

Introduced: 3/31/77
Referred: Judiciary

BY GARDINER, DANKWORTH, MILLER,
RUDD AND COTTEN

1 IN THE HOUSE

FCCS HOUSE BILL NO. 423 *ams*

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IN THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the destruction of oil and gas facilities."

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

* Section 1. AS 11.20 is amended by adding a new section to read:

Sec. 11.20.517. MALICIOUS DESTRUCTION OF OIL AND GAS FACILITIES.

(a) A person who wilfully or maliciously injures, destroys, cuts, or exposes to injury any oil or gas pipeline or supporting facilities not his own is guilty of malicious destruction of oil and gas property. Upon conviction, a person is punishable by imprisonment for not more than 10 years, or by a fine of \$25,000, or by both.

(b) A person who wilfully tampers with any oil or gas pipeline or supporting facilities not his own, with the purpose to harm the property of another person or with reckless disregard for the risk of harm to or loss of property, is guilty of malicious mischief to oil and gas property. Upon conviction, a person is punishable by imprisonment for not more than three years, or by a fine of \$5,000, or by both.

(c) For purposes of this section,

(1) "oil or gas pipeline or supporting facilities" means real and tangible property used in the exploration for, production or refining of, or pipeline transportation of gas or oil, except for property used solely in the retail distribution of oil or gas;

(2) "tampering with" means to interfere with something improperly, meddle with it, or make unwarranted alterations in its existing condition.

1 * Sec. 2. AS 11.20 is amended by adding a new section to read:

2 Sec. 11.20.635. TRESPASS TO OIL OR GAS PROPERTY. (a) It is a
3 misdemeanor for a person to wilfully commit a trespass by any of the
4 following acts:

5 (1) maliciously tear down, damage, mutilate or destroy any
6 sign, signboard or notice placed upon or affixed to any posted oil or
7 gas property;

8 (2) refuse or fail to leave posted oil or gas property upon
9 knowledge of posting;

10 (3) refuse or fail to leave posted oil or gas property upon
11 being requested by the property owner, his employee or agent, or a law
12 enforcement officer;

13 (4) enter upon posted oil and gas property for the purpose of
14 injuring it or tampering with or obstructing its utilization;

15 (b) For the purposes of this section,

16 (1) "oil and gas property" means the land and premises and
17 real and tangible property situated on it used in the exploration for,
18 production or refining of, or pipeline transportation of gas or oil;

19 (2) "posted oil or gas property" or "posting" means that a
20 printed or written notice with the name of the owner or person in lawful
21 occupation of the land or premises has been attached in three conspic-
22 uous places on the land or premises, and at all roads and entrances,
23 notifying an entrant upon the property not to trespass and to depart. If
24 the perimeter of the land exceeds 500 feet, notices shall be attached at
25 conspicuous places not more than 500 feet apart;

26 (3) "tampering with" means to interfere with something im-
27 properly, meddle with it, or make unwarranted alterations in its exist-
28 ing condition.