

1 IN THE HOUSE BY KERTTULA

2 HOUSE BILL NO. 316

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to waste and trespass
7 upon state land."

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

9 * Section 1. AS 38.05 is amended by adding a new section to
10 read:

11 Sec. 38.05.357. DUTY TO MINIMIZE DAMAGE AND EROSION.

12 (a) It is trespass to state land if a person

13 (1) causes excess or unnecessary damage to state
14 land while supervising, engaging in, or conducting any type
15 of exploration or construction; or

16 (2) constructs or creates roads, trails, buildings,
17 clearings, sites, or other similar improvements on state
18 land in any manner except in accordance with written or
19 drawn plans which have received the prior approval of the
20 Department of Natural Resources.

21 (b) It is waste to state land if a person fails to
22 control against erosion of areas, which are necessarily
23 exposed as a result of proper exploration or construction,
24 by smoothing to nonerosive gradients or by installing
25 mechanical erosion controls, and by reseedling to permit
26 growth of cover according to specifications of the Alaska
27 Experiment Station, U. S. Soil Conservation Service, and if
28 reforestation is involved, according to the specifications
29 of the department.