

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
7 executions; exceptions thereto; amending
8 Section 55-9-78, AOLA 1949, as amended by
9 Chapter 45, SLA 1949, as amended by
10 Chapter 74, SLA 1953.

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

12 Section 1. Section 55-9-78, AOLA 1949, as amended by
13 Chapter 45, SLA 1949, as amended by Chapter 74, SLA 1953, is
14 hereby further amended to read as follows:

15 Sec. 55-9-78 PROPERTY SUBJECT TO EXECUTION:

16 EXCEPTIONS. All other property, including franchises
17 or rights or interests therein, of the judgment debtor
18 shall be liable to an execution, except as in this
19 section provided. The following property shall be
20 exempt from execution if selected and reserved by the
21 judgment debtor or his agent at the time of the levy,
22 or as soon thereafter before sale thereof as the same
23 shall be known to him, and not otherwise:

24 First. The earnings of the judgment debtor, for his
25 personal services rendered at any time within thirty days
26 next preceding the levy of execution or attachment, to the
27 amount of ~~Three~~ TWO Hundred Dollars when it appears by
28 the debtor's affidavit or otherwise that such earnings are
29 necessary for the use of his family, supported in whole or

H.B. #44 as amended -1-

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 exceeding [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, books, office furniture, business files, animals,
20 laboratory, and any other article [TEAM, VEHICLE, HARNESS,
21 OR LIBRARY] 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 TEAM
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 DEAT OR PEW 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, hereinbefore
17 mentioned shall be exempt from execution issued on a judg-
18 ment recovered for its price, and in the event the said
19 article of property has been sold or exchanged for other
20 property the proceeds of the sale or the article for
21 which it was exchanged shall not be exempt from execution.