

CS FOR HOUSE BILL NO. 236(RLS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE

Offered: 4/16/93

Referred: Today's Calendar

Sponsor(s): HOUSE LABOR AND COMMERCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to notices for the sale of certain real property."

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

3 * Section 1. AS 09.35.140 is amended to read:

4 Sec. 09.35.140. NOTICE OF SALE ON EXECUTION. Before the sale of
5 property on execution, notice of the sale shall be given as follows:

6 (1) notice [NOTICE] of the sale of personal property is given by
7 posting a written or printed notice of the time and place of sale in three public places
8 within five miles of the place where the sale is to be held, not less than 10 days
9 before [PRIOR TO] the day of sale; one [. ONE] of the notices shall be posted at the
10 post office nearest to the place where the sale is to take place; [.]

11 (2) notice [NOTICE] of the sale of real property is given by posting
12 a similar notice particularly describing the property not less than 30 days before the
13 day of sale in three public places, as provided in (1) of this section, and publishing a
14 copy of the notice four times, once a week for four successive weeks in a newspaper

1 of general circulation published nearest to the place of sale; in this paragraph.

2 "newspaper of general circulation" means a publication that

3 (A) is published in newspaper format;

4 (B) contains, in at least 25 percent of each issue, editorial
5 comments and news content that is of general interest in the judicial
6 district, not just to a particular part of the judicial district; has more than
7 an insignificant circulation throughout the judicial district; is distributed
8 at least once a week each year within the judicial district, excluding a
9 period when publication is interrupted by a labor dispute or by a natural
10 disaster or other casualty that the publisher cannot control; and has a total
11 paid circulation or distribution of at least 500 copies, or 10 percent of the
12 total population of the judicial district, whichever is less; in this
13 subparagraph, "judicial district" means the judicial district where the
14 place of sale is located;

15 (C) holds a second class mailing permit from the United
16 States Postal Service;

17 (D) is not published primarily to distribute advertising; and

18 (E) is not intended primarily for a particular professional
19 or occupational group.

20 * Sec. 2. AS 09.65 is amended by adding a new section to read:

21 Sec. 09.65.160. ACTION TO ESTABLISH NEWSPAPER STATUS. A person
22 who owns a publication may bring an action under AS 22.10.020(g) to establish that
23 the publication is a newspaper of general circulation under AS 09.35.140(2).