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HOUSE COMMITTEE REPORT

(7)

Date Referred: March 22, 1989
Date of Committee Action: _____

FURTHER REFERRALS: JUDICIARY

The LABOR & COMMERCE Committee considered:

HB 235

HOUSE BILL NO. 235

[ICEBOX/CONTAINER SAFETY]

"An Act relating to safety involving certain kinds of equipment and containers."

RECOMMENDATIONS:

- [] be replaced with _____ [] the same title
- [] have attached amendment(s) [] a new title
- [] do pass
- [] do not pass
- [] no recommendation
- [] individual recommendations
- [] additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):
(Dept)

APPROVES PREVIOUS: (Date/Dept)

- [] fiscal impact _____ [] fiscal note(s) _____
- [] zero fiscal note _____ [] zero fiscal note(s) _____
- [] zero with analysis _____ [] zero fn/analysis _____

SIGNING DO PASS:

David Donley
MARK BOGAN
[Signature]
[Signature]

SIGNING:
(Check approp. column)

	Do Not Pass	No Rec	Amend
<u>[Signature]</u>		<input checked="" type="checkbox"/>	

David Donley
Chairman's Signature

* HONORING *
* ISAAC FRAZIER *

The members of the Fifteenth Alaska Legislature take great pride in honoring a fine young Alaskan, Isaac Frazier, who saved the lives of four young children.

On April 17, 1988, Rebecca Mary, age six, Janna Excelia, age five, and Shannon Bernice, age two, daughters of Jimmy and Chrystal Smith, and William, age four, foster son of Hielbent and Sarah Frazier were playing in the halls of the Bureau of Indian's housing complex in Bethel. These children being full of adventure and naivete during a game of "hide 'n' go seek" discovered an unplugged refrigerator that did not have the door removed. Not knowing the danger, they became locked in the refrigerator.

If Isaac, age nine, had not been looking for his little brother and heard the children's muffled cries for help, most likely they would have perished. When he found them, all were red in the face and short of breath, a very close call!

This near tragedy should serve as an example to Alaskans. All unused refrigerators and freezers should have the doors removed for the safety of our precious resource, children.

This Legislature congratulates Isaac Frazier and joins his family, friends and the residents of the Yukon-Kuskokwim Delta in celebrating life.



James S. ...
SPEAKER OF THE HOUSE *James ...*
PRESIDENT OF THE SENATE

May 6, 1988

Requested by Representative Hoffman;
Senator Binkley

1 31021

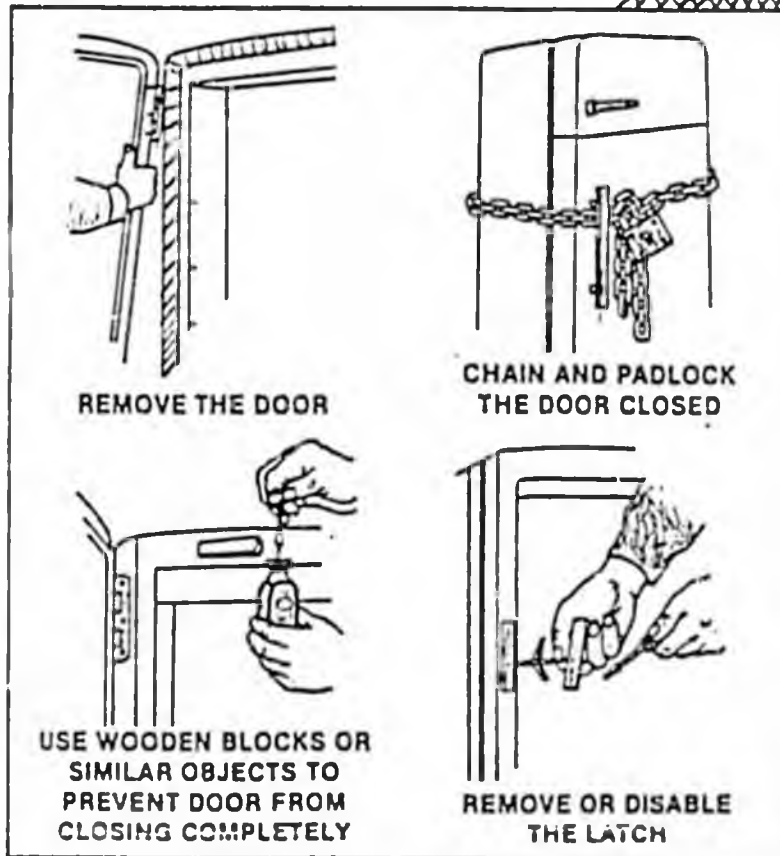
Consumer Product SAFETY ALERT
FROM THE U.S. CONSUMER PRODUCT SAFETY COMMISSION, WASHINGTON, D.C. 20207
June 1984

Under laws administered by CPSC, an estimated 325 million potentially hazardous products have been called back from the marketplace and consumers since 1973 (when CPSC was created). Most of these were voluntarily recalled by manufacturers who established programs to repair or replace the products, or to refund the purchase price.

**CPSC Warns About Suffocation
and Death of Children
in Old Refrigerators**

L.S. & S.
ANCHORAGE

JUL 27 1988



The U.S. Consumer Product Safety Commission (CPSC) urges that all unused old-style refrigerators around the home be rendered "child-proof" or, if on public property, appropriate authorities be called to safely dispose of the product. CPSC continues to receive reports about the tragic deaths of young children who are suffocated because of entrapment in old refrigerators.

