

Original sponsor: Anderson, Bradley,
Duncan, et al

Offered: 4/15/75
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 159 (Judiciary)

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 AS 16.30.010(a) and (b) are repealed and re-enacted to read: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 unless the person is engaging
9 in the act of transporting most of the meat from the same animal in
10 portions at different times but in a continuous manner without unneces-
11 sary interruption, from the place of taking to its destination for human
12 consumption;

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

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

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