

Introduced: 3/11/69
Referred: Labor and Management and Judiciary

S

1 IN THE HOUSE

BY THE LABOR AND MANAGEMENT COMMITTEE

2 HOUSE BILL NO. 280

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 safety in maritime employment."

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

8 * Section 1. AS 23.10 is amended by adding new sections to read:

9 ARTICLE 10. MARITIME SAFETY.

10 Sec. 23.10.420. MARITIME EMPLOYMENT. Employment aboard vessels
11 operating on the inland or coastal waters of the state is extra
12 hazardous and subjects maritime employees to conditions injurious to
13 health and dangerous to life and limb.

14 Sec. 23.10.430. MARITIME SAFETY REGULATIONS. (a) The Department
15 of Labor shall establish, by regulation, minimum requirements to assure
16 reasonably safe operation of all vessels carrying cargo or passengers
17 on the inland or coastal waters of the state, which may include but are
18 not limited to:

- 19 (1) railings, guards, protective devices, gear and equipment;
20 (2) fire fighting and lifesaving equipment;
21 (3) storage of fuel;
22 (4) passenger and crew accommodations;
23 (5) other design and safety provisions as may be necessary

24 for maritime employee safety;

- 25 (6) manning requirements; and
26 (7) maximum working hours and minimum rest periods.

27 (b) Secs. 420 - 450 of this chapter and regulations adopted under
28 them do not apply to

- 29 (1) a vessel owned or operated by the state or the United

1 States or by an agency or department of either;

2 (2) a vessel subject to similar regulation by an agency or
3 department of the United States;

(3) a vessel owned and operated by the person whose cargo
or employees are being transported; and

6 (4) a vessel operating in the fishing industry, unless
7 specifically covered by a regulation.

8 Sec. 23.10.440. PENALTIES. A person who, whether as principal or
9 agent, is the owner, charterer, operator, master or is otherwise re-
10 sponsible for a vessel and who operates it or permits it to be operated
11 in violation of a regulation adopted under sec. 430 of this chapter is
12 guilty of a misdemeanor, and upon conviction is punishable by a fine
13 of not less than \$100 nor more than \$1,000. Each day a vessel is
14 operated in violation of a regulation adopted under sec. 430 of this
15 chapter constitutes a separate offense under this section.

16 Sec. 23.10.450. NOTICE OF VIOLATION. Upon the receipt of a
17 complaint or information that a regulation adopted under sec. 430 of
18 this chapter is being, or may be, violated, the commissioner of labor
19 may give written notice to the person responsible for the vessel,
20 advising the person of the nature of the violation or the possibility
21 of a violation. This notice may be given whether or not legal proceed-
22 ings have been instituted under sec. 440 of this chapter. A copy of
23 notice given under this section shall be retained by the commissioner
24 as a matter of public record.
25
26
27
28
29