



LAWS OF ALASKA

1977

Source

FCCS CSHB 423

Chapter No.

117

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 OR PROPERTY. (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 and upon conviction is punishable by imprisonment for not more than 10 years, or by a fine of not more than \$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 and upon conviction is punishable by imprisonment for not more than three years, or by a fine of not more than \$5,000, or by both.

(c) A person who wilfully or maliciously tears down, damages, mutilates or destroys any sign, signboard or notice placed upon or affixed to any posted oil or gas property is guilty of a misdemeanor and upon conviction is punishable by imprisonment for not more than one year, or by a fine of not more than \$3,000, or by both.

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

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

(4) "tampering with" means to interfere with or make unwarranted alterations to the existing condition of an oil or gas pipeline or supporting facilities.

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

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

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

(2) knowingly enter posted oil or gas property without permission of the property owner or lessee, his employee or agent unless authorized to enter under (c) of this section;

(3) refuse or fail to leave posted oil or gas property upon being requested by the property owner or lessee, his employee or agent, or a law enforcement officer unless authorized under (c) of this section to remain.

(b) A person who violates (a) of this section is guilty of a misdemeanor and upon conviction is punishable by imprisonment for not more than 90 days, or by a fine of not more than \$500, or by both.

(c) A person may enter and remain on or cross a right-of-way granted for pipeline purposes for the transportation of oil, products, or natural gas

(1) for such time as is reasonably required to cross the right-of-way for a purpose not otherwise prohibited in this section or in sec. 517 of this chapter; or

(2) for any other purpose not otherwise prohibited by law.

(d) For the purposes of this section,

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

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

(3) "tampering with" means to interfere with or make unwarranted alterations to the existing condition of oil and gas property.