

Offered: 1/31/90
Referred: Rules

6-0645G

Original sponsor(s): REP. GRUENBERG, Hoffman

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE BILL NO. 235 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to safety involving refrigerators
7 and similar equipment."

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

9 * Section 1. AS 18.60.400 is repealed and reenacted to read:

10 Sec. 18.60.400. REFRIGERATOR SAFETY REQUIREMENTS. A person may
11 not dispose of an icebox, refrigerator, freezer, or similar equipment
12 of a kind and size sufficient to permit the suffocation of a person
13 inside the equipment without first removing the latches, hinges, or
14 cover or otherwise rendering it safe. A person may not maintain
15 equipment described in this section in an area that is unattended by
16 an adult and accessible to a person under the age of 11 unless the
17 person ensures that the equipment does not present an unreasonable
18 hazard to the safety of a person under the age of 11. A person may
19 not allow a violation of this section on premises or in an area under
20 the person's control.

21 * Sec. 2. AS 18.60.410 is repealed and reenacted to read:

22 Sec. 18.60.410. EQUIPMENT TO HAVE OPENING DEVICE ON INSIDE. A
23 person may not offer for sale an icebox, refrigerator, freezer, or
24 similar equipment of a kind and size sufficient to permit the suffo-
25 cation of a person unless the door can be opened easily from the
26 inside, either by application of an outwardly directed force to the
27 inside of the door or by the rotation of a knob similar to a conven-
28 tional door knob.

29 * Sec. 3. AS 18.60.420 is amended to read:

1 Sec. 18.60.420. ADMINISTRATION OF AS 18.60.400 - 18.60.460. The
2 Department of Labor shall administer AS 18.60.400 - 18.60.460. It may
3 appoint inspectors and [SHALL] inspect all iceboxes, refrigerators,
4 freezers, and similar equipment of a kind and size sufficient to
5 permit the suffocation of a person if the equipment is shipped into
6 the state.

7 * Sec. 4. AS 18.60 is amended by adding a new section to read:

8 Sec. 18.60.435. EXEMPTION. Equipment of less than 1.5 cubic
9 feet in capacity is exempt from the provisions of AS 18.60.400 -
10 18.60.460.

11 * Sec. 5. AS 18.60.440 is amended to read:

12 Sec. 18.60.440. REVIEW [APPEALS]. A person aggrieved by an
13 order or act of the Department of Labor or of an inspector under
14 AS 18.60.400 - 18.60.460 may, within 15 days after notice of the order
15 or act, request a hearing under AS 44.62.330 - 44.62.640 [APPEAL IN
16 THE MANNER PRESCRIBED BY AS 18.60.370].

17 * Sec. 6. AS 18.60.450 is repealed and reenacted to read:

18 Sec. 18.60.450. VIOLATIONS AND PENALTIES. (a) Except as pro-
19 vided in (b) of this section, a person who violates a provision of
20 AS 18.60.400 - 18.60.460 is guilty of a violation.

21 (b) A person who violates a provision of AS 18.60.400 - 18.60.460
22 who has previously been convicted of violating AS 18.60.400 - 18.60.-
23 460 is guilty of a misdemeanor for which the maximum term of imprison-
24 ment that may be imposed is 30 days and the maximum fine that may be
25 imposed is \$500.

26 (c) The mental states that must be proved for an offense under
27 (a) or (b) of this section are those described in AS 11.81.610(b).