

Offered: 4/24/85
Referred: Judiciary and
Finance

Original sponsors: Thompson, Sund
and Marrou

1 IN THE HOUSE
2
3 CS FOR HOUSE BILL NO. 331 (Fisheries)
4 IN THE LEGISLATURE OF THE STATE OF ALASKA
5 FOURTEENTH LEGISLATURE - FIRST SESSION
6 A BILL
7 For an Act entitled: "An Act relating to the theft of commercial fishing
8 gear."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 12.55.045 is amended by adding a new subsection to
11 read:
12 (d) In a case in which the defendant is convicted of a violation
13 of AS 11.46.120 - 11.46.150 and in which the property is commercial
14 fishing gear as defined in AS 16.43.990, the court shall consider the
15 victim's need for, and may order, restitution that may include compen-
16 sation for loss of income.
17 * Sec. 2. AS 12.80.050 is amended by adding a new subsection to read:
18 (c) In a prosecution for a violation of AS 11.46.120 - 11.46.150
19 in which the property is commercial fishing gear as defined in AS 16.-
20 43.990, the gear shall be returned to the owner as soon as possible,
21 and photographs of the gear shall be used as evidence in place of the
22 actual gear.
23 * Sec. 3. AS 16.05.710 is amended by adding a new subsection to read:
24 (b) Upon a second or subsequent conviction of a person for a
25 violation of AS 11.46.120 - 11.46.150 in which the property is commer-
26 cial fishing gear as defined in AS 16.43.990, the court may, in addi-
27 tion to the penalty imposed by law, order a suspension of the person's
commercial fishing privileges.