

CS FOR HOUSE BILL NO. 386(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered: 2/19/96
Referred: Judiciary

Sponsor(s): REPRESENTATIVES GRUSSENDORF, Finkelstein, B.Davis

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to cruelty to animals and to the power of first and second
2 class boroughs to prohibit cruelty to animals."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 11.61.140(a) is amended to read:

5 (a) A person commits the crime of cruelty to animals if the person

6 (1) **knowingly** [INTENTIONALLY] inflicts severe [AND
7 PROLONGED] physical pain or **prolonged** suffering on an animal;

8 (2) **with criminal negligence**, [RECKLESSLY] neglects an animal and,
9 as a result of that neglect, causes the death of the animal or causes severe **physical**
10 pain or **prolonged** suffering to the animal; or

11 (3) kills an animal by the use of a decompression chamber.

12 * **Sec. 2.** AS 29.35.200(b) is amended to read:

13 (b) A first class borough may by ordinance exercise the following powers on an
14 areawide basis:

- 1 (1) provide transportation systems;
- 2 (2) provide water pollution control;
- 3 (3) provide air pollution control in accordance with AS 46.14.400;
- 4 (4) license day care facilities;
- 5 (5) license, impound, **prohibit cruelty to**, and dispose of animals.

6 * **Sec. 3.** AS 29.35.200 is amended by adding a new subsection to read:

7 (e) Notwithstanding (b)(5) of this section, a first class borough may not enact
8 an ordinance prohibiting cruelty to animals that is more stringent than state laws
9 prohibiting cruelty to animals.

10 * **Sec. 4.** AS 29.35.210(a)(3) is amended to read:

11 (3) license, impound, **prohibit cruelty to**, and dispose of animals;

12 * **Sec. 5.** AS 29.35.210(b) is amended to read:

13 (b) A second class borough may by ordinance exercise the following powers on
14 an areawide basis:

- 15 (1) provide transportation systems;
- 16 (2) license, impound, **prohibit cruelty to**, and dispose of animals;
- 17 (3) provide air pollution control under AS 46.14.400;
- 18 (4) provide water pollution control;
- 19 (5) license day care facilities.

20 * **Sec. 6.** AS 29.35.210 is amended by adding a new subsection to read:

21 (e) Notwithstanding (a)(3) and (b)(2) of this section, a second class borough may
22 not enact an ordinance prohibiting cruelty to animals that is more stringent than state
23 laws prohibiting cruelty to animals.