

Offered: 3/20/84
Referred: Judiciary and
Finance

Original sponsor: Resources Committee

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 546 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to the obstruction or hindrance of
7 lawful 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. OBSTRUCTION OR HINDRANCE OF LAWFUL HUNTING,
11 FISHING, OR TRAPPING. (a) A person may not perform an act with the
12 intent to obstruct or hinder hunting, fishing, or trapping engaged in
13 lawfully by another person.

14 (b) For purposes of (a) of this section, "lawfully" means

15 (1) in accordance with AS 16, regulations adopted under
16 AS 16, and applicable federal statutes and regulations; and

17 (2) with the permission of the private landowner if the
18 hunting, fishing, or trapping is engaged in on private land.

19 (c) A peace officer who has probable cause to believe that a
20 person has violated this section may order the person to desist. The
21 officer may cite or arrest the person upon refusal to desist.

22 (d) This section does not apply to obstruction or hindrance that
23 is incidental to the lawful use of public or private land or water.

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

27 Sec. 16.05.926. CIVIL REMEDIES. (a) A person aggrieved by
28 conduct in violation of AS 16.05.925 or threatened with such conduct
29 may petition a superior court to enjoin the respondent from engaging

1 in such conduct.

2 (b) A person aggrieved by a violation of AS 16.05.925 is en-
3 titled to recover general damages and special damages, including
4 license and permit fees, travel costs, guide fees, special equipment
5 and supplies, and other related expenses.

6 (c) A court may award punitive damages in addition to the dam-
7 ages set out in (b) of this section.