

1 IN THE HOUSE

BY MR. TAYLOR

2

HOUSE BILL NO. 44

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-THIRD SESSION

5

A BILL

6

For an Act entitled: "An Act relating to property subject to

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executions; exceptions thereto; amending

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Section 55-9-78, ACLA 1949, as amended by

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Chapter 45, SLA 1949, as amended by Chap-

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ter 74, SLA 1953; and setting an effective

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date."

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BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

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Section 1. Section 55-9-78, ACLA 1949, as amended by

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Chapter 45, SLA 1949, as amended by Chapter 74, SLA 1953, is

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hereby further amended to read as follows:

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Sec. 55-9-78. PROPERTY SUBJECT TO EXECUTION; EXCEP-

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TIONS. All other property, including franchises or rights

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or interests therein, of the judgment debtor shall be

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subject to an execution, except as in this section provided.

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The following property shall be exempt from execution if

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claimed and reserved by the judgment debtor or his agent

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at the time of the levy, or as soon thereafter before sale

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thereof as the same shall be known to him, and not otherwise:

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First. The earnings of the judgment debtor, for his

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personal services rendered at any time within thirty days

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next preceding the levy of execution or attachment, to the

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amount of Three [TWO] Hundred Dollars when it appears by

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the debtor's affidavit or otherwise that such earnings are

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necessary for the use of his family, supported in whole or

1 in part by his labor; provided, that any money received  
2 on account on earnings during the thirty-day period herein-  
3 above mentioned and prior to the levy of the execution or  
4 attachment, shall be charged against the exemption herein  
5 mentioned, and the amount of exemption shall be reduced  
6 accordingly; it being the intention of the Act to provide  
7 an exemption to the wage earner of not to exceed Three  
8 [TWO] Hundred Dollars in every thirty-day period prior  
9 to the levy of attachment or execution.

10 Second. Books, pictures, and musical instruments owned  
11 by any person, to the value of five hundred [SEVENTY-FIVE]  
12 dollars;

13 Third. Necessary wearing apparel owned by any person  
14 for the use of himself or his family: Provided, Watches  
15 or jewelry ~~valuing~~ [EXCEED(ING?)] in value the sum of  
16 five [ONE] hundred dollars shall not be exempt by virtue  
17 of this subdivision;

18 Fourth. The Tools, implements, apparatus, motor  
19 vehicles, traps, office furniture, business files, animals,  
20 implements, and any other article [TEAM, VEHICLE, HARNESS,  
21 implements] necessary to enable any person to carry on  
22 the trade, occupation, or profession by which such person  
23 habitually earns his living to the value of three thousand  
24 [FIVE HUNDRED] dollars; also sufficient quantity of food  
25 to support such animals, [TEAM,] if any, for six months;  
26 [THE WORD "TEAM" IN THIS SUBDIVISION SHALL NOT BE CON-  
27 STRUED TO INCLUDE MORE THAN ONE YOKE OF OXEN, OR A SPAN  
28 OF HORSES OR MULES, OR TWO REINDEER, OR SIX DOGS, AS THE  
29 CASE MAY BE;]

1 Fifth. The following property, if owned by the head  
2 of a family and in actual use or kept for use by and for  
3 his family, or when being removed from one habitation to  
4 another on a change of residence: Animals, [TEN SHEEP  
5 WITH ONE YEAR'S FLEECE OR THE YARN OR CLOTH MANUFACTURED  
6 THEREFROM; TWO COWS AND FIVE SWINE;] household goods,  
7 furniture, and utensils to the value of three thousand  
8 [HUNDRED] dollars; also food sufficient to support  
9 such animals, if any, for six months, and provisions  
10 actually provided for family use and necessary for the  
11 support of such person and family for six months;

12 [SIXTH. THE SEAT OR PEN OCCUPIED BY THE HEAD OF A  
13 FAMILY OR HIS FAMILY IN A PLACE OF PUBLIC WORSHIP;]

14 Sixth. [SEVENTH.] ALL property of any public or  
15 municipal corporation;

16 Seventh. [EIGHTH.] No article of property, or if the  
17 same has been sold or exchanged, then neither the proceeds  
18 of such sale nor the articles received in exchange therefor,  
19 shall be exempt from execution issued on a judgment re-  
20 covered for its price.

21 Sec. 2. This Act shall take immediate effect and be in  
22 force from and after its passage and approval or upon its  
23 becoming law without such approval, and it is so enacted.