



LAWS OF ALASKA

1986

Source

SCS CSHB 331(Jud) am S

Chapter No.

73

AN ACT

Relating to the theft of commercial fishing gear.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

Approved by the Governor: June 5, 1986
Actual Effective Date: September 3, 1986

AN ACT

Relating to the theft of commercial fishing gear.

* Section 1. AS 12.55.045 is amended by adding a new subsection to read:

(d) In a case in which the defendant is convicted of a violation of AS 11.46.120 - 11.46.150 and in which the property is commercial fishing gear as defined in AS 16.43.990, the court shall consider the victim's need for, and may order, restitution that may include compensation for loss of income.

* Sec. 2. AS 12.80.050 is amended by adding a new subsection to read:

(c) In a prosecution for a violation of AS 11.46.120 - 11.46.150 in which the property is commercial fishing gear as defined in AS 16.43.990, the gear shall be returned to the owner as soon as possible. The prosecutor may obtain photographs of the gear for use as evidence in accordance with (a) and (b) of this section.

* Sec. 3. AS 16.05.710 is amended by adding a new subsection to read:

(b) Upon a first conviction of a person for a violation of AS 11.46.120 - 11.46.130 in which the property is commercial fishing gear as defined in AS 16.43.990, the court shall, in addition to the penalty imposed by law, order a suspension of the person's commercial fishing privileges for one year. Upon a second or subsequent conviction, the court shall, in addition to the penalty imposed by law, order a suspension of the person's commercial fishing privileges for two years.