

Introduced: 1/20/83
Referred: Resources and Judiciary

1 IN THE HOUSE BY BETTISWORTH AND GRUSSENDORF
2 HOUSE BILL NO. 94
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the seizure of items used in or
7 in aid 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
11 COURT. Guns, traps, nets, fishing tackle, boats, aircraft, automo-
12 biles or other vehicles, sleds, and other paraphernalia used in or in
13 aid of a violation of this chapter [, OR RULE] or regulation of the
14 department may be seized under a valid search if the person making the
15 seizure determines that the seizure is necessary to preserve the items
16 as evidence of a violation, and all fish and game, or parts of fish
17 and game, or nests or eggs of birds, taken, transported, or possessed
18 contrary to the provisions of this chapter [, OR RULE] or regulation
19 of the department shall be seized by any person designated in AS 16.-
20 05.150. Upon conviction of the offender or upon judgment of the court
21 having jurisdiction that the item was taken, transported, or possessed
22 in violation of this chapter [OR RULE] or regulation of the depart-
23 ment, all fish and game, or parts of them are forfeited to the state
24 and shall be disposed of as directed by the court. If sold, the
25 proceeds of the sale shall be transmitted to the proper state officer
26 for deposit in the general fund. Guns, traps, nets, fishing tackle,
27 boats, aircraft, or other vehicles, sleds, and other paraphernalia
28 seized under the provisions of this chapter [, OR RULE] or regulation
29 of the department, unless forfeited by the order of the court, shall

1 be returned within seven days after the seizure unless an extension is
2 approved by court order for cause shown [, AFTER COMPLETION OF THE
3 CASE AND PAYMENT OF THE FINE, IF ANY].