

1 IN THE HOUSE

BY RILEY BY REQUEST

2

HOUSE BILL NO. 133

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

6 For an Act entitled: "An Act to provide for the safety of ships  
7 at sea, encourage navigation in the Territory  
8 by off-shore deep-draft vessels, establishing  
9 a Territorial board of Harbor Commissioners,  
10 requiring the use of pilots on inland waters  
11 of Alaska, defining organization; powers and  
12 duties."

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

14 Section 1. Board created--Qualification of members.

15 There is hereby created a Territorial board of Harbor Commissioners  
16 to consist of the Territorial Highway Engineer, ex officio, as  
17 chairman, and of two members appointed by the governor for a term  
18 of four years, and confirmed by the Legislature. Appointive members  
19 shall be over twenty-one years of age and citizens of the United  
20 States.

21 One of the appointed members shall be a pilot licensed in the  
22 Territory and actively engaged in piloting upon the waters covered  
23 by this chapter for at least three years immediately preceding  
24 their appointment. One of the appointed members shall be actively  
25 engaged in the ownership, operation, or management of deep-sea car-  
26 ge or passenger carrying vessels, tow boats, or sea trains, for at  
27 least three years immediately preceding their appointment. The ap-  
28 pointive members shall hold office for the term for which appointed  
29 and until their successors are appointed and qualified.

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1 A vacancy in an appointive position shall be filled by ap-  
2 pointment for a term of four years.

3 Section 2. Office--Compensation of members. The office of  
4 the Territorial Highway Engineer shall be the office of the board  
5 where all of its records shall be kept. Each commissioner shall  
6 receive fifteen dollars for each day actually engaged in his  
7 duties, and travel expenses to be paid from the pilotage fund, on  
8 vouchers approved by the chairman of the board.

9 Section 3. Rules and regulations. The board may make rules  
10 and regulations consistent herewith, which shall have the effect  
11 of law, to:

12 (1) To regulate the use of all Territorial docks and marine  
13 moorage facilities and provide rates for the use thereof.

14 (2) To regulate the use of harbors of the Territory of Alaska.

15 (3) Keep a register of licensed pilots and their qualifica-  
16 tions, vessels, operators and agents.

17 (4) Provide for the maintenance of efficient and competent  
18 pilotage service on all waters covered by this chapter.

19 (5) Study and recommend the rate of pilotage and print such  
20 recommended rates annually.

21 (6) Do all other things reasonable, necessary and expedient  
22 to insure proper and safe pilotage and to facilitate the efficient  
23 administration of this chapter.

24 All rules and regulations shall be printed and a copy mailed  
25 to each licensed pilot and to each vessel operator or agent  
26 registered with the board.

27 Section 4. Waters affected. Whenever used in this chapter  
28 "Inland waters of Alaska" shall mean those waters as described  
29 and established by the code of Federal regulations pursuant to

1 28 Stat. 672 as amended.

2 . Section 5. Pilotage Fund created. There is hereby created  
3 in the Territory Treasury a special fund to be known as the  
4 "Alaska Pilotage Fund". All moneys collected under this chapter  
5 shall be paid into the treasury to the credit of such fund.

6 Section 6. Vessels included. All vessels shall be subject  
7 to the rules of the Harbor Commissioners relative to Territorial  
8 docks, moorage facilities and harbors; provided organized munici-  
9 palities may operate their own harbor facilities. All vessels  
10 under enrollment and all vessels and tow boats engaged exclusively  
11 in the coasting trade, fishing vessels on the west coast of the  
12 continental United States, Alaska, and British Columbia, motor  
13 boats as defined in Section 1 of the motorboat act of April 25,  
14 1940, (46 U.S.C. 526) or either shall be exempt from the provi-  
15 sions with respect to employment of a duly licensed pilot. Every  
16 vessel not so exempt shall while navigating the inland waters of  
17 Alaska, as described and established by the code of Federal regu-  
18 lations pursuant to 28 Stat. 672 as amended, shall employ a pilot  
19 duly licensed by the United States Coast Guard.

20 Section 7. Pilot's license. No person shall pilot a vessel  
21 subject to the provisions hereof on the inland waters of the Terri-  
22 tory of Alaska as so described herein, unless he is licensed as a  
23 pilot by the United States Coast Guard. Each pilot shall pay to  
24 the Territorial Treasurer an annual license fee of ten dollars to  
25 be placed to the credit of the pilotage fund.

26 Section 8. Pilots to report. Every licensed pilot shall  
27 file with the board not later than the 10th day of January, and  
28 July, of each year, a report for the preceding six-months period.  
29 The report shall state the name of each vessel piloted, the port

1 of registry of the vessel, its dead weight tonnage, whether it was  
2 inward or outward bound, and its ports of call in the Territory of  
3 Alaska, and such other information as the board by regulation  
4 prescribes.

5       Section 9. Penalty for refusing to employ licensed pilot,  
6 An unlicensed person subject to the provisions hereof who pilots  
7 a vessel when a licensed pilot is available and the perils or  
8 hazards of the sea does not prevent or make it impossible to em-  
9 ploy such a pilot, shall pay to the board the sum of one hundred  
10 dollars. A master or owner of a vessel required to employ a li-  
11 censed pilot who refuses to do so when such a pilot is available  
12 and the perils or hazards of the sea does not prevent or makes it  
13 impossible to employ such a pilot, shall be punished by a fine of  
14 not less than one hundred dollars, nor more than five hundred  
15 dollars.

16       Section 10. Penalty for failure to comply with the rules and  
17 regulations relating to use of the docks, moorage facilities and  
18 harbors of the Territory of Alaska.

19       Any person violating this provision of this act shall be  
20 punished by a fine of not less than ten dollars or more than five  
21 hundred dollars.

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