

SPB

4497

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: "An Act amending the penalty for the crime of criminal mischief."  
Sponsor: Transportation Committee  
Requestor: \_\_\_\_\_

Agency Affected: Department of Corrections  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

GENERAL FUND						
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 should have minimal impact on the Department of Corrections.

*Susan E. Knighton*

Prepared by: Susan E. Knighton, Director  
Division: Administrative Services

Phone: 465-3376  
Date: 4-12-88

Approved by Commissioner: *Susan Humphrey Barnett*  
Agency: Department of Corrections

Date: 4-12-88

Distribution (by preparer):

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

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

CSSB 497  
BILL VERSION: (Transportation)  
PUBLISH DATE: \_\_\_\_\_

FISCAL NOTE

REQUEST: \_\_\_\_\_

APR 8 1988

Revision Date: April 8, 1988  
Title: "An Act amending the penalty ...  
involving theft...propelled vehicle."  
Sponsor: Senate Transportation  
Requestor: Senate Transportation

Agency Affected: Department of Law  
BRU: Prosecution  
Components: All

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Please see the attached analysis.

Prepared by: Richard I. Pegues, Director Phone: 465-3672  
Division: Administrative Services Date: April 8, 1988  
Approved by Commissioner: Richard I. Pegues / FOR / Grace Berg Schaible, Atty. Gen. Date: April 8, 1988  
Agency: Department of Law

Distribution (by preparer):

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

## CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 497 (Transportation)

The Transportation Committee substitute for SB 497 substantially revises this bill and adds a new subsection to AS 11.46 that imposes a minimum sentence for joyriding of a term of imprisonment of not less than 72 hours, a fine of not less than \$250, and restitution. These sentencing provisions will not have a fiscal impact on the Department of Law. The 72-hour minimum imprisonment term could, however, have an impact on the Department of Corrections.

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: "An Act redefining the crime of motor vehicle theft ..."  
Sponsor: Senate Transportation  
Requestor: Senate Transportation

Agency Affected: Department of Law  
BRU: Prosecution  
Components: First, Second, Third and Fourth Judicial Districts

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Please see the attached analysis.

Prepared by: Richard I. Pegues, Director Phone: 465-3672  
Division: Administrative Services Date: March 25, 1988  
Approved by Commissioner: Richard I. Pegues / FOR /  
Grace Berg) Schaible, Atty. Gen. Date: March 25, 1988  
Agency: Department of Law

Distribution (by preparer):

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

*Fiscal Note*

# CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 497

This bill amends AS 11.46.482 and AS 11.46.484 in a manner that would raise the first-time offense of joy-riding from a class A misdemeanor to a class C felony. Because of the very brief period available to prepare this analysis, the department has not had sufficient time to thoroughly examine past case statistics to determine the exact number of offenses currently handled as misdemeanors that would require felony prosecution under this bill. Nonetheless, a conservative low number would probably be 200 such offenses a year, statewide.

This increase in felony caseload will require additional prosecutor time in preparing and presenting these cases to the grand jury. Because of the increased felony penalties, it is anticipated that the state will face a more vigorous defense also requiring additional prosecutor time. None of these increases, however, justifies staff additions at any specific locations, although the aggregate statewide increase will be equal to at least one prosecutor. In the case of juvenile offenders, juvenile court actions would require more formal proceedings and require additional prosecutor time. Moreover, a first-time juvenile offender convicted under the bill would have a felony record, although it is not uncommon for the complaining party to be the offender's parent in a complaint involving the family car.

To the extent that the department must make time available from its limited resources to prosecute first-time joy-riding offenses as felonies, the department must also exercise its discretion in directing these limited resources toward more serious crimes such as sexual and physical assault, robbery, sexual and physical abuse of minors, and homicide.

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_ Agency Affected: Department of Administration  
 Title: "An Act amending the penalty for the crime of criminal mischief. . ." BRU: Public Defender Agency  
 Sponsor: Senate Transportation Committee Components: Third Judicial District  
 Requestor: House Judiciary

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	80.3	83.5	86.8	90.3	93.9
TRAVEL	0	5.0	5.2	5.4	5.6	5.8
CONTRACTUAL	0	5.0	5.2	5.4	5.6	5.8
SUPPLIES	0	1.5	1.6	1.7	1.8	1.9
EQUIPMENT	0	4.0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	95.8	95.5	99.3	103.3	107.4
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	95.8	95.5	99.3	103.3	107.4
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	95.8	95.5	99.3	103.3	107.4

POSITIONS:

FULL-TIME	0	1.0	1.0	1.0	1.0	1.0
PART-TIME	0	1.0	1.0	1.0	1.0	1.0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

(See attachment)

Prepared By: Dana Fabe, Public Defender Phone: 279-7541  
 Division: Public Defender Agency Date: 4-26-88  
 Approved by Commissioner: John M. Andrews Date: 4/28/88  
 Agency: Department of Administration

Distribution (by preparer):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CS SB 497 (Transportation)

The Committee Substitute for this bill has reduced the mandatory minimum penalty for a first offense joyriding to 72 hours. Thus, the fiscal note for this bill has been reduced. However, it is still anticipated that imposition of a substantial mandatory minimum jail term for any first offense misdemeanor will result in additional trial work. A defendant who knows that he faces a sure period in jail regardless of whether he pleads guilty or goes to trial may elect to go to trial even if the chances of prevailing are slim. This comports with our experience on first offense drunk drivers. Imposition of the mandatory minimum 72 hour period has increased the number of drunk driving trials for first offenders.

Due to our anticipation that the majority of joyriding cases will occur in the Third Judicial District, comprised of Palmer, Anchorage, Kenai and Kodiak, an Attorney III and a one-half time Clerk/Typist III are requested to handle the increased workload for these cases.

