

HB

111

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSSSHB 111(JUD)
 (H) Publish Date: 4/6/01

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title: Civil Liability and Livestock BRU: Alaska Court System
 Component: Trial Courts
 Sponsor: Rep. Coghill
 Requester: House Judiciary Committee Component Number: 768

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will not have any fiscal impact on the Alaska Court System.

Prepared by: Heather Nobrega, House Judiciary Aide Phone 465-4990

Representative Norman Rokeberg Date 4/4/01
Committee Chair

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSSSHB 111(JUD)
 (H) Publish Date: 4/6/01

Revision Date/Time (Note if correction): _____ Dept. Affected: All Departments
 Title: Civil Liability and Livestock BRU: _____
 Sponsor: Rep. Coghill Component: _____
 Requester: House Judiciary Committee Component Number: _____

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CAPITAL EXPENDITURES						
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This bill will not have any fiscal impact on the state.

Prepared by: Heather Nobrega, House Judiciary Aide Phone 465-4990

Representative Norman Rokeberg Date 4/4/01
Committee Chair

ALASKA STATE HOUSE OF REPRESENTATIVES

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FAX# (907)-465-3258
State Capitol
Room 102

REPRESENTATIVE JOHN COGHILL

INJURIES RESULTING FROM LIVESTOCK ACTIVITIES CSSSHB 111(JUD) SPONSOR STATEMENT

Sponsor Substitute for House Bill 111 is the product of several meetings and work sessions with a group of 4-H members, a local veterinarian, and stable owners in the Tanana Valley. This bill is intended to give livestock owners and those associated with livestock activities extra protection from frivolous lawsuits. Forty-four other states currently have similar legislation.

This bill will recognize that a person assumes some risk when placing themselves in the vicinity of livestock. The livestock owner with the best of intentions cannot completely prevent accidents from happening. For example, a bee could come along and sting a horse, causing the horse to buck and throw a rider. Or, a bunny at a 4-H sponsored petting zoo could bite the finger of a small child feeding the bunny grain. Presently, both of these accidents could result in a lawsuit.

In June of 1996, during the Miller Reach Fire, the Alaska State Fair in Palmer opened the fairgrounds to provide housing for evacuated animals. Pens were set up in Farm Exhibits and at France Equestrian Center on the fairgrounds to hold a variety of animals. Both areas looked like Noah's ark had unloaded. All the animals' owners made the best of the crowded situation, and appreciated the Fair's hospitality except one. This individual chose to ride her horse on the fairgrounds despite the crowded conditions. Her horse spooked from a pig in a pen near the arena and bucked her off. She suffered broken ribs and a punctured lung. She sued the fair because she had "warned" them about the problem of other animals spooking her horse. In November of the following year, the fair's insurance company settled out of court for \$3,500, plus legal fees and medical expenses, because to fight the lawsuit would have cost them four or five times as much as settling."

SSHB 111 will not protect the livestock owner who acts in an unreasonable manner. By reducing some of the liability, the expectation is this legislation will create an atmosphere for more livestock activities to occur within the state, as insurance premiums become more favorable for livestock activities.

This piece of legislation is the work product of 4-H members statewide who will be following this legislation through the legislative process and participate in the passage of this bill. A 4-H member in Fairbanks wrote the bulk of this sponsor statement.

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SSHB 111 SECTIONAL

Sec. 1. Intent language outlining that this legislation was introduced to encourage more livestock activities by limiting the civil liability of livestock activities recognizing that there are certain risks taken when participating in or attending a livestock activity.

Sec. 2.(a) Provides immunity to participants and sponsors of a livestock activity when an injury or death results from the inherent risk of a livestock activity.

(b) Exempts livestock activities from AS 09.55.580(a) Action for Wrongful Death unless any of the following apply:

Gross negligence, reckless, or intentional misconduct of someone directly involved in the livestock activity.

A person directly involved in the livestock activity knew or reasonably should have known that someone was using faulty or defective products for the livestock activity.

Failure of someone directly involved in the livestock activity to make reasonable efforts to determine a person's ability to participate in a livestock activity.

(c) Exempts injuries or death covered by worker's compensation laws.

(d) Does not exempt or limit injuries or liabilities from product liability laws.

(e) Exempts a sponsor of a livestock activity from civil liability for negligent acts of participants or professionals of a livestock activity.

(f) Provides for a person signing a waiver of right to recover damages resulting from inherent risk of a livestock activity.

