

1 IN THE HOUSE

BY MR. BRADY

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HOUSE BILL NO. 191

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTH LEGISLATURE - FIRST SESSION

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A BILL

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For an Act entitled: "An Act relating to the seizure and for-  
7 feiture of helicopters used in violation  
8 of fish and game laws or regulations."

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

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\* Section 1. AS 16.05.190 is amended to read:

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Sec. 16.05.190. SEIZURE WITHOUT WARRANT AND CONFISCA-

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TION BY COURT. (a) Except as otherwise provided in this

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section, guns [GUNS], traps, nets, fishing tackle, boats,

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aircraft, automobiles or other vehicles, sleds, and other

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paraphernalia used in or in aid of a violation of this

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chapter, or rule or regulation of the department may be

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seized under a valid search, and all fish and game, or parts

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of fish and game, or nests or eggs of birds, taken, trans-

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ported, or possessed contrary to the provisions of this

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chapter, or rule or regulation of the department shall be

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seized by any person designated in sec. 150 of this chapter.

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Upon conviction of the offender or upon judgment of the

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court having jurisdiction that the item was taken, trans-

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ported, or possessed in violation of this chapter or rule

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or regulation of the department, all fish and game, or

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parts of them are forfeited to the state and shall be dis-

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posed of as directed by the court. If sold, the proceeds

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of the sale shall be transmitted to the proper state officer

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for deposit in the general fund. Guns, traps, nets, fishing

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tackle, boats, aircraft, or other vehicles, sleds, and other paraphernalia seized under the provisions of this chapter, or rule or regulation of the department, unless forfeited by order of the court, shall be returned, after completion of the case and payment of the fine, if any.

(b) A helicopter shall not be subject to seizure or forfeiture under (a) of this section unless the violation was personally committed by an owner of the helicopter.

