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Alaska State Legislature

SENATE

Office of the President

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Juneau, Alaska 99811

MEMORANDUM

March 11, 1988

TO: Senator Tim Kelly, Chairman
Senate Labor and Commerce Committee

FROM: Senator Jan Faiks
President of the Senate

SUBJECT: SB 427 "An Act establishing the crime of abuse of animals."

Senate Bill 427 is currently before the Senate Labor and Commerce Committee. This bill establishes the crime of abuse of animals.

SB 427 was introduced at the request of the Alaska Kennel Club. The club is concerned with certain activities relating to the public sale and display of animals, and they submitted draft language to my office which has resulted in this bill.

The Kennel Club felt that three specific situations needed to be addressed:

First, it believes that entirely too many animals are being sold or given away to impulse pet owners, who really would not want the responsibility of pet ownership if they had the time to reflect on the decision. It is difficult to resist the box of kittens or puppies displayed outside the local supermarket, but many of the people who take one home later abandon the animal or mistreat it when the novelty wears off.

Second, the club believes that animals should not be given away to advertise a business, and that animals should not be used as contest prizes.

Third, the club believes that animals should not be displayed to advertise a business.

In order to accomplish these objectives, the bill does the following:

AS 11.61.143 (a)(1) Makes it a violation if a person displays an animal in a public place for the purpose of selling or giving

away the animal, and the person does sell, give away or offer to sell or give away the animal. The bill makes six exceptions to this rule:

(A) if the person is in the business of selling animals at that location, such as a pet store;

(B) if the person is in the business of providing veterinary medical care at that location;

(C) if the person is an employee of a humane society or animal shelter in business at that location;

(D) if the person is a participant in an event at that location sponsored by an animal organization, such as a horse show sponsored by a horse club;

(E) if the person is selling or giving away the animal for slaughter, agricultural or conservation purposes; or

(F) if the person is an auctioneer and is conducting an auction solely of animals and animal related items.

AS 11.61.143 (a)(2) Makes it a violation for a person to sell, give away or offer to sell or give away an animal in order to advertise a business other than a business which sells animals, or as the prize in raffle, lottery or contest of skill or chance.

AS 11.61.143 (a)(3) Makes it a violation for a person to display an animal in a public place in order to advertise a business, other than a business engaged in the sale, display or use of animals.

AS 11.61.143 (b) Defines "animal" as a domestic or wild living bird or mammal.

Please contact my office if you have any questions or comments.