

**S B**

**439**

BILL: SB 439

NAME:

TITLE: "An Act relating to the obstruction or hindrance of lawful hunting, fishing, or trapping."

PRIME SPONSOR: COGHILL  
CO-SPONSOR: FRANK, PEARCE

CURRENT STATUS: (S) RES  
THEN JUD

STATUS DATE: 02/06/90

Selection=>

PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12
HELP	SUBJ	EXIT	MENU	TEXT	PRINT	BWD	FWD		FIRST	LAST	QUIT

SB 439 Bill/Resolution Floor Action Page 2 of 2  
 Current Status: (S) RES  
 Action  
 1 02/06/90 2345 (S) READ THE FIRST TIME - REFERRAL(S)  
 2 02/06/90 2345 (S) RES, THEN JUD  
 3 02/08/90 2386 (S) CO-SPONSOR ADDED: PEARCE

Selection=>

PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12
HELP	SUBJ	EXIT	MENU	TEXT	PRINT	BWD	FWD	CHT/JRNL	FIRST	LAST	QUIT

BASIS Text for SB 439 Screen 1 of 2  
 SB 439 Printed Page 1  
 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-

Selection=>

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HELP		EXIT	MENU		PRINT	BWD	FWD		FIRST	LAST	QUIT

BASIS Text for SB 439 Screen 2 of 2  
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 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 misdemeanor  
 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.

Selection=>

PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12
HELP		EXIT	MENU		PRINT	BWD	FWD		FIRST	LAST	QUIT

Sb 433

FEB 22 1990

2/17/90

SENATOR BETTYE M. FAHRENKAMP  
P.O. BOX V  
JUNEAU, ALASKA 99811

DEAR SENATOR FAHRENKAMP,

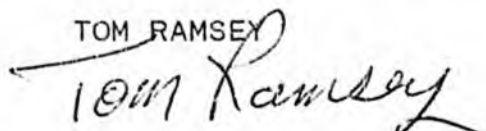
I AM WRITING TO ASK FOR YOUR SUPPORT AND EXPEDIENT  
PASSAGE OF SENATE BILL #439. ( OBSTRUCTION OF LAWFUL HUNTING,  
FISHING, OR TRAPPING )

THIS BILL, LIKE MOST OF ALASKAN VOTERS, IS NON-PARTISAN  
AND WOULD BENEFIT RESIDENTS IN EVERY PART OF OUR GREAT STATE.  
IT WAS INTRODUCED AT THE REQUEST OF A GROWING GRASSROOTS  
EFFORT TO PROTECT THOSE WHO ARE LEGAL RESOURCE USERS.

PREVIOUS SIMILAR BILLS DID NOT GET ON THE BOOKS BECAUSE  
OF GUBERNATORIAL VETO. GOVERNOR COWPER HOWEVER IS HIMSELF AN  
OUTDOORSMAN AND HAS A RECORD OF BEING VERY PROTECTIVE OF OUR  
RESOURCES AND PROPER REGULATION OF THEIR USES. I AM SURE HE  
WILL ENTERTAIN PASSAGE OF BILL #439 IF IT GETS POSITIVE  
SUPPORT IN THE SENATE AND HOUSE.

QUICK ACTION BY THE RESOURCES COMMITTEE MAY WELL BE THE  
DECIDING FACTOR FOR THE SUCCESS OF THIS BILL.

SINCERELY,

TOM RAMSEY  


P.O. BOX 58405

FAIRBANKS, ALASKA 99711

CC: STEVE COWPER

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_ Agency Affected: Public Safety  
 Title: Relating to the obstruction of  
lawful hunting, fishing, and trapping BRU: Fish & Wildlife Protection  
 Sponsor: Senators Coghill, Frank Component: Enforcement  
 Requestor: Senate Resources

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Captain Conrad G. Seibel  
 Division: Fish & Wildlife Protection

Phone: 269-5509  
 Date: 2-12-90

Approved by Commissioner: SA. H. English  
 Agency: Department of Public Safety

Date: 2-14-90  
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