I believe as a life long resident of this State that all children, men and women should have assurance that when they turn on their water faucet clean safe water is guaranteed.

As evidence of this conviction I would like to use my own family home as an example. When I built I installed a boiler for home heating only. For the domestic hot water I installed an oil-fired water heater, thus separating the two systems. As a result I know that my immediate and extended family and many friends that come to visit are not put at risk by failure of a single wall coil in my plumbing system. It seems ironic that we could still be at risk from the potential failure of a single wall coil elsewhere in the Municipal Utilities System that supplies our water. If such a tragedy should occur I will know that I did my part to prevent it. It is not unreasonable to expect the State of Alaska to do as much.

I remain cordially yours,



Dennis L. Michel
President

03/29/95 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150
15:12:19 PARTICIPANT LIST (ALL PARTICIPANTS) BY:SIT
TCN:50497 SCHEDULED FOR:03/29/95 15:15 TO 17:00 FOR:SIT
PUBLIC HEARING HOUSE LABOR & COMMERCE
LOCATION: SITKA
HB 224 MARY LOU VILANDRE ✓ TESTIFY

03/29/95 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150
15:09:27 PARTICIPANT LIST (ALL PARTICIPANTS) BY:FBX
TCN:50497 SCHEDULED FOR:03/29/95 15:15 TO 17:00 FOR:FBX
PUBLIC HEARING HOUSE LABOR & COMMERCE
LOCATION: FAIRBANKS
HB 224 MR. STEVE SHUTTLEWORTH ✓ CITY OF FBX TESTIFY
HB 224 MR. LARRY LONG ✓ CITY OF FBX TESTIFY

03/29/95 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150
15:17:11 PARTICIPANT LIST (ALL PARTICIPANTS) BY:SIT
TCN:50497 SCHEDULED FOR:03/29/95 15:15 TO 17:00 FOR:SIT
PUBLIC HEARING HOUSE LABOR & COMMERCE
LOCATION: SITKA
HB 224 MARY LOU VILANDRE ✓ TESTIFY
HB 224 PETE JURCZAK ✓ *listen only.* TESTIFY

03/29/95 15:13:49 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1120
MESSAGE FROM: LIOCJEN IN ANCHORAGE JNU
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SPONSOR: HOUSE LABOR & COMMERCE PURPOSE: PUBLIC HEARING
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LEGISLATIVE TELECONFERENCE NETWORK SYSTEM

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PARTICIPANT LIST (ALL PARTICIPANTS)

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FOR:KOD

PUBLIC HEARING

HOUSE LABOR & COMMERCE

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~~HE 224~~ ~~MR. JOHN~~ ~~BUTLER~~

JOHN'S HEATING TESTIFY

Rep. Kott,
Rep. Masek apologizes
for being absent. She
is still desiring to do
some work on 251.
She said you would know
her concerns and need
to address the legislature.
Thanks,
DAVE FANCUFF

HB

232

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CS HB232 (STA)

Revision Date: April 12, 1995 Department: Commerce and Economic Development
 Title: An Act establishing an economic development tax credit BRU: Alaska Industrial Export and Development Authority
 Sponsor: Representative Kott Component: _____
 Requestor: House State Affairs COMPONENT SERIAL NO. 1234

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
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FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 95) cost: \$ _____

POSITIONS	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Guy Bell, Director Phone: 465-2505
 Division: Administrative Services Date: 4/12/95
 Approved by Commissioner: William L. Hensley Date: 4/12/95
 Agency: Commerce and Economic Development

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
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Revision Date: _____ Dept. Affected: Revenue
 Title: Economic Development Tax Credit BRU: Audit Operations
 Component: Income and Excise Audit
 Sponsor: Rep. Kott
 Requestor: (H) STA COMPONENT SERIAL NO. 113

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE FUND SOURCE: GF	*****	*****	*****	*****	*****	*****
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current (FY95) impact \$ 0.0

ANALYSIS: (Attach a separate page if necessary)

(See Attached Analysis)

Prepared by: Robert N. Bartholomew, Deputy Director *Robert N. Bartholomew* Phone: 465-2320
 Division: Income and Excise Audit Date: 4/13/95
 Approved by Commissioner: *[Signature]* Date: 4/13/95
 Agency: Department of Revenue

