

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 expressly
16 or impliedly agrees to refill the container regularly with
17 gasoline, fuel oil, stove oil, kerosene, liquified petroleum
18 gas, or any other flammable petroleum product may be refilled
19 by another supplier without the permission of the supplier of
20 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

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

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

Sec. 18.60.610. INVESTIGATION. The department shall investigate all complaints filed under sec. 600 of this chapter and shall report all violations of secs. 590 - 640 of this chapter which are substantiated by evidence to the Department of Law for legal action.

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

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

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

(1) "supplier" means a person who sells and distributes to his customers, at retail, gasoline, fuel oil, stove oil, kerosene, liquified petroleum gas or other flammable products;

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

(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.