

Introduced: 1/30/73
Referred: Resources and
Judiciary

1 IN THE SENATE

BY THOMAS

2 SENATE BILL NO. 95

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to endangered species of wildlife."

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

8 * Section 1. AS 16.20 is amended by adding new sections to read:

9 Sec. 16.20.192. ENDANGERED SPECIES UNDER FEDERAL LAW. (a) In
10 addition to species or subspecies of wildlife determined to be endangered
11 under sec. 190 of this chapter, a species or subspecies designated as
12 endangered by regulation under the Endangered Species Preservation Act
13 of 1966 (16 U.S.C.A., sec. 668 aa et seq.) or the Endangered Species
14 Conservation Act of 1969 (16 U.S.C.A., sec. 668 cc - 1 to 668 cc - 6) is
15 considered an endangered species under this section. However, the
16 commissioner may determine that a species designated as endangered under
17 federal law is not endangered in the state. If this determination is
18 made, the species is not considered endangered under secs. 180 - 210 of
19 this chapter.

20 (b) Unless authorized by federal law or regulation, it is unlawful
21 to possess, sell, offer for sale, give or dispose of any animal or wild
22 animal product of an animal listed under (a) of this section. However,
23 possession is permitted under the terms of a permit issued by the
24 commissioner, as prescribed by sec. 194 of this chapter.

25 Sec. 16.20.194. PERMIT FOR PRIOR POSSESSION OF ENDANGERED SPECIES
26 OR SUBSPECIES. Upon application, as prescribed by the commissioner,
27 the commissioner shall issue a permit to a person who had in his
28 possession an endangered species or subspecies or a product of an
29 endangered species or subspecies before the effective date of this Act.

1 The permit shall specifically name and describe the species or subspecies
2 or the product of an endangered species or subspecies possessed by the
3 holder of the permit and the permit is valid only for the possession
4 of the species or subspecies or product named. Proof may be required
5 that the acquisition of the species or subspecies or its product was
6 made before the effective date of this Act.

7 * Sec. 2. AS 16.20.195 is amended to read:

8 Sec. 16.20.195. PERMIT FOR TAKING ENDANGERED SPECIES. No species
9 or subspecies of fish or wildlife listed as endangered under sec. 190(b)
10 and sec. 193(a) of this chapter may be possessed, harvested, captured
11 or propagated except under the terms of a special permit issued by the
12 commissioner of fish and game for scientific or educational purposes,
13 or for propagation in captivity for the purpose of preservation.

14 * Sec. 3. AS 16.20.200 is amended to read:

15 Sec. 16.20.200. PENALTY. A person who, without a permit issued
16 under sec. 195 of this chapter, possesses, harvests, injures, imports,
17 exports, or captures a species or subspecies of fish or wildlife or a
18 wild animal product of a species or subspecies of fish or wildlife
19 listed under sec. 190 or sec. 193(a) of this chapter, is guilty of a
20 misdemeanor.

21 * Sec. 4. AS 16.20 is amended by adding a new section to read:

22 Sec. 16.20.205. SEARCH WARRANT. An authorized peace officer may
23 execute a warrant, upon probable cause, to search for and seize any
24 goods, merchandise or wildlife sold or offered for sale in violation of
25 secs. 180 - 210 of this chapter, or any property or item used in
26 connection with a violation of secs. 180 - 210 of this chapter.

27 * Sec. 5. AS 16.20.210 is amended by adding a new paragraph to read:

28 (2) "wild animal product" means the fur, hide, skin, teeth,
29 feathers, tusks, claws or the body of the animal or any portion of it

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whether in green or raw state or as a commercial product manufactured
or refined from the animal.