

ALASKA LEGISLATURE HOUSE C&RA

12090 HOUSE C&RA

Alaska Coastal Management Program



Program Goals and Objectives

The Alaska Coastal Management Program (ACMP) oversees the responsible development of coastal uses and resources, federal activities within the coastal zone, and activities on the Outer Continental Shelf.

ACMP Structure and Organization

The ACMP is a voluntary State program, authorized by the Coastal Zone Management Act of 1972, as amended. The Division of Coastal and Ocean Management (DCOM), within the Department of Natural Resources, is the lead agency for the ACMP. Previously the ACMP was located within the Office of Project Management and Permitting (OPMP), but was split from OPMP and housed within the newly formed DCOM. Several state agencies participate in the implementation of the ACMP. In addition, several coastal municipalities and service areas (collectively known as coastal districts) voluntarily participate in the implementation of the ACMP. This structure and organization of state agencies and coastal districts provides for a networked implementation scheme designed to comprehensively manage coastal uses and resources.

The primary tool used to implement the ACMP is the consistency review process at 11 AAC 110. Through this process, proposed resource development activities are reviewed for consistency and compliance with the State's coastal management program which includes State laws, State standards, and district enforceable policies.

Value of ACMP

Having a federally approved coastal management program allows the State the opportunity to:

- Balance the need for economic investment and development in the coastal areas with the need to protect and manage the uses and resources of the coastal areas
- Act as State's liaison to federal agencies (1) conducting/permitting activities within the State's coastal zone and the Outer Continental Shelf, (2) involving federal laws/initiatives that effect development of the coastal zone, waters, uses or resources of the State
- Act as the department's lead on issues affecting or addressing the coastal waters affecting the State
- Apply State ACMP enforceable policies to federal agency activities
- Provide project applicants with a single point of contact for the State's review of resource development permit applications
- Incorporate coastal district input and knowledge for reasoned decisions

Key Fiscal Years 2008 and 2009 Priorities and Needs

- Finalize coastal district plan amendments review and approval
- Educate and train participants on implementation of ACMP
- Evaluate the ACMP implementing regulations and determine whether amendments are necessary
- Develop and seek approval for State Coastal Impact Assistance Program and for the Coastal and Estuarine Land Conservation Program

A Program of the Division of Coastal and Ocean Management



"The Alaska Coastal Management Program provides stewardship for Alaska's rich and diverse coastal resources to ensure a healthy and vibrant Alaskan coast that efficiently sustains long-term economic and environmental productivity."



ALASKA DEPARTMENT OF NATURAL RESOURCES - DIVISION OF COASTAL AND OCEAN MANAGEMENT
JUNEAU OFFICE: 302 GOLD ST, SUITE 202, PO BOX 111030 - JUNEAU, AK 99811-1030 - T: 907.465.3562 - F: 907.465.3075
ANCHORAGE OFFICE: 550 W 7TH AVE., SUITE 705 - ANCHORAGE, AK 99501-3559 - T: 907.269.7470 - F: 907.269.3981
WWW.ALASKACOAST.STATE.AK.US

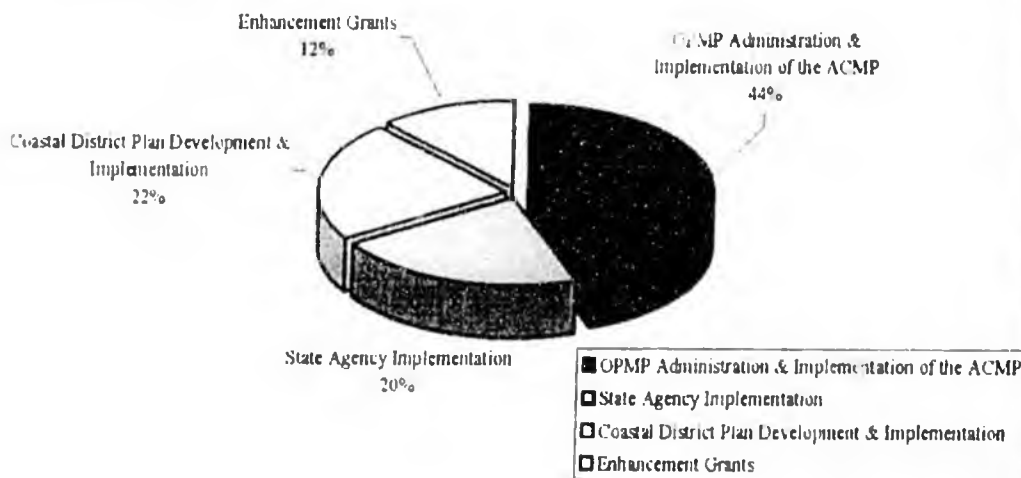
Alaska Coastal Management Program



Key Fiscal Year 2007 Accomplishments

- Continue to establish the Alaska Coastal Management Program (ACMP) within the Department of Natural Resources (DNR). This office leads on all issues and matters relating to the state's coastal zone, waters, uses, and resource, and administers and implements the ACMP
- Secured federal approval of reform changes to ACMP
- Coordinated or expedited approximately 215 consistency reviews for resource development projects within the coastal zone
- Provided coordinated and consolidated State response on all National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Management proposed rules, regulations, and initiatives
- Worked with Minerals Management Service, Forest Service, US Army Corps of Engineers, Bureau of Land Management, Federal Aviation Administration, and the Departments of Environmental Conservation and Transportation and Public Facilities to identify coastal consistency issues that would be resolved through the application of MOU's or other effective coordination and cooperation means

ACMP Funding



ACMP Originally Approved:
1979

Coastal Population in 1979:
330,960

Coastal Population in 2004:
538,332

Miles of Coastline:
44,500

CZMA Funds:
\$2,503,000

State and Other
Matching Funds:
\$1,967,000

Total:
\$4,470,000



ACMP State Contact

Randy Bates, Director - DCOM, T: 907.465.8797, F: 907.465.3075
E-mail: randy.bates@alaska.gov



ALASKA DEPARTMENT OF NATURAL RESOURCES - DIVISION OF COASTAL AND OCEAN MANAGEMENT
JUNEAU OFFICE: 302 GOLD ST, SUITE 202, PO BOX 111030 - JUNEAU, AK 99811-1030 - T: 907.465.3562 - F: 907.465.3075
ANCHORAGE OFFICE: 550 W 7TH AVE., SUITE 705 - ANCHORAGE, AK 99501-3559 - T: 907.269.7470 - F: 907.269.3981
WWW.ALASKACOAST.STATE.AK.US

25-LS0896\C
Bullock
2/22/08

CS FOR HOUSE BILL NO. 243()

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES JOULE, Edgmon

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the Alaska coastal management program; and establishing the**
2 **Alaska Coastal Policy Board."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 46.39 is amended by adding a new section to article 1 to read:

5 **Sec. 46.39.005. Alaska Coastal Policy Board.** (a) There is created in the
6 Department of Natural Resources the Alaska Coastal Policy Board. The board consists
7 of the following:

8 (1) four public members appointed by the governor from a list
9 composed of at least three names from each region, nominated and submitted by the
10 coastal districts of each region; one public member shall be appointed from each of the
11 following regions:

12 (A) northwest Alaska, including, generally, the area of the
13 North Slope Borough and the Northwest Arctic Borough; and the Bering Strait
14 area, including, generally, the area of the Bering Strait regional educational

1 attendance area;

2 (B) southwest Alaska, including, generally, the area within the
3 Lower Yukon, Lower Kuskokwim, and Southwest regional educational
4 attendance areas and the Lake and Peninsula and Bristol Bay Boroughs; and
5 the Kodiak-Aleutians area, including the Kodiak Island and area of the
6 Aleutians East Boroughs and the area of the Aleutian, Adak, and Pribilof
7 regional educational attendance areas;

8 (C) Upper Cook Inlet area, including the Municipality of
9 Anchorage and the Matanuska-Susitna Borough; the Lower Cook Inlet area,
10 including, generally, the Kenai Peninsula Borough; and the Prince William
11 Sound area, including, generally, the area east of the Kenai Peninsula Borough
12 to 141 West longitude; and

13 (D) Southeast Alaska, generally the area east of 141 West
14 longitude;

15 (2) each of the following:

16 (A) the commissioner of environmental conservation;

17 (B) the commissioner of fish and game; and

18 (C) the commissioner of natural resources.

19 (b) Each public member appointed by the governor under (a)(1) of this section
20 serves a term of two years and until a successor is appointed and qualified. A public
21 member may be reappointed.

22 (c) The board shall designate co-chairs, one of whom shall be selected from
23 among the public members appointed under (a)(1) of this section and one from among
24 the members designated in (a)(2) of this section.

25 (d) Each member of the board shall select one person to serve as a permanent
26 alternate at meetings of the board. If a member of the board is unable to attend, the
27 member shall advise the alternate, who may attend and act in the place of the member.
28 The alternate for each public member appointed under (a)(1) of this section shall be
29 approved by the coastal districts in each region. The alternate for a designated member
30 serving under (a)(2) of this section shall be a deputy commissioner of the department
31 or the director of a division in the department. The names of alternates shall be filed

1 with the board.

2 (e) Three public members and two designated members of the board constitute
3 a quorum, but one or more of the members designated by the board may hold hearings.
4 All decisions of the board shall be by a majority vote of the members present and
5 voting.

6 (f) Members of the board or their alternates are entitled to per diem and travel
7 expenses authorized by law for members of boards and commissions.

8 (g) Administrative support for the board shall be provided by the division in
9 the department responsible for coastal and ocean management. The director of the
10 division in the department responsible for coastal and ocean management, under
11 direction of the co-chair designated by the board from the individuals listed in (a)(2)
12 of this section, may contract with or employ persons as necessary to assist the board in
13 carrying out the board's duties and responsibilities.

14 * Sec. 2. AS 46.39.010(b) is amended to read:

15 (b) The department may adopt regulations approved by the board necessary
16 to implement this chapter.

17 * Sec. 3. AS 46.39.030 is amended to read:

18 Sec. 46.39.030. Powers of the hoard [DEPARTMENT]. The board
19 [DEPARTMENT] may

20 (1) apply for and accept grants, contributions, and appropriations,
21 including application for and acceptance of federal funds that may become available
22 for coastal planning and management;

23 (2) contract for necessary services;

24 (3) consult and cooperate with

25 (A) persons, organizations, and groups, public or private,
26 interested in, affected by, or concerned with coastal area planning and
27 management;

28 (B) agents and officials of the coastal resource districts of the
29 state, and federal and state agencies concerned with or having jurisdiction over
30 coastal planning and management;

31 (4) take any reasonable action necessary to carry out the provisions of

1 this chapter or AS 46.40.

2 * Sec. 4. AS 46.39.040 is amended to read:

3 Sec. 46.39.040. Duties of the board [DEPARTMENT]. In conformity with
4 16 U.S.C. 1451 - 1464 (Coastal Zone Management Act of 1972), as amended, the
5 board [DEPARTMENT] shall

6 (1) approve [DEVELOP] statewide standards for the Alaska coastal
7 management program [,] and criteria for the preparation and approval of district
8 coastal management plans in accordance with AS 46.40;

9 (2) [ESTABLISH CONTINUING COORDINATION AMONG
10 STATE AGENCIES TO FACILITATE THE DEVELOPMENT AND
11 IMPLEMENTATION OF THE ALASKA COASTAL MANAGEMENT PROGRAM;
12 IN CARRYING OUT ITS DUTIES UNDER THIS PARAGRAPH, THE
13 DEPARTMENT SHALL INITIATE AN INTERAGENCY PROGRAM OF
14 COMPREHENSIVE COASTAL RESOURCE PLANNING FOR EACH
15 GEOGRAPHIC REGION OF THE STATE;

16 (3) assure continued provision of data and information to coastal
17 resource districts to carry out their planning and management functions under the
18 program.

19 * Sec. 5. AS 46.39.900 is amended to read:

20 Sec. 46.39.900. Definitions [DEFINITION]. In this chapter, unless the
21 context requires otherwise,

22 (1) "board" means the Alaska Coastal Policy Board established in
23 AS 46.39.005;

24 (2) "department" means the Department of Natural Resources.

25 * Sec. 6. AS 46.40.010 is amended to read:

26 Sec. 46.40.010. Development of Alaska coastal management program. (a)
27 The Alaska Coastal Policy Board [DEPARTMENT] shall approve, in accordance
28 with this chapter, program changes to the Alaska coastal management program.

29 (b) The board [DEPARTMENT] may approve the Alaska coastal
30 management program for a portion or portions of the coastal area before approving the
31 [COMPLETE] program changes under (a) of this section. Portions of the program

1 approved under this subsection shall be incorporated into the Alaska coastal
2 management program.

3 (c) The Alaska coastal management program shall be reviewed by the board
4 [DEPARTMENT] and, when appropriate, revised to

5 (1) add newly approved district coastal management plans [,] or
6 revisions and amendments to the Alaska coastal management program;

7 (2) integrate newly approved district coastal management plans [,] or
8 revisions and amendments of district coastal management plans [,] with existing
9 approved plans and with plans developed by state agencies;

10 (3) add new or revised state statutes, policies, regulations, or other
11 appropriate material;

12 (4) evaluate [REVIEW] the effectiveness [OF IMPLEMENTATION]
13 of district coastal management plans; and

14 (5) consider new information acquired by the state and coastal resource
15 districts.

16 (d) All reviews and revisions shall be in accordance with the statewide
17 standards and district plan criteria adopted under AS 46.40.040.

18 * Sec. 7. AS 46.40.020 is amended to read:

19 **Sec. 46.40.020. Objectives.** The Alaska coastal management program shall be
20 consistent with the following objectives:

21 (1) the use, management, restoration, and enhancement of the overall
22 quality of the coastal environment;

23 (2) the development of industrial or commercial enterprises that are
24 consistent with the social, cultural, historic, economic, and environmental interests of
25 the people of the state;

26 (3) the orderly, balanced utilization and protection of the resources of
27 the coastal area consistent with sound conservation and sustained yield principles;

28 (4) the management of coastal land and water uses in such a manner
29 that, generally, those uses that [WHICH] are economically or physically dependent on
30 a coastal location are given higher priority when compared to uses that [WHICH] do
31 not economically or physically require a coastal location;

1 (5) the protection and management of significant historic, cultural,
2 natural, subsistence, and aesthetic values and natural systems or processes within the
3 coastal area;

4 (6) the prevention of damage to or degradation of land and water
5 reserved for their natural and subsistence values as a result of inconsistent land or
6 water usages adjacent to that land;

7 (7) the recognition of the need for a continuing supply of energy to
8 meet the requirements of the state and the contribution of a share of the state's
9 resources to meet national energy needs; and

10 (8) the full and fair evaluation of all demands on the land and water in
11 the coastal area.

