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107th CONGRESS
2d Session

H. R. 4811

To amend the Longshore and Harbor Workers' Compensation Act to clarify the exemption for recreational vessel support employees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

May 22, 2002

Mr. Keller (for himself, Mr. Davis of Florida, Mr. Jones of North Carolina, Mr. Saxton, Mr. Duncan, Mr. Dan Miller of Florida, Mr. Weldon of Florida, Mr. Petri, Mr. Shaw, Mr. Frost, Mr. Foley, and Mr. Andrews) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Longshore and Harbor Workers' Compensation Act to clarify the exemption for recreational vessel support employees, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ``Recreational Marine Employment Act of 2002''.

SEC. 2. CLARIFICATION OF RECREATIONAL VESSEL WORKER EXEMPTION.

The Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) is amended as follows:

(1) Section 2 (33 U.S.C. 902) is amended--

(A) in paragraph (3)--

(i) so that subparagraph (C) reads as follows:

``(C) individuals employed by or at, or engaged in the construction or maintenance of, a recreational marine facility or structure;'';

(ii) so that subparagraph (F) reads as follows:

``(F) individuals employed principally to build, repair, maintain, accommodate, buy, sell, store, restore, transport by land, or dismantle a recreational vessel;''; and

(iii) by striking the unenumerated text following subparagraph (H) and inserting the following:

``if the employer of an individual described in subparagraphs (A) through (F) is in compliance with a State workers' compensation law.''; and

(B) by redesignating paragraph (22) as paragraph (24) and inserting after paragraph (21) the following new paragraphs:

``(22) The term `recreational marine facility or structure' means a place used principally to build, repair, maintain, accommodate, buy, sell, store, restore, or dismantle recreational vessels.

``(23) The term `recreational vessel' means a vessel manufactured or operated principally for pleasure use.''.

(2) Section 5(b) (33 U.S.C. 905(b)) is amended by striking ``a person covered under this Act'' and inserting ``a person in maritime employment who does not qualify as a seaman under section 20 of the Act of March 4, 1915 (46 App. U.S.C. 688; Chap. 153; 38 Stat. 1185) (as such section was amended by section 33 of the Merchant Marine Act, 1920 (Chap. 250, 41 Stat. 1007; commonly known as the Jones Act))''.

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