

Offered: 4/12/82
Referred: Judiciary

Original sponsor: Rules/Governor

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2

CS FOR SENATE BILL NO. 806 (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 issuance of citations for fish
7 and game violations."

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

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* Section. 1. AS 16.05 is amended by adding a new section to read:

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Sec. 16.05.165. FORM AND ISSUANCE OF CITATION. (a) Notwithstand-
11 ing AS 16.05.160, when a peace officer stops or contacts a person con-
12 cerning a violation of this chapter or of a regulation adopted under
13 this chapter that is a misdemeanor, the peace officer may issue a cita-
14 tion to the person.

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(b) The supreme court shall specify by rule or order the mis-
16 demeanors that may be disposed of without court appearance, and shall
17 establish a schedule of bail amounts. The maximum bail amount for an
18 offense may not exceed the maximum fine specified for the offense. If
19 the misdemeanor for which the citation is issued may be disposed of
20 without court appearance, the peace officer shall write on the citation
21 the amount of bail applicable to the violation.

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(c) A person cited for a misdemeanor for which a bail amount has
23 been established under (b) of this section may, within 15 days after the
24 date of the citation, mail or personally deliver to the clerk of the
25 court having jurisdiction over the place where the violation occurred

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(1) the amount of bail indicated on the citation for that
27 offense; and

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(2) a copy of the citation signed by the person indicating
29 that the right to an appearance is waived, a plea of no contest is

1 entered, and the bail is forfeited.

2 (d) When bail has been forfeited under this section, a judgment of
3 conviction shall be entered. Forfeiture of bail and all seized items is
4 a complete satisfaction for the misdemeanor; the clerk of the court
5 accepting the bail shall provide the offender with a receipt stating
6 that fact.

7 (e) If the person cited fails to pay the bail amount or appear in
8 court as required, the citation is considered a summons for a misde-
9 meanor.

10 (f) Notwithstanding other provisions of law, if the person cited
11 appears in court and is found guilty after trial, the penalty that is
12 imposed for the offense may not exceed the bail amount for that offense
13 established under (b) of this section.