12 * Sec. 8. AS 46.40.040(a) is amended to read:

13 (a) Except as provided in [(b) OF THIS SECTION AND] AS 41.17, the
14 department shall, with approval by the board,

15 (1) by regulation, adopt, under the provisions of AS 44.62
16 (Administrative Procedure Act) for the use of and application by coastal resource
17 districts and state agencies for carrying out their responsibilities under this chapter,
18 statewide standards and district coastal management plan criteria for

19 (A) identifying the boundaries of the coastal area subject to the
20 Alaska coastal management program;

21 (B) determining the land and water uses and activities subject
22 to the Alaska coastal management program;

23 (C) developing policies applicable to the land and water uses
24 subject to the Alaska coastal management program;

25 (D) developing regulations applicable to the land and water
26 uses subject to the Alaska coastal management program;

27 (E) developing policies and procedures to determine whether
28 specific proposals for the land and water uses or activities subject to the Alaska
29 coastal management program shall be allowed;

30 (F) designating and developing policies for the use of areas of
31 the coast that merit special attention, and

1 (G) measuring the progress of a coastal resource district in
2 meeting its responsibilities under this chapter;

3 (2) [DEVELOP AND MAINTAIN A PROGRAM OF TECHNICAL
4 AND FINANCIAL ASSISTANCE TO AID COASTAL RESOURCE DISTRICTS IN
5 THE DEVELOPMENT AND IMPLEMENTATION OF DISTRICT COASTAL
6 MANAGEMENT PLANS;

7 (3) UNDERTAKE REVIEW AND APPROVAL OF DISTRICT
8 COASTAL MANAGEMENT PLANS IN ACCORDANCE WITH THIS CHAPTER;

9 (4) INITIATE A PROCESS FOR IDENTIFYING AND MANAGING
10 USES OF STATE CONCERN WITHIN SPECIFIC AREAS OF THE COAST;

11 (5) DEVELOP PROCEDURES OR GUIDELINES FOR
12 CONSULTATION AND COORDINATION WITH FEDERAL AGENCIES
13 MANAGING LAND OR CONDUCTING ACTIVITIES POTENTIALLY
14 AFFECTING THE COASTAL AREA OF THE STATE;

15 (6) by regulation, establish a consistency review and determination or
16 certification process that conforms to the requirements of AS 46.40.096.

17 * Sec. 9. AS 46.40.040(b) is amended to read.

18 (b) AS 46.03, AS 46.04, AS 46.09, AS 46.14, and the regulations adopted
19 under those statutes constitute the exclusive enforceable policies of the Alaska coastal
20 management program for those purposes. For those purposes only,

21 (1) the issuance of permits, certifications, approvals, and
22 authorizations by the Department of Environmental Conservation establishes
23 consistency with the Alaska coastal management program for those activities of a
24 proposed project subject to those permits, certification approvals, and authorizations;

25 (2) for a consistency review of an activity that does not require a
26 Department of Environmental Conservation permit, certification, approval, or
27 authorization because the activity is a federal activity or the activity is located on
28 federal land or the federal outer continental shelf, consistency with AS 46.03,
29 AS 46.04, AS 46.09, and AS 46.14 and the regulations adopted under those statutes
30 shall be established on the basis of whether the Department of Environmental
31 Conservation finds that the activity satisfies the requirements of those statutes and

1 regulations; before making a finding under this paragraph, the Department of
2 Environmental Conservation shall provide notice and an opportunity for public
3 comment

4 * **Sec. 10.** AS 46.40.040 is amended by adding new subsections to read:

5 (d) Except as provided in AS 41.17, the board shall

6 (1) develop and maintain a program of technical and financial
7 assistance to aid coastal resource districts in the development and implementation of
8 district coastal management plans;

9 (2) undertake review of and, after public hearing, approve district
10 coastal management plans in accordance with this chapter;

11 (3) initiate a process for identifying and managing uses of state
12 concern within specific areas of the coast;

13 (4) develop procedures or guidelines for consultation and coordination
14 with federal agencies managing land or conducting activities potentially affecting the
15 coastal area of the state.

16 (e) To the extent that AS 46.03, AS 46.04, AS 46.09, and AS 46.14 and the
17 regulations adopted under those statutes do not address a potential effect on coastal
18 resources or uses, the coordinating agency shall review all project activities to ensure
19 that air or water discharges are consistent with statewide standards and the enforceable
20 policies of the coastal resource district.

21 * **Sec. 11.** AS 46.40.050 is amended to read:

22 **Sec. 46.40.050. Submission of district plans by coastal resource districts.**

23 (a) A coastal resource district must review and resubmit its coastal management plan
24 for reapproval every 10 years after its approval by the board [DEPARTMENT] under
25 AS 46.40.060

26 (b) Within 30 months after certification of the organization of a new coastal
27 resource district, the coastal resource district shall complete and submit to the board
28 [DEPARTMENT] a proposed district coastal management plan. If, after receipt of a
29 written request for extension from the coastal resource district, the board
30 [DEPARTMENT] considers an extension proper, the board [DEPARTMENT] may
31 grant an extension to a date that is within 54 months after certification of the results of

1 the coastal resource district's organization. A request under this subsection must
2 include the reasons for the extension.

3 * Sec. 12. AS 46.40.060 is amended to read:

4 **Sec. 46.40.060. Review and approval [BY THE DEPARTMENT].** (a) If,
5 upon submission of a district coastal management plan for approval, the **board**
6 [DEPARTMENT] finds that the plan meets the provisions of this chapter and the
7 statewide standards and district plan criteria adopted by the **board** [DEPARTMENT]
8 and does not arbitrarily or unreasonably restrict or exclude uses of state concern, the
9 **board** [DEPARTMENT] may approve the district coastal management plan, or may
10 approve portions of the district plan that meet those requirements.

11 (b) If the **board** [DEPARTMENT] finds that a district coastal management
12 plan is not approvable or is approvable only in part under (a) of this section, **the board**
13 [IT] shall direct that deficiencies in the plan submitted by the coastal resource district
14 be mediated. In mediating the deficiencies, the **board** [DEPARTMENT] may call for
15 one or more public hearings in the district. The **board** [DEPARTMENT] shall meet
16 with officials of the coastal resource district in order to resolve differences.

17 (c) If, after mediation, the differences have not been resolved **and mutually**
18 **agreed to by the coastal resource district and the board, the board shall call for a**
19 **public hearing and shall resolve the differences in accordance with AS 44.62**
20 **(Administrative Procedure Act). After the public hearing, the board**
21 [DEPARTMENT] shall enter findings and, by order, may require

22 (1) that the district coastal management plan be amended to satisfy the
23 provisions of this chapter or meet the statewide standards and district plan criteria
24 **approved** [ADOPTED] by the **board** [DEPARTMENT];

25 (2) that the district coastal management plan be revised to
26 accommodate a use of state concern; or

27 (3) any other action be taken by the coastal resource district as
28 appropriate.

29 (d) The superior courts of the state have jurisdiction to enforce orders of the
30 **board** [DEPARTMENT] entered under (c) of this section.

31 * Sec. 13. AS 46.40.070 is amended to read:

1 **Sec. 46.40.070. Requirements for board [DEPARTMENT] review and**
2 **approval.** (a) The board [DEPARTMENT] shall approve a district coastal
3 management plan submitted for review and approval if

4 (1) the district coastal management plan meets the requirements of this
5 chapter and the statewide standards and district plan criteria in regulations adopted by
6 the department with approval by the board; and

7 (2) the enforceable policies of the district coastal management plan

8 (A) are clear and concise as to the activities and persons
9 affected by the policies, and the requirements of the policies;

10 (B) use precise [, PRESCRIPTIVE,] and enforceable language
11 that is either prescriptive or performance-based; and

12 (C) do not address a matter regulated or authorized by state or
13 federal law unless the enforceable policies relate specifically to a matter of
14 local concern; for purposes of this subparagraph, "matter of local concern"
15 means a specific coastal use or resource within a defined portion of the
16 district's coastal zone, that is

17 (i) demonstrated as sensitive to development;

18 (ii) not adequately addressed by a specific state or
19 federal law; and

20 (iii) of special [UNIQUE] concern to the coastal
21 resource district as demonstrated by local usage or scientific evidence.

22 (b) A decision by the board [DEPARTMENT] under this section shall be
23 given within 90 days after submission of the district coastal management plan to the
24 board [DEPARTMENT].

25 * **Sec. 14.** AS 46.40.070 is amended by adding a new subsection to read:

26 (c) A coastal resource district enforceable policy may address an effect on any
27 coastal use or resource and may not be required to be associated with a particular area
28 designation.

29 * **Sec. 15.** AS 46.40.096(a) is amended to read:

30 (a) The department shall, with approval of the board, by regulation,
31 establish a consistency review and determination process that conforms to the

1 requirements of this section.

2 * Sec. 16. AS 46.40.096(b) is amended to read:

3 (b) If a consistency review is not subject to AS 46.39.010 because the project
4 for which a consistency review is made requires a permit, lease, or authorization from
5 only one state resource agency, that state resource agency shall coordinate the
6 consistency review of the project. The state resource agency shall coordinate the
7 consistency review according to the requirements of the regulations adopted by the
8 department with approval of the board under this section.

9 * Sec. 17. AS 46.40.096(c) is amended to read:

10 (c) The regulations adopted by the department with approval of the board
11 under this section must include provisions for public notice and provide the
12 opportunity for public comment. The regulations adopted under this subsection may
13 make distinctions relating to notice based upon differences in project type, anticipated
14 effect of the project on coastal resources and uses, other state or federal notice
15 requirements, and time constraints. However, a notice given under this subsection
16 must contain sufficient information, expressed in commonly understood terms, to
17 inform the public of the nature of the proposed project for which a consistency
18 determination is sought, and must explain how the public may comment on the
19 proposed project.

20 * Sec. 18. AS 46.40.096(d) is amended to read:

21 (d) In preparing a consistency review and determination for a proposed
22 project, the reviewing entity shall

23 (1) request consistency review comments for the proposed project
24 from state resource agencies, affected coastal resource districts, and other interested
25 parties as determined by regulation adopted by the department with approval of the
26 board;

27 (2) prepare proposed consistency determinations;

28 (3) coordinate elevation [SUBSEQUENT REVIEWS] of proposed
29 consistency determinations prepared under (2) of this subsection; an elevation [A
30 SUBSEQUENT REVIEW] of a proposed consistency determination under this
31 paragraph

1 (A) is limited to a review by state resource agencies [THE
2 DEPARTMENT];

3 (B) may occur only if requested by

4 (i) the project applicant;

5 (ii) a state resource agency; or

6 (iii) an affected coastal resource district; and

7 (C) shall be completed by the department with concurrence of
8 other resource agencies within 45 days after the initial request for subsequent
9 review under this paragraph;

10 (4) render the final consistency determination and certification.

11 * Sec. 19. AS 46.40.096(g) is amended to read:

12 (g) The reviewing entity shall exclude from the consistency review and
13 determination process for a project

14 (1) an aspect of an activity that

15 [(A)] is authorized under a general or nationwide permit that
16 has previously been determined to be consistent with the Alaska coastal
17 management program; [OR

18 (B) IS SUBJECT TO AUTHORIZATION BY THE
19 DEPARTMENT OF ENVIRONMENTAL CONSERVATION UNDER THE
20 REQUIREMENTS DESCRIBED IN AS 46.40.040(b);]

21 (2) activities excluded from a consistency review under AS 41.17; and

22 (3) the issuance of an authorization or permit issued by the Alaska Oil
23 and Gas Conservation Commission.

24 * Sec. 20. AS 46.40.096(k) is amended to read:

25 (k) Except as provided in (g) of this section, AS 41.17, AS 46.40.040(b), and
26 AS 46.40.094, the scope of a consistency review of a project, once triggered under (j)
27 of this section, is limited to activities that are located within the areas described in (l)
28 of this section and that either are subject to a state resource agency permit, lease,
29 authorization, approval, or certification or are the subject of a coastal resource district
30 enforceable policy approved by the board [DEPARTMENT] under this chapter. The
31 scope of a consistency review subject to 16 U.S.C. 1456 is determined under 16

1 U.S.C. 1456 and 15 C.F.R. Part 930.

2 * Sec. 21. AS 46.40.096(l) is amended to read:

3 (l) The regulations adopted under (a) of this section apply, as authorized by 16
4 U.S.C. 1456(c), to

5 (1) activities within the coastal zone; and

6 (2) activities on federal land and water, including the federal outer
7 continental shelf, that would affect any land or water use or natural resource of the
8 state's coastal zone; for purposes of this paragraph, those activities consist of any
9 activity on the federal outer continental shelf, including seismic survey activity, and
10 any activity on federal land that are within the geographic boundaries of the state's
11 coastal zone notwithstanding the exclusion of federal land in 16 U.S.C. 1453(1).

12 * Sec. 22. AS 46.40.096(m) is amended to read:

13 (m) As part of the regulations adopted under (a) of this section, the department
14 with approval by the board shall establish a list of permits, certifications, leases,
15 approvals, and authorizations issued by a state resource or federal agency that will
16 trigger a consistency review under (j) of this section. In addition, the department with
17 approval by the board shall establish in regulation categories and descriptions of
18 uses and activities that, for purposes of evaluating consistency with the Alaska coastal
19 management program, are determined to be categorically consistent or generally
20 consistent after the inclusion of standard alternative measures. These categories of
21 uses and activities must be as broad as possible so as to minimize the number of
22 projects that must undergo an individualized consistency review under this section.

23 * Sec. 23. AS 46.40.096(o) is amended to read:

24 (o) The time limitations in (n) of this section

25 (1) do not apply to a consistency review involving

26 (A) the disposal of an interest in state land or resources;

27 (B) an activity proposed by a federal agency; or

28 (C) an activity permitted by a federal agency;

29 (2) are suspended

30 (A) from the time a review schedule is modified in response
31 to [THE REVIEWING ENTITY DETERMINES THAT THE APPLICANT

1 HAS NOT ADEQUATELY RESPONDED IN WRITING WITHIN 14 DAYS
2 AFTER THE RECEIPT OF] a written request from the reviewing entity for
3 additional information, until the time the reviewing entity determines that the
4 applicant has provided an adequate written response;

5 (B) during a period of time requested by the applicant;

6 (C) during the period of time a consistency review is
7 undergoing a subsequent review under (d)(3) of this section.

