

LEGAL SERVICES

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MEMORANDUM

March 10, 2015

SUBJECT: Definition of Animal (Work Order No. 29-LS0302\G)

TO: Representative Max Gruenberg

FROM: Emily Nauman 
Legislative Counsel

Please find the above-mentioned bill enclosed. In addition to a new bill draft providing for the ownership of a pet upon a dissolution, you asked for an accompanying memo listing everywhere "animal" is defined in statute.

"Animal" is defined in statute in four places:

AS 03.05.100(2) states "animal" means "an animal other than a human being and includes a mammal, insect, bird, fish, and reptile, whether wild or domestic, and whether living or dead."

AS 03.55.190 states "animal has the meaning given in AS 11.81.900." See AS 11.81.900 below.

AS 08.98.250(2) states "animal" means "any animal other than a human being including mammals, birds, fish, and reptiles, wild or domestic, living or dead."

AS 11.61.145(c) states "animal" means "a vertebrate living creature not a human being, but does not include fish."

AS 11.81.900(b)(3) states "animal" means "a vertebrate living creature not a human being, but does not include fish."

You also asked whether I thought the definition of "animal" should be included in AS 01.10.060. Given that the definition of "animal" varies across several statutes, I do not believe "animal" should be included in the definitions applying to all statutes.¹

¹ The term "animal" is also used throughout AS 16 but in connection or in relation to definitions of "fish," "game," "big game animal," and other similar terms. A general definition for the Alaska Statutes would probably cause confusion in applying these statutes.

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If I may be of further assistance, please advise.

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Enclosure