

Introduced: 2/18/72
Referred: Resources and
Finance

1 IN THE HOUSE

BY THE HEALTH, WELFARE AND
EDUCATION COMMITTEE BY REQUEST

2 HOUSE BILL NO. 686

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating a commission for the prevention of
7 cruelty to animals."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 18 is amended by adding a new chapter to read:

10 CHAPTER 95. STATE COMMISSION FOR THE PREVENTION
11 OF CRUELTY TO ANIMALS.

12 Sec. 18.95.010. CREATION OF COMMISSION FOR PREVENTION OF CRUELTY
13 TO ANIMALS. There is created in the Office of the Governor the State
14 Commission for the Prevention of Cruelty to Animals.

15 Sec. 18.95.020. COMPOSITION AND APPOINTMENT. The commission
16 consists of five members, including a veterinarian licensed in the
17 state, a guide licensed in the state, a representative of the Alaska
18 Society for the Prevention of Cruelty to Animals, and two members
19 representative of the interests of domestic animal owners. Members
20 shall be appointed by the governor for overlapping five-year terms.
21 Initial terms shall be as follows: one member for one year, one member
22 for two years, one member for three years, one member for four years,
23 and one member for five years. The commission shall elect one of its
24 members as chairman.

25 Sec. 18.95.030. MEETINGS. The commission shall hold a regular
26 meeting every three months and special meetings as necessitated by
27 sec. 80 of this chapter.

28 Sec. 18.95.040. COMPENSATION. The members of the commission,
29 staff, and humane officers appointed by the commission for investigatory

1 purposes are authorized per diem and travel allowances allowable to
2 members of other boards and commissions.

3 Sec. 18.95.050. REGULATIONS. The commission may promulgate
4 regulations necessary to implement this chapter.

5 Sec. 18.95.060. POWERS AND DUTIES. The commission shall

6 (1) appoint an executive director approved by the governor;

7 (2) hire administrative staff as may be necessary to carry
8 out the functions of the commission;

9 (3) appoint humane officers for the purpose of investigating
10 complaints filed under sec. 70 of this chapter;

11 (4) accept complaints under sec. 70 of this chapter;

12 (5) undertake a general investigation into the problems of
13 mistreatment of domestic animals in the state, with the view to
14 recommending a comprehensive plan or program for their alleviation;

15 (6) enlist the aid and cooperation of appropriate federal,
16 state, local and independent agencies in the research, investigation,
17 and coordination of projects, programs, or other matters relating to
18 the prevention of cruelty to animals;

19 (7) hold hearings, conduct investigations, subpoena wit-
20 nesses, take the testimony of persons under oath, administer oaths,
21 and require the production of books or papers relating to a matter
22 under investigation or in question before the commission.

23 Sec. 18.95.070. COMPLAINT. A person who believes that an act of
24 cruelty to animals has been committed under AS 11.40.480 or AS 11.40.-
25 500 - 11.40.530 may sign and file with the commission a written,
26 verified complaint stating the particulars of the act.

27 Sec. 18.95.080. INVESTIGATION. The executive director, a member
28 of the commission's staff designated by the executive director, or a
29 humane officer appointed by the commission shall investigate the

1 matters set out in a filed complaint, promptly and impartially, and
2 report his findings to the full commission. The commission may or
3 may not hold a hearing in conjunction with its investigation. Hearings
4 shall be conducted in conformity with the Administrative Procedure
5 Act (AS 44.62). If the investigation indicates to a majority of the
6 members of the commission that the allegations are supported by
7 substantial evidence, the district attorney for the judicial district
8 in which the act occurred shall be immediately notified. The results
9 of the investigation shall then be forwarded to the district attorney
10 and to the appropriate animal control agency for the judicial district
11 in which the act occurred. However, if a majority of the members of
12 the commission determine that little or no evidence supports the
13 complaint, it shall be summarily dismissed. Nothing in this chapter
14 precludes a person from filing a complaint directly with a local
15 animal control center or humane society or with the appropriate law
16 enforcement authority for the judicial district in which the act
17 occurred.

18 Sec. 18.95.090. RECORDS AND REPORTS. (a) The executive director
19 shall keep appropriate records of each complaint filed with the
20 commission under this chapter.

21 (b) The executive director shall submit an annual report to the
22 governor and to the legislature showing a brief history of each
23 complaint filed with the commission, including, when possible, its
24 final disposition.
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