8 * Sec. 24. AS 46.40.100(b) is amended to read:

9 (b) A party that is authorized under (g) of this section may file a petition
10 showing that a district coastal management plan is not being implemented. A petition
11 filed under this subsection may not seek review of a proposed or final consistency
12 determination regarding a specific project. On receipt of a petition, the board
13 [DEPARTMENT], after giving public notice in the manner required by (f) of this
14 section, shall convene a hearing to consider the matter. A hearing called under this
15 subsection shall be held in accordance with regulations adopted under this chapter.
16 After hearing, the board [DEPARTMENT] may order that the coastal resource district
17 or a state resource agency take any action with respect to future implementation of the
18 district coastal management plan that the board [DEPARTMENT] considers
19 necessary, except that the board [DEPARTMENT] may not order that the coastal
20 resource district or a state agency take any action with respect to a proposed or final
21 consistency determination that has been issued.

22 * Sec. 25. AS 46.40.100(c) is amended to read:

23 (c) In determining whether an approved district coastal management plan is
24 being implemented by a coastal resource district that exercises zoning authority or
25 controls on the use of resources within the coastal area or by a state resource agency,
26 the board [DEPARTMENT] shall find in favor of the district or the state resource
27 agency, unless the board [DEPARTMENT] finds a pattern of nonimplementation.

28 * Sec. 26. AS 46.40.100(e) is amended to read:

29 (e) The superior courts of the state have jurisdiction to enforce lawful orders
30 of the board and the department under this chapter.

31 * Sec. 27. AS 46.40.100(f) is amended to read:

1 (f) Upon receipt of a petition under (b) of this section, the board
2 [DEPARTMENT] shall give notice of the hearing at least 10 days before the
3 scheduled date of the hearing. The notice must

4 (1) contain sufficient information in commonly understood terms to
5 inform the public of the nature of the petition; and

6 (2) indicate the manner in which the public may comment on the
7 petition.

8 * **Sec. 28.** AS 46.40.100(h) is amended to read:

9 (h) If the board [DEPARTMENT] finds a pattern of nonimplementation
10 under (c) of this section, the board [DEPARTMENT] may order a coastal resource
11 district or a state resource agency to take action with respect to future implementation
12 of the district coastal management plan that the board [DEPARTMENT] considers
13 necessary to implement the district coastal management plan. The board's
14 [DEPARTMENT'S] determination under (c) of this section and any order issued under
15 this subsection shall be considered a final administrative order for purposes of judicial
16 review under AS 44.62.560.

17 * **Sec. 29.** AS 46.40.210(1) is amended to read:

18 (1) "area that [WHICH] merits special attention" means a delineated
19 geographic area within the coastal area that [WHICH] is sensitive to change or
20 alteration and that [WHICH], because of plans or commitments or because a claim on
21 the resources within the area delineated would preclude subsequent use of the
22 resources to a conflicting or incompatible use, warrants special management attention,
23 or that [WHICH], because of its value to the general public, should be identified for
24 current or future planning, protection, or acquisition; these areas, subject to the
25 board's [DEPARTMENT'S] definition of criteria for their identification, include [:]

26 (A) areas of unique, scarce, fragile, or vulnerable natural
27 habitat, cultural value, historical significance, or scenic importance;

28 (B) areas of high natural productivity or essential habitat for
29 living resources;

30 (C) areas of substantial recreational value or opportunity;

31 (D) areas where development of facilities is dependent upon

1 the utilization of, or access to, coastal water;

2 (E) areas of unique geologic or topographic significance that
3 [WHICH] are susceptible to industrial or commercial development;

4 (F) areas of significant hazard due to storms, slides, floods,
5 erosion, or settlement; and

6 (G) areas needed to protect, maintain, or replenish coastal land
7 or resources, including coastal flood plains, aquifer recharge areas, beaches,
8 and offshore sand deposits;

9 * Sec. 30. AS 46.40.210(4) is amended to read:

10 (4) "coastal zone" means the coastal water including land within and
11 under that water, and adjacent shoreland, including the water within and under that
12 shoreland, within the boundaries approved by the former Alaska Coastal Policy
13 Council and by the United States Secretary of Commerce under 16 U.S.C. 1451 - 1465
14 (Coastal Zone Management Act of 1972, as amended); "coastal zone" includes areas
15 added as a result of any boundary changes approved by the board [DEPARTMENT]
16 and by the United States Secretary of Commerce under 16 U.S.C. 1451 - 1465;
17 "coastal zone" does not include

18 (A) those lands excluded under 16 U.S.C. 1453(1); or

19 (B) areas deleted as a result of any boundary changes by the
20 board [DEPARTMENT] in conformance with 16 U.S.C. 1451 - 1465;

21 * Sec. 31. AS 46.40.210(7) is amended to read:

22 (7) "district coastal management plan" means a plan developed by a
23 coastal resource district, including enforceable policies of that plan, setting out
24 policies and standards to guide public and private uses of land and water within that
25 district and approved by the board [DEPARTMENT] as meeting the requirements of
26 this chapter and the regulations adopted under this chapter;

27 * Sec. 32. AS 46.40.210(8) is amended to read:

28 (8) "enforceable policy" means a policy established by this chapter or
29 approved by the board [DEPARTMENT] as a legally binding policy of the Alaska
30 coastal management program applicable to public and private activities;

31 * Sec. 33. AS 46.40.210 is amended by adding a new paragraph to read:

1 (13) "board" has the meaning given in AS 46.39.900.

2 * Sec. 34. AS 46.40.096(i) is repealed.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: CS HB 243 (CRA)
() Publish Date: _____

Identifier (file name): HB243CS(CRA)-DEC-CO-02-04-08 Dept. Affected: Environmental Conservation
Title: An Act relating to the Alaska coastal management program RDU: Administration
Component: Office of the Commissioner
Sponsor: Representatives Joule, Edgmon
Requester: Community & Regional Affairs Committee Component Number: 633

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information					
		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES							
Personal Services	96.7		96.7	96.7	96.7	96.7	96.7
Travel	8.0		8.0	8.0	8.0	8.0	8.0
Contractual	5.0		5.0	5.0	5.0	5.0	5.0
Supplies	2.5		2.5	2.5	2.5	2.5	2.5
Equipment	5.0		1.0	1.0	1.0	1.0	1.0
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	117.2	0.0	113.2	113.2	113.2	113.2	113.2

CAPITAL EXPENDITURES							
-----------------------------	--	--	--	--	--	--	--

CHANGE IN REVENUES ()							
-------------------------------	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
1002 Federal Receipts						
1003 GF Match						
1004 GF	117.2		113.2	113.2	113.2	113.2
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other Interagency Receipts						
TOTAL	117.2	0.0	113.2	113.2	113.2	113.2

Estimate of any current year (FY2008) cost: _____

POSITIONS

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Full-time	1.0	0.00	1	1	1	1
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation amends Alaska statutes related to the Alaska Coastal Management Program (ACMP). The bill requires that the Department of Environmental Conservation assume new responsibility for coordinating its permitting procedures with the ACMP coastal consistency review process. Authorizations issued by the agency will also be required to undergo the ACMP process creating a need for a ACMP program coordinator position.

This fiscal note represents the addition of \$96.7 in general funds for salaries and associated support costs for a Program Coordinator (range 20) position. First-year costs include on-time equipment costs that are not reflected in subsequent years.

Prepared by: Mike Maher, Director
Division: Information and Administrative Services
Approved by: Dan Easton
Department of Environmental Conservation

Phone: 465-5256
Date/Time: 3/14/08 5:16 PM
Date: 3/17/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: CSHB243(CRA)
() Publish Date: _____

Identifier (file name): HB243CSCRA-DNR-DCOM-03-20-2008 Dept Affected: Natural Resources
Title An Act Relating to the Alaska Coastal Management Program RDU Resource Development
Component Coastal & Ocean Mgmt
Sponsor Rep. Joule, Edgmon
Requester H CRA Component Number 2680

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services								
Travel	284.0		284.0	284.0	284.0	284.0	284.0	284.0
Contractual	890.0		10.0	10.0	10.0	10.0	10.0	10.0
Supplies	10.0		10.0	10.0	10.0	10.0	10.0	10.0
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	1,184.0	0.0	304.0	304.0	304.0	304.0	304.0	304.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	1,184.0		304.0	304.0	304.0	304.0	304.0	304.0
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL	1,184.0	0.0	304.0	304.0	304.0	304.0	304.0	304.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

This following issues contained within CSHB243 (CRA) will have the following fiscal impact.

Travel & Supplies - Based on the level of state agency authority transferred to the Coastal Policy Board, it's expected that the Board will need to meet at least twice a month to fulfill the obligations and provide the services outlined in the proposed legislation.

Prepared by: Randy Bates, Director
Division: Coastal & Ocean Management
Approved by: Tom Irwin, Commissioner
Natural Resources

Phone 907-465-8797
Date/Time March 20, 2008
Date March 20, 2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

BILL NO. CSHB243(CRA)

ANALYSIS CONTINUATION

In order to re-write the guiding regulations, the Division of Coastal & Ocean Management (DCOM) will need to secure contractual services for the promulgation and final Department of Law review of the regulations (\$50.0 in the first year). Additional legal advice to support the board's required actions is expected to cost \$10.0 annually.

In order to revise, amend and approve the district coastal management plans, additional funds will be required. These funds are granted to the individual districts to make their plan updates. Based on past requests for funding the district plan amendments and the anticipated level of revision, an estimated additional \$840.0 will be required.



Lake and Peninsula Borough

*P.O. Box 495
King Salmon, Alaska 99613*

*Telephone: (907) 246-3421
Fax: (907) 246-6602*



March 18, 2008

The Honorable Representative Gabriel LeDoux
State Capitol, Room 412
Juneau, Alaska 99801-1182

Subject: HB 243, an Act relating to the Alaska Coastal Management Program; and establishing the Alaska Coastal Policy Board

Dear Representative LeDoux,

The Lake and Peninsula Borough would like to provide the following comment regarding the proposed HB 243, an Act relating to the Alaska Coastal Management Program (ACMP); and establishing the Alaska Coastal Policy Board that is currently in committee in the Alaska Legislature.

The Lake and Peninsula Borough supports HB 243 because it requires the Alaska Department of Environmental Conservation (ADEC) to participate in consistency reviews that affect air, land and water quality, clarifies the criteria for the approval of district enforceable policies, establishes the Coastal Policy Board, eliminates the requirement for designated areas, and reestablishes the protection of subsistence as an objective of the Alaska Coastal Management Program as well as the recognition of subsistence values concerning land usage adjacent to the water. I will try to address each issue below and how these topics have affected the program since the passage of HB 191 in 2003.

AIR AND WATER QUALITY

1. **Background:** The ACMP statutes were amended by HB 191 (Chapter 24 S.L.A. 03) to remove Alaska Department of Environmental Conservation (ADEC) authorizations from individual ACMP reviews. Removal of ADEC authorizations from ACMP reviews has resulted in a number of unanticipated problems:

- a. Confusion about what specific activities are included in the scope of review. This lack of clarity occurs when a project requires an ADEC authorization or an Environmental Protection Agency authorization or when it involves Outer Continental Shelf (OCS) activities.

b. The Alaska Department of Natural Resources (ADNR) is not following guidance it issued regarding its review of activities not regulated by federal NPDES or 404 permits (i.e., the guidance states that such activities not addressed by the ADEC or Army Corps of Engineers must be part of coordinated ACMP review).

c. As a result of this change districts can no longer comment on activities regulated by ADEC that affect other coastal uses and resources. For example, effects from an oil spill or other discharges on subsistence uses and resources can no longer be considered because this activity is excluded from the coordinated ACMP review, and the agency has no regulations or statutes that address effects of discharges on subsistence.

2. CLARIFIES CRITERIA FOR ENFORCEABLE POLICIES

This bill better clarifies the intent in Section 19, which addresses AS 46.40.070 in several paragraphs by being more specific on policy approval. This is critical to the coastal districts as it will allow the districts to establish local control through policies that were previously denied by DNR Staff when plans were reviewed. It amends three criteria for approval of enforceable policies to better clarify what policies may address. It clarifies the legislative intent of Chapter 24 SLA 03 (HB 191) to allow districts to establish enforceable policies for activities that may affect a coastal use or resource.

3. ESTABLISHES THE COASTAL POLICY BOARD

The establishment of the Coastal Policy Board is the key to the success of this bill as it returns control of the approval of district coastal management plans back to the districts. This will happen because the members of the Coastal Policy Board will be appointed from the coastal districts of Alaska who are much closer to local issues and will more closely understand and relate to the unique issues districts face when writing policies for plan approval. This bill also establishes the Board's role in the mediation of decisions on the approval of district plans as well as gives the Board approval authority for plans mentioning areas meriting special attention.

4. SUBSISTENCE IS NOW INCLUDED IN THE ACMP

Subsistence is very important to the culture of the citizens within the Lake & Peninsula Borough. This bill adds subsistence to the values included in the Alaska Coastal Management Plan objectives.

In summary the Lake and Peninsula Borough is in support of HB 243 as it requires the Alaska Department of Environmental Conservation (ADEC) to participate in consistency reviews that affect air, land and water quality, clarifies the criteria for the approval of district enforceable policies, establishes the Coastal Policy Board, eliminates the

requirement for designated areas, and reestablishes the protection of subsistence as an objective of the Alaska Coastal Management Program. We encourage all committees to please hear this bill and move it along as soon as possible.

Finally the Lake and Peninsula Borough does not support any recommendations that suggest a working group or committee be formed to resolve the problems created by HB191 from 2003. This move is simply a stall tactic by those making that recommendation. However, we encourage the legislators to act on this bill as it will not require districts to re-write their plans but specifically requires DNR/DCOM to make the regulations more specific and puts local control back where it belongs.

We thank you for the opportunity to comment on this very important bill. If you have questions please contact Marv Smith at 907-246-3421.

Sincerely,

A handwritten signature in cursive script, appearing to read "Glen Alsworth".