CS SB 497

<u>Anchorage</u>	Attorney III	66.0	
	Clerk/Typist III $\frac{1}{2}$	14.3	
	Personal Services		80.3
	Travel (Third Judicial District)		5.0
	Contractual (Experts, Telephone, Space, etc.)		5.0
	Supplies (Office and Law Library)		1.5
	Equipment (one time)		4.0
	TOTAL		<u>95.8</u>

Position Title Clerk/Typist III		No. of Positions 1	Range/Step BA	Burg. Unit GGU
File Status PPT	Staff Months 6.0	Location Anchorage Election District 92		
Type of Expenditure	Amount	Justification		
1	3	This bill would establish a 3-day minimum jail term for first offenders charged with misdemeanor joyriding. Virtually none of our joyriding cases go to trial at the present time. However, many persons with no prior criminal record who face a mandatory 3 days in jail will elect to go to trial. Jury trials are extremely time consuming in both preparation and execution. This part-time Clerk/Typist III would provide clerical and support services to the additional attorney and also assist the Falmer staff in meeting the support needs for the additional trials.		
Salary	2			
Benefits	9,786			
Premium Pay	4,564			
Other				
Total Personal Services	14,350			
Travel				
Contractual				
Commodities	500			
Equipment	2,000			
Other				
Total Cost	16,850			
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004			
GF Program Receipts	1005			
Other				
	16,850			

Request for New Position

Agency BRU  
 Component Third Judicial District  
 Dept. of Administration  
 Public Defender Agency

Page 2 of 4  
 Revision Date 1/23/88

FY 89

Position Title		Attorney III		No. of Positions		1		Range/Step		22A		Barg. Unit		PX	
Type Status		PEP		Staff Months		12.0		Location		Anchorage		Election District		92	
Type of Expenditure		1		2		Amount		3		<p><b>Justification</b>  This bill would establish a 3-day minimum jail term for first offenders charged with misdemeanor joyriding. Virtually none of our joyriding cases go to trial at the present time. However, many persons with no prior criminal record who face a mandatory 3 days in jail will elect to go to trial. Jury trials are extremely time consuming in both preparation and execution. This additional burden will necessitate addition of an Attorney III who would cover Third Judicial District joyriding cases including Anchorage, Palmer, Kenai, Seward, Homer, Kodiak, Glennallen and smaller localities.</p>					
Salary		49,140													
Benefits		16,834													
Premium Pay															
Other						65,974									
Travel						5,000									
Contractual						5,000									
Commodities						1,000									
Equipment						2,000									
Other															
Total Cost						78,974									
Funding Source for Total Cost															
Federal Proceeds		1003													
G. E. Match		1003													
General Fund		1604				78,974									
GF Program Receipts		1005													
Other															

**FY 89**

Page 4 of 4  
Revised Date 4/22/88

Agency: Dept. of Administration  
BRU: Public Defender Agency  
Component: Third Judicial District

**Request For  
New Position**

STATE OF ALASKA  
THE LEGISLATURE

HOUSE STATE CAPITOL  
JUNEAU ALASKA 99811  
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 10, 1988

SUBJECT: Draft CSSB 497 (Transportation)

TO: Senator Jack Coghill, Vice-Chair  
Senate Transportation Committee

FROM: Jack Chenoweth  
Legislative Counsel

The draft Committee Substitute provided Friday reduces the three page original bill to one page, chiefly by eliminating the distinction, made in the original bill, between "motor vehicles" and all other "propelled vehicles", including the related definitions that were offered for each of those terms. As revised, this legislation would apply to all propelled vehicles.

This bill keeps the distinction, found in current law, between felony joyriding (the crime of "criminal mischief in the second degree" for the first offense of joyriding in which property is damaged or reasonable expenses are incurred as a result of the loss of the use of the propelled vehicle in the amount of \$500 or more) and the misdemeanor joyriding (the crime of "criminal mischief in the third degree" for the first offense in which the damages and expenses associated with loss of the vehicle do not reach \$500.)

This committee substitute imposes a mandatory minimum sentence for the misdemeanor offense of joyriding only. Per committee instruction, the penalty incorporates the content of the penalty for first offense conviction of driving while intoxicated (AS 28.35.030(c)): imprisonment for a minimum of 72 hours; a fine of \$250; restitution for damages. The language of the DWI statute precluding suspension of imposition or execution of sentence or allowance of probation is adapted into the last sentence.

Senator Jack Coghill  
Page 2  
April 10, 1988

As Senator Abood has noted, though the bill draft suggests a "go to jail" approach, under AS 33.30.151 - 33.30.161 the "mandatory" sentence set out in this committee substitute may be served in a correctional restitution center.

Enclosure

JBC:bb  
b4/120

Original sponsor: Transportation Committee

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE

2 CS FOR SENATE BILL NO. 497 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act amending the penalty for the crime of crimi-  
7 nal mischief in the third degree involving the theft  
8 of a propelled vehicle."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 \* Section 1. AS 11.46.484 is amended by adding a new subsection to  
11 read:

12 (d) A person convicted under (a)(2) of this section whose con-  
13 viction is not a felony under (c) of this section shall be sentenced  
14 to a minimum term of imprisonment of not less than 72 hours and shall  
15 pay a fine of not less than \$250 and restitution. The imposition or  
16 execution of sentence may not be suspended and probation may not be  
17 granted except on condition that the minimum imprisonment provided in  
18 this subsection is served.  
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27  
28  
29

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
BUILDING ALASKA 99511  
907 465 1800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 18, 1988

SUBJECT: Theft of motor vehicles  
(Work order 5-2082 ~~X.B~~)

TO: Senator Lloyd Jones, Chair  
Senate Transportation Committee  
ATTN: Jim Lottsfeldt

FROM: Jack Chenoweth  
Legislative Counsel

The work order specified "auto theft" and I have drafted on the assumption that "motor vehicles" is all you wanted to cover in this bill to increase penalties. As with most matters involving motor vehicles, things are generally tougher to accomplish than originally intended.

Your draft was a good attempt, and I endeavored to use it. Unfortunately, the criminal code uses the term "propelled vehicle," thereby picking up, in addition to motor vehicles, aircraft, watercraft, and a few other things. See AS 11.81.900(44). Moreover, there is no good working definition of "motor vehicle" in criminal law.

The net result is the draft enclosed. The first conviction of the theft of a motor vehicle is made a class C felony; for propelled vehicles that are not motor vehicles, the first conviction remains a class A misdemeanor, with subsequent convictions within seven years elevated to class C felonies.

