

HOUSE BILL NO. 196

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MASEK BY REQUEST

Introduced: 4/13/99

Referred: Community and Regional Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act exempting sled dog kennel operations from certain private nuisance
2 actions."

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

4 * **Section 1.** AS 09.45.235(a) is amended to read:

5 (a) An agricultural operation or a sled dog kennel operation is not and does
6 not become a private nuisance by a changed condition that exists on neighboring land
7 if the agricultural operation or the sled dog kennel operation has been in operation
8 for more than three years and if the agricultural operation or the sled dog kennel
9 operation was not a nuisance at the time the [AGRICULTURAL] operation began.

10 * **Sec. 2.** AS 09.45.235(b) is amended to read:

11 (b) The provisions of (a) of this section do not apply to

12 (1) liability resulting from improper or negligent conduct of agricultural
13 operations or sled dog kennel operations; or

14 (2) flooding caused by the agricultural operation.