

Introduced: 3/4/63  
Referred: Commerce

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 SENATE BILL NO. 120

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to refilling certain con-  
7 tainers with flammable petroleum products."

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

9 \* Section 1. AS 18.60 is amended by adding new sections to  
10 read:

11 ARTICLE 6. REFILLING CONTAINERS WITH

12 FLAMMABLE PETROLEUM PRODUCTS

13 Sec. 18.60.590. REFILLING OF CONTAINERS. (a) No con-  
14 tainer furnished by a supplier without cost for the use of  
15 his customer under an agreement whereby the supplier ex-  
16 pressly or impliedly agrees to refill the container regularly  
17 with gasoline, fuel oil, stove oil, kerosene, liquified  
18 petroleum gas, or any other flammable petroleum product may  
19 be refilled by another supplier without the permission of  
20 the supplier of the container to refill it.

21 (b) The prohibition of this section does not apply if

22 (1) the supplier expressly and unconditionally  
23 gives the container to the user;

24 (2) the container supplied without cost is not  
25 clearly marked to identify the supplier of the container and  
26 to indicate that it is his property;

27 (3) the supplier of the container fails to carry  
28 out his agreement.

29 (c) For the purposes of this section, neither service

1 or installation charges, nor a deposit to assure the safe  
2 return of a container, constitute a cost.

3 Sec. 18.60.600. COMPLAINTS. A complaint under secs.  
4 590 - 640 of this chapter shall be filed with the Department  
5 of Labor. It may only be filed by the supplier of the con-  
6 tainer alleged to have been refilled in violation of secs.  
7 590 - 640 of this chapter.

8 Sec. 18.60.610. INVESTIGATION. The department shall  
9 investigate all complaints filed under sec. 610 of this  
10 chapter and shall report all violations of secs. 590 - 640  
11 of this chapter which are substantiated by evidence to the  
12 Department of Law for legal action.

13 Sec. 18.60.620. FALSE STATEMENT IN COMPLAINT. A  
14 supplier filing a false complaint is punishable under sec.  
15 630 of this chapter.

16 Sec. 18.60.630. PENALTY. A supplier who violates secs.  
17 590 - 640 of this chapter is guilty of a misdemeanor and,  
18 upon conviction, is punishable by a fine of not more than  
19 \$500, or by imprisonment for 60 days, or by both.

20 Sec. 18.60.640. DEFINITIONS. In secs. 590 - 640 of  
21 this chapter

22 (1) "supplier" means a person who sells and dis-  
23 tributes to his customers, at retail, gasoline, fuel oil,  
24 stove oil, kerosene, liquified petroleum gas or other flam-  
25 mable products;

26 (2) "container" means a receptacle of any type  
27 that holds more than 90 gallons of liquid or 100 pounds of  
28 pressurized gas;

29 (3) "liquified petroleum gas" means any material

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which is composed predominantly of any of the following hydrocarbons or mixtures of them: propane, propylene, butanes (normal butane or isobutane), and butylenes;

(4) "department" means the Department of Labor.