I have redefined "propelled vehicle" to include "motor vehicles" and the other items specified. The definition of "motor vehicle" ties back to the definition used in the Motor Vehicle Code (AS 28).

If the draft or this memo prompts questions, please contact me.

Enclosure

JBC:gc  
WKG2:61

1 \* Sec. 3. AS 11.46.484(a) is amended to read:

2 (a) A person commits the crime of criminal mischief in the third  
3 degree if, having no right to do so or any reasonable ground to be-  
4 lieve the person has such a right

5 (1) with intent to damage property of another, the person  
6 damages property of another in an amount of \$50 or more but less than  
7 \$500;

8 (2) the person drives, tows away, or takes a [THE] pro-  
9 pelled vehicle, other than a motor vehicle, of another;

10 (3) having custody of a propelled vehicle under a written  
11 agreement with the owner of the vehicle that includes an agreement to  
12 return the vehicle to the owner at a specified time, the person know-  
13 ingly retains or withholds possession of the vehicle without the  
14 consent of the owner for so long a period beyond the time specified as  
15 to render the retention or possession of the vehicle an unreasonable  
16 deviation from the agreement;

17 (4) the person tampers with a fire protection device in a  
18 building that is a public place;

19 (5) the person knowingly accesses a computer, computer  
20 system, computer program, computer network, or any part of a computer  
21 system or network; or

22 (6) the person uses a device to descramble an electronic  
23 signal that has been scrambled to prevent unauthorized receipt or  
24 viewing of the signal unless the device is used only to descramble  
25 signals received directly from a satellite or unless the person owned  
26 the device before September 18, 1984.

27 \* Sec. 4. AS 11.46.484(c) is repealed and reenacted to read:

28 (c) A person convicted under (a)(2) of this section is guilty of  
29 a class C felony if, within the preceding seven years, the person was

1 convicted under

2 (1) the provisions of (a)(2) of this section;

3 (2) an offense involving the theft of a propelled vehicle  
4 under AS 11.46.120 - 11.46.140; or

5 (3) a law or ordinance of this or another jurisdiction with  
6 elements substantially similar to those of the offenses described in  
7 (1) of this subsection.

8 \* Sec. 5. AS 11.81.900(44) is amended to read:

9 (44) "propelled vehicle" means a device upon which or by  
10 which a person or property is or may be transported, and which is  
11 self-propelled, including motor vehicles [AUTOMOBILES], vessels,  
12 airplanes, [MOTORCYCLES, SNOW MACHINES,] all-terrain vehicles, sail-  
13 boats, and construction equipment;

14 \* Sec. 6. AS 11.81.900 is amended by adding a new paragraph to read:

15 (58) "motor vehicle" has the meaning given in AS 28.40.-  
16 100(a).

# ALASKA STATE LEGISLATURE

Sen. Lloyd Jones, Chairman  
Sen. John B. "Jack" Coghill, Vice Chairman  
Sen. Mitch Abood  
Sen. Bettye Fahrenkamp  
Sen. Tim Kelly



P.O. Box V  
Juneau, AK 99811

007-465-4921

## Senate Transportation Committee

### MEMORANDUM

TO: Senate Transportation Committee  
Members

FROM: Senator Jones, Chairman

DATE: 4/7/88

SUBJECT: SB 497

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Senate Bill 497 attempts to answer a concern regarding motor vehicle theft, and the various definitions and degrees of severity of this crime.

In order for motor vehicle theft to be classified as anything other than "joyriding", which is a misdemeanor, the thief must show intent to not return the vehicle to the owner. In an island community, the thief must be found with a ferry ticket for himself and the car, ready to leave the island, to constitute such intent. Also, in isolated communities the misdemeanor penalty has often not proven to be a strong enough disincentive to prevent theft.

Senate Bill 497 increases the penalties associated with motor vehicle theft, specifically joyriding, and separates the definition of motor vehicles from that of other "propelled vehicles". Current law is vague in this area, and I feel SB 497 will help clarify and strengthen this area of the law.

MAR 2 1988

February 26, 1988

Senator Lloyd Jones  
P.O. Box V (MS-3100)  
Juneau, Alaska 99811

Dear Senator Jones:

Enclosed please find copies of the petition that has been circulating in Petersburg. The citizens of Petersburg would like the Legislature to change the Laws regarding Stolen Vehicles. We feel that a person who steals a vehicle, be it an automobile, boat, or airplane; should be prosecuted as having committed a Felony, rather than Criminal Mischief. The fact that we live on an island is immaterial, and should not make a difference in the level of punishment for stealing a vehicle.

Only you, as our elected representative, can author a Bill to change the Law. So we are formally requesting you to do this.

If I can be of any assistance to you in doing this, please feel free to contact me.

We still have petitions out, in Petersburg, but it appears that we have 100% of the adult population in favor of the above change; AND we also have the endorsement of the Petersburg City Council.

Respectfully yours,

  
Gayle M. Eastwood

enc:

cc: Governor Cowper  
Representative Sund  
Representative Taylor

5-2082B

Chenoweth  
3/18/88

1 IN THE SENATE

BY THE TRANSPORTATION COMMITTEE

2 SENATE BILL NO.

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act redefining the crime of motor vehicle theft  
7 and increasing the penalty for that crime."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 11.46.482(a) is amended to read:

10 (a) A person commits the crime of criminal mischief in the  
11 second degree if, having no right to do so or any reasonable ground to  
12 believe the person has such a right,

13 (1) with intent to damage property of another, the person  
14 damages property of another in an amount of \$500 or more;

15 (2) the person tampers with an oil or gas pipeline or  
16 supporting facility or an airplane or helicopter with reckless disre-  
17 gard for the risk of harm to or loss of the property;

18 (3) the person recklessly creates a risk of damage in an  
19 amount exceeding \$100,000 to property of another by the use of widely  
20 dangerous means; or

21 (4) the person drives, tows away, or takes

22 (A) the motor [PROPELLED] vehicle of another; or

23 (B) [AND] the propelled vehicle of another, other than  
24 a motor vehicle, and the vehicle or any other property of another  
25 is damaged or the owner incurs reasonable expenses as a result of  
26 the loss of use of the vehicle in a total amount of \$500 or more.

