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Referred: Resources and Judiciary

6-1547A

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1 IN THE SENATE

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SENATE BILL NO. 339

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to damage to, interference with, and
7 tampering with subsistence fishing or subsistence
8 hunting gear; and providing for an effective date."

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

10 * Section 1. AS 16.05 is amended by adding a new section to read:

11 Sec. 16.05.915. INTERFERENCE WITH SUBSISTENCE FISHING OR SUBSIS-
12 TENCE HUNTING GEAR. (a) A person who recklessly damages, interferes
13 with, or tampers with the subsistence fishing or subsistence hunting
14 gear of another person is guilty of a class A misdemeanor.

15 (b) A court shall order a person convicted under (a) of this
16 section to make restitution to the victim under AS 12.55.045, includ-
17 ing compensation for actual expenses incurred by the victim to replace
18 or substitute for fish and game that may have otherwise been caught
19 but for the damage to, interference with, or tampering with the vic-
20 tim's subsistence fishing or subsistence hunting gear.

21 (c) In this section

22 (1) "gear" means the specific apparatus used in the harvest
23 of fish or game;

24 (2) "hunting" includes trapping;

25 (3) "interfere" means physical disturbance of gear that
26 results in economic loss or loss of fishing or hunting time;

27 (4) "recklessly" has the meaning given in AS 11.81.900;

28 (5) "tamper" has the meaning given in AS 11.46.490.

29 * Sec. 2. This Act takes effect July 1, 1990.