

Introduced: 5/4/83
Referred: Judiciary

BY BENNETT, HALFORD
AND P. FISCHER

1 IN THE SENATE

2

SENATE BILL NO. 290

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act permitting transfer of forfeited aircraft to
7 the Alaska Wing, Civil Air Patrol."

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, and all fish and game,
15 or parts of fish and game, or nests or eggs of birds, taken, trans-
16 ported, or possessed contrary to the provisions of this chapter, or
17 rule or regulation of the department shall be seized by any person
18 designated in AS 16.05.150. Upon conviction of the offender or upon
19 judgment of the court having jurisdiction that the item was taken,
20 transported, or possessed in violation of this chapter or rule or
21 regulation of the department, all fish and game, or parts of them are
22 forfeited to the state and shall be disposed of as directed by the
23 court. If sold, the proceeds of the sale shall be transmitted to the
24 proper state officer for deposit in the general fund. Guns, traps,
25 nets, fishing tackle, boats, aircraft, or other vehicles, sleds, and
26 other paraphernalia seized under the provisions of this chapter, or
27 rule or regulation of the department, unless forfeited by order of the
28 court, shall be returned, after completion of the case and payment of
29 the fine, if any. Before the court orders forfeiture of an aircraft,

1 it shall consider ordering transfer of ownership of the aircraft to
2 the Alaska Wing, Civil Air Patrol.

3 * Sec. 2. AS 16.05.195(f) is amended to read:

4 (f) An item forfeited under this section shall be disposed of at
5 the discretion of the department. Before the department disposes of
6 an aircraft it shall consider transfer of ownership of the aircraft to
7 the Alaska Wing, Civil Air Patrol.

8 * Sec. 3. AS 17.30.110(m) is amended by adding a new paragraph to read:

9 (6) transfer ownership of an aircraft to the Alaska Wing,
10 Civil Air Patrol.