(g) Preserves tort immunity for a person with unimproved land unless gross negligence is an issue.

Sec. 3. Establishes definitions in state statute for inherent risk of a livestock activity, livestock, livestock activity, livestock activity sponsor, livestock professional, and participant.

Sec. 4. Establishes a date of applicability to the law.

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EQUINE LIMIT OF LIABILITY LAW

A bill has been introduced which will directly impact anyone involved in horse activities. House Bill 111, "An Act relating to civil liability for injuries or death resulting from livestock activities" was introduced in February by Representatives Coghill and Harris. This bill is intended to give livestock owners and those associated with livestock activities extra protection from civil liability lawsuits. 44 other states currently have similar legislation. This bill will acknowledge livestock are unpredictable and you assume some risk when you place yourself in their vicinity. The livestock owner with the best of intentions cannot completely prevent some accidents from happening. A bee may sting a horse causing the horse to buck and throw a rider. A bunny at a 4-H sponsored petting zoo could bite the finger of a small child feeding the bunny grain. This bill also recognizes the economic and therapeutic benefits derived from participation in a variety of livestock activities. Passage of this bill is anticipated to reduce insurance premiums and increase the number of livestock activities available in the

state.

A Fairbanks 4-H teen group, the Tanana Whirlwinds, is leading the effort to pass this bill and enact new law. They are currently coordinating support statewide with the help of other 4-H teens. You can help by contacting your legislator and encouraging their support of this bill. The bill can be reviewed and followed on the internet site at <http://www.legis.state.ak.us/basis/>. This site also has direct links to contacting your legislator.

This effort has been tried 3 times in the past ten years and each time it has not made it through the Senate. March 27 & 28th a group of 4-H teens will be traveling to Juneau to promote this bill. With everyone's assistance this could be the year law is passed to insure that others assume some of the responsibility when placing themselves in the vicinity of livestock.

If you would like more information please contact Robyn Davies at 479-8382 or email at davrobyn@hotmail.com.

4-H teens get political

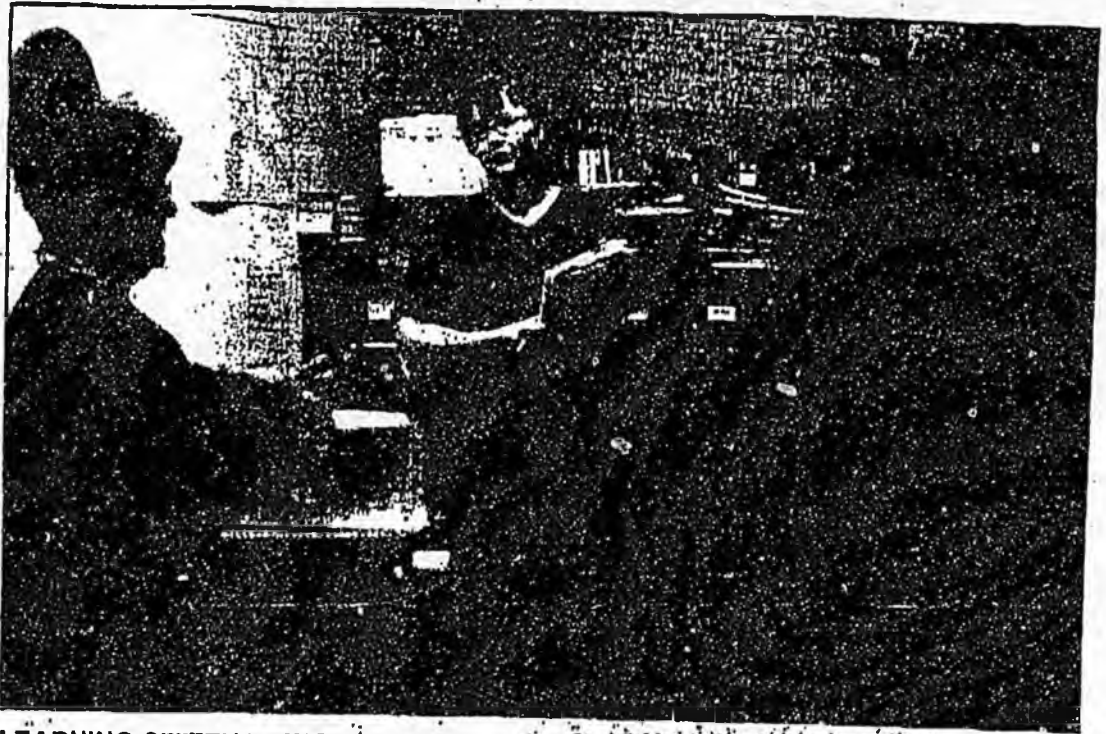
By HEIDI ZEMACH
Mirror Writer

A group of teen-age Kodiak 4-H'ers and their volunteer leaders are exploring state government and learning how to influence legislation to benefit their interests.

