

BY SEN. COGHILL, Frank

1 IN THE SENATE

2

SENATE BILL NO. 439

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH 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. 16.05.790. OBSTRUCTION OR HINDRANCE OF LAWFUL HUNTING,
11 FISHING, OR TRAPPING. (a) A person may not intentionally obstruct or
12 hinder another person's lawful hunting, fishing, or trapping.

13 (b) For purposes of (a) of this section, "lawful" means

14 (1) in compliance with this title, regulations adopted
15 under this title, and applicable federal statutes and regulations; and

16 (2) with the permission of the private landowner if the
17 hunting, fishing, or trapping occurs on private land.

18 (c) In a prosecution under this section, it is an affirmative
19 defense that the person reasonably believed that the person was law-
20 fully entitled to obstruct or hinder the hunting, fishing, or trap-
21 ping.

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

25 Sec. 16.05.791. CIVIL REMEDIES. (a) A person aggrieved by
26 conduct or threatened conduct in violation of AS 16.05.790 may peti-
27 tion a superior court to enjoin the respondent from engaging in the
28 conduct.

29 (b) A person aggrieved by a violation of AS 16.05.790 is

1 entitled to recover general damages and special damages, including
2 license and permit fees, travel costs, guide-outfitting fees, costs
3 for special equipment and supplies, and other related expenses.

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