

1 IN THE SENATE

BY RODEY AND BRADLEY

2 SENATE BILL NO. 93

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating a special fish and game prosecutor;
7 and providing for an effective date."

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

9 * Section 1. AS 44.23 is amended by adding a new section to read:

10 Sec. 44.23.070. FISH AND GAME PROSECUTOR. (a) Within the Depart-
11 ment of Law is the office of the special prosecutor for fish and game
12 matters.

13 (b) The office of the fish and game prosecutor consists of at
14 least one assistant attorney general appointed by the attorney general
15 who is admitted to the practice of law in the state, familiar with fish
16 and game statutes and regulations of the state, and experienced in trial
17 practice; and at least one investigator experienced in fish and game
18 investigation.

19 (c) The Department of Law shall set out separately the expenses of
20 the office of the fish and game prosecutor as an independent subprogram
21 or element of the Department of Law budget, which shall be submitted by
22 the governor in accordance with the Executive Budget Act (AS 37.07) as
23 part of his annual budget presentation to the legislature. The funds
24 budgeted shall include sufficient travel expenses to allow the office to
25 operate effectively in enforcing the fish and game laws of the state.

26 (d) The fish and game prosecutor shall

27 (1) review all reported violations of state fish and game
28 laws;

29 (2) prosecute or oversee the prosecution of cases involving

1 violation of state fish and game laws;

2 (3) coordinate the activities of the Department of Law in the
3 enforcement of state fish and game laws;

4 (4) cooperate with the Department of Public Safety personnel
5 responsible for enforcement of state fish and game laws;

6 (5) submit to the legislature an annual report of its acti-
7 vities including but not limited to the number of reported violations of
8 the state fish and game laws in the period covered by the report, the
9 number of fish and game cases prosecuted, and the disposition of those
10 cases.

11 (e) The fish and game prosecutor may

12 (1) conduct investigations of fishing and hunting practices
13 in the state; and

14 (2) issue subpoenas to require the attendance of witnesses or
15 the production of documents or other physical evidence, administer
16 oaths, and conduct hearings to aid in investigation or inquiry; service
17 of an order or subpoena shall be made in the same manner as a summons in
18 a civil action in the superior court.

19 * Sec. 2. This Act takes effect July 1, 1977.
20
21
22
23
24
25
26
27
28
29