Glen Alsworth
Mayor/Lake and Peninsula Borough

STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF COASTAL AND OCEAN MANAGEMENT
<http://www.alaskacoast.state.ak.us>

□ SOUTHCENTRAL REGIONAL OFFICE
550 W 7th AVENUE SUITE 705
ANCHORAGE, ALASKA 99501
PH: (907) 269-7470 FAX: (907) 269-3891

✕ CENTRAL OFFICE
302 GOLD STREET, SUITE 202
P.O. Box 111030
JUNEAU, ALASKA 99811-1030
PH: (907) 465-3562 FAX: (907) 465-3075

February 22, 2008

ACMP Participant

RE: Re-evaluation of ACMP

Dear ACMP Participant:

As you know, in 2003 the Alaska State Legislature mandated the reform of the ACMP that included revised statutes, regulations, district coastal management plans, and other ACMP processes, and included deadlines for those revision efforts. Though the reform effort is nearing its completion, it has not been without its difficulties. The Department of Natural Resources (DNR) has had a challenging time managing and implementing the change process and the reform efforts. During the process, DNR has heard from the various participants on the successes and failures of the changes, and on the efforts to implement those changes, most recently during public testimony on Senate Bill (SB) 161.

Although the State opposes SB 161 for a variety of reasons, DNR does support the concept of re-evaluating certain changes that were made to the ACMP. Specifically, DNR recognizes the need and is interested in re-evaluating the following statutory and regulatory provisions of the ACMP:

- Revisit the DEC carveout (i.e., coordination of review involving DEC authorizations, application of other ACMP enforceable policies to DEC authorized activities, etc.)
- Revisit the coastal district's authority and ability to write enforceable policies, revisit the requirements for designated areas to address certain coastal uses and resources
- Address the consistency review scope of the project (i.e., aspects of the project that are subject to review)
- Make other necessary clarifying and technical edits to the regulations

At the 2007 ACMP conference in Juneau, DNR Commissioner Tom Irwin announced DNR's intention to re-evaluate the ACMP changes. I re-affirmed DNR's commitment to evaluating these changes in my testimony on SB 161 on January 29, 2008. While we previously established an informal timeframe for this re-evaluation to begin in July 2009, it is obvious, based on the input that DNR has heard, that we need to begin the program re-evaluation sooner than originally identified. With this in mind, it is my intention to formally and openly re-evaluate the ACMP changes identified above by inviting input from the networked participants (coastal districts, state agencies, industry, and members of the public). Based on that input, DNR will prepare a responsive statutory

"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."

ACMP Participants – ACMP Re-evaluation

February 22, 2008

Page 2

proposal for consideration during the 2009 legislative session, and a subsequent regulatory package for implementing the changes. The proposed schedule for this re-evaluation and development of proposed changes to the ACMP laws is as follows:

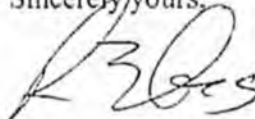
- June 2008 – Complete the review of the *List of Expedited Consistency Reviews and State Authorizations Subject to the ACMP* (i.e., the “ABC List”)
- July 2008 – Initiate a 30-day comment period to solicit input and suggested statutory and regulatory revisions
- August-October 2008 – Develop proposed statutory revisions
- November 2008 – Hold workshops to go over proposed statutory revisions; initiate a comment period to solicit input
- December 2008 – Finalize proposed statutory revisions
- January 2009 – Introduce bill addressing proposed statutory revisions.
- March through August 2009 – Promulgate and finalize regulatory revisions implementing the revised statutes (as appropriate) and addressing other identified regulatory revisions.

The DCOM has identified this re-evaluation of the ACMP within the *2006 Enhancement Grants Program Assessment and Strategy*, meaning DCOM has prioritized this initiative and identified it as eligible for federal funding under the ACMP. This effort is important to the success of the ACMP, and will be completed within the timeframes described above.

This re-evaluation is intended to identify and develop additional changes to the ACMP that will strengthen the ACMP as a State program, that will benefit applicants and the public in the coordination of projects, and that will enhance the coastal district participation and input into State decision-making regarding activities occurring in the coastal area and on the outer continental shelf.

I look forward to initiating the re-evaluation of the ACMP. Your participation in this effort is important to the future and success of the program.

Sincerely yours,



Randy Bates
Director

cc: DCOM Staff
Legislators
Coastal Districts
Coastal Currents “e-list”

Alaska Oil and Gas Association



121 W. Fireweed Lane, Suite 207
Anchorage, Alaska 99503-2035
Phone: (907)272-1481 Fax: (907)279-8114
Email: crockett@aoga.org
Marilyn Crockett, Executive Director

March 19, 2008

TO: House Community and Regional Affairs Committee

Re: HB243 – Alaska Coastal Management Program

The Alaska Oil and Gas Association (AOGA) is a private, nonprofit trade association whose 17 member companies account for the majority of oil and gas exploration, development, production, transportation, refining and marketing activities in Alaska.

AOGA and its members have been actively engaged in the Alaska Coastal Management Program since the program was first established some 30 years ago. We were engaged with the state and local districts in the development of their respective plans at that initial stage, and have continued to be involved in subsequent revisions to the program over the last three decades.

Perhaps no other industry in Alaska has had more experience with the program than the oil and gas industry. It is for that reason that we have remained engaged throughout the comprehensive statutory and regulatory revisions of the program that began in 2003 with passage of HB191 and continue today.

As you know, the Department of Natural Resources had planned to begin a re-evaluation of the program in July, 2009. This timeframe would have provided a year-long period of time to gain experience operating under the new program to identify whether additional changes were warranted.

On February 22, 2008, the Department of Natural Resources announced it will initiate this review process one year earlier than planned. While we continue to believe that the full year of implementation and experience would have been valuable to assess future program revisions, the DNR review process now before us should be allowed to be completed.

The Alaska Coastal Management Program along with other local, state, and federal permitting and regulatory programs that guide planning and development in the State of Alaska's coastal zone are comprehensive and expansive. It will take time and considerable resources to conduct a program review with the objective of "getting it right". We encourage your Committee and the rest of the Alaska Legislature to, at a minimum, allow the Department of Natural Resources process to be carried out prior to moving forward with statutory changes to the Program.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Marilyn Crockett".

MARILYN CROCKETT
Executive Director

HB

273

Alaska State Legislature

Rep. Sharon Cissna
Rep. Nancy Dahlstrom
Rep. Mark Neuman
Rep. Kurt Olson
Rep. Woodie Salmon



State Capitol, Room 124
Juneau, AK 99801-1182
Co-Chairs
Rep. Gabrielle LeDoux
(907) 465-3882 FAX 465-4956
Rep. Anna Fairclough
(907) 465-3777 FAX 465-2819

COMMUNITY & REGIONAL AFFAIRS COMMITTEE

MEMORANDUM

DATE: April 9, 2008

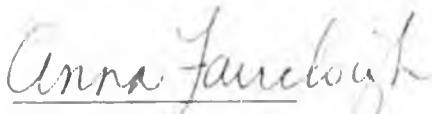
TO: Representative John Harris
Speaker of the House of Representatives

FROM: Representative Anna Fairclough, Co-Chair
Representative Gabrielle LeDoux, Co-Chair
House Community & Regional Affairs Committee

RE: Waiving SB 273


The members of the House Community & Regional Affairs Committee agree to waive SB 273 from Committee and onto the next Committee of referral.


Signature and agreement to waive this resolution does not constitute support or opposition to the resolution, nor does it obligate a member to a specific vote on the House Floor.



Co-Chair Fairclough



Co-Chair LeDoux


Representative Dahlstrom


Representative Olson


Representative Neuman


Representative Salmon


Representative Cissna

ALASKA STATE LEGISLATURE

Co-chair, Joint Armed Services
Committee

•
Resources Committee

•
Judiciary Committee

•
Transportation Committee



State Capitol, Rm. 115
Juneau, AK 99801
(907) 465-2435
Fax: (907) 465-6615

716 W. 4th Ave, Ste. 440
Anchorage, AK 99501
(907) 269-0102
Fax: (907) 269-6122

SENATOR BILL WIELECHOWSKI

March 31, 2008

Representative Gabrielle LeDoux, Chair
House Community & Regional Affairs Committee
Room 412, State Capitol
Juneau, Alaska 99801

Dear Representative LeDoux,

I respectfully request a hearing on SB 273, which seeks to increase the penalty for the most heinous acts of animal cruelty, add an additional penalty if cruelty is committed as an attempt to threaten or intimidate another person, and criminalize participating in dog and animal fighting.

Forty-three states and the District of Columbia have enacted felony level penalties for atrocious acts of animal cruelty, yet Alaska ranks among the weakest states for animal protection. Research indicates that without intervention, people who abuse and kill animals are more likely to similarly abuse humans. The National Coalition Against Domestic Violence reports that 71% of pet owners entering domestic violence shelters state that their batterer had threatened, injured, or killed family pets. Many abusers have a history of animal abuse that precedes domestic violence toward their partner.

Passage of a felony-level animal cruelty law is a critical step toward halting the progression of violent crime. Thank you for your speedy consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Wielechowski", with a long horizontal flourish extending to the right.

Senator Bill Wielechowski

25-LS1127M
Luckhaupt
4/9/08

HOUSE CS FOR CS FOR SENATE BILL NO. 273(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR WIELECHOWSKI

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to cruelty to animals and promoting an exhibition of fighting animals."**

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

3 *** Section 1. AS 11.61.140(a) is amended to read:**

4 (a) A person commits cruelty to animals if the person

5 (1) knowingly inflicts severe and prolonged physical pain or suffering
6 on an animal;

7 (2) with criminal negligence, fails to care for an animal and, as a result,
8 causes the death of the animal or causes severe physical pain or prolonged suffering to
9 the animal;

10 (3) kills or injures an animal by the use of a decompression chamber;

11 **[OR]**

12 (4) intentionally kills or injures a pet or livestock by the use of poison;

13 **or**

14 **(5) knowingly kills or injures an animal, other than as provided in**

15 **(1) or (3) of this subsection, with the intent to intimidate, threaten, or terrorize**

1 another person.

2 * Sec. 2. AS 11.61.140(b) is amended to read:

3 (b) Each animal that is subject to cruelty to animals under (a) [(a)(1) - (4)] of
4 this section shall constitute a separate offense.

5 * Sec. 3. AS 11.61.140(f) is amended to read:

6 (f) Cruelty to animals under (a)(1), (3), or (4) of this section is a class C
7 felony. Cruelty to animals under (a)(2) or (5) of this section is a class A
8 misdemeanor. In addition to these penalties, the [THE] court may also

9 (1) require forfeiture of any animal affected to the state or to a
10 custodian that supplies shelter, care, or medical treatment for the animal;

11 (2) require the defendant to reimburse the state or a custodian for all
12 reasonable costs incurred in providing necessary shelter, care, veterinary attention, or
13 medical treatment for any animal affected;

14 (3) prohibit or limit the defendant's ownership, possession, or custody
15 of animals for up to 10 years.

16 * Sec. 4. AS 11.61.145(d) is amended to read:

17 (d) Promoting an exhibition of fighting animals

18 (1) under (a)(1) or (2) of this section is a class C felony;

19 (2) under (a)(3) of this section is a violation for the first offense,
20 [AND] a class B misdemeanor for the second offense, and a class A misdemeanor
21 for the third and each subsequent offense.

ALASKA STATE LEGISLATURE

Co-chair, Joint Armed Services
Committee

•
Senate Resources Committee

•
Senate Judiciary Committee

•
Senate Transportation Committee



Session:
State Capitol, Rm. 115
Juneau, AK 99801
(907) 465-2435
Fax: (907) 465-6615

Interim:
716 W. 4th Ave, Rm. 540
Anchorage, AK 99501
(907) 269-0120
Fax: (907) 269-0120

SENATOR BILL WIELECHOWSKI

Senate Bill 273: Animal Cruelty/Dog-fighting

Forty-three states and the District of Columbia have enacted felony level penalties for atrocious acts of animal cruelty, yet Alaska ranks among the weakest states for animal protection. SB 273 seeks to increase the penalty for heinous acts against animals from a misdemeanor to a Class C felony and to criminalize participating in animal fighting.

Research indicates that without intervention, people who abuse and kill animals are more likely to similarly abuse humans. The National Coalition Against Domestic Violence reports that 71% of pet owners entering domestic violence shelters state that their batterer had threatened, injured, or killed family pets. Many abusers have a history of animal abuse that precedes domestic violence toward their partner.

In addition, animal cruelty often is an indicator that an individual poses a risk to himself and or others. A U.S. Department of Justice-supported longitudinal study found that animal abuse predicted which children would exhibit anti-social and aggressive behavior later in childhood, adolescence, and then adulthood. Serial killers and school shooters often have histories of abusing animals.

Passage of a felony-level animal cruelty law is a critical step toward halting the progression of violent crime. Please join us in supporting this critical legislation.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB273-DOC-OC-02-27-08
() Publish Date: _____

Identifier (file name): SB273-DOC-OC-02-27-08 Dept. Affected: Corrections
Title "Act relating to cruelty to animals and promoting an RDU Administration and Operations
exhibition of fighting animals." Component Office of the Commissioner
Sponsor Senator Wielechowski
Requester Senate Judiciary Component Number 694

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contract	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0	0
Part-time	0	0	0	0	0	0	0
Temporary	0	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Passage of this legislation should have no fiscal impact on the Department of Corrections.

Prepared by: Sharleen Griffin, Director
Division: Administrative Services
Approved by: Dwayne Peoples, Deputy Commissioner
Department of Corrections

Phone (907) 465-3339
Date/Time 2/27/08 7:50 AM
Date 2/27/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: SB273-LAW-CRIM-02-22-08
 Bill Version: SB273
 () Publish Date: _____

Identifier (file name): _____ Dept. Affected: LAW
 Title An Act relating to cruelty to animals. RDU Criminal
 Component Criminal Justice Litigation
 Sponsor SENATOR(S) WIELECHOWSKI
 Requester SENATE JUDICIARY Component Number _____

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

SB 273 would raise from a class A misdemeanor to a class C felony the crime of cruelty to animals, except for negligently failing to care for an animal and causing its death. The department does not expect a significant fiscal impact as a result of this bill.

Prepared by: Robert Meiners, Administrative Services Manager
 Division: Administrative Services Division
 Approved by: Talis Colberg, Attorney General
Department of Law

Phone 907-465-5427
 Date/Time 2/22/08 7:45 AM
 Date 2/22/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB 273
() Publish Date: _____

Identifier (file name): _____ Dept. Affected: Alaska Court System
Title Cruelty to Animals RDU Trial Courts
Component Trial Courts
Sponsor Senator Wielechowski
Requester _____ Component Number _____

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
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	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 Gr/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

Senate Bill 273 would elevate from misdemeanors to felonies certain cruelty to animal cases and cases related to the promotion of fighting animals. Because of the small number of these cases that come before the court system, we do not anticipate any fiscal impact from the passage of SB 273.

