

SENATE BILL NO. 50 am

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

Amended: 3/12/99

Introduced: 1/28/99

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to certain boiler and pressure vessel inspections and inspectors;**
2 **and providing for an effective date."**

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

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

5 **Sec. 18.60.235. Approved inspectors.** (a) In addition to the deputy
6 inspectors employed under AS 18.60.230 and the special inspectors commissioned
7 under AS 18.60.240, the commissioner of labor may appoint an employee of the
8 Department of Labor as an approved inspector if the employee has completed training
9 by the chief inspector and has passed an examination that has been approved by the
10 director of the division of labor standards and safety to perform inspections under
11 AS 18.60.180 - 18.60.395 of cast iron boilers and domestic hot water heaters. An
12 employee does not have to pass the examination described in AS 18.60.290 in order
13 to be appointed an approved inspector under this subsection.

14 (b) The inspection authority of an approved inspector appointed under (a) of

1 this section is limited to performing the inspections described in (a) of this section.

2 * **Sec. 2.** AS 18.60.240 is amended to read:

3 **Sec. 18.60.240. Appointment and qualifications of special inspectors.** In
4 addition to the deputy boiler inspectors provided for in AS 18.60.230 and the
5 approved inspectors appointed under AS 18.60.235(a), the Department of Labor
6 shall, upon the request of a company authorized by the Department of Commerce and
7 Economic Development under AS 21.09 to insure against loss from explosion of
8 boilers and unfired pressure vessels as described in AS 21.12.070(a)(7), or upon the
9 request of a company operating unfired pressure vessels, issue to an inspector of the
10 company a state commission as a special inspector. However, to be eligible for a
11 commission as special inspector, a person must have passed the examination provided
12 for in AS 18.60.290, or hold a certificate as an inspector of boilers from the National
13 Board of Boiler and Pressure Vessel Inspectors.

14 * **Sec. 3.** AS 18.60.280 is amended by adding a new subsection to read:

15 (b) An approved inspector appointed under AS 18.60.235(a) has the right of
16 access provided in (a) of this section, but only for the purpose of making the
17 determinations described in (a) of this section for a cast iron boiler or domestic hot
18 water heater.

19 * **Sec. 4.** AS 18.60.330(a) is amended to read:

20 (a) Each inspection under AS 18.60.320 shall be made by a deputy inspector
21 employed under AS 18.60.230, an approved inspector appointed under
22 AS 18.60.235(a), or by a special inspector commissioned under AS 18.60.240
23 [PROVIDED FOR IN AS 18.60.230 - 18.60.240].

24 * **Sec. 5.** AS 18.60.360(b) is amended to read:

25 (b) The owner or user of a boiler or unfired pressure vessel that is inspected
26 by a deputy inspector employed under AS 18.60.230 or an approved inspector
27 appointed under AS 18.60.235(a) shall pay the department, upon completion of the
28 inspection, the appropriate inspection fee established under (a) of this section.

29 * **Sec. 6.** AS 18.60.370 is amended to read:

30 **Sec. 18.60.370. Appeals.** A person aggrieved by an order or act of a deputy
31 inspector employed under AS 18.60.230 or an approved inspector appointed under

1 **AS 18.60.235(a)** may, within 15 days after notice of the order or act, appeal to the
2 **commissioner** [DEPARTMENT] of **labor** [LABOR]. The **commissioner**
3 [DEPARTMENT] of **labor or the commissioner's designee** [LABOR] shall hold a
4 hearing within 30 days of the appeal but shall give at least 10 days' written notice of
5 the hearing to all interested parties. Within 30 days after the hearing, the
6 **commissioner** [DEPARTMENT] of **labor or the commissioner's designee** [LABOR]
7 shall issue an order approving or disapproving the order or act and shall give a copy
8 of the order to all interested parties. Within 30 days after the order of the
9 **commissioner** [DEPARTMENT] of **labor or the commissioner's designee** [LABOR],
10 a person aggrieved may file an appeal in the superior court for review. The court shall
11 summarily hear the appeal and may make an appropriate order or decree.

12 * **Sec. 7.** This Act takes effect July 1, 1999.