

1 IN THE HOUSE

BY MR. HILLSTRAND

2 HOUSE BILL NO. 5

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for a statutory warranty  
7 for installation, repair, or construction of  
8 boilers and unfired pressure vessels."

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

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

12 Sec. 18.60.205. STATUTORY WARRANTY FOR INSTALLATION,  
13 REPAIR, OR CONSTRUCTION OF BOILERS AND UNFIRED PRESSURE  
14 VESSELS. (a) A person who installs, repairs, or constructs  
15 a boiler or unfired pressure vessel warrants (1) that his  
16 work complies with the regulations of the state Department  
17 of Labor governing boilers and unfired pressure vessels, and  
18 (2) that if, upon inspection by a deputy inspector of the  
19 Department of Labor or a special investigator, his work in  
20 connection with the boiler or unfired pressure vessel is  
21 found to violate a regulation or secs. 180 - 390 of this  
22 chapter, he will

23 (A) make the proper adjustment and correc-  
24 tion to eliminate the violation without additional cost  
25 to the owner or user, or

26 (B) reimburse the owner or user for his cost  
27 in making the proper adjustment and correction to  
28 eliminate the violation.

29 (b) The person installing, repairing, or constructing

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the boiler or unfired pressure vessel is relieved from the obligation of the warranties described in this section unless the owner or user of the boiler or unfired pressure vessel sends him a registered letter, within 30 days after receiving the violation, which includes a description of the violation and demands its correction or the reimbursement for its correction as provided in (a) of this section.

(c) If a civil action is brought for reimbursement, consequential damages may properly be awarded.

(d) Every contract for the installation, repair, or construction of a boiler or unfired pressure vessel, except those exempted under sec. 210 of this chapter, is to be read as if it contained (a) of this section, with the name of the contractor substituted for the general description in it.

(e) The warranties described in (a) of this section are void whenever the completed work of a contractor is approved by the Department of Labor's deputy inspector or by a special investigator as complying with the regulations governing boilers and unfired pressure vessels and secs. 180 - 390 of this chapter.