

109TH CONGRESS  
1ST SESSION

# S. 902

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

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## IN THE SENATE OF THE UNITED STATES

APRIL 26, 2005

Mr. MARTINEZ introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Recreational Marine  
5 Employment Act of 2005".

6 **SEC. 2. CLARIFICATION OF RECREATIONAL VESSEL WORK-**  
7 **ER EXEMPTION.**

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

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

2 (A) in paragraph (3)—

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

5 “(C) individuals employed by or at, or en-  
6 gaged in the construction or maintenance of, a  
7 recreational marine facility or structure;” and

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

10 “(F) individuals employed primarily to  
11 build, repair, test, maintain, accommodate, buy,  
12 sell, store, restore, transport by land, or dis-  
13 mantle a recreational vessel;”; and

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

17 “(22) The term ‘recreational marine facility or  
18 structure’ means a place used primarily to build, re-  
19 pair, test, maintain, accommodate, buy, sell, store,  
20 restore, or dismantle recreational vessels.

21 “(23) The term ‘recreational vessel’ means a  
22 vessel manufactured primarily for pleasure use.”.

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