

HOUSE BILL NO. 92

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES FEIGE, Peggy Wilson, Costello, Johnson, Chenault

Introduced: 1/30/13

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to criminal mischief committed by interfering with an industrial**
2 **operation."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 11.46.482(a) is amended to read:

5 (a) A person commits the crime of criminal mischief in the third degree if,
6 having no right to do so or any reasonable ground to believe the person has such a
7 right,

8 (1) with intent to damage property of another, the person damages
9 property of another in an amount of \$500 or more;

10 (2) the person recklessly creates a risk of damage in an amount
11 exceeding \$100,000 to property of another by the use of widely dangerous means;

12 [OR]

13 (3) the person knowingly

14 (A) defaces, damages, or desecrates a cemetery or the contents

1 of a cemetery or a tomb, grave, or memorial regardless of whether the tomb,
 2 grave, or memorial is in a cemetery or whether the cemetery, tomb, grave, or
 3 memorial appears to be abandoned, lost, or neglected;

4 (B) removes human remains or associated burial artifacts from
 5 a cemetery, tomb, grave, or memorial regardless of whether the cemetery,
 6 tomb, grave, or memorial appears to be abandoned, lost, or neglected; or

7 **(4) the person commits an act punishable under AS 11.46.484 -**
 8 **11.46.486, with the intent to interrupt or interfere with an industrial operation**
 9 **that is authorized by a state permit.**

10 * **Sec. 2.** AS 11.46.482(c) is amended by adding new paragraphs to read:

11 (4) "industrial operation" includes a construction, energy, or timber
 12 activity and oil, gas, or mineral exploration, development, or production;

13 (5) "state permit" means a permit, lease, authorization, license, or
 14 another determination necessary for or related to an industrial operation that is issued
 15 by the state in writing.