

Original sponsors: Ose, Akers,
Beirne, et al

Offered: 3/14/77
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 90 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to domestic animals."

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

8 * Section 1. AS 03.30.050(a) is amended to read:

9 (a) If a domestic animal breaks into an enclosure surrounded by a
10 legal fence, the owner or occupant of the enclosure may take the tres-
11 passing animal into his possession [,] and keep it until all damages,
12 together with reasonable charges for keeping [AND FEEDING] the animal,
13 are paid. Within 24 hours after taking the animal into his possession,
14 the owner or occupant shall give notice to the owner or claimant of the
15 animal that he has taken up the animal or, if the owner or claimant is
16 unknown, he must post a like notice at some public place near the en-
17 closure. If the owner fails to claim the animal and pay the reasonable
18 charges incurred for keeping and feeding it within five days after the
19 receipt or posting of the notice, the animal may be sold at public
20 auction as provided in sec. 55 of this chapter [SHALL BE DEALT WITH AS
21 IN THE CASE OF AN ESTRAY].

22 * Sec. 2. AS 03.30 is amended by adding a new section to read:

23 Sec. 03.30.055. PUBLIC AUCTION. (a) Before the sale of the
24 animal at public auction, notice of the sale shall be given by the
25 impounder by posting a written or printed notice of the time and place of
26 sale in a public place nearest to the enclosure of the impounded animal
27 not less than 10 days before the end of the sale. The owner or claimant
28 of the animal may redeem the animal at any time before the sale by paying
29 the reasonable charges for keeping and feeding the animal, together with

1 damages and costs, to the person impounding the animal.

2 (b) The impounder, or his agent, shall sell the animal at public
3 auction to the highest bidder in the manner provided for the sale of
4 personal property on execution.

5 (c) Proceeds of the sale in excess of all reasonable charges and
6 costs shall be paid over to the district judge for the district to be
7 disposed of as provided in AS 34.45.070.

8 * Sec. 3. AS 03.35.050 is amended to read:

9 Sec. 03.35.050. IMPOUNDING AND PUBLIC SALE OF ANIMALS RUNNING AT
10 LARGE. The owner of any land within a controlled livestock district may
11 impound a domestic animal trespassing upon his land and keep the animal
12 until damages, together with reasonable charges for keeping and feeding
13 it, are paid. Within 24 hours after impounding an animal, the person
14 impounding it shall give notice in writing to the owner or claimant of
15 the animal, if the owner is known, or, if the owner is unknown, file a
16 notice of impounding with the district judge for the district and post a
17 copy of the notice in a public place nearest to the enclosure of the
18 impounded animal. If, within five days after receipt [OF POSTING] of
19 the notice of impoundment or posting of the notice of impoundment, the
20 owner or claimant fails to claim the animal and pay the reasonable
21 charges for keeping and feeding it, together with damages and costs, the
22 animal may be sold at public auction as provided in sec. 55 of this
23 chapter [SHALL BE DEALT WITH AS IN THE CASE OF AN ESTRAY].

24 * Sec. 4. AS 03.35 is amended by adding a new section to read:

25 Sec. 03.35.055. PUBLIC AUCTION. (a) Before the sale of the
26 animal at public auction, notice of the sale shall be given by the im-
27 pounder by posting a written or printed notice of the time and place of
28 sale in a public place nearest to the enclosure of the impounded animal
29 not less than 10 days before the day of the sale. The owner or claimant

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of the animal may redeem the animal at any time before the sale by paying the reasonable charges for keeping and feeding the animal, together with damages and costs, to the person impounding the animal.

(b) The impounder, or his agent, shall sell the animal at public auction to the highest bidder in the manner provided for the sale of personal property on execution.

(c) Proceeds of the sale in excess of all reasonable charges and costs shall be paid over to the district judge for the district to be disposed of as provided in AS 34.45.070.