

Original sponsor: Rules Committee by request
of the Governor

Offered: 4/15/69
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 118

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the employment of licensed marine
7 pilots on the inland waters of the state."

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

9 * Section 1. AS 30 is amended by adding a new chapter to read:

10 CHAPTER 10. MARINE PILOTS.

11 Sec. 30.10.010. MANDATORY EMPLOYMENT OF LICENSED PILOTS. A
12 vessel navigating the inland waters of Alaska shall employ a pilot
13 holding a license issued by the commissioner of commerce, who is
14 charged with the administration of this chapter.

15 Sec. 30.10.020. POWERS AND DUTIES. (a) The commissioner shall
16 adopt regulations, not inconsistent with the law

17 (1) to establish the qualifications of pilots, provide for
18 their examination and the issuance of licenses to qualified persons and
19 to keep a register of licensed pilots and of vessels, operators and
20 agents;

21 (2) to provide for the maintenance of efficient and compe-
22 tent pilot service on all waters covered by this chapter.

23 (b) The commissioner may, by regulation, make any other provi-
24 sion for proper and safe pilotage upon the waters covered by this
25 chapter and for the efficient administration of this chapter.

26 Sec. 30.10.030. PILOT LICENSE AND FEE. (a) No person may pilot
27 a vessel subject to the provisions of this chapter unless he is
28 licensed under this chapter. A person is eligible for licensure if he:

29 (1) is a citizen of the United States;

1 (2) is over 25 years of age;

2 (3) has a practical knowledge of the navigation of vessels
3 and of the conditions of navigation in the waters for which he is to
4 be licensed;

5 (4) is of good moral character, temperate and possesses the
6 skill and ability necessary to discharge the duties of a pilot.

7 (b) A pilot license issued under this chapter is valid for five
8 years from the date of issuance. A license may be renewed as a matter
9 of course, unless the commissioner withholds the license for good
10 cause shown.

11 (c) The annual license fee is \$100 to be paid at the time and in
12 the manner specified by the commissioner.

13 Sec. 30.10.040. REVOCATION, SUSPENSION AND WITHHOLDING OF LICENSE.
14 The commissioner may revoke, suspend or withhold a license of a pilot
15 for misconduct during the course of his employment, incompetency in the
16 performance of his duties, inattention to duty, intoxication on duty,
17 failure to perform his duties under this chapter, or violation of any
18 of the regulations provided by the commissioner for the government of
19 pilots.

20 Sec. 30.10.050. PILOT'S LIEN FOR COMPENSATION. Each vessel, its
21 tackle, apparel and furniture and the owner of the vessel are jointly
22 and severally liable for the compensation of a pilot employed on the
23 vessel and the pilot has a lien on the vessel, her tackle, apparel and
24 furniture for his compensation.

25 Sec. 30.10.060. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.
26 The Administrative Procedure Act (AS 44.62) applies to regulations
27 promulgated, and proceedings held, under this chapter.

28 Sec. 30.10.070. PENALTY. A master or owner of a vessel required
29 by this chapter to employ a licensed pilot who fails to do so when a

1 licensed pilot is available, unless the perils or hazards of the sea
2 prevent the employment of a pilot, is guilty of a misdemeanor and, upon
3 conviction, is punishable by a fine of not less than \$500 nor more than
4 \$1,000. A person who violates any other provision of this chapter or
5 a regulation promulgated under it is guilty of a misdemeanor and, upon
6 conviction, is punishable by a fine of not less than \$500 nor more
7 than \$1,000.

8 Sec. 30.10.080. EXEMPTIONS. The provisions of this chapter do
9 not apply to:

10 (1) vessels under enrollment;

11 (2) fishing vessels registered in the United States or in
12 British Columbia, Canada;

13 (3) motorboats as defined in sec. 1 of the federal Motor Boat
14 Act of 1940 (54 Stat. 163; 46 U.S.C. sec. 526 et seq.);

15 (4) vessels and tow boats, other than vessels of Canada,
16 engaged exclusively in the coastwise trade on the west coast of the
17 United States, British Columbia, Canada and Alaska;

18 (5) vessels of Canada, including cruise ships, engaged in
19 frequent trade between British Columbia and Alaska, provided that
20 reciprocal exemptions are granted by Canada to vessels registered or
21 enrolled in Alaska; and

22 (6) pleasure craft.

23 Sec. 30.10.090. SHORT TITLE. This chapter may be cited as the
24 Alaska Pilotage Act.

25 * Sec. 2. AS 44.62.330(a) is amended by adding a new paragraph to read:

26 (32) Department of Commerce, under Alaska Pilotage Act (AS 30.
27 10).
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