

1 IN THE HOUSE

BY MR. STRATTON

2 HOUSE BILL NO. 286

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SECOND LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the penalty for putting
7 or throwing rubbish, garbage, or hazardous
8 material on Alaska highways; reorganizing
9 related subjects and making penalties uni-
10 form; repealing and re-enacting Secs.
11 65-5-107 and 65-5-108, ACLA 1949; and re-
12 pealing Secs. 3, 4, 5, and 6, Art. VII,
13 Title II, Ch. 152, SLA 1957."

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

15 Section 1. Sec. 65-5-107, ACLA 1949 is repealed and re-
16 enacted to read:

17 Sec. 65-5-107. INJURY TO BOUNDARY MONUMENTS, LIGHT
18 POSTS, PROTECTIVE RAILINGS, OR GAME PRESERVE SIGNS. (a)
19 No person may deface, remove, damage or destroy

20 (1) a monument or marked tree designating the
21 boundary of a town, tract or parcel of land;

22 (2) a street light or light post;

23 (3) a railing or post on any public way designed
24 to protect people from injury; or'

25 (4) a sign marking the limits of a game preserve.

26 Sec. 2. Sec. 65-5-108, ACLA 1949 is repealed and re-enacted
27 to read:

28 Sec. 65-5-108. INJURY TO HIGHWAYS OR HIGHWAY SIGNS.

29 (a) "Highway" means all highways (whether included in

1 primary or secondary systems), roads, streets, trails, walks,
2 bridges, tunnels, drainage structures, and other similar or
3 related structures or facilities, and further includes
4 ferries and all such related facilities.

5 (b) No person may move, damage, destroy, or, intending
6 to prevent free use of it by the public, obstruct a highway
7 or a private way laid out by authority of law, without first
8 securing permission from the public authority having juris-
9 diction or control of the highway or private way. No person
10 may, in any case, build or place a barbed wire fence across
11 any well-traveled trail which has been the usual and common
12 route of travel for not less than one year without placing
13 on the outside of the top tier of the barbed wire on the
14 fence a board, pole, or other suitable protection, to be at
15 least 16 feet in length.

16 (c) No person may put or throw any kind of garbage,
17 rubbish, or material potentially hazardous to vehicles on a
18 highway.

19 (d) No person may remove, deface, damage or destroy a
20 distance marker, guidepost, or traffic control signal, sign
21 or marking on or near a highway.

22 (e) A person who wilfully violates Sec. 65-5-107,
23 ACLA 1949, as amended, or a subsection of this section is
24 guilty of a misdemeanor and upon conviction is punishable by
25 a fine of not more than \$500 or by imprisonment in jail for
26 not more than one year, or by both.

27 (f) Any court entering a judgment of conviction and
28 imposing a sentence for violation of (c) of this section may
29 suspend the sentence and place the defendant on probation,

1 under the provisions of Sec. 66-16-31, ACLA 1949, as amended.
2 The defendant may be required, as a condition of probation,
3 to pick up garbage and rubbish from the nearest highway for
4 not more than four hours a day on each of two days.

5 Sec. 3. Secs. 3, 4, 5, and 6, Art. VII, Title II, Ch. 152,
6 SLA 1957 are repealed.

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