

By:

AMENDMENT #3 Rep. Cliff Groh

OFFERED IN THE HOUSE

TO: HB 386

1 Page 2, following line 5:

2 Insert new bill sections to read:

3 **"* Sec. 4. AS 09.50.250 is amended by adding a new subsection to read:**

4 (b) Notwithstanding (a) of this section, a person may bring an action against
5 the state for a claim arising under AS 09.65.360.

6 *** Sec. 5. AS 09.65.070 is amended by adding a new subsection to read:**

7 (f) Notwithstanding (d) of this section, a person may bring an action against a
8 municipality for a claim arising under AS 09.65.360."

9

10 Renumber the following bill sections accordingly.

11

12 Page 2, line 10, following "AS 38.05.128":

13 Insert ", or the state or a municipality that fails to remove a substance in violation of
14 AS 11.61.150(a)(3),"

15

16 Page 2, line 23:

17 Delete "of a person"

18

19 Page 3, line 23:

20 Delete "or"

21 Insert "[OR]"

22

23 Page 3, line 25, following "hazard":

1 Insert "or

2 (3) fails to remove a substance that the person has a duty to
3 remove from a highway and the substance creates a substantial risk of physical
4 injury to others or renders the highway impassable or passable only with
5 unreasonable inconvenience or hazard"