Saturday morning, Lorna Steelman of the Legislative Information Office, gave the group tips on how to look up a bill, track its history, and what actions they could take to influence state legislators throughout the process of becoming a law.

It was the first step in a statewide 4-H effort that group leader Barbara Zimmermen said will take some members on a lobbying trip to Juneau in late March

► See 4-H, Page 10



LEARNING CITIZEN POWER — Lorna Steelman of the Legislative Information Office demonstrates to 4-H teens and their leaders how to research a bill. (Heidi Zemach photo)

Continued from Page 1
and a civics workshop in Washington, D.C., in July.

The group is focusing on a bill, newly introduced by Rep. John Coghill, R-Fairbanks, that would provide legal protection for livestock owners against civil lawsuits brought as a result of injuries or death resulting from livestock-related activities.

If livestock owners or event sponsors take all possible safety precautions, they would be protected from liability — even if someone is injured or killed by falling off a startled horse, or stepped on or kicked by a cow or bull while standing in the wrong place, for instance.

Animals are unpredictable, and anyone riding them or coming in contact with them should understand and acknowledge that there always will be unforeseen risks that cannot be prevented, said Barbara Zimmermen, who serves on the 4-H group's statewide leadership committee. Similar legislation is already in effect in 44 states, she said.

The 4-H'ers also met Tuesday

with attorney and former University of Alaska Regent Dan Ogg, who tried to help them to understand the legal terms of the bill.

The teenage girls' first venture into state politics was last year, when they collected petitions and held a downtown parade as part of a statewide political awareness campaign by many Alaska 4-H groups, Zimmermen said.

Unlike most other youth programs, 4-H is funded with federal land-grant money through the University of Alaska Fairbanks Cooperative Extension Program. That program is among several not directly serving students on campuses, that suffered a large percentage of university funding cuts over the past decade, said Jan Hanscom, the vice president of the state 4-H volunteer leaders association.

The political action was taken to make legislators and the public

aware of the program's impact to Alaska youth, serving more than 3,000 Alaska group members and 50,000 students last year, and its unique connection to the University of Alaska system and to the federal government's land grant program.

As a result of that drive and a lobbying trip to Juneau the Kodiak group obtained funds for Camp Muller and other local needs, and two local cooperative extension agents were hired for 4-Hs in Tanana and Anchorage, Zimmermen said.

This year the group decided to support an agriculture bill.

At the legislative information office presentation, Steelman told the 4-H group that petitions generally aren't as effective as well-researched or heartfelt letters to legislators or comments at public hearings explaining why a person or organization

supports a particular bill.

She suggested the 4-H'ers carefully research their bill and write their local representatives and the members of the House Judiciary Committee, which the bill was assigned to. Group members also plan to give presentations to local service organizations in order to gain additional support.

Hanscom said an attorney for the University of Alaska attorney, whom the 4-H group leaders consulted, said the bill probably will be difficult to get passed, and may take two full years to gain approval by both the House and Senate.

It likely will have the backing of legislators, many of whom favor placing limits on civil lawsuits deemed frivolous, but it also may face powerful opposition from attorney groups who don't, Hanscom said.

Kodiak paper

ANIMAL HOUSE VETERINARY CLINIC

a division of Noah's Ark, Inc.



"Dr. Dee"
Dee Thornell, D.V.M.

March 11, 2001

Representative & Senators
Juneau, Alaska 99811

Subject: House Bill 111

To Whom It May Concern:

I am a 4-H leader in Fairbanks that has, unfortunately, been sued by someone that believed I was being neglectful at the Tanana Valley Fair in August of 1997. In October of 1996, I started a 4-H group for kids that did not have the means to have a horse of their own. The four young ladies that participated in my group, were required to take riding lessons for several months, attend lectures on the care of the horse and have their skills tested with a written and riding examination. They all passed and qualified to ride in the 4-H horse show at the Fair in 1997. They were to use my horses for the contests.