27 \* Sec. 2. AS 11.46.482 is amended by adding a new subsection to read:

28 (c) The court shall impose on a person convicted under (a)(4)(A)  
29 of this section a fine of not less than \$200.

# ALASKA STATE LEGISLATURE

Sen. Lloyd Jones, Chairman  
Sen. John B. "Jack" Coghill, Vice Chairman  
Sen. Mitch Abood  
Sen. Bettye Fahrenkamp  
Sen. Tim Kelly



P.O. Box V  
Juneau, AK 99811  
907-465-4921

## Senate Transportation Committee

### MEMORANDUM

TO: Senate Transportation Committee  
Members

FROM: Senator Jones, Chairman

DATE: 4/7/88

SUBJECT: SB 497

---

Senate Bill 497 attempts to answer a concern regarding motor vehicle theft, and the various definitions and degrees of severity of this crime.

In order for motor vehicle theft to be classified as anything other than "joyriding", which is a misdemeanor, the thief must show intent to not return the vehicle to the owner. In an island community, the thief must be found with a ferry ticket for himself and the car, ready to leave the island, to constitute such intent. Also, in isolated communities the misdemeanor penalty has often not proven to be a strong enough disincentive to prevent theft.

Senate Bill 497 increases the penalties associated with motor vehicle theft, specifically joyriding, and separates the definition of motor vehicles from that of other "propelled vehicles". Current law is vague in this area, and I feel SB 497 will help clarify and strengthen this area of the law.

- 11.81.250

- would support Mandatory Minimum, or more severe misdemeanor. Rather than Felony - goes on record for life.  
- could put in mandatory jail time w/out making it a felony. class C felony doesn't necessarily get jail time. could keep it a misdemeanor & still get jail time.
- Should bump 3 wheelers - snowmobiles in.

2<sup>nd</sup> offense @ in 7 yrs is automatically a Felony.

72 hrs for 1<sup>st</sup> offense & raise fine to ~~0~~ \$250

↑  
mandatory

↳ Back to Misdemeanor  
↳ Restitution.

==  
Stay at propelled vehicle  
why change?

MAR 2 1988

February 26, 1988

Senator Lloyd Jones  
P.O. Box V (MS-3100)  
Juneau, Alaska 99811

Dear Senator Jones:

Enclosed please find copies of the petition that has been circulating in Petersburg. The citizens of Petersburg would like the Legislature to change the Laws regarding Stolen Vehicles. We feel that a person who steals a vehicle, be it an automobile, boat, or airplane; should be prosecuted as having committed a Felony, rather than Criminal Mischief. The fact that we live on an island is immaterial, and should not make a difference in the level of punishment for stealing a vehicle.

Only you, as our elected representative, can author a Bill to change the Law. So we are formally requesting you to do this.

If I can be of any assistance to you in doing this, please feel free to contact me.

We still have petitions out, in Petersburg, but it appears that we have 100% of the adult population in favor of the above change; AND we also have the endorsement of the Petersburg City Council.

Respectfully yours,

  
Gayle M. Eastwood

end:

cc: Governor Cowper  
Representative Sund  
Representative Taylor



We, the citizens of Petersburg, feel the need for a change from "Joy-riding" to Grand Theft Auto, if a person steals a vehicle. We feel that it is immaterial if we live on an island or not. It is a case of taken someone's property without their permission and should receive the penalty for their actions. If the owners leave their key in the ignition, that is between their insurance company and themselves. The thief should be prosecuted as a car thief.

NAME	ADDRESS	
Dave N. Ohmer	413 Sandy Beach Road	Dave Oh
Butte Power	Box 627	Petersburg
Alan L. Chesser	501 Sandy Beach Road - Box # 370	Petersburg, Alaska
James G. Benson	314 Seaside	Petersburg
John J. J. J.	110 HARBOR WAY	INSP John Henderson
John Henderson	1125	
Bill Z. Johnson	Box 1655	
Spencer Murphy	Box 1701	
JERRY HEGER	P.O. Box 435	
R.H. Sherman	P.O. Box 89	346 City
Fay Willard	Box 941	
Jim Dan Ruse	Box 1751	City
Helen Dean	Box 689	503 Nordic Dr. Peter O'Neal
Danell W. W. W.	Box 1002	
John J. J. J.	P.O. Box 35	Petersburg, AK
John J. J. J.	P.O. Box 1091	
Charles W. P. P.	P.O. Box 38	1117B Valkyrie St. Petersburg, AK
Walter W. W. W.	P.O. Box 201	Petersburg, AK
John J. J. J.	Box 782	
John J. J. J.	Box 836	Petersburg
John J. J. J.	Box 32	PSC
John J. J. J.	Box 1524	PSC
John J. J. J.	Box 447	Petersburg, AK
John J. J. J.	Box 978	PSC
John J. J. J.	John Sel.	PSC Anchorage, Alaska
John J. J. J.	Box 1275	PSC, AK 99833
John J. J. J.	Box 544	CITY
John J. J. J.	Box 1746	CITY
John J. J. J.	Box 3	PSC
John J. J. J.	P.O. Box 1725	PSC
John J. J. J.	Box 816	PSC
John J. J. J.	Box 76	PSC
John J. J. J.	Box 988	PSC
John J. J. J.	Box 1767	PSC
John J. J. J.	Box 409	PSC
John J. J. J.	Box 662	PSC
John J. J. J.	Box 1264	PSC
John J. J. J.	Box 296	PSC PETERSBURG, AK.
John J. J. J.	" 1628	
John J. J. J.	" 1628	
John J. J. J.	" 264	PSC AK
John J. J. J.	Box 1505	PSC AK
John J. J. J.	Box 1558	PSC AK

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Please put Street address.

