

Offered: 3/14/83  
Referred: Judiciary

Original sponsors: Bettisworth and  
Grussendorf

1 IN THE HOUSE BY THE RESOURCES COMMITTEE  
2 CS FOR HOUSE BILL NO. 94 (Resources)  
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 having an individual value of \$2,500 or more seized under the  
29 provisions of this chapter [, OR RULE] or regulation of the

1 department, unless forfeited by the order of the court, shall be  
2 returned within seven days after the charges for the associated  
3 violation are filed with the court, unless an extension is approved by  
4 court order for cause shown [, AFTER COMPLETION OF THE CASE AND PAY-  
5 MENT OF THE FINE, IF ANY].