

**HOUSE BILL NO. 292**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE OGAN

Introduced: 4/5/95

Referred: House Special Committee on Fisheries, Judiciary

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to searches by peace officers who enforce fish and game laws  
2 and to false statements and omissions in regard to application for fish and game  
3 licenses, tags, and permits."

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

5 \* Section 1. AS 16.05.180 is amended to read:

6 Sec. 16.05.180. POWER TO SEARCH WITHOUT WARRANT. Each peace  
7 officer designated in AS 16.05.150 may without a warrant search any thing or place  
8 if the search is reasonable or is not protected from searches and seizures without  
9 warrant within the meaning of art. I, sec. 14, Alaska State Constitution, which  
10 specifically enumerates "persons, houses and other property, papers and effects."  
11 [HOWEVER, BEFORE A SEARCH WITHOUT WARRANT IS MADE A SIGNED  
12 WRITTEN STATEMENT BY THE PERSON MAKING THE SEARCH SHALL BE  
13 SUBMITTED TO THE PERSON IN CONTROL OF THE PROPERTY OR OBJECT  
14 TO BE SEARCHED, STATING THE REASON THE SEARCH IS BEING

1 CONDUCTED.] A written receipt shall be given by the person conducting the search  
2 for property that [WHICH] is taken as a result of the search. The enumeration of  
3 specific things does not limit the meaning of words of a general nature.

4 \* **Sec. 2.** AS 16.05.420(b) is repealed and reenacted to read:

5 (b) A person may not make a false statement, or omit a material fact, in an  
6 application for a license, tag, or permit issued under AS 16.05.330 - 16.05.430.

7 \* **Sec. 3.** AS 16.05.430(a) is amended to read:

8 (a) Except as provided in AS 16.05.407(b) and (d) and 16.05.408(b)  
9 [AS 16.05.420(b)], a person who violates AS 16.05.330 - 16.05.420 or a regulation  
10 adopted under AS 16.05.330 - 16.05.420 is guilty of a misdemeanor and upon  
11 conviction is punishable by a fine of not more than \$1,000, or by imprisonment for not  
12 more than six months, or by both.

13 \* **Sec. 4.** AS 16.05.430 is amended by adding a new subsection to read:

14 (c) Notwithstanding (a) of this section, a person who without any culpable  
15 mental state violates AS 16.05.420(b) is guilty of a violation and upon conviction is  
16 punishable by a fine of not more than \$500.