Prepared by Doug Wooliver, Administrative Attorney
Division Alaska Court System
Approved by Stephanie Cole, Administrative Director by Doug Wooliver

Phone 907-463-4750
Date/Time 2/26/2008 @ 10:15am
Date 2/26/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 273
 () Publish Date: _____

Identifier (file name): SB273-DOA-OPA-2-20-08 Dept. Affected: Administration
 Title "An Act relating to cruelty to animals and promoting an exhibition of fighting animals." RDU Legal and Advocacy Services
 Component Office of Public Advocacy
 Sponsor Senator Wielechowski
 Requester _____ Component Number 43

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
-----------------------------	--	--	--	--	--	--	--	--

CHANGE IN REVENUES ()								
-------------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

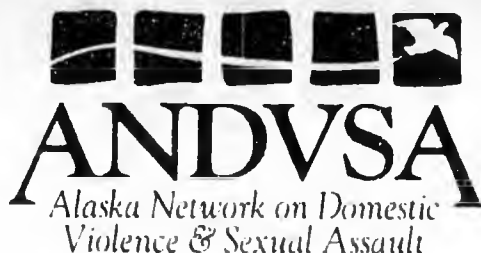
ANALYSIS: (Attach a separate page if necessary)

This bill elevates the crime of cruelty to animals from a misdemeanor to a class C felony under certain statutory subsections. Although elevating the level of an offense from a misdemeanor to a felony can have a fiscal impact on OPA, with the information currently available, this bill is not expected to have an impact on the agency.

Prepared by: Joshua P. Fink, Director
 Division: Office of Public Advocacy
 Approved by: Rachael Petro, Deputy Commissioner
Department of Administration

Phone 907-269-3501
 Date/Time 2/20/08, 11:00a m
 Date 2/20/2008

Juneau Office
130 Seward St #209
Juneau, Alaska 99801
Phone: (907) 586-3650
Fax: (907) 463-4493
www.andvsa.org



Sitka Office
PO Box 6631
Sitka, Alaska 99835
Phone: (907) 747-7545
Fax: (907) 747-7547

March 14, 2008

Senator Wielechowski
State Capitol, Room 114
Juneau, AK 99801-1182

Dear Senator Wielechowski:

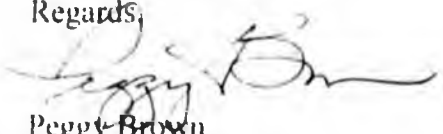
On behalf of the nineteen member domestic violence and sexual assault programs throughout the state that comprise the Alaska Network on Domestic Violence and Sexual Assault, thank you for introducing SB 273. In addition to bringing Alaska up to speed with the 43 other states that have animal cruelty laws on the books, this bill would allow prosecutors to charge with a class A misdemeanor those who use cruelty to animals to threaten, intimidate, or terrorize another person.

Senator, you are well aware of the many published studies that substantiate the link between animal cruelty and domestic violence, and we thank you for introducing an amendment that is reflective of that connection. Studies re-published by American Humane and the National Coalition to End Domestic Violence indicate that over 70 percent of pet owners who enter domestic violence shelters report that their batterer had threatened, injured, or killed family pets. Although Alaska-specific studies on this subject have not been conducted, anecdotal evidence from shelter advocates indicates a similar prevalence in our state.

We would also like to make it clear that classifying these acts of cruelty to animals as class C felonies does not constitute a disparity, because we understand that what is a class C felony when done to an animal under this bill is a class A felony when done to a person under existing law.

The Alaska Network on Domestic Violence and Domestic Assault fully supports legislation that gives prosecutors tools to ensure victim safety. Please let us know if we can provide further support, and thank you for sponsoring this bill.

Regards,



Peggy Brown
Executive Director

cc: Grace Danborn, Policy Research Associate

Member Programs

Anchorage AWAIC, AWRC, STAR Barrow AWIC Bethel TWC Cordova CFRC Dillingham SAFE Fairbanks IAC
 Homer SPHH Juneau AWARE Kenai LeeShore Center Ketchikan WISH Kodiak KWRC Kotzebue MFCC
 Nome BSWG Palmer AFS Seward SCS Sitka SAFV Unalaska USAFV Valdez AVV



City of Kodiak
KODIAK POLICE DEPARTMENT
Animal Control

To Whom It May Concern:

RE: Senate Bill 273

I am for stronger punishment for Animal Cruelty offenders. Far too often animals are treated inhumanely in heinous acts of cruelty and they are let off with little more than a slap on the wrist. If we can get Senate Bill 273 passed I believe it would be a step forward in keeping animals safe. There is a link where people who abuse their animals also have other abuse problems in their lives. By making cruelty have a stronger penalty it may discourage future crimes of a different kind as well as discourage them from ever inflicting cruelty on another animal.

Thank You,
Animal Control Officer Amy Wagner

217 Lower Mill Bay Rd
Kodiak, AK 99615
907-486-8000



March 5, 2008

Senator Bill Wielechowski
State Capitol, Room 115
Juneau, AK 99801-1182

Dear Senator Wielechowski,

As Alaska residents and members of the Alaska State Veterinary Medical Association Executive Board we lend unanimous support to Senate Bill 273.

We know the association between animal abuse and other forms of societal violence are nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow. This bill will help guarantee such actions will be properly reported, investigated and prosecuted as a crime with serious consequences.

Innocent animals need strong voices like yours to speak for them. Thank you for your efforts and work on this legislation.

Sincerely,

Dr. Myra Wilson DVM
Secretary
Alaska State Veterinary Medical Association

Katherine Pustay

From: Fetko, Dee Ann [FetkoDA@ci.anchorage.ak.us]
Sent: Monday, March 03, 2008 8:17 AM
To: Katherine Pustay
Subject: FW: Senate Bill 273 - Letter from Animal Control Advisory Board

Katherine,

Here is the letter from the Animal Control Advisory Board. Thank you.

DeeAnn Fetko
Grants and Contracts Supervisor
Municipality of Anchorage
Department of Health & Human Services
(907) 343-4634 phone
(907) 249-7659 fax
fetkoda@muni.org

-----Original Message-----

From: Stephanie & Neil Koeniger [mailto:slknrk@gci.net]
Sent: Tuesday, February 26, 2008 8:42 PM
To: katherine.pustay@legis.state.ak.us
Cc: George Doty; Mary Troll; Sandy Traini; Laura Bain; Lori Hackenberger; Patty Ginsburg; Kayla Epstein; Fetko, Dee Ann
Subject: Senate Bill 273

Hi Katherine-

I am writing in support of Senate Bill 273. I understand that this bill may be coming up for hearing on February 27th. I am not available to testify on this bill on that date but did want you to have these written comments for the hearing.

Having read the bill, my understanding is that it would make dog fighting a Class C felony. It would also make repeat offenses on other abuse activities a Class C felony instead of the current Class B misdemeanor status. I have reviewed these proposed changes with the other members of the Municipal Animal Control Advisory Board and we support both proposed changes.

It has been acknowledged for many years now by both most law enforcement agencies throughout this country, as well as many social service agencies, that there is a direct correlation between individuals who abuse animals and their abuse of other people. This type of behavior cannot and should not be condoned. Elevation of these offenses to felony status reinforces that position and, while it may not stop the offenses, should be a significant deterrent to them.

We encourage Legislative passage of this Bill. In our efforts to discourage criminal behavior in Alaska this is a positive step. Support should be a "no brainer".

Please feel free to share these comments with the sponsor of the bill as well as any other legislators who may be interested in them and also make them available for tomorrow's hearing on this bill. While I have schedule conflicts which preclude my testifying, I would be happy to do so if it comes up later. I also am available electronically to answer questions any of them may have concerning my support and/or to provide additional input should they so desire.

Thank you for your attention to this input. Also please extend our thanks to Senator Wielechowski for advancing this proposed legislation.

We will follow its progress with interest.

Neil Koeniger, Chair
Animal Control Advisory Board
Municipality of Anchorage

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee on Monday, March 3.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link® between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

As an Animal Control Commissioner at our local Division of Animal Control since 1996, I have been exposed directly to first hand knowledge concerning incidents - educating me as to how limited we are legally to our efforts to gain justice for the voiceless. Even when the carcass of the animal-victim is brought forth, with background information and photographs that leave it absolutely evident of the abuse inflicted, and yet, because of the weakness of the laws or lack there-of, we are not able to gain a conviction of any sort against these abusers - short of a menial fine. The fine is paid, animal returned to owner, only to have further animals suffer at the hands of [many times] the same known abuser, again, fined and released.

What message does this send to our society?! As those who care remain horrified first at the act and/or level of abuse and secondly, the lack of seriousness by current Animal Abuse Laws given to the horrible crime.

We are the only hope for justice that these unconditional loving and defenseless creatures have. Please help give us the support necessary to help make the difference needed so desperately.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. Mary Ann Fortune
PO Box 72596
Fairbanks, AK 99707-2596

My name is Kiki Stirling. My husband and I have been rescuing and rehabilitating dogs in the interior for the last ten years. We've only recently become an official entity, and are in the process of building an animal refuge here in Fairbanks. Domestic animals in this state have little regard or protection, and along with our nationally high rape rate, domestic abuse rate, and murder rate, we are one of the worst animal welfare states in the union. These aren't things to be proud of.

It takes on average, a year for a dog to become rehabilitated when it's been either horribly abused physically, or mentally, or severely neglected. I realize that this bill doesn't include definitions of, or punishments for neglect, but neglect is as big a problem in Alaska as abuse is, and in many cases, the line between them is barely visible.

A guy in Fairbanks went on a rage one night in an apartment, and started beating his black lab with a pipe. Neighbors who tried to intervene were threatened. The cops were called, and he was charged with disorderly conduct or something, but wasn't charged for the abuse of the dog.

The dog, who lived, was brought to a rescue group, who spent hundreds of dollars to save this dog's life. He's currently living his life in a good home, minus a good chunk of his skull and one eye. Why does the man who's capable of doing this walk away without consequence? Can you imagine doing something so horrific? You look at your dogs, cats, horses etc., can you imagine them going through something so traumatizing? Look at your neighbors' animals. How many are well taken care of, well loved, and how many are not?

Animal shelters and law enforcement need to be able to prosecute animal abusers. There'll never be an end to abuse, torture, and neglect if there aren't laws that are strong enough, or can't be enforced.

Kiki Stirling
Thistledown Animal Rescue
Box 80724 Fairbanks, Alaska 99708

Hello,

I just wanted to voice my support for SB 273.

This felony cruelty bill is very important to the animals of Alaska. We have one of the weakest cruelty laws in the nation and probably per capita more dogs than most other states.

I have sired dogs. I understand the "farm animal" mentality that is so prevalent up here (which I totally don't agree with but that is for another day!) But what bothers me the most is that a person in Alaska can starve to death dogs (I have one that I took from the shelter that came in almost dead with 2 puppies while 6 of her kennel mates died of starvation on their chain--the owner is not being prosecuted at all...not even charged!!!) and there are rarely any follow ups and rarely are these people prosecuted.

This really needs to change and I pray that the Senate will do the right thing and keep progressing forward on this bill.

Thank you.

Carol Kleckner

P O Box 82856

Fairbanks Alaska 99708

907-479-0430

Dear Senator Hollis French,

One subject that will be presented to the Senate Judiciary committee hearing this Wednesday, Feb 27th will be about a change to our state animal cruelty laws. That change would add a Felony provision to the law. As the law stands now, animal cruelty can only be prosecuted as a misdemeanor.

Strong animal cruelty laws are a first step towards stemming both future human and animal violence. As I am sure you know, there is a strong correlation between animal cruelty and human violence. A felony cruelty provision will provide a much needed tool that can be used in our courts to help protect both animals and people.

Alaska is now one of only seven states that does not have Felony cruelty laws, yet several cases of animal cruelty are discovered every year in the state. While several cases make the headlines in our major Alaskan newspapers, many more cases occur outside the state's major areas. I know as the Animal Control Officer for Valdez for the last 19 years that I have seen several cases that I would have liked to see prosecuted under a Felony law. I also know as a professional that there are other cruelty cases that do not deserve to be prosecuted in that manner. I think it is important to know that professional, trained law enforcement people do know the difference.

I am asking for your support in seeing this important bill is passed on to the Senate floor; and in seeing this bill go all the way in 2008.

Thank you,

Animal Shelter Facility Manger

Shana Anderson

Valdez Alaska

03/03/2008

To WHOM IT MAY CONCERN:

I AM WRITING THIS LETTER TO SHOW THAT I SUPPORT SENATE BILL 273. I STRONGLY FEEL THAT THERE SHOULD BE CONSEQUENCES FOR THE MANY INSTANCES OF ANIMAL CRUELTY THAT OCCUR UNNOTICED OR IGNORED IN THE STATE OF ALASKA. I HAVE TAKEN IN A FEW ANIMALS THAT WERE MISTREATED AND I WISH I COULD PROVIDE A GOOD HOME FOR MORE, BUT CANNOT DUE TO FINANCES. I THINK THAT IF THERE WAS SOME SORT OF PUNISHMENT OR REPERCUSSION FOR THE HORRIBLE THINGS THAT PEOPLE DO TO ANIMALS THAT IT WOULD HAPPEN LESS OFTEN.

SINCERELY,

KRISTINA LIVINGSTON
P.O. BOX 83796
FAIRBANKS, AK
99708



Jill A. Buckley, Esq.
Senior Director Legislative Services
& Mediator Training
P.O. Box 43
Plymouth, MA 01963

Phone: 508-833-2000
Fax: 508-833-2001
www.aspcanet.org

February 18, 2008

Senator Bill Weilechowski
State Capitol
Juneau, AK 99801-1182

Re: Letter of Support for SB 273—Cruelty to Animals & Animal Fighting

Dear Senator Weilechowski:

On behalf of the American Society for the Prevention of Cruelty to Animals (ASPCA) and our 1500 Alaska members and donors, I am writing to express support for SB 273, a bill that will make certain acts of cruelty to animals, including promoting an exhibition of animal fighting, a felony in the State of Alaska.

