

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1764

Amending Administrative Rule 43.10
and adding a Note concerning indirect
rule amendments made by chapter 20
SLA 2011 (HB 127).

IT IS ORDERED:

1. Administrative Rule 43.10 is amended to read as follows:

Rule 43.10. Knik River Public Use Area Bail Forfeiture Schedule.

Pursuant to AS 41.23.220(b), the following offenses committed within the Knik River Public Use Area (KRP UA) shall be disposed of without court appearance upon payment and forfeiture of the bail amounts listed. If a person charged with one of these offenses appears in court and is found guilty, the fine imposed for the offense may not exceed the bail amount for that offense listed below. An offense for which a bail forfeiture amount has been established shall be charged on a citation which meets the requirements of District Court Criminal Rule 8(c) and shall not be filed, numbered, or processed as a criminal case.

<u>Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
11 AAC 96.016(b)(1)	Failure to obtain permit for activity listed in 11 AAC 96.010	\$ 150
11 AAC 96.016(b)(2)	Failure to register commercial recreation use	50
11 AAC 96.016(b)(4)	Commercial harvest of non-timber forest products without a permit	100

11 AAC 96.016(c)(1)	Leaving vehicle unattended more than 72 hours	300
11 AAC 96.016(c)(2)	Transporting non-functional vehicle into the area	400
11 AAC 96.016(c)(3)	Operating a vehicle over 10,000 pounds without prior written authorization	150
11 AAC 96.016(c)(4)	Unauthorized operation of a vehicle resulting in disturbance of wetlands or organic mat to a depth greater than 6 inches	300
11 AAC 96.016(c)(5)	Unauthorized fire	50
11 AAC 96.016(c)(6)	Burning a wooden pallet, vehicle , structure, or other unauthorized object or material	50
11 AAC 96.016(c)(7)	Place, dump, or discard waste or refuse	100
11 AAC 96.016(c)(8)	Place, dump, discard, or release hazardous substances	300
11 AAC 96.016(c)(9)	Unauthorized construction, maintenance or abandonment of a structure	200
11 AAC 96.016(c)(10)	Unauthorized cutting, collecting, or harvesting of trees larger than 5-inch diameter	75
11 AAC 96.016(c)(11)	Erecting a camp, structure, or facility for more than 14 consecutive days without authorization	100

11 AAC 96.016(c)(12)	Discharging a firearm at unauthorized target	50
11 AAC 96.016(c)(13)	Discharging a firework	50
11 AAC 96.016(c)(14)	Discharging a firearm in prohibited area	75
11 AAC 96.016(c)(15)	Repeatedly approaching fish or wildlife, altering animal's behavior	300
11 AAC 96.016(c)(16)	Unauthorized construction, development, widening, brushing, or creating road or trail	100
11 AAC 96.016(c)(17)	Damage, deface, destroy, or remove public property	300

2. The following note is added to the end of Administrative Rule 43.10:

Note: Chapter 20 SLA 2011 (HB 127), effective July 1, 2011, enacted changes relating to penalties for certain arson offenses. According to section 26 of the Act, the amendments to AS 41.23.220, made in section 23 of the Act, have the effect of changing Administrative Rule 43.10 by prohibiting the disposition of a violation of AS 11.46.420 without court appearance and forfeiture of bail amounts.

DATED: July 21, 2011

EFFECTIVE DATE: *Nunc pro tunc* to July 1, 2011

/s/
Chief Justice Carpeneti

/s/
Justice Fabe

/s/
Justice Winfree

/s/
Justice Christen

/s/
Justice Stowers