

Introduced: 1/31/69
Referred: Resources and
Judiciary

1 IN THE HOUSE

BY KAY AND MCVEIGH

2 HOUSE BILL NO. 87

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the seizure of commercial
7 fishing vessels and gear."

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

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

10 Sec. 16.05.190. SEIZURE WITHOUT WARRANT AND CONFISCATION BY
11 COURT. Guns, traps, nets, fishing tackle, boats, aircraft, automobiles
12 or other vehicles, sleds, and other paraphernalia used in or in aid
13 of a violation of this chapter, or rule or regulation of the depart-
14 ment may be seized under a valid search, and all fish and game, or
15 parts of fish and game, or nests or eggs of birds, taken, transported,
16 or possessed contrary to the provisions of this chapter, or rule or
17 regulation of the department shall be seized by any person designated
18 in sec. 150 of this chapter. However, no commercial fishing gear or
19 commercial fishing vessel may be seized under this section during a
20 commercial fishing season. Upon conviction of the offender or upon
21 judgment of the court having jurisdiction that the item was taken,
22 transported, or possessed in violation of this chapter or rule or
23 regulation of the department, all fish and game, or parts of them are
24 forfeited to the state and shall be disposed of as directed by the
25 court. If sold, the proceeds of the sale shall be transmitted to the
26 proper state officer for deposit in the general fund. Guns, traps,
27 nets, fishing tackle, boats, aircraft, or other vehicles, sleds, and
28 other paraphernalia seized under the provisions of this chapter, or
29 rule or regulation of the department, unless forfeited by order of

1 the court, shall be returned, after completion of the case and payment
2 of the fine, if any.
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