

Offered: 3/21/83  
Referred: Judiciary

Original sponsor: Shultz

1 IN THE HOUSE BY THE RESOURCES COMMITTEE  
2 CS FOR HOUSE BILL NO. 163 (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 harassment of persons engaged in  
7 hunting, fishing, or trapping."

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

9 \* Section 1. AS 16.05 is amended by adding new sections to read:

10 Sec. 16.05.925. HARASSMENT OF PERSON ENGAGED IN HUNTING, FISH-  
11 ING, OR TRAPPING. (a) A person may not knowingly interfere with a  
12 person lawfully engaged in or preparing or attempting to engage in  
13 hunting, sport fishing, commercial fishing, subsistence fishing, or  
14 trapping with the intent of dissuading, hindering or preventing the  
15 person's activity.

16 (b) A person may not knowingly disturb fish or game or the  
17 habitat of fish or game with the intent of hindering or preventing a  
18 person lawfully engaged in or preparing or attempting to engage in  
19 hunting, sport fishing, commercial fishing, subsistence fishing, or  
20 trapping.

21 (c) A person may not enter or remain upon public or private land  
22 with intent to violate (a) or (b) of this section.

23 (d) A person who violates this section is guilty of a mis-  
24 demeanor punishable by a fine of not more than \$500 or by imprisonment  
25 for not more than 30 days, or by both.

26 Sec. 16.05.926. ORDER TO DESIST. (a) An enforcement or inves-  
27 tigative officer charged with enforcement of the fish and game laws of  
28 the state shall order a person to desist from violation of AS 16.05.-  
29 925 if the officer observes such conduct or has probable cause to

1 believe that the person has engaged in or intends to engage in such  
2 conduct on specific premises. The officer shall inform the person of  
3 the penalties set out in (b) of this section.

4 (b) A person who violates an order of an officer under (a) of  
5 this section is guilty of a misdemeanor punishable by a fine of not  
6 more than \$1,000 or imprisonment for not more than 90 days, or by  
7 both. The punishment imposed under this section is in addition to  
8 punishment imposed under AS 16.05.925.

9 Sec. 16.05.927. CIVIL REMEDIES. (a) A person aggrieved by  
10 conduct in violation of AS 16.05.925 or AS 16.05.926 or threatened  
11 with such conduct may petition a superior court to enjoin the respon-  
12 dent from engaging in such conduct.

13 (b) A person aggrieved by a violation of AS 16.05.925 or AS 16.-  
14 05.926 is entitled to recover general damages and special damages,  
15 including license and permit fees, travel costs, guide fees, special  
16 equipment and supplies, and other expenses rendered futile by the  
17 conduct of the violator.

18 (c) A court may award punitive damages in addition to the  
19 damages set out in (b) of this section.