

1 IN THE SENATE BY SENATORS McNEALY AND ORBECK  
2 SENATE BILL NO. 172  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FIRST LEGISLATURE - SECOND SESSION

5 A BILL  
6 For an Act entitled: "An Act relating to mechanics' and material-  
7 men's liens; amending Sec. 55-9-79, ACLA  
8 1949 as amended by Ch. 61, SLA 1957."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
10 Section 1. Sec. 55-9-79, ACLA 1949 as amended by Ch. 61,  
11 SLA 1957 is amended to read as follows:

12 Sec. 55-9-79. HOMESTEAD EXEMPTION. The homestead of  
13 any family, or the proceeds thereof, shall be exempt from  
14 judicial sale for the satisfaction of any liability hereafter  
15 contracted or for the satisfaction of any judgment hereafter  
16 obtained on such debt. Such homestead must be the actual  
17 abode of and owned by such family or some members thereof.  
18 It shall not exceed eight thousand dollars in value, nor  
19 exceed one hundred and sixty acres in extent if not located  
20 in a town or city laid off into blocks or lots, or if  
21 located in any such town or city, then it shall not exceed  
22 one-fourth of one acre. This Act shall not apply to decrees  
23 for the foreclosure of any mortgage properly executed; but  
24 if the owners of such homestead be married, then it shall be  
25 executed by husband and wife; nor shall this Act apply to the  
26 foreclosure of any lawful mechanics' or materialmen's liens  
27 based upon improvement to such homestead. When any officer  
28 shall levy upon such homestead, the owner thereof, or the  
29 wife, husband, agent, or attorney of such owner, may notify

1 such officer that he claims such premises as his homestead,  
2 describing the same by metes and bounds, lot or block, or  
3 legal subdivision of the United States, whereupon such  
4 officer shall notify the creditor of such claim, and if  
5 such homestead shall exceed the maximum in this section,  
6 and he deem it of greater value than eight thousand dollars,  
7 then he may direct the marshal to select three disinterested  
8 persons, who shall examine and appraise such homestead,  
9 under oath, commencing with the twenty acres of lot upon  
10 which the dwelling is located, appraising each lot or  
11 twenty acres separately; and if the same exceed eight  
12 thousand dollars, then the marshal shall proceed to sell all  
13 in excess of eight thousand dollars by lots or smallest legal  
14 subdivisions, offering them in the order directed by the  
15 judgment debtor, if he chooses to direct; otherwise he  
16 shall sell the same as aforesaid so as to leave the homestead  
17 as compact as possible. The homestead aforesaid shall be  
18 exempt from sale or any legal process after the death of  
19 the person entitled thereto for the collection of any debts  
20 for which the same could not have been sold during his life-  
21 time.

22  
23  
24  
25  
26  
27  
28  
29  
SB #172