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# Alaska State Legislature

## House of Representatives

### Representative Hugh “Bud” Fate

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### Sponsor Statement

#### CS for SS for House Bill 86 (JUD)

**“An Act relating to civil liability for malicious claims against state permitted projects; and providing for an effective date.”**

Committee Substitute for Sponsor Substitute for [House Bill 86](#) will be a major step in getting Alaska going. For too long properly permitted projects end up being delayed before ground is ever broken. These projects are on hold because our current system allows individuals or entities to stop a project without a truly legitimate reason and without any serious consequences.

Adding this section to the Code of Civil Procedure language means, those who file malicious claims in an attempt to stop projects, may have to realize the economic effects of their actions. The bill is written to give the defendant a cause of action, and provides guidance to the courts when determining damages.

In most cases, once a project is permitted the contractor begins the process by purchasing materials, hiring sub-contractors, and individuals, essentially making commitments for them to go to work. This process affects the lives of many people and businesses. Even a temporary forced work stoppage means the economic damages far exceed just attorney and court fees. CSSSHB 86 causes the responsible party to assume responsibility for their actions, if the court determines the action was improper.

For Alaska to move forward we must have the ability to get projects started and completed. In many cases once permits are issued, the talk is over and it is time for the work to begin. CS for SSHB 86 gives Alaskans the courts an additional tool to help keep those projects on track.