NAME	ADDRESS
Belinda Clayton	Belinda Clayton Box 882 Petersburg AK 99833 #9 Birch St.
Verna Wright	Wright " " " "
Sharon Wright	Box Box 1602 PSC Petersburg AK 99833
Shirley B. Kuebel	POB 1440 Petersburg AK 99833
Jessie Casey	Box 1378 Petersburg AK 99833
Mark & Lynn	Box 1021 Petersburg AK 99833-1021
Lynn Beck	Box 547 Petersburg AK 99833
Lila Jush	Box 533 400 3rd Ave N Petersburg AK
Dorothy Jingle	Box 315 105 55th St Petersburg AK 99833
Mary Jane Kerntz	Box 1113 1004 N Nordic Dr Petersburg AK 99833
Jerveth Stolpe	200 Sandy Beach Road Petersburg AK 99833
Gammillet	3rd A Mitkof Hwy PSC AK 99833
Waren Severson	Box 1502 PSC AK 99833
Debra J. Carroll	Box 334 384 177th Ave N PSC AK 99833
Feresa Gordon	Box 1565 PSC AK 99833
Beverly Hammer	Box 223 200 Lumber St PSC AK 99833
Paula S. Gordanish	200 2nd St Petersburg AK 99833
Michael J. Gordanish	Box 1134 Petersburg AK 99833
William Kell	Box 1010 703 Mitkof Highway Petersburg AK 99833
Eric Kellan	Box 1008 310th S Nordic Dr Petersburg AK 99833
Victoria McDonald	Box 556 103 Lewis Lane Petersburg AK 99833
MARGARET ROGERS	Box 893 602 IRA ST. Petersburg AK 99833
Jessie Watson	Box 1010 1113B Valbuena Petersburg AK 99833
Jakka R. Lyons	Box 16 706 N Nordic Dr Petersburg AK 99833
Martla Pearl	1121 1010 N Nordic Dr Petersburg AK 99833
KATHY CHANEY	1276 1008B N NORDIC DR. Petersburg AK 99833
David E. Helmick	PO Box 913 Pappas handling Petersburg
Floury Bell	P.O. Box 2974 Petersburg Alaska
Wacey & Burnfield	706 Odin Plover AK
Cecilia Swanson	P.O. 1404 Petersburg
Muriel Birk	Box 64 Petersburg Alaska
John Albert	John Albert 214 173 Petersburg Alaska P.O. Box 1000 AK 99833
Ray Beam	321 Mitkof Hwy Petersburg AK 99833 (Box 1610)
John J. White	Box 246 Petersburg AK 99833
Kathleen Wood	Box 742 PSC AK 99833
Theresa Mewca	Box 1086 541 Mitkof Highway Petersburg AK 99833
Dick Aho	Box 1272 103 Cornelius Pl Petersburg AK 99833
Judith Elzingberg	Box 860 285 Mitkof Highway Petersburg AK 99833
Paula	Box 105 Pet AK
Mark Smed	Harold Bay AK
Darcy Caples	Box 524 PSC AK 99833 (205 from)
May Tott	276 Reed Road - Petersburg AK

over

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NAME	ADDRESS	
<i>James Duncan</i>	711 Wrangell Ave	Petersburg
<i>Bill H. Eids</i>	116 W. Mallory St	Petersburg
<i>Ruth A. Bantz</i>	405 Hanger St	Petersburg
<i>Robert L. Bantz</i>	405 Hanger Dr.	Petersburg
<i>Francis Wells</i>	723 W. Mallory St	Petersburg
<i>Richard Subbe</i>	361 Spruce St	Petersburg
<i>Clark Mondak</i>	P.O. 706	Petersburg
<i>Pam Jewell</i>	P.O. 271	City
<i>Judith Martinson</i>	74 200 2nd St Box 622	City
<i>Bob Cook</i>	130 E Wrangell Box 385	Petersburg
<i>Margie Jewell</i>	P.O. Box 1625	Petersburg
<i>Wanda Bauluck</i>	P.O. Box 815	Petersburg
<i>Harold L. Mangum</i>	P.O. Box 1718	Petersburg
<i>Allen Lettall</i>	P.O. Box 821	Petersburg
<i>Chirion Taylor</i>	Box 747	Petersburg
<i>Elizabeth G. Warr</i>	Box 74	P.S.G.
<i>Julie D. Nyberg</i>	Box 1093	P.S.G.
<i>Hanni Emmoregg</i>	Box 1043	Petersburg, AK.
<i>John A. Bell</i>	Box 730	Petersburg, AK.
<i>Valerie Smith</i>	C. General Delivery	Petersburg
<i>Richard P. Stone</i>	Box 710	Petersburg
<i>Bene Mae Donald</i>	Box 695	Petersburg
<i>Pete Wall</i>	Box 1434	Petersburg
<i>John A. Shyne</i>	Box 575	Petersburg
<i>Margaret Slack</i>	Box 495	Petersburg
<i>Sonya Bulevich</i>	P.O. Box 273	Petersburg
<i>John Buetcher</i>	P.O. Box 493	Petersburg
<i>Julius Nelson</i>	P.O. Box 190	Petersburg
<i>Ed. Kay</i>	P.O. Box 1063	Petersburg
<i>Theresa B. Dignier</i>	P.O. Box 427	Petersburg
<i>Lucy W. Handy</i>	P.O. Box 118	Petersburg
<i>Beverly Thomasset</i>	Box 1235	Petersburg
<i>Penda Hartman</i>	Box 1516	Petersburg
<i>Peggy H. Lora</i>	Box 1111	Petersburg
<i>John Friedrich</i>	Box 51	Petersburg
<i>Raymond Bergquist</i>	Box 1082	Petersburg
<i>John L. Lora</i>	Box 1022	Petersburg
<i>John L. Lora</i>	Box 1327	P.S.G.
<i>John L. Lora</i>	Box 487	City
<i>John L. Lora</i>	Box 6473	City
<i>John L. Lora</i>	Box 1503	City
<i>John L. Lora</i>	Box 930 801 Fran	City
<i>John L. Lora</i>	Box 28	Petersburg

Kathy Randrup Box 44 City  
 Kent Reid Box 174 City  
 Sherry Reid P.O. Box 174 City

