

1 IN THE SENATE

BY SENATOR LOGAN

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SENATE BILL NO.101

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIRST LEGISLATURE - FIRST SESSION

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A BILL

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For an Act entitled: "An Act creating the Board of Marine Sur-

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veyor Examiners; providing for its composi-

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tion, appointment and internal organization;

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prescribing its powers and duties; providing

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for the licensing of marine surveyors; and

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providing penalties for violation thereof."

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

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Section 1. DEFINITIONS. As used in this Act, unless the

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context requires otherwise:

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(1) "Board" means the Board of Marine Surveyor Examiners.

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(2) "Secretary" means the secretary of the Board.

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(3) "Marine Surveyor" means a person, who, by reason of

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his special knowledge of principles and methods of valuation and

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measurement of vessels and their equipment, cargo and all appurten-

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ances thereto, acquired by practical experience, is qualified to

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practice marine surveying as hereinafter defined, as attested by

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his legal registration as a marine surveyor.

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(4) "Marine survey" or "marine surveying" is the appli-

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cation of special knowledge of principles and methods of valuation

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and measurement to vessels and their equipment, cargo and all

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appurtenances thereto for the purpose of determining the value and

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measurement.

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(5) "Vessel" shall include within its meaning, ships,

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boats, barges and all other craft.

1 Sec. 2. BOARD OF MARINE SURVEYOR EXAMINERS. (1) There is
2 hereby created the Board of Marine Surveyor Examiners. It shall
3 consist of three members, each of which shall be appointed by the
4 governor for a term of three years. One member shall be an ac-
5 tively practicing marine surveyor with at least five years ex-
6 perience as such. One member shall be a bar or river pilot
7 actively engaged in piloting upon one of the pilotage grounds of
8 this state. One member of the Board shall, for at least three
9 years immediately preceding his appointment, have been and during
10 his term of office, be actively engaged in the ownership, opera-
11 tion or management of ocean-going vessels. All members shall be
12 over 40 years of age at the time of appointment, shall have been
13 residents of Alaska for at least five years prior to appointment;
14 and shall be citizens of the United States.

15 (2) A member of the Board may be removed at any time
16 during his term of office at the pleasure of the governor.

17 (3) Two members shall constitute a quorum for the trans-
18 action of all business.

19 (4) Each member shall receive no compensation for his
20 services, but shall receive a per diem allowance of \$10.00 for
21 each day in attendance upon his duties under this Act.

22 (5) Of the first three members appointed to the Board,
23 one member shall be appointed to serve for a term of three years,
24 and the other members shall be appointed for one or two year
25 terms, as designated by the governor. Succeeding members shall be
26 appointed for terms of three years.

27 Sec. 3. POWERS AND DUTIES OF BOARD. The Board is authorized
28 and directed to:

29 (1) Appoint a secretary and other personnel and fix

1 their compensation;

2 (2) Fix the manner of calling and fix the places of
3 meetings; provided that at least one meeting shall be held each
4 calendar year;

5 (3) Provide for efficient and competent marine survey-
6 ing service and regulate and limit the number of marine surveyors
7 to be licensed under this Act, such number of marine surveyors to
8 be regulated and limited to the number found by the Board to be
9 required to render efficient and competent marine surveying ser-
10 vices;

11 (4) Establish the qualifications of marine surveyors,
12 provide for their examinations, for the issuance of marine sur-
13 veyor licenses and the suspension or the revocation thereof;
14 provided, however, that any person who has been a resident of
15 the state for at least five years and actively engaged as a marine
16 surveyor on the date of the adoption of this Act who is otherwise
17 qualified under the provisions of Section 7 hereof need not take
18 any examination which may be prescribed by the Board.

19 Sec. 4. APPLICATION OF ADMINISTRATIVE PROCEDURES ACT. All
20 of the provisions of the Administrative Procedures Act, are hereby
21 made applicable to the Board of Marine Surveyor Examiners.

22 Sec. 5. MARINE SURVEYORS: LICENSING: APPLICATION FOR MARINE
23 SURVEYORS LICENSE. An application for a marine surveyor's license
24 shall be made in writing to the Board, stating such information as
25 the Board by rule and regulation may require.

26 Sec. 6. SAME: FORM OF LICENSE. A marine surveyor license
27 shall be issued in the name of the State of Alaska and must be
28 signed by the chairman of the Board.

29 Sec. 7. QUALIFICATIONS OF MARINE SURVEYORS. (1) No person

1 shall be licensed as a marine surveyor unless:

2 (a) He can meet the qualifications adopted by the
3 Board under rules and regulations;

4 (b) He is an American citizen of at least 40 years
5 of age;

6 (c) He is of temperate habits, good mental and
7 physical health and good moral character; and

8 (d) He possesses the requisite skill and the ex-
9 perience in marine surveying work of a character satisfactory
10 to the Board and indicating that the applicant is competent
11 to practice marine surveying.

12 (2) An applicant for a license must have at least 10
13 years continuous experience of a character satisfactory to the
14 Board and indicating that the applicant is competent to practice
15 marine surveying prior to making application for a license and
16 successfully passes a written examination in marine surveying
17 prescribed by the Board.

18 Sec. 8. APPLICATION FOR LICENSE FOLLOWING REJECTION. A
19 person whose application for a marine surveyor license has been
20 refused may apply again after the expiration of six months, but
21 not sooner.

22 Sec. 9. RENEWAL OF LICENSE: WITHHOLDING RENEWAL: HEARING.

23 (1) A license granted to a marine surveyor under this Act shall,
24 as a matter of course, be annually renewed, unless the Board
25 determines that there is good cause for withholding such renewal,
26 in which case it shall notify the marine surveyor in writing, at
27 least 60 days before the expiration of his license, of such deter-
28 mination and the cause thereof.

29 (2) The marine surveyor may thereupon apply within 10

1 days for a hearing in regard to such cause for withholding the
2 license, which shall be granted. If, upon such hearing, it
3 appears to the satisfaction of the Board that there is not suffi-
4 cient cause for withholding the license, it shall be renewed as
5 a matter of course, and not otherwise.

6 Sec. 10. MARINE SURVEYOR LICENSE FEES. Each marine surveyor
7 licensed under this Act shall pay to the Board a license fee of
8 \$150, and for each yearly renewal thereof, a fee of \$150.

9 Sec. 11. DISPOSITION AND USE OF MONEYS BY BOARD. The money
10 received under this Act shall be paid into the state treasury and
11 placed to the credit of the General Fund in the Marine Surveyor
12 Examining Board Account which account hereby is established. Such
13 moneys hereby are appropriated continuously to be used for the
14 administration and enforcement of this Act. The Commissioner of
15 Administration is authorized to audit all claims approved by the
16 Board pursuant to such appropriation and draw his warrants there-
17 for, payable out of the Pilot Account in the General Fund.

18 Sec. 12. PENALTIES. Any person violating any of the pro-
19 visions of this Act is punishable, upon conviction, by a fine not
20 to exceed \$500, or by imprisonment not to exceed six months, or
21 both.

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