



DAVID FAVRE, J.D.

Nancy Heathcote Professor of Property and Animal Law

January 31, 2016

*Rep. Max Gruenberg
Alaska State Representative*

Dear Rep. Gruenberg,

Thank you for the opportunity to review HB 147 which updates several part of the Alaska Code dealing with important animal issues. I think you have created a superior bill. The first portion provides clarity about the issue of seizure of animals when there has been a suspected violation of the anti-cruelty laws. This is important so that the appropriate procedures be in place to protect the property rights of the owners while allowing quick care for animals in harm's way.

Second, the bill addresses the issue of abusive spouses who cause harm to pets in the home in order to impose control and fear upon the abused spouse. By amending existing statutory language, the minimum change now provides a path for an at risk spouse to expand the already allowed protective orders to include pets in the home.

Finally, I note the proposed modest modification of Alaska's divorce law to deal with the troubling problem of pets caught in the midst of the separation of their owners. As you know, judges now find their discretion limited because the legal system views pets strictly as property which, in a divorce settlement, is allocated on an ownership basis. The amendments proposed in HB 147 will provide judges some discretion in what to do with companion animals at the time of divorce. I have reviewed several bills from around the country which have sought to deal with this topic and I must say that your bill is the most artfully drafted to come across my desk. The adoption of these modest

provisions will show national leadership for Alaska, while not requiring any complex or expensive change in the divorce process. It simply gives judges broader authority to resolve disputes about companion animals in a manner fair to all parties.

I congratulate you on job well done and look forward to hearing of its adoption.

Yours truly,

A handwritten signature in cursive script that reads "David Favre". The letters are fluid and connected, with a prominent loop on the 'D' and a stylized 'F'.

David Favre, Professor of Law
favre@law.msu.edu
(517) 432-6890