

HOUSE BILL NO. 379

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE DAVIES

Introduced: 1/14/94

Referred: Resources, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to liability for damages to natural resources."

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

3 * Section 1. AS 46.03.780(b) is amended to read:

4 (b) Liability for damages under (a) of this section includes an amount equal
5 to the sum of money required to restock injured land or waters, [TO] replenish a
6 damaged or degraded resource, acquire the equivalent of a resource that was
7 injured, or [TO] otherwise restore the environment of the state to its condition before
8 the injury and to assess whether and to what extent injury to fish, animal,
9 vegetation, or other resources has occurred.

10 * Sec. 2. AS 46.03.822(k) is amended to read:

11 (k) In this section, "damages" has the meaning given in AS 46.03.824 and
12 includes damage to persons or to public or private property, damage to the natural
13 resources of the state or a municipality, including the cost of assessing whether and
14 to what extent damage to the natural resources has occurred and the cost of

1 acquiring the equivalent of the damaged resource, and damage caused by acts or
2 omissions of a response action contractor for which the response action contractor is
3 not liable under AS 46.03.823 or 46.03.825.

4 * **Sec. 3. APPLICABILITY.** To the extent that AS 46.03.780(b) and 46.03.822(k), as
5 amended by this Act, change existing law, they apply to causes of action accruing on or after
6 the effective date of this Act.