

Original sponsor: Anderson, Bradley,
Duncan, et al

Offered: 3/28/75
Referred: Judiciary

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 159

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to salvaging the edible meat of wild
7 food animals."

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

9 * Section 1. AS 16.30.010(a) is repealed and re-enacted to read:

10 (a) It is unlawful for a person who kills a wild food animal to
11 intentionally, knowingly, recklessly or negligently fail to salvage for
12 human consumption most of the edible meat of a wild food animal, unless
13 he shows that failure to salvage the meat was due to circumstances
14 beyond his control, including but not limited to

- 15 (1) loss in the field to another animal;
16 (2) weather or other acts of God;
17 (3) theft.

18 (b) If the edible meat is not lawfully salvaged for human con-
19 sumption under (a) of this section, the person who killed the animal is
20 guilty of a misdemeanor and upon conviction

21 (1) is punishable by a fine of not more than \$5,000, or by
22 imprisonment for not more than six months, or by both; and

23 (2) shall surrender to the Department of Fish and Game all
24 portions of the animal that have been salvaged.

25 * Sec. 2. AS 16.30 is amended by adding a new section to read:

26 Sec. 16.30.012. POSSESSION OF RAW HORNS OR ANTLERS. The posses-
27 sion of the raw horns or antlers of a wild food animal without its being
28 accompanied by most of its edible meat creates a presumption of failure
29 to salvage most of the edible meat under secs. 10 - 30 of this chapter.

1 The burden of proof is on the possessor to overcome the presumption of
2 failure to salvage most of the edible meat and it is not overcome until
3 substantial proof is offered establishing the fact that it was not
4 salvaged due to circumstances beyond control as set out in sec. 10(a) of
5 this chapter, or that the horns or antlers were otherwise obtained
6 lawfully. In this section,

7 (1) "being accompanied" means having most of the meat in
8 actual possession with the horns or antlers or not having most of the
9 meat in possession with the horns or antlers if the person taking the
10 animal is engaged in the act of transporting most of the meat from the
11 same animal in portions at different times but in a continuous manner
12 without unnecessary interruption, from the place of taking to its
13 destination for human consumption;

14 (2) "raw" means an appearance, by reasonable observation,
15 that indicates its having been taken from a wild food animal during the
16 current or most recent lawful hunting season for that animal.

17 * Sec. 3. AS 16.30.020 is amended to read:

18 Sec. 16.30.020. ANIMALS EXCEPTED. The provisions of secs. 10 - 12
19 [SEC. 10] of this chapter do not apply to animals which the department
20 exempts by regulation.

21 * Sec. 4. AS 16.30.010(b) is repealed.
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