

CS FOR SENATE BILL NO. 358 (JUDICIARY)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 2/18/92
Referred: Rules

Sponsor(s): SENATORS ELIASON, Zharoff, Halford, Sturgulewski

A BILL

FOR AN ACT ENTITLED

1 "An Act making the theft of certain safety and survival equipment from watercraft and
 2 aircraft theft in the second degree."

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

4 * **Section 1.** AS 11.46.130(a) is amended to read:

5 (a) A person commits the crime of theft in the second degree if the person commits theft
 6 as defined in AS 11.46.100 and

7 (1) the value of the property or services is \$500 or more but less than \$25,000;

8 (2) the property is a firearm or explosive;

9 (3) the property is taken from the person of another; [OR]

10 (4) the property is taken from a vessel and is vessel safety or survival
 11 equipment;

12 (5) the property is taken from an aircraft and the property is aircraft safety
 13 or survival equipment; or

14 (6) the value of the property is \$50 or more but less than \$500 and within the

1 preceding five years the person has been convicted and sentenced on two or more separate
2 occasions in this or another jurisdiction of

3 (A) AS 11.46.120, or an offense under another law or ordinance with
4 similar elements;

5 (B) a crime set out in this subsection or an offense under another law or
6 ordinance with similar elements;

7 (C) AS 11.46.140(a)(1) or (2), or an offense under another law or
8 ordinance with similar elements; or

9 (D) AS 11.46.220(c)(1) or (c)(2)(A), or an offense under another law or
10 ordinance with similar elements.

11 * Sec. 2. AS 11.46.130 is amended by adding a new subsection to read:

12 (c) In this section,

13 (1) "aircraft" means a contrivance used or designed for navigation of flight in air;

14 (2) "aircraft safety or survival equipment" means equipment required to be carried
15 on an aircraft under AS 02.30.010 or AS 02.35.110;

16 (3) "vessel" means every description of watercraft, other than a seaplane on water,
17 used or capable of being used as a means of transportation on water;

18 (4) "vessel safety or survival equipment" means personal flotation devices;
19 immersion suits; personal flotation device lights; survival craft; equipment necessary for the
20 proper operation of survival craft; emergency position indicating radio beacons; fire extinguishers
21 and supporting equipment; firefighters' outfits; and self contained breathing apparatuses; in this
22 subparagraph, "survival craft" means a device designed to enable a person to survive the loss of
23 a vessel, and includes buoyant apparatuses, inflatable buoyant apparatuses, life floats, inflatable
24 life rafts, and auxiliary craft, including skiffs, usable as survival craft.

25 * Sec. 3. AS 11.46.295 is amended to read:

26 Sec. 11.46.295. PRIOR CONVICTIONS. For purposes of considering prior convictions
27 in prosecuting a crime of theft under AS 11.46.130(a)(6) [AS 11.46.130(a)(4)] or 11.46.140(a)(3),
28 or in prosecuting the crime of concealment of merchandise under AS 11.46.220(c), a conviction
29 for an offense under another law or ordinance with similar elements is a conviction of an offense
30 having elements similar to those of an offense defined as such under Alaska law at the time the
31 offense was committed.