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NAME	ADDRESS
Grant H. Trapp	Box 1333 400 2nd Ave. N. Petersburg, AK 99833
HARLES M. FOESEL	Box 1440 Psg. AK 99833
Robert W. ...	Box 881 Psg. AK 99833
Fred Weisenburger	Box 86 Psg. AK 99833
Dymay Majumdar	Box 1152 PSC 41 99833
George Mautner	Box 1124 PSC. AK 99833
Robert McFalls	Box 1724 PSC. AK 99833
Russ Kaput	Box 1353 PSC. AK 99833
Michael ...	Box 1411 PSC. AK 99833
...	Box 14
Erick ...	Box 271 " " "
...	" 351
Chris ...	Box 285 Psg. AK 99833
...	Box 1412 Psg. AK 99833
...	Box 610 Psg. AK 99833
...	Box 481 Psg. AK 99833
...	Box 843 Psg. AK 99833
...	Box 900 Psg. AK 99833
...	Box 1658 Psg. AK 99833
...	Box 97 Psg. AK 99833
...	Box 1033 " " "
...	Box 323 " " "
Christine ...	Box 253 PSC. AK 99833
...	Box 277 Psg. AK 99833
...	Box 125 " " "
...	Box 1477 PSC. AK 99833
...	Box 363 Psg. AK 99833
...	Box 163 Psg. AK 99833
...	Box 373 Psg. AK 99833
...	1256 Town
...	Box 173 PSC. ALASKA 99833
...	Box 458 Psg. AK 99833
...	Box 1655 Psg. AK 99833
...	Box 1315 PSC. AK 99833
...	Box 770 Psg. AK 99833
...	Box 149 Psg. AK 99833
...	Box 1718 Petersburg
...	Box 1606 PSC
...	Box 1723 PSC
...	Box 1555 PSC
...	Box 523 PSC
...	Box 473 Psg.

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NAME	ADDRESS	ADDRESS
Courtney Lyons	Box 189	*14 Magells Petersburg Ak.
Armand J. Dzur	Box 907	Petersburg AK
Jael Dzur		
Mary Lourens	Box 1468	Petersburg AK
May Abbott	Bx 846	PS AK
Patricia P. Jones	Bx 87	PS AK
Judy Dzur	Bx 1473	PS AK
Harold Hittle	Bx 898	"
Michael R. Peterson	Bx 65	Petersburg AK 99833
Laura J. Wadley/Wadleigh	Bx 1722	Petersburg AK 99833
Judy Wadleigh	"	" " "
Maureen Martinson	Box 331	Petersburg AK 99833
J. Bickell	Box 1026	Petersburg AK 99833
Stephen Jones	Box 77	Petersburg AK 99833
Jana J. Munter	Box 1364	Petersburg AK 99833
Joseph Bowen	Box 68	PS AK 99833
John Dube	Box 1053	PS AK
Maureen	378	PS
Walt Hilde	Box 1470	PS 99833
Pat Jones	P.O. 365	PS 99833
Don C. Adams	P.O. 1025	PS 99833
Kathleen Jones	P.O. Box 512	PS AK 99833
William L. King	P.O. Box 1630	PS AK 99833
Euni Mies	Bx 1524	PS AK 99833
Joseph P. Jones	Bx 605	PS AK 99833
Robert W. Miller	Box 761	Petersburg AK 99833
Patricia Rogers	Box 1555	Petersburg AK 99833
Cathy J. Jones	Box 133	PS AK 99833
Eric L. Jones	Box 1024	PS AK 99833
Susan H. Hunt	Box 690	Petersburg AK 99833
Ray C. Jones	Box 423	PS AK 99833
Mary C. Cronlund	Box 363	Pabia AK 99833
Thomas W. Lewis	Box 267	PS AK 99833
Jan Dzur	Box 700	" " "
Thomas L. Stewart	Box 134	" " "
Travis Jackson	Box 110	" " "
John J. Jones	Box 925	PS AK
Michael J. Price	Box 203	PS AK
Laura Matheny	Box 645	PS AK
Steve Bergman	365	PS AK
Mike Cooper	Box 174	PS AK 99833
William E. [Signature]	Petersburg AK Del.	STEAL A CAR go to Jail

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NAME	ADDRESS
JAMES STOLPE	2000 SANDY BEACH RD
Susan Hitzelmann	501 HAUGEN DR. Box 258
Donald Beck	Box 341 865 P
John Maso	Box 716 800 3rd St City
Lennie Gramer	Rt. 7563 451 M. K. F. Hwy.
Wendy A. Westre	Box 786 14 S. 3rd St.
W.C. [unclear]	Box 725 PSC AK
ADDY BUCKWELL	BOX 819 PSC AK
Jack M. [unclear]	Box 1290 PSC AK
THOMAS LUCAS	Box 1161 PSC AK
Mitchell E. Fink	Box 15 PSC AK
PAUL A. ANDERSON	Box 1454 PSC AK
[unclear]	Box 1292 PSC AK
James McLean [unclear]	Box 707 PSC AK
[unclear]	Box 1046 PSC AK
Mike [unclear]	Box 1704 PSC AK
James [unclear]	Box 1326 PSC AK
[unclear]	Box 752 PSC AK
Rick M. Fleming Rick Fleming	Box 1092 - Petersburg AK 99833
JOHN STEPHEN	Box 584 PSC, AK 99833
Joseph M. Hubbert	P.O. Box 1566 PSC, AK 99833
Beth Rhoden	Box 426 - PSC AK 99833
Anna Lou SADLER	Box 1463 PSC AK 99833
Tracy & Alex Reid	Box 1117 Petersburg, AK 99833
Dean [unclear]	Box 257 Petersburg AK 99833
[unclear]	Box 730 PSC, AK 99833
Richard [unclear]	Box 78 Petersburg AK 99833
Erion A. Fuhr	Box 141 PETERSBURG AK 99833
Bob [unclear]	Box 1238 11
John W. [unclear]	7 1/2 Mi. M.K.F. Hwy
Wendy [unclear]	Box 1312 PSC AK 99833
Charles [unclear]	Box 424 PSC AK
Graue [unclear]	Box 1424 PSC AK 99833
Oliver [unclear]	Box 952 PSC AK 99833
Wanda Martensen	1306 Wainwright Ave - Box 385 Petersburg
Jennie Rogers	807 Wainwright Ave. Box 502 Petersburg, AK
Pete [unclear]	Box 414 1/2 Petersburg AK 99833
[unclear]	Box 402 Petersburg
Jan M. [unclear]	Box 1173 Petersburg AK
R. D. [unclear]	Box 161 PSC AK 99833
Steve Connor	Box 1124 PSC AK
GERHARD HILLER	Box 1361 PSC AK
MIKE DEAN	Box 689 PSC AK - 523 S. [unclear] Dr.

