

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE
OF THE HOUSE BY REQUEST

2 COMMITTEE SUBSTITUTE FOR 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 Terri-
8 tory by off-shore deep-draft vessels, estab-
9 lishing a Territorial Board of Harbor Com-
10 missioners, requiring the use of pilots on
11 inland waters of Alaska, defining organiza-
12 tion; powers and duties."

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

14 Section 1. BOARD CREATED--QUALIFICATION OF MEMBERS. There
15 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 mem-
19 bers shall be over twenty-one years of age and citizens of the
20 United States. The appointive members shall hold office for the
21 term for which appointed and until their successors are appointed
22 and qualified.

23 Section 2. OFFICE--COMPENSATION OF MEMBERS. The office of
24 the Territorial Highway Engineer shall be the office of the Board
25 where all of its records shall be kept. Each commissioner shall
26 receive a per diem equal to that allowed other Territorial Board
27 members, and travel expenses, while acting in his duties as a
28 member of the commission.

29 Section 3. RULES AND REGULATIONS. The Board may make rules

1 and regulations consistent herewith, which shall have the effect
2 of law, to:

3 (1) Regulate the use of all Territorial docks and marine
4 moorage facilities and provide rates for the use thereof.

5 (2) Regulate the use of harbors of the Territory of Alaska.

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

8 (4) Provide for the maintenance of efficient and competent
9 pilotage service on all waters covered by this Chapter.

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

12 (6) Do all other things reasonable, necessary and appropri-
13 ate to insure proper and safe pilotage and to facilitate the
14 efficient administration of this Act.

15 All rules and regulations shall be printed and a copy mailed
16 to each licensed pilot and to each vessel operator or agent
17 registered with the Board.

18 Section 4. WATERS AFFECTED. Whenever used in this Chapter
19 "Inland waters of Alaska" shall mean those waters as described
20 and established by the code of Federal regulations pursuant to
21 28 Stat. 672, as amended.

22 Section 5. FUNDS. All funds collected under this Chapter
23 shall be paid into the general fund of the Treasury of the Terri-
24 tory of Alaska.

25 Section 6. VESSELS INCLUDED. All vessels shall be subject
26 to the rules of the Harbor Commissioners relative to Territorial
27 docks, moorage facilities and harbors; provided organized munici-
28 palities may operate their own harbor facilities. All vessels un-
29 der one thousand gross tons, all vessels of nations subject to

1 treaty agreements, all vessels under enrollment and all vessels
2 and tow boats engaged exclusively in the coasting trade, fishing
3 vessels on the west coast of the continental United States, Alaska,
4 and British Columbia, and motor boats as defined in Section 1 of
5 The Motorboat Act of April 25, 1940, (46 U.S.C. 526) shall be
6 exempt from the provisions with respect to employment of a duly
7 licensed pilot. Every vessel not so exempt, while navigating
8 the inland waters of Alaska, as described and established by the
9 code of Federal regulations pursuant to 28 Stat. 672, as amended,
10 shall employ a pilot duly licensed by the United States Coast
11 Guard.

12 Section 7. PILOT'S LICENSE. No person shall pilot a vessel
13 subject to the provisions hereof on the inland waters of the Terri-
14 tory of Alaska as described herein, unless he is licensed as a
15 pilot by the United States Coast Guard. Each pilot shall pay to
16 the Territorial Treasurer an annual license fee of ten dollars.

17 Section 8. PILOTS TO REPORT. Every licensed pilot shall
18 file with the Board not later than the 10th day of January of each
19 year a report for the preceding twelve-months period. The report
20 shall state the name of each vessel piloted, the port of registry
21 of the vessel, its gross tonnage, whether it was inward or outward
22 bound, and its ports of call in the Territory of Alaska, and such
23 other information as the Board by regulation prescribes.

24 Section 9. PENALTY FOR REFUSING TO EMPLOY LICENSED PILOT.
25 An unlicensed person subject to the provisions hereof who pilots
26 a vessel when a licensed pilot is available and the perils or
27 hazards of the sea do not prevent or make it impossible to employ
28 such a pilot, shall be guilty of a misdemeanor and upon conviction
29 may be fined a sum not in excess of one hundred dollars. A master

1 or owner of a vessel required to employ a licensed pilot who re-
2 fuses to do so when such a pilot is available and the perils or
3 hazards of the sea do not prevent or make it impossible to em-
4 ploy such a pilot, shall be guilty of a misdemeanor and upon
5 conviction may be fined a sum not in excess of five hundred
6 dollars.

7 Section 10. PENALTY FOR FAILURE TO COMPLY WITH THE RULES
8 AND REGULATIONS RELATING TO USE OF THE DOCKS, MOORAGE FACILITIES
9 AND HARBORS OF THE TERRITORY OF ALASKA.

10 Any person violating this provision of this Act shall be
11 guilty of a misdemeanor and upon conviction may be fined a sum
12 not in excess of five hundred dollars.

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