The member's parents and I supervised the activities. Due to the congestion of horses at the entry gate of the show ring, as each member was called into the arena for their chance at a blue ribbon, I would lead them in on one of my two horses. I would then wait for them to finish to help guide them out. As I led Ms. Ashley Swanson on my horse "Pretty Boy" into the arena, a strange woman ran up on the right rear side of "Pretty Boy" and slapped him on the rump and grabbed Ashley's right leg almost dismounting her. As the stranger did this she loudly yelled "Ashleyyyy". I was almost knocked down by the startled horse. I turned around and demanded she get away from my animal immediately. She gave me a cruel stare and walked off, never exhibiting any signs of pain or a limp (this becomes important later). Ashley's parents had evicted the stranger, Debra Bogan, from the apartments they manage. They quickly came up to me after the incident and informed me that I was never to let the woman near their daughter. Twenty minutes later Debra Bogan came up to the Swansons and showed them her toe, which was bleeding profusely. She alleged that "Pretty Boy" had stepped on her

foot when she had startled him. At the time of the alleged incident she was in an area posted for exhibitors only and was wearing opened toe sandals.

Ms. Bogan sued the Tanana Valley Fair Ground, Ashley Swanson and myself for her injuries, which included a nervous condition in both of her legs that she alleged had resulted due to the incident. With council provided to me by the 4-H district, eight months, approximately eighty hours of my own time and fifteen thousand dollars later, her case was dismissed against me. It took Ms. Ashley's attorney and the Tanana Valley Fair Association two additional months to be released of her allegations. This does not include the emotional stress and anger I still feel because of this attack on my volunteer service.

It is my opinion when someone attends a public event they need to take some personal responsibility for their own actions. It does not matter how many signs you have posted or how many guards you have in place, it is not the responsibility of the animal owner, when involved in a judged or timed event to be responsible for spectators or other participants. The participants are there primarily for the challenge of the task at hand and secondary to entertain those watching the event. The spectators are there simply present to enjoy watching. If House Bill 111 is implemented it will minimize the risk of the animal owner, participant and host of the event of being responsible for the brainless acts of others.

I am encouraging limited liability to those working on a horse during medical treatment. Being a veterinarian, I have been notified by my liability insurance company that currently I am legally liable for anyone, including the owners, while I am treating or caring for an animal. Unfortunately, I will not work on any animal in any situation, which I do not have one of my trained employees restraining the animal being treated. What this means is that if I am at the fair and an animal is injured I will not work on an injured animal unless I can use my employees in restraining the animal. Even if the owner is there and willing, I will not have them hold an animal under any circumstances and be held liable for any injury they may incur while holding their animal.

I have also stopped accepting new large animal clients for the same reason. I am required to train one of my employees to restrain any animal I am examining or treating. Working on large animals greatly increases the risk to my employees. I feel that anyone that owns a large animal has accepted the risk that inherently comes with the ownership. Although I am willing to risk injury to myself to help an animal, I have a difficult time asking my employees to do so, even if they are trained. I have enclosed a copy of an article found in a newsletter from the American Veterinary Medical Association Professional Liability Insurance Trust describing the court cases that have necessitated this action. If House Bill 111 clearly limits the liability of a veterinarian when they are working on an animal

while the owner assists, I would not limit my services. Unfortunately, as it stands, without a statute of limitations, it is the large animal owner and their animals that will suffer the consequences of veterinarians refusing to work with large animals because of their potential liability.

I am speaking on behalf of my large animal clients and their pets. I urge you to pass House Bill 111 as it is written. I plan on being only a spectator at the fair this year.

Thank you for your time and consideration of this matter,

Dee Thornell, DVM



Date NOV 21 1997

JAN 0 2

Frontiersman

Client No. 399

Horse owner sues Alaska State Fair

By TRACY WILSON 379
Frontiersman reporter

A Palmer Superior Court judge will hear a lawsuit filed by a Wasilla woman who claims the Alaska State Fair is responsible for injuries she suffered when her horse threw her.

Judge Eric Smith will handle the personal injury case filed in April by Virginia "Genny" Lucking, owner of Singletree Farm near Wasilla.

Anchorage Superior Court Judge John Reese transferred the case to Palmer on Oct. 19, responding to a request for change of venue that had been approved by lawyers for Lucking and the Alaska State Fair.

Kelly Fisher, an Anchorage-based attorney representing the Alaska State Fair, said a hearing date has not yet been set.

The events related in the lawsuit occurred in early June 1996, at the time of the Miller's Reach Fire that devastated more than 37,000 acres in the Big Lake area.

