

Introduced: 2/8/79
Referred: Resources and
Judiciary

BY RANDOLPH, BETTISWORTH AND
MOSS

1 IN THE HOUSE

2 HOUSE BILL NO. 148

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the seizure of items used or in aid
7 of fish and game violations."

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 COURT.
11 Guns, traps, nets, fishing tackle, boats, aircraft, automobiles or other
12 vehicles, sleds, and other paraphernalia used in or in aid of a viola-
13 tion of this chapter [, OR RULE] or regulation of the department may be
14 seized under a valid search if the person making the seizure determines
15 that the seizure is necessary to preserve the items as evidence of a
16 violation, and all fish and game, or parts of fish and game, or nests or
17 eggs of birds, taken, transported, or possessed contrary to the provi-
18 sions of this chapter [, OR RULE] or regulation of the department shall
19 be seized by any person designated in AS 16.05.150. Upon conviction of
20 the offender or upon judgment of the court having jurisdiction that the
21 item was taken, transported, or possessed in violation of this chapter
22 [OR RULE] or regulation of the department, all fish and game, or parts
23 of them are forfeited to the state and shall be disposed of as directed
24 by the court. If sold, the proceeds of the sale shall be transmitted to
25 the proper state officer for deposit in the general fund. Guns, traps,
26 nets, fishing tackle, boats, aircraft, or other vehicles, sleds, and
27 other paraphernalia seized under the provisions of this chapter [, OR
28 RULE] or regulation of the department, unless forfeited by the order of
29 the court, shall be returned within seven days after the seizure unless

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an extension is approved by court order for cause shown [, AFTER COMPLE-
TION OF THE CASE AND PAYMENT OF THE FINE, IF ANY].