We must ensure the penalty scheme of our animal cruelty statutes punishes the perpetrators sufficiently to deter the commission of the crime. By doing this, we will not only protect our companion animals but perhaps break the cycle that leads these individuals to harm other people.

Thank you for introducing this important humane legislation.

Sincerely,

Jill A. Buckley

Jill A. Buckley, Esq
Legislative Services



AMERICAN HUMANE

Protecting Children & Animals Since 1877

Testimony by Allie Phillips, J.D. and Tracy Coppola, J.D.
Of the American Humane Association
Before the Senate Judiciary Committee
In support of SB 273 – Felony Animal Cruelty
Wednesday, February 27, 2008

The American Humane Association, the nation's oldest non-profit organization with 130 years dedicated to protecting animals and children from abuse and neglect, would like to thank Chairman French for the opportunity to submit the following testimony in enthusiastic support of Senate Bill 273, sponsored by Senator Bill Wielechowski.

Alaska has one of the weakest animal cruelty laws in the nation¹. The beautiful state of Alaska is not immune to horrific acts of torture and cannot afford to ignore them. Last November, a Fairbanks man, following an argument with his wife, is accused of slamming her cat unconscious against a tree. He is only charged with a misdemeanor for his crime. In 2006, an 18-year-old Anchorage man was convicted of beating his brother's dog. In addition to other related felony charges related to weapon offenses, he only received a \$100 fine for beating the dog.

These are just some of the examples why animal cruelty must finally be taken seriously in Alaska. Despite the escalating level of egregious animal cruelty acts and the nationally recognized danger these acts pose to society, Alaska's law lacks felony penalties for these acts. By doing so, it also attracts individuals who seek venues wherein they can abuse animals without facing any serious punishment.

For the welfare of both humans and animals, the law must treat all acts of violence against animals in a way that accurately reflects their magnitude. The strength of an animal cruelty law directly corresponds with how acts of animal abuse are investigated and prosecuted. For this reason, American Humane supports legislation that seeks to increase penalties for animal cruelty offenses.

By making certain forms of animal cruelty Class C felonies punishable up to five years in prison and/or a \$50,000 fine, Senate Bill 273 would ensure such actions will be more properly investigated, prosecuted, and treated as crimes with serious consequences. This is consistent with other states' felony cruelty laws and is a moderate bill.

SB 273 will make it a felony to knowingly inflict severe pain or suffering on an animal, killing/injuring an animal by use of a decompression chamber, intentionally killing/injuring a pet or livestock by the use of poison, and promoting animal fighting

¹ Currently, only seven states—Alaska, Arkansas, Idaho, Mississippi, North Dakota, South Dakota, and Utah—penalize aggravated animal cruelty offenses as mere misdemeanors.

exhibitions. In addition, intentionally participating in an animal fight as a spectator for the second time would also become a felony offense.

Protecting animals from abuse is not just an animal welfare issue, it is also a societal issue of how to keep communities safe from violence. The Link® between animal cruelty and human violence is an internationally recognized fact. A growing body of research demonstrates the undeniable link between those who are cruel to animals and then progress toward human violence. Deliberate and brutal abuse of companion animals rarely occurs in isolated instances. Instead, animal abuse is often part of a vicious cycle of violence that often escalates to human abuse. Thus, strict enforcement against animal cruelty is necessary for a safe society.

Many studies in psychology, sociology, and criminology have demonstrated that violent offenders frequently have childhood and adolescent histories of serious and repeated animal cruelty. The FBI has recognized the connection since the 1970s, when its analysis of the lives of serial killers suggested that most had killed or tortured animals as children. Other research has shown consistent patterns of animal cruelty among perpetrators of more common forms of violence, including child abuse, spouse abuse, and elder abuse. In a nationwide study, over 71 percent of battered women reported that their abusers had harmed, killed or threatened animals. More than 75 percent of those incidents occurred in the presence of the women or their children.²

Please help ensure a more humane Alaska for future generations, and join the 43 other states by voting for passage of Senate Bill 273.

We thank you for your time and consideration.

Respectfully submitted,

Allie Phillips, J.D.
Director of Public Policy

Tracy Coppola, J.D.
Legislative Analyst

² Ascione, F.R., Weber, C.V., & Wood, D.S., *The Abuse of Animals and Domestic Violence: A National Survey of Shelters for Women Who are Battered* (Society and Animals, 1997, p. 205-218).



Animal Legal Defense Fund

JURISDICTIONS WITH FELONY ANIMAL ABUSE PROVISIONS (AND YEAR FIRST ENACTED)

- | | |
|--------------------------|-------------------------------------|
| 1. Alabama (2000) | 27. New Mexico (1999) |
| 2. Arizona (1999) | 28. New York (1999) |
| 3. California (1988) | 29. North Carolina (1998) |
| 4. Colorado (2002) | 30. Ohio (2003) |
| 5. Connecticut (1996) | 31. Oklahoma (1887) |
| 6. Delaware (1994) | 32. Oregon (1995) |
| 7. Florida (1989) | 33. Pennsylvania (1995) |
| 8. Georgia (2000) | 34. Rhode Island (1896) |
| 9. Hawaii (2007) | 35. South Carolina (2000) |
| 10. Illinois (1999) | 36. Tennessee (2002) |
| 11. Indiana (1998) | 37. Texas (1997) |
| 12. Iowa (2000) | 38. Vermont (1998) |
| 13. Kansas (2006) | 39. Virginia (1999) |
| 14. Kentucky (2003) | 40. Washington (1994) |
| 15. Louisiana (1995) | 41. West Virginia (2003) |
| 16. Maine (1999) | 42. Wisconsin (1986) |
| 17. Maryland (2001) | 43. Wyoming (2003) |
| 18. Massachusetts (1804) | |
| 19. Michigan (1994) | |
| 20. Minnesota (2001) | <i>Territories, Districts &</i> |
| 21. Missouri (1994) | <i>Possessions:</i> |
| 22. Montana (1993) | District of Columbia (2001) |
| 23. Nebraska (2002) | Puerto Rico (2004) |
| 24. Nevada (1999) | Virgin Islands (2005) |
| 25. New Hampshire (1994) | |
| 26. New Jersey (2001) | |

JURISDICTIONS WITHOUT FELONY ANIMAL ABUSE PROVISIONS

- | | |
|-----------------|-------------------------------------|
| 1. Alaska | <i>Territories, Districts &</i> |
| 2. Arkansas | <i>Possessions:</i> |
| 3. Idaho | American Samoa |
| 4. Mississippi | Northern Marianas |
| 5. North Dakota | Guam |
| 6. South Dakota | |
| 7. Utah | |



PETS AND DOMESTIC VIOLENCE

WHY IT MATTERS

Pets are not immune to domestic violence. Batterers frequently threaten, injure, maim, or kill their partners' or children's pets in conjunction with domestic abuse. Because victims understand the extent of the harm that their abusers will likely inflict upon their pets, many hesitate to leave violent relationships out of concern for the safety of their pets. When batterers abused victims, victims see the animal cruelty as part of a long history of violence aimed at them and their families.¹ Recognizing this, an increasing number of shelters have added kennels or instituted "safe haven" animal foster care programs in an effort to protect victims, their children, and their pets.

DID YOU KNOW?

- 71% of pet owners entering domestic violence shelters report that their batterer had threatened, injured, or killed family pets.²
- One study found that 87% of batterer-perpetrated incidents of pet abuse are committed in the presence of their partners for the purpose of revenge or control.³
- Studies show that up to 76% of batterer-perpetrated pet abuse incidents occur in the presence of children.⁴
- 13% of intentional animal abuse cases involve domestic violence.⁵
- Women in domestic violence shelters are 11 times more likely to report animal abuse by their partner than women not experiencing violence.⁶
- 85% of domestic violence shelters report that they commonly encounter women who speak about pet abuse incidents.⁶
- 52% of victims in shelters left their pets with their batterers.⁶
- Criminals and troubled youth have high rates of animal cruelty during their childhood; perpetrators often were victims of child abuse themselves.⁷
- Investigation of animal abuse is often the first point of social services intervention for a family experiencing domestic violence.⁸

THE LINK BETWEEN PET ABUSE AND DV

- Similar to domestic abuse, abusers demonstrate power and control over the family by threatening, harming, or killing animals.⁸
- Domestic violence victims whose batterers abuse their pets report more than twice as many incidents of child abuse as compared to domestic violence victims whose batterers have not abused their pets.¹⁰
- Batterers threaten, harm, or kill their children's pets in order to coerce them into sexual abuse or to force them to remain silent about abuse.¹¹
- Abusers harm pets to punish the victim for leaving, or in attempts to coerce her/him to return.¹⁷
- Abusers may harm pets to retaliate for acts of self-determination or independence.⁹
- Animal abusers are more likely to be domestic violence abusers, to have been arrested for other violent crimes and drug-related offenses, and engage in other delinquent behavior.¹²
- Many abusers have a history of animal abuse that precedes domestic violence toward their partner.¹²
- Animals may sometimes be used as weapons against domestic violence victims.⁹

THE ROLE OF PETS

- Family pets are commonly viewed as family members and companions.
- 55% of domestic violence victims and their children report that their pets are very important sources of emotional support, thus violence toward pets may be especially devastating and viewed as another form of family violence.¹³
- A large majority of women residing in domestic violence shelters report being emotionally close to their pets and experience distress when their animals are abused.⁶
- Studies show that a vast majority of children who witness pet abuse become distressed and emotionally distraught.⁶
- Women without children are more likely to postpone seeking shelter out of concern for their pets' safety as compared to women with children, 33.3% versus 19.5%.⁶

Protecting our companions

[print] [close]

Kodiak law enforcer supports tougher animal cruelty punishment in

text size: [-] [+]

Alaska

Article published on Friday, Feb 01st, 2008

By MISTY MAYNARD

Mirror Writer

Alaska is among seven states identified recently by the Humane Society of the United States as having the weakest laws to punish those convicted of animal cruelty or neglect.

In the information released, HSUS deputy manager Dale Bartlett said the states identified have been "hard on animals and soft on crime for far too long."

"It's past time for them to listen to their humane-minded constituents and to pass felony animal cruelty legislation to protect both the animal and human members of their communities," he said.

Other states identified include Arkansas, North Dakota, South Dakota, Idaho, Utah and Mississippi. Of the seven identified, Utah and Mississippi are expected to consider felony animal cruelty bills when their legislatures meet this year.

According to the press release, of the seven, Alaska has the strongest penalties, though it lacks a felony animal cruelty law. State statute carries maximum penalties of one year in jail and \$10,000 in fines. Judges may also prohibit a convicted animal abuser from owning an animal for up to 10 years.

Local codes

The Kodiak Island Borough and City of Kodiak have animal cruelty codes. The Kodiak Police Department animal control officer, Amy Wagner, enforces the codes.

Both codes outline the basics for animal care, requiring a pet owner to provide food, water and adequate shelter to protect the animal from the weather. Additionally, animals cannot be overcrowded, and clean bedding should be provided.

Structures, coops, pens and yards must also be maintained.

A violation of the code will result in a citation and a mandatory court appearance. If found guilty, a person faces a fine. The amount of the fine is set by the magistrate.

In 2007, the police department received about 1,200 calls for animal control, Wagner said Wednesday afternoon. Only 70 of those calls concerned some kind of animal cruelty, five of those 70 calls resulted in citations, and in only three of the five cases was the animal permanently taken from the home.

"We get a lot of welfare check calls," Wagner said, "which is good."

Sometimes the calls simply inform police an animal appears not to have any food, or does not have adequate shelter. Rarely are there cases of actual, severe abuse warranting charges.

Every call is followed up, Wagner said.

Wagner and her supervisor at the police department, Sgt. Kyle Valerio, both said in many cases a visit with

"There are different levels of all crimes," he said. "It's definitely time animal cruelty (laws) should be stepped up, depending on the level of cruelty."

Valerio said cruelty to animals has a proven link to other crimes.

"People that abuse animals abuse people, too," Valerio said.

Kodiak Animal Shelter

Whenever an animal is abandoned or picked up by Wagner, it is taken to the Kodiak Animal Shelter, operated by the Humane Society of Kodiak. The Humane Society of Kodiak is not affiliated with HSUS.

The shelter strives to be 100 percent no-kill for friendly, adoptable animals. Animals that are euthanized are those too ill or injured to receive care, too vicious, or possessing behavioral problems that cannot be corrected.

Some of the animals at the shelter remain there a year or more before they find homes.

In 2007, the shelter had 192 cats come in, and 444 dogs. Shelter manager Kathy Daquilanea said the shelter has had a large increase in the number of dogs.

The shelter also sometimes gets other animals, including rabbits, rodents and birds.

The adoption rate for animals is high, with 181 cats adopted in 2007, and 428 dogs.

Daquilanea said she rarely sees abuse cases come into the shelter. In fact, in her 13 years working at the shelter she remembers only five serious cases.

"Kodiak people are, for the most part, really good with their pets," she said.

What she does consider cruel, though it may not involve any kind of physical injury, is when an animal is picked up, obviously healthy and cared for, and the owner never comes looking for it. Or, if someone decides they no longer want an animal and drop it off at the shelter without leaving information such as name, age, medical history and notes about whether an animal is good with children or other animals. That kind of information is important when trying to find the animal a home, Daquilanea said.

A recent shelter acquisition is an older black Lab picked up in the 400 block of Hillside Drive at the end of December.

The dog, called "Girlie" by shelter staff, is healthy and wore a collar, though she had no identifying tag.

"She obviously belonged to somebody," Daquilanea said. "But nobody's called."

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education & Early Development
State of Alaska



PETS AND DOMESTIC VIOLENCE

WHY IT MATTERS

Pets are not immune to domestic violence. Batterers frequently threaten, injure, maim, or kill their partners' or children's pets in conjunction with domestic abuse. Because victims understand the extent of the harm that their abusers will likely inflict upon their pets, many hesitate to leave violent relationships out of concern for the safety of their pets. When batterers abused victims, victims see the animal cruelty as part of a long history of violence aimed at them and their families.¹ Recognizing this, an increasing number of shelters have added kennels or instituted "safe haven" animal foster care programs in an effort to protect victims, their children, and their pets.

DID YOU KNOW?