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NAME	ADDRESS	
Sis Matheson	Box 1460	Petersburg, Alaska 99833
Earl Walker	Box 229	" "
James A. McQueen	Box 500	" "
Casper Ueber	P.O. B. 1530	Petersburg, AK
Edna Eide	Box 114	" "
Martin M. Moe	Box 942	" "
Edna Eide	Box 274	" "
Wes Abbott	Box 830	Petersburg Alaska 99833
David H. Christ	Box 185	Petersburg AK 99833
Ward H. Christ	Box 852	Petersburg AK 99833
Ward H. Christ	Box 852	PETERSBURG AK 99833
Ward H. Christ	Box 1765	PETERSBURG AK 99833
Ward H. Christ	General Delivery	Petersburg AK 99833
Ward H. Christ	Box 981	Petersburg AK 99833
Ward H. Christ	Box 981	Petersburg AK 99833
Ward H. Christ	Box 647	Petersburg AK
Ward H. Christ	Box 615	PSC
Ward H. Christ	Box 1520	PSC
Ward H. Christ	Box 204	PSC
Ward H. Christ	" 507	"
Ward H. Christ	Box 552	PSC
Ward H. Christ	Box 532	PSC
Ward H. Christ	Box 504	PSC
Ward H. Christ	Box 875	PSC
Ward H. Christ	Box 1267	AK
Ward H. Christ	Box 991	Petersburg
Ward H. Christ	Box 152	Petersburg AK
Ward H. Christ		"
Ward H. Christ	Box 523	PSC
Ward H. Christ	" 125	PSC
Ward H. Christ		"
Ward H. Christ	Gen Del	Petersburg AK 99833
Ward H. Christ	Box 1363	" "
Ward H. Christ	143	" "
Ward H. Christ	Box 561	" "
Ward H. Christ	72	" "
Ward H. Christ	Box 1580	" "
Ward H. Christ	Box 659	" "
Ward H. Christ	Box 689	" "
Ward H. Christ	Box 803	" "
Ward H. Christ	571	" "

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NAME	ADDRESS	
Albert Martens	Box 625	PSC
Robert M. Hunt	Box 446	
William Russell	Box 155	
Marilyn Jones	Box 206	Petersburg
Robert Conthwaite	1580	7456
Mary Christensen	Box 1	PSC
B. L. Butler	Box 1176	PSC
Gynda Hart	Box 1562	PSC
Robert Hill	Box 1302	PSC AK
Robert Hill	Box 25	PSC AK
Robert Hill	Box 923	PSC AK
Robert Hill	Box 135	PSC AK
Robert Hill	Gen Del	PSC AK
GARL PAINTER	PO Box 1147	PSC AK
John Ferguson	Box 508	PSC
Jayce A. Ferguson	PO Box 130	Petersburg City
John Ferguson	Box 123	Petersburg AK
Butte Jones	Box 1161	PSC AK 99833
Dorothy Harmon	PO Box 1451	PSC AK 99833
Dorothy Harmon	Box 530	City
John Albert	Box 273	City
Pam Jensen	Box 681	Petersburg
Stephani Davis	Box 1423	City
Mike Price	Gen Del	City
Shelley Price	Box 174	City
Ken D. Price	Box 174	City
Andy Thomas	432	"
Helmi Jensen	244	"
Spits Nielsen	430	"
Michael Montgomery	Box 1145	PSC
Paul Jensen	Box 266	PSC
Paul Jensen	Box 938	PSC
Suzie Thelberg	Box 131	PSC
Deshaugh	Box 407	"
Lita S. Jensen	Box 1325	"
John Jensen	Box 1273	Petersburg
Elaine Jensen	Box 1044	Petersburg
Michael Kugel	Box 1243	Petersburg
John Jensen	Box 446	"
John R. Johnson	Box 62	Petersburg
Debra Blum	Box 275	Petersburg
John R. Johnson	Box 1155	Petersburg
John R. Johnson	Box 1185	17 5 THRD ST PETERSBURG

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NAME PRINT	SIGNATURE	STREET ADDRESS	BOX #
Chris Valentine	<i>Chris Valentine</i>	P.O. Box 1146	PSG
Jeanne Wheat	<i>Jeanne Wheat</i>	Box 1330	PSG
Toni Wheat	<i>Toni Wheat</i>	Box 1274	PSG
Marge Fike	<i>Marge Fike</i>	Box 181	PSG
Jack Gunge	<i>Jack Gunge</i>	Box 293	PSG
Edward Bayaraki	<i>Edward Bayaraki</i>	Box 1418	PSG
Pamela Hurst	<i>Pamela Hurst</i>	Box 164	PSG
Belle Taylor	<i>Belle Taylor</i>	Box 1267	PSG
Susan Hasford	<i>Susan Hasford</i>	Box 1757	PSG
H.C. GILLILAND	<i>H.C. Gilliland</i>	Box 107	PSG
<del>John Smith</del>	<del>John Smith</del>	<del>Box 123</del>	<del>PSG</del>
Jula Milser	<i>Jula Milser</i>	Box 1287	PSG
Faye Knuts	<i>Faye Knuts</i>	Box 263	PSG
Beylah E. Luhn	<i>Beylah E. Luhn</i>	188 Miller Highway	PSG
MARK WEAVER	<i>Mark Weaver</i>	Box 1181	PETERSBURG
Barbara Edmond	<i>Barbara Edmond</i>	PS 511	"
Ruth Sandvik	<i>Ruth Sandvik</i>	Box 526	"
Shelley Hiest	<i>Shelley Hiest</i>	Box 1364	PSG
JOY JANSSEN	<i>Joy Janssen</i>	Box 631	8035 Nordic Dr. PS, AK 99822
Colleen Stetten	<i>Colleen Stetten</i>	Box 1671	PSG
RICHARD J. WALSH	<i>Richard Walsh</i>	Box 1480	PSG
Cynthia L. Bitten	<i>Cynthia L. Bitten</i>	Box 693	PSG
Laura G. Compton	<i>Laura G. Compton</i>	Box 743	Petersburg
Deanne Mulvanick	<i>Deanne Mulvanick</i>	Box 775	Petersburg
Alice Longworth	<i>Alice Longworth</i>	Box 328	PSbg AK
Liz Wamborg	<i>Liz Wamborg</i>	Box 643	PSbg
Kenneth H. Flumire	<i>Kenneth H. Flumire</i>	306 Nordic Pr App 1	Petersburg, AK 99801
Tina M. CURTIS	<i>Tina M. Curtis</i>	P.O. Box 878	PETERSBURG, AK 99833 907-772-3995
William R. Sharp	<i>William R. Sharp</i>	Box 627	PS 125444 AK 99233 907-772-4448