Within a couple of days after the fire began, Lucking grew concerned that her four horses and the other 22 horses she was then boarding might be harmed by smoke or threatened by the spreading blaze.

Lucking decided to move the animals to the fairground area after hearing a radio invitation

issued by the Alaska State Fair.

Her friends brought her horses to the fairground on June 4, 1996.

In the lawsuit, Lucking's attorney Robert Erwin said a number of pigs, sheep and goats were penned near by, making the horses skittish when Lucking took them out to the France Equestrian Ring for exercise every day.

Erwin said in the lawsuit that Lucking told fair employees about the problem, adding that the employees did not respond to her request to move the smaller animals from the ring's in-gate area to a pen farther away.

Fisher confirmed that Lucking had mentioned her concern at a June 6 meeting, but that there were problems with other possible pen locations.

"From the employees' perspective, Ms. Lucking was requesting more than most folks," Fisher said.

"She wanted to use the area the way she'd use her farm. That wasn't reasonable under the circumstances of the fire."

On June 7, 1996, Lucking was riding a horse near a pen of pigs when the horse bolted and threw her to the ground.

Lucking suffered injuries to her ribs and one of her lungs was punctured.



SHELLY MURPHY/Frontiersman file photo

Virginia Lucking, shown here at the Parade of Stallions in May, filed a lawsuit against the Alaska State Fair. In the lawsuit Lucking contends the fair is responsible for injuries she suffered after being thrown from her horse at the France Equestrian Center.

Attorneys for the fair say Lucking bears the responsibility for her accident because she rode a horse near the pigs even though she knew it could be dangerous.

"She was interested in practicing in the show rings in spite of the danger she perceived there," Fisher said. "She'd asked to have permission to give lessons. As far as the danger from the pigs, she knew the horse was afraid and went down on purpose. She practiced in the ring, but it wasn't

something she had to do. It was something she chose to do."

Lucking is asking for damages, costs, payment of her medical bills and compensation for loss of income and attorney fees.

The avid horsewoman no longer lives at her farm. Lucking resides in another state and could not be reached for comment.

Erwin could not be reached for comment at his Anchorage office because he was traveling out of state.

LETTERS TO THE EDITOR

Lucking lawsuit: compensate pig

Editor:

In response to my own personal rebuttal about Virginia Lucking's lawsuit against the Alaska State Fair; how repulsive can one be? It seems to me that instead of Lucking wanting to give riding lessons, maybe she should have enrolled her-

self in a riding class, or possibly even a brief course on equine behavior and management. It's a good thing for the manufacturers of all horse shoes that her foot didn't get stepped on.

As any seasoned horse owner knows — horses are spooky. They are adjusted to the environment they know, such as the pen in which they live. Unfortunately for the Stallion Queen, she was not a hog farmer, so

naturally her steed reacted, not being use to, the sounds of swine.

But, then we also have to take into consideration the indigent pig; it probably was not use to seeing a horse. How scared the pig must have been, squealing with fear, as this hairy beast strolled by. Then, without warning, seeing this object hit the ground, like manure out of a grass-fed steer. How scared

the poor pig must have been, after all, it probably never saw a woman fall off her horse before. How will the pig be compensated?

Maybe with a little good fortune, Lucking will take up miniature horses. They would be much easier for her to handle, and much closer to the ground for her unique way of dismounting. So, in closing, I will ask one thing of Lucking, if after someone tries to be of good service, you cannot use good judgment, stay at home with your prized horses, because that is the surroundings you are both familiar with.

Rich Harris
Wasilla

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT ANCHORAGE

VIRGINIA LUCKING,)
)
 Plaintiff,)
)
 vs.)
)
 ALASKA STATE FAIR, INC.,)
 an Alaska Non-Profit Corporation,)
)
 Defendant.)
 _____)

Case No. 3AN-97-_____ Civil

COMPLAINT

COMES NOW Plaintiff Virginia Lucking, by and through her attorney, Robert C. Erwin, and for her cause of action against Defendant states and alleges as follows:

I

Plaintiff Virginia Lucking is a resident of Alaska and resides at Singletree Farm near Wasilla, Alaska.

II

Defendant Alaska State Fair, Inc. is an Alaska non-profit corporation with its principal place of business near Palmer, Alaska.