- 71% of pet owners entering domestic violence shelters report that their batterer had threatened, injured, or killed family pets.²
- One study found that 87% of batterer-perpetrated incidents of pet abuse are committed in the presence of their partners for the purpose of revenge or control.³
- Studies show that up to 76% of batterer-perpetrated pet abuse incidents occur in the presence of children.⁴
- 13% of intentional animal abuse cases involve domestic violence.⁵
- Women in domestic violence shelters are 11 times more likely to report animal abuse by their partner than women not experiencing violence.⁶
- 85% of domestic violence shelters report that they commonly encounter women who speak about pet abuse incidents.⁶
- 52% of victims in shelters left their pets with their batterers.⁶
- Criminals and troubled youth have high rates of animal cruelty during their childhood, perpetrators often were victims of child abuse themselves.⁷
- Investigation of animal abuse is often the first point of social services intervention for a family experiencing domestic violence.⁸

THE LINK BETWEEN PET ABUSE AND DV

- Similar to domestic abuse, abusers demonstrate power and control over the family by threatening, harming, or killing animals.⁸
- Domestic violence victims whose batterers abuse their pets report more than twice as many incidents of child abuse as compared to domestic violence victims whose batterers have not abused their pets.¹⁰
- Batterers threaten, harm, or kill their children's pets in order to coerce them into sexual abuse or to force them to remain silent about abuse.¹¹
- Abusers harm pets to punish the victim for leaving, or in attempts to coerce her/him to return.¹⁷
- Abusers may harm pets to retaliate for acts of self-determination or independence.⁹
- Animal abusers are more likely to be domestic violence abusers, to have been arrested for other violent crimes and drug-related offenses, and engage in other delinquent behavior.¹
- Many abusers have a history of animal abuse that precedes domestic violence toward their partner.¹²
- Animals may sometimes be used as weapons against domestic violence victims.⁶

THE ROLE OF PETS

- Family pets are commonly viewed as family members and companions.
- 55% of domestic violence victims and their children report that their pets are very important sources of emotional support, thus violence toward pets may be especially devastating and viewed as another form of family violence.¹³
- A large majority of women residing in domestic violence shelters report being emotionally close to their pets and experience distress when their animals are abused.⁶
- Studies show that a vast majority of children who witness pet abuse become distressed and emotionally distraught.⁶
- Women without children are more likely to postpone seeking shelter out of concern for their pets' safety as compared to women with children, 33.3% versus 19.5%.⁶

BARRIERS TO SEEKING SERVICES

- 65% of women who report prior pet abuse continue to worry for their pets' welfare after entry into a shelter.⁶
- Up to 40% of domestic violence victims are unable to escape their abusers because they are concerned about what will happen to their pets when they leave.¹⁴
- Only 12% of domestic violence programs can provide shelter for pets and 24% provide referral services to local animal welfare organizations.¹⁵
- Victims of domestic violence have been known to live in their cars for as long as four months until an opening was available at a pet-friendly safe house or shelter.¹⁶

TIPS FOR VICTIMS WITH PETS⁹

- Some shelters allow pets and many others have established "safe haven" foster care programs for the animal victims of domestic violence.
- If it is not possible to take the animals when the victim leaves the home, try to arrange temporary shelter for the pets with a veterinarian, trusted friend or family member, or local animal shelter.
- When vaccinating pets against rabies and licensing them with the town or county, it is important that registrations are in the victim's name. This will serve as proof that the victim owns the pets.
- Prepare the pets for a quick departure: collect vaccination records, pet license, medical records, and other documents.
- Ask for help from animal care and control officers or law enforcement if pets need to be retrieved from the abuser. Never reclaim animals alone.

IF YOU NEED HELP

For more information or if you need help, please contact the
American Humane Association at 303-792-9900.
National Domestic Violence Hotline at 1-800-799-SAFE.
National Child Abuse Hotline at 1-800-4-A-CHILD.
National Sexual Assault Hotline at 1-800-656-HOPE.

SOURCES

- ¹ Luke, C., Arluke, A., & Levin, J. (1998). *Cruelty to Animals and Other Crimes: A Study by the MSPCA and Northeastern University*. Boston: MSPCA.
- ² Ascione, F.R., Weber, C.V., & Wood, D.S. (1997). The abuse of animals and domestic violence: A national survey of shelters for women who are battered. *Society & Animals* 5(3), 205-218.
- ³ Quinlisk, J.A. (1999). Animal Abuse and Family Violence. In Ascione, F.R., Arkow, P., eds. *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention*. West Lafayette, IN: Purdue University Press, pp. 168-175.
- ⁴ Faver & Strand. (2003).
- ⁵ Humane Society of the U.S. (2001). *2000 Report of Animal Cruelty Cases*. Washington, DC.
- ⁶ Ascione, F.R., Weber, C.V., Thompson, T.M., Heath, J., Maruyama, M., Hayashi, K. (2007). Battered Pets and Domestic Violence: Animal Abuse Reported by Women Experiencing Intimate Violence and by Nonabused Women. *Violence Against Women*, 13(4), 354-373.
- ⁷ Flynn, C.P. (2000). Woman's Best Friend: Pet Abuse and the Role of Companion Animals in the Lives of Battered Women. *Violence Against Women*, 6(2), 162-177.
- ⁸ Arkow, P. (2003). *Breaking the cycles of violence: A guide to multi-disciplinary interventions, A handbook for child protection, domestic violence and animal protection agencies*. Alameda, CA: Latham Foundation.
- ⁹ *Animal Cruelty/Domestic Violence Fact Sheet* (2007). Humane Society of the United States. <http://www.hsus.org/hsusfield/>.
- ¹⁰ Ascione, F.R. (2001). Animal Abuse and Youth Violence. *Juvenile Justice Bulletin*. U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention, Washington, DC.
- ¹¹ Loar, L. (1999). "I'll only help you if you have two legs." or, Why human services professionals should pay attention to cases involving cruelty to animals. In Ascione, F.R. & Arkow, P., eds. *Child Abuse, Domestic Violence, and Animal Abuse: Linking the Circles of Compassion for Prevention and Intervention*. West Lafayette, IN: Purdue University Press, 1999, pp. 120-136.
- ¹² Weber, C.V. (1999). A Descriptive Study of the Relationship Between Domestic Violence and Pet Abuse. ProQuest Information and Learning. *Dissertation Abstracts International, Section B: The Sciences and Engineering*, 59(80-B).
- ¹³ Faver, C.A. & Strand, E.B. (2003). Domestic Violence and Animal Cruelty: Untangling the Web of Abuse. *Journal of Social Work Education*, 39(1), 237-253.
- ¹⁴ Arkow, P. (1994). Animal abuse and domestic violence: Intake statistics tell a sad story. *Latham Letter* 15(2), 17.
- ¹⁵ NCADV National Directory of Domestic Violence Programs, 2004.
- ¹⁶ Kogan, L.R., McConneil, S., Schoenfeld-Tacher, R., & Jansen-Lock, P. (2004). Crosstrails: A unique foster program to provide safety for pets of women in safehouses. *Violence Against Women* 10, 418-434.

NATIONAL COALITION AGAINST DOMESTIC VIOLENCE



The Public Policy Office of the National Coalition Against Domestic Violence (NCADV) is a national leader in the effort to create and influence Federal legislation that positively affects the lives of domestic violence victims and children. We work closely with advocates at the local, state and national level to identify the issues facing domestic violence victims, their children and the people who serve them and to develop a legislative agenda to address these issues. NCADV welcomes you to join us in our effort to end domestic violence.

Protecting our companions

[print] [close]

Kodiak law enforcer supports tougher animal cruelty punishment in

text size: [-] [+]

Alaska

Article published on Friday, Feb 01st, 2008

By MISTY MAYNARD

Mirror Writer

Alaska is among seven states identified recently by the Humane Society of the United States as having the weakest laws to punish those convicted of animal cruelty or neglect.

In the information released, HSUS deputy manager Dale Bartlett said the states identified have been "hard on animals and soft on crime for far too long."

"It's past time for them to listen to their humane-minded constituents and to pass felony animal cruelty legislation to protect both the animal and human members of their communities," he said.

Other states identified include Arkansas, North Dakota, South Dakota, Idaho, Utah and Mississippi. Of the seven identified, Utah and Mississippi are expected to consider felony animal cruelty bills when their legislatures meet this year.

According to the press release, of the seven, Alaska has the strongest penalties, though it lacks a felony animal cruelty law. State statute carries maximum penalties of one year in jail and \$10,000 in fines. Judges may also prohibit a convicted animal abuser from owning an animal for up to 10 years.

Local codes

The Kodiak Island Borough and City of Kodiak have animal cruelty codes. The Kodiak Police Department animal control officer, Amy Wagner, enforces the codes.

Both codes outline the basics for animal care, requiring a pet owner to provide food, water and adequate shelter to protect the animal from the weather. Additionally, animals cannot be overcrowded, and clean bedding should be provided.

Structures, coops, pens and yards must also be maintained.

A violation of the code will result in a citation and a mandatory court appearance. If found guilty, a person faces a fine. The amount of the fine is set by the magistrate.

In 2007, the police department received about 1,200 calls for animal control, Wagner said Wednesday afternoon. Only 70 of those calls concerned some kind of animal cruelty, five of those 70 calls resulted in citations, and in only three of the five cases was the animal permanently taken from the home.

"We get a lot of welfare check calls," Wagner said, "which is good."

Sometimes the calls simply inform police an animal appears not to have any food, or does not have adequate shelter. Rarely are there cases of actual, severe abuse warranting charges.

Every call is followed up, Wagner said.

Wagner and her supervisor at the police department, Sgt. Kyle Valerio, both said in many cases a visit with

"There are different levels of all crimes," he said. "It's definitely time animal cruelty (laws) should be stepped up, depending on the level of cruelty."

Valerio said cruelty to animals has a proven link to other crimes.

"People that abuse animals abuse people, too," Valerio said.

Kodiak Animal Shelter

Whenever an animal is abandoned or picked up by Wagner, it is taken to the Kodiak Animal Shelter, operated by the Humane Society of Kodiak. The Humane Society of Kodiak is not affiliated with HSUS.

The shelter strives to be 100 percent no-kill for friendly, adoptable animals. Animals that are euthanized are those too ill or injured to receive care, too vicious, or possessing behavioral problems that cannot be corrected.

Some of the animals at the shelter remain there a year or more before they find homes.

In 2007, the shelter had 192 cats come in, and 444 dogs. Shelter manager Kathy Daquilanea said the shelter has had a large increase in the number of dogs.

The shelter also sometimes gets other animals, including rabbits, rodents and birds.

The adoption rate for animals is high, with 181 cats adopted in 2007, and 428 dogs.

Daquilanea said she rarely sees abuse cases come into the shelter. In fact, in her 13 years working at the shelter she remembers only five serious cases.

"Kodiak people are, for the most part, really good with their pets," she said.

What she does consider cruel, though it may not involve any kind of physical injury, is when an animal is picked up, obviously healthy and cared for, and the owner never comes looking for it. Or, if someone decides they no longer want an animal and drop it off at the shelter without leaving information such as name, age, medical history and notes about whether an animal is good with children or other animals. That kind of information is important when trying to find the animal a home, Daquilanea said.

A recent shelter acquisition is an older black Lab picked up in the 400 block of Hillside Drive at the end of December.

The dog, called "Girlie" by shelter staff, is healthy and wore a collar, though she had no identifying tag.

"She obviously belonged to somebody," Daquilanea said. "But nobody's called."

the owner is all it takes.

Sometimes the owner is not aware of the code, or is unaware that the shelter provided is not adequate. Sometimes, Wagner said it is a case of miscommunication. For example, different members of a family thought one of the others was giving the dog water, while none actually were. Most of the time, the owners are apologetic and quick to fix any wrong, Wagner said.

Some of the more severe cases of abuse or neglect involve horses, which require more care than other domestic animals. Wagner said some horses are free-range horses, and may thrive in the summer, but find foraging for food in the winter difficult.

Some of the biggest problems Wagner sees come from pets permitted to roam free. Especially when dogs are unrestrained and unsupervised, there can be problems. Dogs will "pack up" and run down deer or other animals, such as geese or chickens, Wagner said, killing the animals. The animals may be perfectly friendly and obedient when around their masters, but the hunting instinct is strong, Wagner said. Many people do not realize dogs running wildlife can be shot on the scene.

Abandonment of pets is also a problem at times. Because of the transient population in Kodiak, people are often moving in and out. When they move out, sometimes animals are left behind. When that's the case, Wagner tries to bring the animals to the local shelter. When animals are abandoned in the villages, they are also sometimes shipped in to the city shelter.

While there haven't been many cases of severe animal cruelty in Kodiak, that doesn't mean there will not be. Valerio said he supports a felony cruelty law.

The dog had a wound under its collar that festered and had to be treated.

Another shelter animal was Rosie, a 10-week-old mixed breed puppy that was healthy when she came in except for an untreated infection on her face that left it scarred. The infection was easily treated with antibiotics.

Rosie was never claimed by her previous owner, but was adopted out earlier this month.

Mirror writer Misty Maynard can be reached via e-mail at mmaynard@kodiakdailymirror.com.

[print] [close]

[<<Back](#)



Report: Alaska among states with weakest animal abuse laws

Associated Press - November 13, 2007 1:14 PM ET

SAN FRANCISCO, Calif. (AP) - The Animal Legal Defense Fund says in a new report that Alaska is among five states with the weakest animal abuse laws in the nation.

Along with Alaska, Utah, Arkansas, Kentucky, and North Dakota round out the report's list of the five "best states to be an animal abuser."

Getting top grades as the best states for animals are California, Illinois, Maine, Michigan and Oregon.

Copyright 2007 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.



All content © Copyright 2000 - 2007 WorldNow and KTUU. All Rights Reserved.
For more information on this site, please read our [Privacy Policy](#) and [Terms of Service](#).

Group says Alaska is haven for animal abusers

By Grace Jang, CBS 11 News Reporter
KTVA

Article Last Updated: 11/13/2007 07:51:41 PM AKST

Alaska is one of the worst states when it comes to cracking down on animal cruelty. There is some discouraging news for animal lovers after a national study has found that people who abuse animals here in Alaska will most likely get away with it, because our laws are not tough enough.

As CBS 11 News found out: there's a link between pet abuse and other crimes. Studies show those who abuse animals are more likely to hurt people, such as is seen in domestic violence cases. The Animal Legal Defense Fund has found our state has some of the worst laws on the books when it comes to punishing animal abusers.

"So it's important from a community safety perspective that the courts are able to look at the mental health of offenders," said the director of Legislative Affairs for the Animal Legal Defense Fund, Stephan K. Otto, Esq.

