

Original sponsors: Randolph, Abood,
Barnes, et al

Offered: 1/27/82
Referred: Judiciary

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 231 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the seizure of items used or in aid
7 of alleged 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 an
16 alleged violation, and all fish and game, or parts of fish and game, or
17 nests or eggs of birds, taken, transported, or possessed contrary to the
18 provisions of this chapter [, OR RULE] or regulation of the department
19 shall be seized by any person designated in AS 16.05.150. Upon convic-
20 tion of the offender or upon judgment of the court having jurisdiction
21 that the item was taken, transported, or possessed in violation of this
22 chapter [OR RULE] or regulation of the department, all fish and game, or
23 parts of them are forfeited to the state and shall be disposed of as
24 directed by the court. If sold, the proceeds of the sale shall be
25 transmitted to the proper state officer for deposit in the general fund.
26 Guns, traps, nets, fishing tackle, boats, aircraft, or other vehicles,
27 sleds, and other paraphernalia seized under the provisions of this
28 chapter [, OR RULE] or regulation of the department, unless forfeited by
29 the order of the court, shall be returned within 30 days after the sei-

1 zure unless an extension is approved by court order for cause shown
2 [, AFTER COMPLETION OF THE CASE AND PAYMENT OF THE FINE, IF ANY].
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29