

Original sponsors: Grussendorf, Bettiswerth,  
Fanning, et al

Offered: 3/1/82  
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 47 (Judiciary) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the prohibition against waste of  
7 the meat of big game animals and wild fowl."

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

9 \* Section 1. AS 16.30.010 is repealed and reenacted to read:

10 Sec. 16.30.010. WANTON WASTE OF BIG GAME ANIMALS AND WILD FOWL.

11 (a) It is a class A misdemeanor for a person who kills a big game  
12 animal or a species of wild fowl to fail, intentionally, knowingly,  
13 recklessly, or with criminal negligence, to salvage for human consump-  
14 tion the edible meat of the animal or fowl.

15 (b) A person convicted of violating this section who has failed to  
16 salvage from a big game animal at least the hindquarters as far as the  
17 distal joint of the tibia-fibula (stifle joint) shall be sentenced to

18 (1) a definite term of imprisonment of not less than 160  
19 consecutive hours; and

20 (2) a fine of not less than \$2,500.

21 (c) The execution of a sentence imposed under (b) of this section  
22 may not be suspended nor may probation be granted until the minimum  
23 imprisonment provided in this section has been served, and any such  
24 suspension or probation must require as a condition the payment of the  
25 fine required by this section.

26 (d) In a sentence imposed under (b) of this section, imposition of  
27 sentence may not be suspended.

28 \* Sec. 2. AS 16.30 is amended by adding new sections to read:

29 Sec. 16.30.015. SURRENDER OF SALVAGED PORTIONS, LICENSE FORFEITURE

1 A person convicted of violating AS 16.30.010

2 (1) shall surrender to the department all salvaged portions  
3 of the animal or fowl;

4 (2) forfeits his hunting license;

5 (3) is ineligible to hold a hunting license for

6 (A) the year in which the conviction is entered and the  
7 year following the year in which the conviction is entered;

8 (B) a period of five years from the date of the convic-  
9 tion if he has failed to salvage from a big game animal at least  
10 the hindquarters as far as the distal joint of the tibia-fibula  
11 (stifle joint).

12 Sec. 16.30.017. DEFENSES. It is a defense to a criminal charge  
13 under AS 16.30.010 that the failure to salvage the edible meat was due  
14 to circumstances beyond the control of the person charged, including

15 (1) theft of the animal or fowl;

16 (2) unanticipated weather conditions or other acts of God;

17 (3) unavoidable loss in the field to another wild animal.

18 \* Sec. 3. AS 16.30.030 is amended by adding new paragraphs to read:

19 (3) "big game animal" means moose, caribou, mountain sheep,  
20 mountain goat, feral reindeer, deer, elk, bison, walrus, or musk-ox;

21 (4) "criminal negligence" means criminal negligence as  
22 defined in AS 11.81.900(a)(4);

23 (5) "edible meat" means, in the case of big game animals, the  
24 meat of the ribs, neck, brisket, front quarters as far as the juncture  
25 of the humerus and the radius-ulna (knee), hindquarters as far as the  
26 distal joint of the tibia-fibula (stifle joint), and that portion of the  
27 animal between the front and hindquarters; in the case of wild fowl, the  
28 meat of the breast; however, "edible meat" of big game or wild fowl does  
29 not include

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(A) meat of the head;

(B) meat that has been damaged and made inedible by the method of taking;

(C) bones, sinew, and incidental meat reasonably lost as a result of boning or a close trimming of the bones;

(D) viscera;

(6) "intentionally" means intentionally as defined in AS 11.81.900(a)(1);

(7) "knowingly" means knowingly as defined in AS 11.81.900(a)(2);

(8) "recklessly" means recklessly as defined in AS 11.81.900(a)(3);

(9) "wild fowl" means species of wild fowl for which seasons or bag limits have been established by state or federal law.

\* Sec. 4. AS 16.30.020 is amended to read:

Sec. 16.30.020. ANIMALS EXCEPTED. The provisions of AS 16.30.010-16.30.012 do not apply to walrus if [ANIMALS WHICH] the board exempts them by regulation.