Animal rights activists say how we treat our animals is a reflection of how we treat each other.

"Seventy percent of animal abusers had committed at least one other criminal offense. And that 40 percent of them had committed violent crimes against people," said Otto.

Animal lovers in Alaska say the new study shows it's time for action.

"I've seen a lot of cats and dogs and animals getting hurt by people who do it on purpose," said pet owner, Myriah Prater.

"Alaska is a very big state and Anchorage is a small part of it, but we would definitely lend our support in a movement that made it a felony," said Scott Gower of Animal Care and Control.

The ALDF urges Alaskans to contact their lawmakers for stronger animal cruelty laws.

"More than 63 percent of all U.S. households have a pet living with them. And while animals don't vote, those who love them do. And so we think protecting animals is good politics," said Otto.

The California-based organization is also asking states to keep better records of animal abuse cases and asking the FBI to keep track of the worst ones.

If you'd like more information on this new study on laws against animal cruelty, click below:



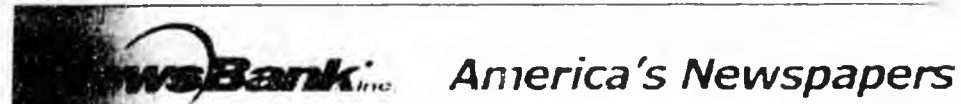
To contact Grace, call 907-273-3186.



**Updates
When
You Need
Them**

[Close Window](#)

[Send To Printer](#)

**IN BRIEF****Anchorage Daily News (AK) - January 21, 2008****Author: Staff****STATEWIDE****Animal laws get low rank**

Alaska has made The Humane Society's top seven states for the weakest laws against animal cruelty. The animal welfare organization issued its list Thursday. It ranked the seven from the best to the worst.

Alaska ranked first for having the strongest penalties for animal cruelty among the seven worst states. The group says animal cruelty in Alaska carries a maximum penalty of one year in jail and a \$10,000 fine.

Arkansas, North Dakota, South Dakota, Idaho, Utah and Mississippi also made the list. Mississippi had the weakest animal cruelty laws with penalties capped at six months and \$1,000.

The group says Alaska also is one of the states that has no felony animal cruelty provisions.

-- The Associated Press

STATEWIDE**Alaska leads in dog bites**

State epidemiologists say Alaska led the nation in dog bite injury deaths and hospitalizations from 1991 to 2002.

During that period, nine people died and 288 were hospitalized for injuries.

Among Alaska regions, the Interior had an annual rate of 4.6 injuries per 100,000 people.

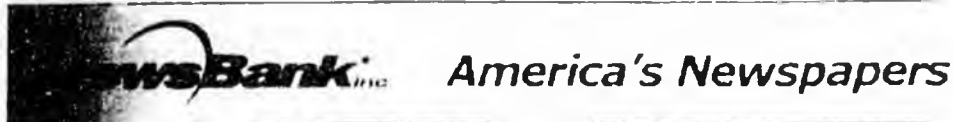
The information comes from the state's dog bite fatality database and the Alaska Trauma Registry.

State officials say they're trying to educate the public about how to avoid an injury through more school field trips to animal shelters and public service announcements.

Experts say it's best to extend the back of the hand -- slowly and with no eye contact -- when approaching an unfamiliar dog.

-- The Associated Press

Edition: Final**Section: Main****Page: A9****Record Number: 1605501201/21/08****Copyright (c) 2008, Anchorage Daily News**

**State animal abuse laws rank low****Anchorage Daily News (AK) - November 14, 2007****Author: The Associated Press ; WIRE**

Alaska is among the five worst states to live in -- for animals, according to a new report ranking all 50 states.

The Animal Legal Defense Fund said in the report that Alaska has some of the weakest animal abuse laws in the nation, along with Arkansas, Kentucky, North Dakota and Utah. The five are dubbed as the five "best states to be an animal abuser."

California, Illinois, Maine, Michigan and Oregon topped the list as the five states with the strongest commitment to protecting animals.

The Cotati, Calif.-based organization said it sifted through more than 2,800 pages of statutes and tracked 14 areas of law.

Alaska got low marks, the group said, because it has no felony animal cruelty laws, inadequate animal fighting provisions, insufficient systems for helping to offset the expense of caring for abused animals. The state has no mandates in place for counseling or mental health evaluations for people convicted of violations involving animals, the group said.

BARKING MAD? If this story has got your hackles up. go online to voice your opinion. Also, see what other Alaska dog owners are saying about their canine companions, and look at pictures and videos.

adn.com/dogblog

Caption: Photo 1: 14BOSSSES-SE_111407.jpg

Edition: Final

Section: Alaska

Page: B2

Record Number: 1539947211/14/07

Copyright (c) 2007, Anchorage Daily News

*****SPAM***** CSSB273

Carol [busface1999@yahoo.com]

Sent: Monday, March 31, 2008 12:00 PM

To: Rep. Anna Fairclough; Rep. Gabrielle LeDoux; Representative_Nancy_Olson@legis.state.ak.us; Rep. Mark Neuman; Representative_Sharon_Cissna@legis.stae.ak.us; Rep. Woodie Salmon

Cc: Rep. Bob Lynn

3/31/08

Members of the CRA Committee:

The above reference bill was referred to your committee last Friday after it passed the House. It is very important that this bill pass out of your committee ASAP. The bill deals with an urgently needed change to our very weak animal cruelty law. The main change in this bill is to make some animal cruelty a Class C felony.

I would like to see some amendments to this bill: Section 1 (a) (4) "intentionally kills or injures a pet or livestock [by the use of poison] **unless the killing or injuring can be proven to be in defense of life.**

Next change: Sec 3 (f) Cruelty to animals under (a)(1), (3), **(a) (2), (5)** or (4) of this section is a class c felony. [Cruelty to animals under (a) (2) or (5) of this section is a class A misdemeanor]. What I'm asking for is to include all cruelty to animals as a class c felony. The majority of animal abuse in Alaska are done intentionally. The new sentence 5 in Section 1 (a), if you remove the last part of the sentence as I've suggested, will finally give our law some teeth. Alaska is only one of six states that does not have a felony level penalty for animal cruelty, and are the worst offenders!

Please amend and pass this bill ASAP.

Thank you.

Carol Jensen
10821 Baronik St
Anchorage, AK 99516
Email: busface1999@yahoo.com
Phone: 907-244-1979 (days)

Please support S.B. 273 to increase penalties for animal cruelty

dfmsd@uaa.alaska.edu [dfmsd@uaa.alaska.edu]

Sent: Monday, March 31, 2008 11:51 AM

To: Rep. Gabrielle LeDoux

Representative Gabrielle LeDoux
Alaska State Legislature
State Capitol, MS 3100, Room 412
Juneau, AK 99801

Dear Representative LeDoux,

Animal cruelty is bad for animals - and for our communities. Numerous studies show the link between animal cruelty and human violence. Please support S.B. 273 to strengthen the animal cruelty law in Alaska.

Alaska is one of just six states in the entire country with no felony-level penalties for the most egregious acts of intentional animal cruelty such as burning, poisoning, and torture. S.B. 273 would make it a felony to torture or poison an animal.

Animal cruelty is a precursor to other violent criminal acts. Increasing penalties for perpetrating such cruelty is imperative to protecting animals and our society.

Please support S.B. 273 when it comes before you for your consideration.

Thank you.

Sincerely,
Margie Draskovich
3511 Tugidak Court
Kodiak, AK 99615

Please support S.B. 273 to increase penalties for animal cruelty

slmorrison9@yahoo.com [slmorrison9@yahoo.com]

Sent: Monday, March 31, 2008 1:49 PM

To: Rep. Gabrielle LeDoux

Representative Gabrielle LeDoux
Alaska State Legislature
State Capitol, MS 3100, Room 412
Juneau, AK 99801

Dear Representative LeDoux,

Alaska is one of only six states in the entire country with no felony level penalties for egregious acts of animal cruelty. Animal cruelty is often linked to human violence -- strong penalties for animal cruelty can protect both animals and our communities.

S.B. 273 would strengthen Alaska's animal cruelty law by making it a felony to torture or poison an animal.

Intentional cruelty is a sign of psychological distress and often indicates that an individual either has already experienced violence or may be predisposed to committing acts of violence. Strong penalties must be available for egregious acts of animal cruelty.

Please help protect animals and society by strengthening Alaska's animal cruelty law. Thank you.

Sincerely,
Susan Morrison
PO Box KZB
Kodiak, AK 99697

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Jeanette Gann [jeanette.gann@gmail.com]

Sent: Thursday, April 03, 2008 9:02 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link® between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Mrs. Jeanette Gann
718 5Th Street
Juneau, AK 99801

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of April Warwick [awarwick@ak.net]

Sent: Thursday, April 03, 2008 9:32 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link[®] between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please make laws to protect the defenseless animals from cruel people who abuse and kill them.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. April Warwick
5716 Kennyhill Drive
Anchorage, AK 99504-3724

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Greg Brown
[brown_greg@yahoo.com]

Sent: Thursday, April 03, 2008 9:32 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The link between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Mr. Greg Brown
19400 Beardsley Way
Juneau, AK 99801

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Arlene Jasper
[oregon@gci.net]

Sent: Thursday, April 03, 2008 9:02 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux

AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link® between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. Arlene Jasper
917 W 12th Ave
Anchorage, AK 99501-4312

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Jane Smith [fnjes@uaf.edu]

Sent: Thursday, April 03, 2008 10:02 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link[®] between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

I volunteer at the animal shelter and I have seen a number of animals come through the shelter that have been horrible abused or neglected by their owners. These people need to be held accountable.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. Jane Smith
1601 Drouin Rd
Fairbanks, AK 99709-5953

Support SB 273 Animal cruelty is a felony

American Humane [info@americanhumane.org] on behalf of Megan Premer
[premermr@muni.org]

Sent: Thursday, April 03, 2008 10:02 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link® between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. Megan Premer
4161 E. 20th Ave., #27
Anchorage, AK 99508-3504

Please Support SB 273

American Humane [info@americanhumane.org] on behalf of Amy Morgan
[amy.morgan@ccsjuneau.org]

Sent: Thursday, April 03, 2008 9:32 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link[®] between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/cr a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. Amy Morgan
326 4th St Apt 1004
Juneau, AK 99801-1176

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Tina Brown
[zerobridgewon@aol.com]

Sent: Thursday, April 03, 2008 9:32 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link[®] between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. Tina Brown
19400 Beardsley Way
Juneau, AK 99801-8219

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Colleen Sweany
[whitebear@mtaonline.net]

Sent: Thursday, April 03, 2008 11:02 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link® between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences. I live in AK also. please vote for the senate bill 273.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. Colleen Sweany
124 W Arctic Ave Apt 7
Palmer, AK 99645-6252

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Jonathan Galin [galin@gci.net]

Sent: Thursday, April 03, 2008 10:32 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link[®] between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences. Alaskans as Stewards of our animals have a moral and legal responsibility to have strong FELONY laws against inhumane treatment of animals.

My family and Alaskan friends I've discussed this with strongly support this legislation.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Mr. Jonathan Galin
4120 Woronzof Drive
Anchorage, AK 99517

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Victoria Faeo
[victoria@cbpp.uaa.alaska.edu]

Sent: Thursday, April 03, 2008 11:32 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link[®] between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. Victoria Faeo
3211 Providence Dr
Anchorage, AK 99508-4614

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of SANDRA QUINONES
[sandraleta@aol.com]

Sent: Thursday, April 03, 2008 11:33 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link® between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences. Make it happen, Bill!

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. SANDRA QUINONES
330 Villa Cir
Anchorage, AK 99504-1348

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Deanna Didrickson [swc961@gci.net]

Sent: Thursday, April 03, 2008 12:02 PM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link[®] between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. Deanna Didrickson
860 S Woodcrest
Wasilla, AK 99654

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Kathy Franz
[catpaw41@earthlink.net]

Sent: Thursday, April 03, 2008 9:32 AM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link® between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. Kathy Franz
1569 Northfield Rd.
Fairbanks, AK 99709-6014

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Alicia Little
[coachali@mtaonline.net]

Sent: Thursday, April 03, 2008 12:33 PM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link® between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Ms. Alicia Little
PO Box 3427
Palmer, AK 99645-3427

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Tanya Kukahiko [tkukahiko@ounalashka.com]

Sent: Thursday, April 03, 2008 2:03 PM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link[®] between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Miss Tanya Kukahiko
53 Jack London Dr
Unalaska, AK 99685

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of Tracy Davis
[tracydavis@gci.net]

Sent: Thursday, April 03, 2008 2:33 PM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link® between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences. Please take action now and vote for this bill!

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Mrs. Tracy Davis
17407 Charity Ln
Eagle River, AK 99577-7591

Support SB 273 to make animal cruelty a felony

American Humane [info@americanhumane.org] on behalf of James Klaich [jklaich@gci.net]

Sent: Thursday, April 03, 2008 5:09 PM

To: Rep. Gabrielle LeDoux

Apr 3, 2008

Rep. Gabrielle LeDoux
AK

Dear Rep. LeDoux,

As an Alaska resident and a supporter of the American Humane Association, I urge you to vote for Senate Bill 273 as it comes before your committee.

Alaska remains one of seven states without a felony law regarding animal cruelty. Because of this, even the most horrific acts of torture to companion animals are virtually ignored. Last November, a Fairbanks man, following an argument with his wife, was accused of slamming her cat against a tree until it was unconscious. He was only charged with a misdemeanor. In 2006, an Anchorage man was convicted of beating his brother's dog. He only received a \$100 fine.

Alaska's weak animal cruelty law has a tremendously detrimental impact on children and animals. The Link® between animal abuse and other forms of societal violence is nationally recognized. Threats or actions against companion animals are strong indicators that violence against human family members will follow.

Introduced by Sen. Bill Wielechowski, SB 273 will make it a felony punishable by up to five years' incarceration and/or a \$50,000 fine to knowingly inflict severe pain or suffering on an animal, to kill or injure an animal by use of a decompression chamber, to intentionally kill or injure a pet or livestock via poison and to promote animal fighting exhibitions. Intentionally participating as a spectator at an animal fight for the second time would also become a felony offense. SB 273 will help ensure such actions will be properly reported, investigated and prosecuted as crimes with serious consequences.

Please help ensure a more humane Alaska for future generations by voting for SB 273.

Sincerely,

Mr. James Klaich
320 Wedgewood Dr Apt G10
Fairbanks, AK 99701-1639