

Alaska State Legislature

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Representative Carl Gatto

Memorandum

Date: February 5, 2010

To: Representative Jay Ramras, Chairman
House Judiciary Committee

From: Representative Carl Gatto

Re: Explanation of Changes between HB 138 Original and (CS) for HB 138

The original version of HB 138 called for Cruelty to Animals in the First and Second Degree. Second degree cruelty to animals would have been a class A misdemeanor resulting from negligence or killing of an animal in an attempt to harass or intimidate another person. First degree cruelty to animals would have been a class C felony resulting from the second offense following cruelty to animals in the second degree, use of a decompression chamber, or use of poison.

The sponsor decided to alter HB 138 to make it a companion bill to SB 214. Under the new language in HB 138, criminal negligence in the care of an animal is a class A misdemeanor. The killing or injuring of an animal—except by torture, poison, or decompression chamber—in an attempt to intimidate or terrorize another is also a class A misdemeanor. Torturing or poisoning an animal, or placing it in a decompression chamber, is a class C felony under the new language. Again, these changes are meant to bring HB 138 in line with SB 214. In that same vein, the title of the bill has been changed from “an Act relating to cruelty to animals” to “an Act relating to penalties for cruelty to animals.”