

Memo

1 IN THE SENATE

BY SENATOR OWEN

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SENATE BILL NO. 91

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-SECOND SESSION

5

A BILL

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For an Act entitled:

"An Act to provide for the safety of

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ships at sea, encourage navigation in

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the Territory of off-shore deep-draft

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vessels, establishing a Territorial

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board of pilotage requiring the use

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of pilots on inland waters of Alaska,

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defining organization; powers and duties."

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

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Section 1. BOARD CREATED; QUALIFICATION OF MEMBERS.

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There is hereby created a Territorial Board of Pilotage to con-

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sist of the Commissioner of Labor, who shall be chairman and

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administrative officer of the Board, and of two members appointed

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by the governor for terms of four years. One of the members shall

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be a licensed pilot who has been actively engaged in piloting upon

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the waters covered by this chapter for at least three years imme-

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diately preceding his appointment, and one of the members shall

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have been actively engaged in the ownership, operation, or manage-

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ment of deep-sea cargo or passenger carrying vessels, tow boats,

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or sea trains, for at least three years immediately preceding his

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appointment. Any vacancy shall be filled by an appointment for

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a four-year term.

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Section 2. OFFICE; COMPENSATION OF MEMBERS. The office of

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the Commissioner of Labor shall be the office of the Board where

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all of its records shall be kept. The members of the Board shall

1 serve without salary but shall receive compensation for neces-
2 sary travel expense and per diem as provided by law for all
3 other members of Territorial Boards and Commissions. Such com-
4 pensation and expense shall be paid from the pilotage fund.

5 Section 3. RULES AND REGULATIONS. The Board shall make
6 rules and regulations consistent herewith, which shall have the
7 effect of law, to:

8 (1) Keep a register of licensed pilots and their qualifi-
9 cations, vessels, operators, and agents.

10 (2) Encourage the maintenance of efficient and competent
11 pilotage service on all waters covered by this chapter.

12 (3) Study and recommend the rates of pilotage and publish
13 such recommended rates annually.

14 (4) Do all other things reasonably necessary, and expedi-
15 ent to insure proper and safe pilotage and to facilitate the
16 efficient administration of this chapter.

17 All rules and regulations shall be printed and copies made
18 available to licensed pilots and to vessel operators or agents
19 registered with the Board.

20 Section 4. PILOTAGE FUND CREATED. There is hereby created
21 a fund, designated as the "Pilotage Fund" to be administered by
22 the Commissioner of Labor under the direction of the Board of
23 Pilotage. The Territorial Treasurer shall be custodian of the
24 Fund. The fund shall be composed of all money collected under
25 the provisions of this Act. Payment of expenses and other dis-
26 bursements necessary to carry out the purposes of this Act shall
27 be made upon vouchers approved by the Commissioner of Labor.
28 The fund shall be continuous until otherwise provided by law.

29 Section 5. PILOTS TO BE EMPLOYED; EXCEPTIONS. Every vessel

1 while navigating the inland waters of Alaska as such waters are
2 described and defined by the Code of Federal Regulations pursuant
3 to 28 Stat. 672 as amended, shall employ a pilot duly licensed
4 by the United States Coast Guard; provided, however, that this
5 requirement shall not apply to vessels under enrollment, vessels
6 and tow boats engaged exclusively in the coasting trade, fishing
7 vessels registered on the west coast of the United States, Alaska
8 or British Columbia, or motorboats as defined in Section 1 of the
9 federal motor boat Act of April 25, 1940.

10 Section 6. REGISTRATION OF LICENSED PILOTS. Every person
11 engaged in the pilotage of vessels on the inland waters of Alaska
12 except those vessels as have heretofore been expressly exempted,
13 shall register with the Board annually on prescribed forms. A
14 fee of ten dollars (\$10.00), shall be paid to the pilotage fund
15 at the time of registration.

16 Section 7. PILOTS TO REPORT. Every licensed pilot shall
17 file with the Board not later than the 10th day of January, and
18 July, of each year, a report for the preceding six-months period.
19 The report shall state the name of each vessel piloted, the port
20 of registry of the vessel, its gross tonnage, whether it was
21 inward or outward bound, and its ports of call in the Territory
22 of Alaska, and such other information as the Board by regulation
23 prescribes.

24 Section 8. DEFINITION OF TERMS: FOR THE PURPOSES OF THIS
25 ACT. Board shall mean the Board of Pilot Commissioners.

26 Wherever the term licensed pilot or pilots is used in this
27 Act, licensed pilot or pilots shall mean any person licensed by
28 the United States Coast Guard to act as a pilot.

29 For the purpose of this Act pilotage is the charge assessed

1 against a vessel for the availability or use of pilot service
2 into or out of any port or harbor within the inland waters of
3 the Territory of Alaska.

4 The term Inland Waters of Alaska as used herein refers to
5 those waters of the Territory of Alaska, established by the
6 United States Coast Guard as Inland waters.

7 Section 9. PENALTY FOR REFUSING TO EMPLOY LICENSED PILOT.

8 A master or owner of a vessel required to employ a licensed
9 pilot who refuses to do so when such a pilot is available in
10 violation of the provisions of this Act, and the perils or hazards
11 of the sea does not prevent or make it impossible to employ such
12 a pilot, shall be guilty of a misdemeanor, and upon conviction
13 shall be punished by a fine of not less than one hundred dollars
14 (\$100.00), nor more than five hundred dollars (\$500.00).

15 Section 10. TITLE OF ACT. This Act shall be cited as "The
16 Pilotage Act of Alaska."

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