LAW OFFICES OF
ROBERT C. ERWIN
400 WEST BENSON BOULEVARD
SUITE 373
ANCHORAGE, ALASKA 99501-3690
PHONE (907)276-3123
FAX (907)276-4123

III

During the Miller's Reach fire in June of 1996 Plaintiff moved her horses and other boarded horses in my care from Singletree Farm near Wasilla to the Alaska State Fair horse barns (France Equestrian Center) near Palmer to avoid the smoke and potential fire near Wasilla.

IV

Other horses from the Big Lake and Wasilla areas were also placed in the France Equestrian Center of the Alaska State Farm grounds in response to a radio invitation placed by the Alaska State Fair during the Miller's Reach Fire.

V

At the same time that the horses were placed in the horse barns, a number of smaller animals including pigs, goats and sheep were transported to the Alaska State Fair and penned in the France Equestrian Center with the horses.

VI

The effect of placing the smaller farm animals in close proximity with the horses in the France Equestrian Center was to cause the horses to become extremely agitated and excited and make them difficult to exercise which they required on a daily basis.

VII

The entire situation was called to the attention of the agents of Alaska State Fair at the site and they were specifically informed that the small animals excited and agitated the horses. Alternate sites for the small animals were pointed out.

VIII

The agents of Alaska State Fair refused to move the small animals and pigs from the in gate area of both exercise rings in the France Equestrian Center even though they were aware of the danger and risks caused by the agitation and excitement of the horses to any rider seeking to exercise them.

IX

On June 7, 1996 Virginia Lucking was attempting to exercise one of the horses at the France Equestrian Center when the horse bolted because of its reaction to the unfamiliar small animals and she was thrown from the horse and injured.

X

Such injuries were the result of the negligence of Alaska State Fair and its agents in refusing to correct a dangerous situation which

reasonable persons would realize created an unreasonable risk of harm to those caring and exercising the horses at the France Equestrian Center.

XI

As a proximate cause of the negligence, Plaintiff suffered personal injuries, pain and suffering and loss of income from her business in excess of Fifty Thousand Dollars (\$50,000.00).

WHEREFORE, Plaintiff prays for relief as follows:

- (1) Damages for personal injuries and pain and suffering.
- (2) Payment of her medical bills.
- (3) Payment of loss of income because of her injuries.
- (4) Her costs, attorney fees, and prejudgment interest

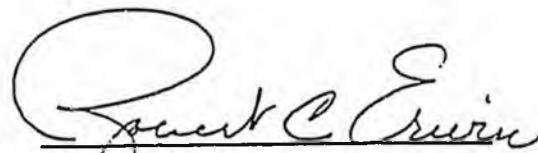
herein.

DATED this 7th day of April, 1997, at Anchorage,

Alaska.

LAW OFFICES OF ROBERT C. ERWIN
Attorney for Plaintiff

By:


Robert C. Erwin

LAW OFFICES OF
ROBERT C. ERWIN
1400 WEST BENSON BOULEVARD
SUITE 373
ANCHORAGE, ALASKA 99503-3690
PHONE (907) 276-1123
FAX (907) 276-1123



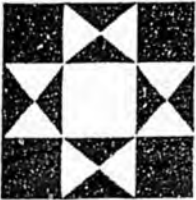
Tanana Valley State Fair

A S S O C I A T I O N



March 5, 2001

Robyn Davies
Tanana Whirlwinds 4H Group
1606 Roosevelt
Fairbanks, AK 99709



Congratulations!

The Fair staff and management would like to wish you success on your UAF for Youth campaign. Your interest in learning about the way the government works is admirable.

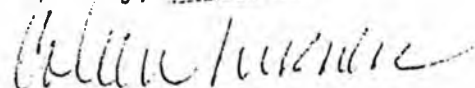


The Fair would like to add support to your efforts to pass House Bill 111, titled Civil Liability and Livestock. The Bill has many fine ideas incorporated into it which will help to limit the liability of livestock producers against nuisance lawsuits.

*To educate
and entertain*

Best of luck on your lobbying efforts.

Sincerely,


Coleen Turner, GM

cc: Kim Gyuricsko, Ann McBeth, Fred Palmer

1800 College Rd.
Fairbanks, AK
99709-4173

(907) 452-3750
fax 456-7971

www.tananavalleyfair.org
fair@mosquitonet.com

INTERIOR ALASKA TRAIL RIDERS
P.O. BOX 72972
Fairbanks, Alaska 99707

March 20, 2001

Tanana Whirlwinds Teen 4H Club
1606 Roosevelt Street
Fairbanks, Alaska 99709

Attention: Robyn Davies

Dear Ms. Davies:

The Interior Alaska Trail Riders have voted at their March 16, 2001, meeting to donate \$100.00 to the teens going to Juneau for the Horse Liability Bill before the legislature. Enclosed you will find the \$100.00 donation check.