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ALASKA DEPARTMENT OF REVENUE

Fiscal Note Analysis
CSHB 232(STA)
April 13, 1995
Page 2 of 2

FISCAL ANALYSIS

Maximum Credit

The Alaska Industrial Development and Export Authority (AIDEA) determines the amount and duration of the credit to be awarded. A credit is not allowed for jobs that the taxpayer relocates from one site in the state to another site in the state. The credit may not exceed the lesser of 5% of the amount of gross wages payable as compensation to new employees or 25% of the tax due by the taxpayer under AS 44.88 (*see technical correction below*). The credit is in addition to all other credits that may be allowed under the corporation income tax provisions. The credit may be claimed for up to 10 consecutive taxable years after approval.

Operating Costs

Department of Revenue is submitting a zero fiscal note for HB 232(STA) contingent on understanding that AIDEA will assume responsibilities required under Section 1, page 2, lines 4 through 15. This fiscal note is based on a limited number of projects qualifying for the credit. If it is determined through further discussion with AIDEA and the bill's sponsor that the scope of this bill will apply to numerous projects, the Department may require additional staffing to verify credits through its audit program. Department of Revenue is working with AIDEA to clarify AIDEA's responsibilities in implementing the economic development tax credit program and the scope of application that this bill will have for qualifying projects.

State Revenue Impact

Department of Revenue is unable to determine revenue impacts of this bill because it is not feasible to estimate the magnitude of projects eligible for credits under this bill and volume of applications that AIDEA would receive for the credit. Initial discussions have indicated a small number of applications would qualify due to requirement for competition among two states for a new business opportunity. Discussions to refine intent of the legislation are ongoing. If this legislation in final form is applicable to most new business ventures the department may have additional policy concerns.

Technical Correction

Page 4, lines 12 and 13 should be changed to replace "this chapter" with "AS 43.20" as there are no taxes due under AS 44.88.

Alaska State Legislature House of Representatives

COMMITTEE ASSIGNMENTS:

LABOR & COMMERCE, CHAIRMAN
MILITARY & VETERANS AFFAIRS, CHAIRMAN
COMMUNITY & REGIONAL AFFAIRS
RESOURCES
INTERNATIONAL TRADE / TOURISM
LEGISLATIVE COUNCIL



INTERIM:
10928 EAGLE RIVER ROAD, SUITE 141
EAGLE RIVER, AK 99577
PHONE (907) 694-8944
FAX 694-8949

SESSION:
STATE CAPITOL
JUNEAU, AK 99801-1182
PHONE (907) 465-3777
FAX (907) 465-2819

SPONSOR STATEMENT HB 232

In the continuing effort to facilitate economic diversity in the State, House Bill 232 establishes the Economic Development Board in the Department of Commerce & Economic Development.

This board, whose membership is comprised of the Commissioner of Commerce, the Director of the Office of Budget & Management, the Commissioner of Revenue and two public members, has the authority to allow net income tax credits to taxpayers whose proposed project meets the criteria established in this legislation.

The legislation also makes provision for monitoring the project and calls on the Board to report on the performance of the program to the legislature.

I encourage your support for this legislation which provides an attractive incentive to foster economic development in the form of expanded business and employment in Alaska.



Representative Pete Kott



HOUSE COMMITTEE REPORT

(7)
 Date Referred: April 18, 1995 FURTHER REFERRALS: Finance

Date of Committee Action: 4-27-95

The LABOR AND COMMERCE Committee considered: HB 232

HOUSE BILL NO. 232 ECONOMIC DEVELOPMENT TAX CREDIT

"An Act establishing an economic development tax credit; and providing for an effective date."

recommends it be replaced the same title
 with the following committee substitute CS HB 232 (STA) a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)
 fiscal note(s) _____ fiscal note(s) Revenue _____

zero fiscal note(s) _____ zero fiscal note(s) CED _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Pat Felt</i>	✓			
<i>Ann Foley</i>	✓			
<i>Kim Felt</i>				✓
<i>Gene Kukuna</i>			✓	
<i>Brian Fortt</i>	✓			
<i>Beverly Masek</i>			✓	

CHAIR'S SIGNATURE *Pat Felt*

