

Introduced: 2/25/75  
Referred: Judiciary

1 IN THE SENATE

BY BRADLEY AND HUBER

2 *HCS CS* SENATE BILL NO. 202 *am H*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to criminal penalties for certain  
7 offenses."

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

9 \* Section 1. AS 11.20.520 is amended to read:

10 Sec. 11.20.520. MALICIOUS OR WANTON INJURY TO ANIMALS OR OTHER  
11 PERSONALTY. A person who maliciously or wantonly kills, wounds, dis-  
12 figures, or injures any animal the property of another, or wilfully  
13 administers poison to the animal, or maliciously exposes poison with  
14 intent that it be taken by the animal, or who maliciously or wantonly,  
15 by means not specified in this chapter, destroys or injures personal  
16 property of another, upon conviction, if the value of the property  
17 killed, injured or destroyed exceeds \$500 in value, is punishable by  
18 imprisonment [IN THE PENITENTIARY] for not less than six months nor more  
19 than three years. If the value of the property killed, injured or  
20 destroyed does not exceed \$500, the person, upon conviction, is punish-  
21 able [, OR] by imprisonment [IN A JAIL] for not less than three months  
22 nor more than one year, or by a fine of not less than \$50 nor more than  
23 \$1,000.

24 \* Sec. 2. AS 11.20.550 is amended to read:

25 Sec. 11.20.550. INJURY TO TRANSPORTATION OR COMMUNICATION FACILI-  
26 TIES. A person who wilfully breaks, cuts away, injures, or destroys  
27 a boom or wharf lawfully established upon a river or other water in  
28 the state, or breaks down, injures, removes or destroys a bridge,  
29 railway, plank, macadamized or other public road, street, sidewalk,

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1 or alley, or gate, or telephone or telegraph pole, or lock or embank-  
2 ment of a canal, or obstructs or injures a bridge, railway, road,  
3 street, sidewalk, or alley, making travel dangerous or hazardous, upon  
4 conviction, if the amount of the property damage or destruction exceeds  
5 \$500, is punishable by imprisonment for not less than one nor more than  
6 ten years. If the amount of the property damage or destruction does  
7 not exceed \$500 in value, the person, upon conviction, is punishable  
8 by imprisonment [IN A JAIL] for not less than six months nor more than  
9 one year, or by a fine of not less than \$50 or more than \$1,000.

10 \* Sec. 3. AS 11.20.560 is amended to read:

11 Sec. 11.20.560. DAMAGE TO WATER AND POWER SYSTEMS. A person  
12 who wilfully breaks, cuts away, injures or destroys a dam, ditch,  
13 intake, gate, hydrant, pipe line, flume, canal or powerhouse of a  
14 public or private water or power system or power plant, upon convic-  
15 tion, if the amount of the property damage or destruction exceeds \$500,  
16 is punishable by imprisonment for not less than one nor more than ten  
17 years. If the amount of the property damage or destruction does not  
18 exceed \$500 in value, the person, [IS GUILTY OF A MISDEMEANOR, AND]  
19 upon conviction, is punishable by a fine of not more than \$1,000, or  
20 by imprisonment [IN A JAIL] for not more than one year, or by both.

21 \* Sec. 4. AS 11.20.570 is amended to read:

22 Sec. 11.20.570. INJURY TO BUILDINGS, FENCES, GROWING THINGS,  
23 AND PRODUCE. A person who maliciously or wantonly cuts down, destroys,  
24 or injures a bush, shrub, fruit, or other tree not his own, standing  
25 or growing for fruit, ornament, or other useful purpose, or who wil-  
26 fully breaks the glass in or defaces a building not his own, or wil-  
27 fully breaks down or destroys a fence or hedge belonging to or enclosing  
28 land not his own, or wilfully throws down, or opens and leaves down or  
29 opens a bar, gate, fence, or hedge belonging to or enclosing land

1 not his own, or maliciously or wantonly severs produce from the land of  
2 another, upon conviction, is punishable by imprisonment [IN A JAIL] for  
3 not less than three months nor more than one year, or by a fine of not  
4 less than \$10 nor more than \$500; however, if the amount of the property  
5 damage or destruction exceeds \$500, the person, upon conviction, is  
6 punishable by imprisonment for not less than one nor more than ten  
7 years.

8 \* Sec. 5. AS 11.20.575 is amended to read:

9 Sec. 11.20.575. MALICIOUS DESTRUCTION OF PROPERTY BY A TENANT.  
10 A tenant who maliciously or wantonly breaks the glass in or defaces  
11 a building in which he is a tenant, or wilfully destroys or injures  
12 personal property belonging to the landlord, upon conviction, if the  
13 amount of the property damage or destruction exceeds \$500, is punish-  
14 able by imprisonment for not less than one nor more than ten years. If  
15 the amount of the damage or destruction does not exceed \$500 in value,  
16 the person, upon conviction, [IS GUILTY OF A MISDEMEANOR AND] is  
17 punishable by imprisonment for not more than one year, or by a fine  
18 of not more than \$500, or by both. The tenant may also be ordered by  
19 the court to make restitution to the landlord.

20 \* Sec. 6. AS 11.20.580(b) is amended to read:

21 (b) A person who is convicted of violating this section is  
22 punishable by imprisonment for not more than one year, or by a fine of  
23 not more than \$500, or by both; however, if the amount of property  
24 damage or destruction exceeds \$500, the person, upon conviction, is  
25 punishable by imprisonment for not less than one nor more than ten  
26 years.

27 \* Sec. 7. AS 11.20.620 is amended to read:

28 Sec. 11.20.620. INJURING TREES OR REMOVING TIMBER OR MINERALS.  
29 A person who wilfully cuts down, destroys, or injures a standing or

1 growing tree upon the lands of another, or who wilfully takes or  
2 removes from the lands of another timber or wood previously cut or  
3 severed, or who wilfully digs, takes, quarries, or removes from the  
4 lands of another minerals, earth, or stone, upon conviction, is punish-  
5 able by imprisonment [IN A JAIL] for not less than one month nor more  
6 than one year, or by a fine of not less than \$50 nor more than \$1,000;  
7 however, if the amount of property damage or destruction, or value of  
8 the property taken, exceeds \$500, the person, upon conviction, is  
9 punishable by imprisonment for not less than one nor more than ten years.

10 \* Sec. 8. AS 11.20.680 is amended to read:

11 Sec. 11.20.680. PENALTY FOR VIOLATION OF SEC. 670 OF THIS CHAPTER.  
12 A person who violates sec. 670 of this chapter is guilty of a misde-  
13 meanor and upon conviction is punishable by a fine of not more than  
14 \$500, or by imprisonment for not more than three months, or by both;  
15 however, if the amount of property damage or destruction exceeds \$500,  
16 the person, upon conviction, is punishable by imprisonment for not less  
17 than one nor more than ten years.