Introduced: 4/6/83
Referred: Judiciary

1 IN THE SENATE BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 232

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state liability under AS 03.05;
7 and providing for an effective date."

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

9 * Section 1. INTENT. It is the intent of the legislature that the
10 immunity established by this Act be broadly interpreted so that there is no
11 liability whatsoever to the state, state employees, or others acting on
12 behalf of the state for any injuries resulting from state administration of
13 AS 03.05.

14 * Sec. 2. AS 03.05 is amended by adding a new section to read:

15 Sec. 03.05.095. STATE IMMUNITY FOR INJURY. The state, its
16 employees, and others acting on its behalf are not liable for an
17 injury for

18 (1) failure to discharge a duty imposed by AS 03.05 or by a
19 regulation adopted under the authority of AS 03.05;

20 (2) failure to undertake an action authorized by AS 03.05
21 or by a regulation adopted under the authority of AS 03.05;

22 (3) an activity undertaken under AS 03.05 or under a regu-
23 lation adopted under the authority of AS 03.05;

24 (4) breach of a common law duty arising from an activity
25 undertaken under AS 03.05 or under a regulation adopted under the
26 authority of AS 03.05.

27 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
28 10.070(c).