

Note: Proposal 201 was originally accepted by the Board of Game as an Agenda Change Request and scheduled for the Southeast Region meeting, January 2015. The board deferred the proposal as amended to the Central/Southwest meeting scheduled for February 2015. The amended language is shown below. The board also asked agency staff to draft wording for consideration at the February 2015 meeting to allow hunters to phone the Alaska Wildlife Troopers when retrieval and salvage of wounded game is possible by using methods that are currently restricted under existing statutes or regulations.

PROPOSAL 201 - 5 AAC 92.220(i). Salvage of game meat, furs and hides. Clarify the language regarding retrieval and salvage of wounded game as follows:

Amended Proposal from the January 2015 meeting:

(i) A person who has wounded game shall make every reasonable **and lawful** effort to retrieve and salvage that game, **except methods and means for taking game prohibited by statute or by regulations in 5 AAC 92.080 – 5 AAC 92.100.**

Original Proposal:

(i) A person who has wounded game shall make every **lawful** [reasonable] effort to retrieve and salvage that game.

The Alaska Wildlife Troopers ask the board to change the regulation. If the board changed the regulation to “lawful” this would eliminate someone from using a method or means already prohibited in regulation or statute. The current regulation has unforeseen consequences regarding the salvage of wounded animals. Each person has their own definition of what is a reasonable effort. This compels enforcement to look for a pre-existing wound and has the potential for someone to use illegal methods or means to harvest an animal but claim they were using a reasonable effort to retrieve a wounded animal.

WHAT IS THE ISSUE YOU WOULD LIKE THE BOARD TO ADDRESS AND WHY? The current regulation states: a person who has wounded game shall make every reasonable effort to retrieve and salvage that game. This creates a problem for enforcement as to what is reasonable? If someone wounds a moose are they allowed to use an airplane to locate, land and shoot the moose? As currently written, this regulation allows hunters to use whatever methods they deem reasonable to retrieve game they wounded. This puts enforcement in a difficult position. The Department of Public Safety has the burden of proof to prove the animal was wounded and the methods used were not reasonable.

PROPOSED BY: Alaska Wildlife Troopers (EG-C14-359)