The Refrigerator Safety Act was enacted August 2, 1956. The

Act's regulations which became effective October 30, 1958 require a mechanism (usually a magnetic latch) which enables the door to be opened from the inside in the event of accidental entrapment. This type of latch, therefore, makes the hazardous refrigerators manufactured before that date easy to identify. The serious entrapment hazard occurs when children, during play, climb inside the old abandoned or carelessly stored refrigerators to hide. Many of these refrigerators are still in

RECEIVED

JUN 27 1988

OSII Anchorage

Suffocation and Death of Child in Old Refrigerators

(continued)

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use, and when they are carelessly discarded or stored where they are accessible to children, they become a danger.

The CPSC has records of 96 children's deaths since 1973 caused by suffocation resulting from entrapment in those old refrigerators. Children in the 3 and 4 year age brackets have been the most vulnerable.

While there has been some decline in deaths in recent years, 3 children died during 1983 from refrigerator entrapment. Three of these instances were double deaths occurring in Missouri, Texas and West Virginia. The other deaths were separate, involving two 3 year olds in California.

The grim statistics from refrigerator entrapments have already begun for 1984. CPSC has recently received a report of the deaths on January 31, 1984 of cousins, ages 3 and 4 in an old refrigerator in Berkley Township, New Jersey. The refrigerator was one of the old prestandard models with the self-latching mechanism on the door and was stored in an unused neighborhood garage. The children apparently both sat down on the single metal shelf near the bottom of the empty, unplugged refrigerator and the door became latched.

Double deaths are not uncommon because children naturally enjoy playing together, and old refrigerators provide an interesting place to share this fun. However, when the door slams shut, there is sudden darkness, and the normally innocent and familiar refrigerator becomes a

death trap. Suffocation then ensues because the tight fitting gasket, which is on the inside of the door to seal in the cold, cuts off the child's air. This along with the insulated construction of a refrigerator also prevents the children's screams for help from being heard.

There are several ways to "child-proof" these old discarded refrigerators. The surest method is to take off the door completely and in most cases this is a simple process using a screwdriver. If the door will not come off, chain and padlock the door permanently and tightly closed. A third alternative is to remove or disable the latch completely so the door will no longer lock when closed. A wooden block screwed to the door to keep it from closing is also a possibility. Another helpful deterrent is to leave the shelves in the refrigerator to discourage children from getting inside. Also, it is unlawful in many local jurisdictions to discard old refrigerators without first removing the door.

Old electric refrigerators are not the only killer of children. The CPSC is aware of the death of a 3 year old because of suffocation in a self-locking ice refrigerator in a camper. The parents had probably never realized that an ice box which cannot be opened from the inside presents a suffocation hazard to small children.

Consumers wishing additional information should call CPSC's toll-free Hotline at 800-638-CPSC. A teletypewriter number for the hearing impaired is 800-638-8270. (Maryland only, 800-492-8104.)

HOUSE COMMITTEE REPORT

(7)

Date Referred: January 29, 1990

FURTHER REFERRALS:

Date of Committee Action: _____

The JUDICIARY Committee considered:

HB 235

HOUSE BILL NO. 235

ICEBOX/CONTAINER SAFETY

"An Act relating to safety involving certain kinds of equipment and containers."

RECOMMENDATIONS:

- be replaced with CSHB 235 (JUD) the same title
- a new title
- have attached amendment(s)
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact _____
- zero fiscal note labor
- zero with analysis _____

- fiscal note(s) _____
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS:

SIGNING:

(Check approp. column)

Do Not Pass No Rec Amend

Signature	Do Not Pass	No Rec	Amend
Mike Hill		<input checked="" type="checkbox"/>	
Terry Masten		<input checked="" type="checkbox"/>	

Chairman's Signature

STATE OF ALASKA
1990 LEGISLATIVE SESSION

BILL VERSION: CSHB 235 (L&C)

PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act relating to safety involving
certain kinds of equipment and containers."
Sponsor: Gruenberg and Hoffman
Requestor: House Judiciary

Agency Affected: Labor
BRU: Labor Standards & Safety
Components: Mechanical Inspection

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Note: there is no fiscal impact in FY 90.

Prepared by: Tom Stuart, Director

Division: Labor Standards & Safety

Phone: 264-2452

Date: 1/18/90

Approved by Commissioner: Jim Sampson

Agency: Department of Labor

Date: 1/18/90

Distribution (by preparer) :

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

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).
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29

6-0645G ✓
Lauterbach
1/26/90

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

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28
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Offered: 4/18/89
Referred: Judiciary

6-0545M

Original sponsors: Gruenberg and
Hoffman

"P6"

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 235 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to safety involving certain kinds of

7

equipment and containers."

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. CONTAINER SAFETY REQUIREMENTS. A person may not

11

dispose of an icebox, refrigerator, freezer, or ^{SIMILAR} ~~other~~ equipment

12

~~container~~ of a kind and size sufficient to permit the ~~entrapment~~ or

13

suffocation of a person [under the age of 11] inside the container with-

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out first removing the latches, hinges, or cover or otherwise render-

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ing it safe. A person may not maintain a container described in this

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section in an area that is unattended by an adult and accessible to a

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25

~~the entrapment or~~ suffocation of a person [under the age of 11] unless

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the door can be opened easily from the inside, either by application

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rotation of a knob similar to a conventional door knob.

29

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PH

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5 cient to permit the ~~exposure~~ or suffocation of a person ~~under the~~
6 ~~apex~~ if the equipment or containers are [SIMILAR EQUIPMENT]
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