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BILL FILE LOG

BILL # SB
112

2/1 Original bill, fiscal note + transmittal letter



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 30, 1985

The Honorable Don Bennett
President of the Senate
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Senator Bennett:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that will raise the penalties for breaking into a propelled vehicle (such as a car, truck, boat or airplane) with intent to commit a crime in the vehicle. This change will cure an anomaly in current law, which punishes entry on land with intent to commit a crime more seriously than entry into a person's car or boat with the same intent.

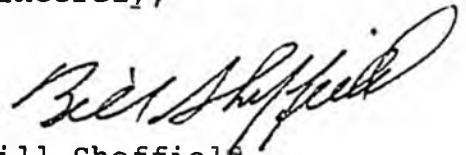
Under existing law, if a person enters a building with intent to commit a crime in the building, the person is guilty of burglary -- a felony. If a person enters upon land with intent to commit a crime on the land, he has committed criminal trespass in the first degree -- a class A misdemeanor; this offense carries a maximum sentence of one year in jail and a \$5,000 fine. However, if a person enters a propelled vehicle that is not adapted for overnight accommodation, even with intent to commit a crime (such as theft or criminal mischief) in the vehicle, that person can be charged only with criminal trespass in the second degree -- a class B misdemeanor; this offense carries a maximum penalty of only 90 days in jail and a \$1,000 fine.

Breaking into a car or boat to commit a crime should be a class A misdemeanor. It is at least as serious as entering upon land to commit a crime. The way the law stands now, a person is guilty of a more serious offense if he steps onto his neighbor's lawn to steal a lawn chair or a child's toy than if he breaks into a car to steal a purse or a tape deck. Entry into a propelled vehicle without intent to commit a crime (to take a nap, for example) would continue to be a class B misdemeanor.

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While this is a relatively minor amendment to the criminal law, it recognizes the substantial interest that an innocent person has in maintaining the security of personal property such as cars, planes, boats, construction equipment and ATVs (all-terrain vehicles). I urge your favorable consideration of this bill.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Sheffield".

Bill Sheffield
Governor

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST:

Bill/Resolution No.: SB 112
 Title: "An act relating to criminal trespass."
 Sponsor: Governor
 Requestor: Governor
 Date of Request: January 24, 1985

FISCAL DETAIL:

Agency Affected: DEPARTMENT OF CORRECTIONS
 Program Category Affected: _____
Administration of Justice
 BRU, Program or Subprogram(s) Affected: Offender Confinement, Reformation and Supervision

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary.

This legislation will have no fiscal impact on the Department of Corrections.

Prepared By: Cynthia Nelson
 Division: Special Assistant

Phone: 465-3376
 Date: January 25, 1985

Approved by Commissioner: Roger V. Endell by William W. Ludwig
 Agency: DEPARTMENT OF CORRECTIONS

Date: January 25, 1985

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency (ies)

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: 112
 Title: "An Act relating to criminal trespass."
 Sponsor: By Request of the Governor
 Requestor: _____
 Date of Request: 10/29/84

FISCAL DETAIL

Agency Affected: Department of Law
 Program Category Affected: _____
Administration of Justice - Due Process
 BRU, Program or Subprogram(s) Affected: _____
Prosecution

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

This bill cures an anomaly in current law, which treats breaking into a vehicle (not adapted for overnight accommodations) with intent to commit a crime less seriously than entry onto land with the same intent. No fiscal impact will result from enactment of the bill.

Richard I. Pegues

Prepared By: Richard I. Pegues, Director Phone: 465-3672

Division: Administrative Services Date: 10/29/84

Richard I. Pegues

Approved by Commissioner: Norman C. Gorsuch Date: 10/29/84

Agency: Department of Law

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84

LAW