The vote was for the confidence we have in the efforts made to date and the upcoming efforts required for the March 27 and 28, 2001, meeting in Juneau by your 4H teens.

The Interior Alaska Trail Riders would appreciate a report at our next meeting, April 20, 2001, 7:30 p.m., at my home of 710 Hillcrest Drive, Fairbanks. My phone number is 457-8971 if you require further information or directions to my home.

We wish the 4H teens good luck in Juneau and we look forward to your report in April.

Sincerely,



Melissa Jones-Owen
Vice-President
Interior Alaska Trail Riders



Alaska State Legislature

Please enter into the record my testimony to the _____
 committee on HB 111, dated April 4 2001
 bill/subject _____, committee name _____.

Dear Sirs:

As an assistant leader of the Delta 4-H club and a life-long horse owner + participant of horse shows and related activities, I have seen many dangerous incidents occur. We as horse owners know that often times these large animals do become frightened or upset and can become "out-of-control". A single person can be virtually helpless to control these large animals. In short, how can we prove "negligence" when these situations can become totally out of our control even when we have done everything reasonable to avoid these situations?

The law as it stands now makes it very difficult, if not impossible, for clubs, organizations + individuals to put on shows, activities or give riding lessons for fear of retribution and the financial costs of liability insurance to cover these activities. So I am greatly in favor of passing this bill. Thank you.

Signed:

Jackie Heller
 Testifier
Self + Delta Saddletamps 4-H club
 Representing (Optional)
HC 110 BOX 3208 DELTA Junction AK 99737
 Address
907 895-1967
 Phone No.

APR 04 2001



Alaska State Legislature

Please enter into the record my testimony to the Judiciary
 committee name
 committee on HB 111, dated 4/4/2001
 bill/subject

The Horse Industry Alliance took a poll and one out of three people said they wanted to ride a horse.

See attached statistics

Signed: *Sandra Shackelford*
 Testifier

Self as publisher of Alaska Horse Journal
 Representing (Optional) *0*

310 N Harriette St, Wasilla, AK 99654
 Address

376-4470
 Phone No.

HORSE & HORSE SHOW STATISTICS

There are over 150 different breed registries and associations, we have only contacted a few of them. These numbers are just to give you food for thought. Grade horses, if counted, would outnumber registered horses by far.

The U.S. Equestrian Marketing Association estimated Alaska's total horse population at 16,935 for 1996

The U.S. Department of Agriculture estimated 2,400 horses in Alaska. Many wonder why there is such a huge difference in numbers. The major factor is that the U.S. Department of Agriculture only counted horses that were on farms. These figures should come much closer together in 2000 when an actual count of horses in Alaska takes place. We hope to bring you more information on this in the future.

There were 11 American Horse Show Assoc.(AHSA) recognized shows held in 1999. The total number of horses competing at each show were as follows:

(Show	1999 (98)
Colony Days	112 (94)
ADA Spring Festival I	17 (26)
ADA Spring Festival II	17 (n/a)
Midsummer Festival	97 (102)
1st Annual Jr./Amateur	n/a (32)
WCCEC Show	108 (95)
Morgan Open Breed	48 (54)
ADA Big Event	14 (23)
ADA Bigger Event	14 (19)
Ak. State Fair Dressage	18 (15)
Ak. Hunter/Jumper	54 (45)
Ak. State Fair	128 (113)

Palmer Anchorage

(Continued on page 7)

REGISTERED HORSES (cont.)

