

highways, highway rights-of-way, and public recreation facilities; reorganizing related subjects and making penalties uniform; repealing and re-enacting Secs. 65-5-107 and 65-5-108, ACLA 1949; and repealing Secs. 3, 4, 5, and 6, Art. VII, Title II, Ch. 152, SLA 1957.

(H.B. 286)

**Be it enacted by the Legislature of the State of Alaska:**

Section 1. Sec. 65-5-107, ACLA 1949, is repealed and re-enacted to read:

**Sec. 65-5-107. Injury to Boundary Monuments, Light Posts, Protective Railings, State-erected Signs, or Historical Monuments.** (a) No person may deface, remove, damage, or destroy

(1) a monument or marked tree designating the boundary of a town, tract, or parcel of land;

(2) a street light or light post;

(3) a railing or post on any public way designed to protect people from injury;

(4) a sign marking the limits of a game preserve; or

(5) a historical monument or plaque.

Sec. 2. Sec. 65-5-108, ACLA 1949, is repealed and re-enacted to read:

**Sec. 65-5-108. Injury to Highways, Public Recreation Facilities, or Highway Signs.** (a) "Highway" means all highways (whether included in primary or secondary systems), roads, road rights-of-way, streets, trails, walks, bridges, tunnels, drainage structures, and other similar or related structures or facilities, and further includes ferries and all such related facilities.

(b) No person may move, damage, destroy, or, intending to prevent free use of it by the public, obstruct a highway or a private way laid out by authority of law without first securing permission from the public authority having jurisdiction or control of the highway or private way. No person may, in any

case, build or place a barbed wire fence across any well-traveled trail which has been the usual and common route of travel for not less than one year without placing on the outside of the top tier of the barbed wire on the fence a board, pole, or other suitable protection, to be at least 16 feet in length.

(c) No person may put or throw any kind of garbage, rubbish, or material, or abandon animal viscera or other discarded objects on a highway, highway right-of-way, or public recreation facility.

(d) No person may remove, deface, damage, or destroy a distance marker, guidepost, or traffic control signal, sign, or marking on or near a highway or any public improvement or facility in a public recreation area.

(e) A person who wilfully violates Sec. 65-5-107, ACLA 1949, as amended, or a subsection of this section, is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$500, or by imprisonment in jail for not more than one year, or by both.

(f) Any court entering a judgment of conviction and imposing a sentence for violation of (c) of this section may suspend the sentence and place the defendant on probation under the provisions of Sec. 66-16-31, ACLA 1949, as amended. The defendant may be required, as a condition of probation, to pick up garbage and rubbish from the nearest highway, highway right-of-way, or public recreation facility for not more than four hours a day on each of two days.

Sec. 3. Secs. 3, 4, 5, and 6, Art. VII, Title II, Ch. 152, SLA 1957, are repealed.

Approved March 15, 1962

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CHAPTER 24

AN ACT

Appropriating to the Department of Public Safety for the reimbursement of Donald S.

**Van Sickle for losses incurred due to the negligence of a state employee; and providing for an effective date.**

(H.B. 242)

**Be it enacted by the Legislature of the State of Alaska:**

Section 1. There is hereby appropriated to the Department of Public Safety from the general fund of the state the sum of \$1,000 to reimburse Donald S. Van Sickle for losses sustained by him due to the negligence of a state employee who, while

acting within the scope of his employment, assumed custody of a 7½ KVA, 9-horsepower light plant, certain tools, and equipment belonging to Donald S. Van Sickle.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved March 19, 1962

## CHAPTER 25

### AN ACT

**Making and continuing special appropriations made to the Office of the Governor; and providing for an effective date.**

(S.B. 270)

**Be it enacted by the Legislature of the State of Alaska:**

Section 1. Any unexpended balance in the line item for "Special Counsel; Fish Traps" originally listed under the Office of the Governor in Sec. 1, Ch. 182, SLA 1960, and carried over by Sec. 1, Ch. 81, SLA 1961, to the fiscal year ending June 30, 1962, shall not lapse and revert to the general fund, but shall carry over as an appropriation for the purpose of any further proceedings related to the fish trap litigation, and any other special matters requiring participation of the Depart-

ment of Law for the fiscal year ending June 30, 1963.

Sec. 2. There is appropriated to the Office of the Governor from the general fund the sum of \$35,000 to be added to any unexpended balance in the line item for the purpose of any further proceedings related to the fish trap litigation, and any other special proceedings requiring participation of the Department of Law for the fiscal year ending June 30, 1963.

Sec. 3. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved March 20, 1962

## CHAPTER 26

### AN ACT

**Relating to the regulation of junk yards; and providing penalties and for an effective date.**

(H.B. 207)

**Be it enacted by the Legislature of the State of Alaska:**

Section 1. **General Prohibition.** No person shall establish, operate, or maintain a commercial or public junk yard without a certificate of location prescribed by this Act.

Sec. 2. **Certificate of Location.** Any

person using or proposing to use a location for a commercial or public junk yard must obtain a certificate of approval for the location. If the location is in a city of any class, the certificate shall be procured from the city council or its designee. If the location is outside the city limits but within the boundaries of an organized borough, the certificate shall be procured