

CS FOR HOUSE BILL NO. 292(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/28/95

Referred: Rules

Sponsor(s): REPRESENTATIVE OGAN

A BILL

FOR AN ACT ENTITLED

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

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4 * **Sec. 2.** AS 16.05.420(b) is repealed and reenacted to read: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. A
7 person who without any culpable mental state violates this subsection is guilty of a
8 violation and upon conviction is punishable by a fine of not more than \$1,000. A
9 person who knowingly violates this subsection is guilty of unsworn falsification under
10 AS 11.56.210.

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

12 (a) Except as provided in **AS 16.05.407(b) and (d), 16.05.408(b), and**
13 **16.05.420(b)** [AS 16.05.420(b)], a person who violates AS 16.05.330 - 16.05.420 or
14 a regulation adopted under AS 16.05.330 - 16.05.420 is guilty of a misdemeanor and
15 upon conviction is punishable by a fine of not more than \$1,000, or by imprisonment
16 for not more than six months, or by both.