International Arabian Horse Assoc. (Half-Arabian and Anglo-Arabian Registries) 10805 E. Bethany Dr., Aurora, CO 80014-2605	229 (221)
American Bashkir Curly Registry..... P.O. Box 246, Ely, NV 89301-0246	58 (55)
The American Hanoverian Society, Inc..... 4059 Iron Works Pike, Bldg. C, Lexington, KY 40511	4 (2)
Hungarian Horse Assoc. of America HC 71, Box 108, Anselmo, NE 68813	1 (1)
Icelandic Horses (estimated by count)	69 (69)
American Miniature Horse Association, Inc..... 5601 South Interstate 35W, Alvarado, TX 76009	65 (65)
Am. Miniature Horse Registry & Am. Shetland Pony Club... 81-B E. Queenwood, Morton, IL 61550	40 (40)
Missouri Fox Trotting Horse Breed Assoc., Inc. (This number represents the number of members in Alaska, not horses) P.O. Box 1027, Ava, MO 65608-1027	0 (7)
American Morgan Horse Assoc., Inc..... P.O. Box 960, Shelburne, VT 05482-0960	350 (351)
National Show Horse Registry 11700 Commonwealth Dr., #200, Louisville, KY 40299-2344	15 (16)
Norwegian Fjord Horse Registry 8539 13 Mile Rd, Marshall, MI 49068	30 (64)
American Paint Horse Assoc..... P.O. Box 961023, Fort Worth, TX 76161-0023	214 (177)
Peruvian Paso Horse Registry of North America 3077 Wiljan Court, Suite A, Santa Rosa, CA 95407-5702	5 (3)
Pinto Horse Assoc. of America, Inc..... 1900 Samuels Ave., Fort Worth, TX 76102-1141	58 (48)
Pony of the Americans Club, Inc. 5240 Elmwood Ave., Indianapolis, IN 46203-5990	33 (30)
American Quarter Horse Assoc..... P.O. Box 200, Amarillo, TX 79168-0001	1,330 (1,256)
Rocky Mountain Pleasure Horse Assoc. 6569 East Hwy. 36, Olympia, KY 40358	2 (2)

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The AQHA Shows in Alaska had an average of 165 entries at 18 shows compared with 13 shows held in 1998 with an average of 235 entries.

During 1998 the first American Paint Horse Association recognized show was held. There were a total of 109 entries for the 21 classes. Both APHA and all-breed classes were held. The entries increased to 111 in 1999 with 38 classes being held.

American Saddlebred Horse Assoc., Inc.....	35 (36)
4093 Iron Works Pike, Lexington, KY 40511-8434	
American Trakehner Assoc.	12 (18)
1520 W. Church St., Newark, OH 43055	
Welsh Pony & Cob Society of American, Inc.	15 (2)
(This number reflects the number of members they have, not horses)	
P.O. Box 1977, Winchester, VA 22604-2977	
Paso Fino Horse Assoc.	1
101 North Collins St., Plant City, FL 33566-3311	
American Donkey & Mule Society	8
2901 N. Elm St., Denton, TX 76201-7631	



Please note: These numbers are estimates only. There has not been an actual count of horses in Alaska. Some of these figures are based on the number of members the association has in Alaska, some horses may be owned by an Alaskan resident and boarded elsewhere, and horses that have moved to Alaska or born in Alaska may not be registered yet.

Horse Show & Rodeo Grounds

Anchorage

William Clark Chamberlin
Equestrian Center
3900 Abbott Road

Chamberlin Equestrian Center is a municipal park and open to riders during the summer season with either a season pass or hourly fee. There are also numerous activities scheduled at the facilities throughout the week as well as on weekends.

The Center has a trail system, a large show arena, dressage arena, western arena, schooling arena, and over 100 stalls. Next to the large arena and western arena is an office/announcers booth. Bleachers are located on both sides of the large arena and there is both paved parking for spectators and non-paved parking for the equestrian event participants.

If you would like more information you can contact the Anchorage Horse Council at: P.O. Box 112195, Anchorage, AK 99511-2195 or you can leave a message for the facility scheduling manager at 522-1522.

Directions: Coming from the South
Take the Glenn Hwy to Diamond Blvd exit, turn right

onto Diamond Blvd. It will curve to the right turning into 88th, then turn left changing to Abbott Rd. You will pass a stop light at Lake Otis Blvd. keep going and watch for the sign and entrance on your right.

Directions: Coming from the North-
Take the Glenn Hwy to Muldoon Rd. After a sweeping right hand turn, Muldoon will change into Tudor Rd., stay on Tudor until you reach Lake Otis Pkwy. Turn left on Lake Otis Pkwy. Going South on Lake Otis Parkway to Abbott - turn left on Abbott Road - watch for signs and the entrance will be on your right.

Chugiak

Peters Creek Horse Park
19300 Old Glenn Hwy

Peters Creek Horse Park is open Tuesday through Friday from 11 a.m. until 10 p.m., Saturday from 11 a.m. until 6 p.m. and at other times for events or by prior arrangement.

Southcentral Horsemen, Inc. operates and maintains Peters Creek Horse Park, a municipal park located within the Loretta French Park, established, in part, to replace the