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NAME	ADDRESS		
DON KOENIGS	Don Koenigs P.O. Box 674	700 EST. PETERSBURG, AK	99833
Myrtle SKAFLESTAD	344 204 Sande Beach		99833
Muriel A. Phillips	P.O. Box 1289	200 S 2nd St, Petersburg	99833
Betty Plutkin	Beth Plutkin P.O. Box 414	110 N 3rd	99833
Kim McEadyen	Kim McEadyen	592 129 Kings Row	99833
Miriam Hubbard	Miriam Hubbard Box 981	110 S S. Nordic Drive	99833
Jilly Andrews	Jilly Andrews Box 1332	Petersburg, AK	99833
Phillip M. Anderson	Phillip M. Anderson Box 1054	371 Miffet Hwy	99833
John E. Williams	P.O. Box 152	Petersburg, AK	99833
Anna Hilbert	Anna Hilbert Box 893	Petersburg, AK	99833
Loren Cornelius	Loren Cornelius P.O. Box 1727	Petersburg, AK	99833
Ruth Dawson	Ruth Dawson P.O. Box 200	Petersburg, AK	99833
Margaret Smith	Box 702	Petersburg, AK	99833
Sylvia Janson	Box 802	Petersburg, AK	99833
PETER PETRULIS	Box 1637	Petersburg, AK	99833
Soy Doms	Box 1234	Petersburg, AK	99833
Nancy McLaughlin	Box 265	Petersburg, AK	99833
W. W. W. W.	P.O. Box 1502	Petersburg, AK	99833
John Corner	P.O. Box 1354	Petersburg, AK	99833
Margaret Rust	Margaret Rust Box 960	Petersburg, AK	99833
Shirley & Alex Reid	Box 1137	Petersburg, AK	99833
Roy & Sandra Sadler	Box 1676	Petersburg, AK	99833
Christina Morrison	Box 234	Petersburg, AK	99833
VIVIAN F. HEASLEY	Vivian F. Heasley 67604	Petersburg, AK	99833
Carol A. Woody	Carol A. Woody General	Petersburg, AK	99833
Gary Weasly	Box 1181	Petersburg, AK	99833
Jenith A. Brown	Box 771	Petersburg, AK	99833
Jenny Heisler	Box 514	Petersburg, AK	99833
Ellen Nelson	Box 991	Petersburg, AK	99833
Emma E. Gustafson	Box 206	Petersburg, AK	99833
Mortis Fager	Mortis Fager Box 691	Petersburg, AK	99833
Thomas McKee	Box 326	Petersburg, AK	99833
Michael R. Heasley	Michael R. Heasley P.O. Box 608	Petersburg, AK	99833
Ethel Johnson	Ethel Johnson Box 1734	Petersburg, AK	99833
John Alton-Davis	John Alton-Davis Box 907	Petersburg, AK	99833
Walter Reed	Box 1463	Petersburg, AK	99833
Christa Dyer	Box 977	Petersburg, AK	99833
Patricia G. Peck	Box 968	Petersburg, AK	99833
Jelly L. Krumm	Box 864	Petersburg, AK	99833
Judy Kurlander	Box 838	Petersburg, AK	99833
Gene Kurlander	Box 838	Petersburg, AK	99833
Naomi Burkhardt	Box 1530	Petersburg, AK	99833

Alvin P. Eubank

Box 234 City

Thomas W. Rockwell

Box 1305

Petersburg

Paul McKelvey

Box 601

Petersburg

City

Windy Storr

Box 142

Petersburg

99833



STATE OF ALASKA  
THE LEGISLATURE

FOURTH STATE CAPITOL  
JUNEAU ALASKA 99811  
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 24, 1988

SUBJECT: Sectional analysis, Senate Bill 497, relating to criminal mischief involving a motor vehicle

TO: Senator Lloyd Jones, Chair  
Senate Transportation Committee

FROM: Jack Chenoweth  
Legislative Counsel

This legislation addresses what the public commonly understands to be "joyriding."

Existing law:

Current law defines "joyriding" as one facet of the offense more properly entitled "criminal mischief." Current law also speaks of "joyriding" or criminal mischief with reference to a "propelled vehicle." A "propelled vehicle" includes not only things that normally would be regarded as motor vehicles--automobiles, motor cycles, snow machines, and the like--but also includes aircraft and boats (or "vessels"). See AS 11.81.900(44). In other words, a "propelled vehicle" defines a class of vehicles that is broader than "motor vehicles."

Existing law distinguishes between "aggravated joyriding," a class C felony, and "joyriding," a class A misdemeanor. The distinction is based on whether "the vehicle [taken] or any other property of another is damaged, or the owner incurs reasonable expenses as a result of the loss of use of the vehicle in a total amount of \$500 or more." If there is a loss of \$500 or more, the charge properly brought is criminal mischief in the second degree, the felony charge. Joyriding constitutes criminal mischief in the third degree if the defendant "drives, tows away, or takes the propelled vehicle of another" without regard to damage done or expen-

ses incurred. Criminal mischief in the third degree is a class A misdemeanor.

Drafting instruction:

In preparing what is now SB 497, I was asked to increase the penalty for theft of a motor vehicle to a class A felony. That, in essence, gave rise to two major drafting concerns:

(1) distinguishing between "motor vehicles," to which this change would apply, and other kinds of "propelled vehicles" that were not motor vehicles, to which this change would not apply;

(2) changing the penalties with respect to criminal mischief involving the taking of motor vehicles but making no change as regards propelled vehicles that are not motor vehicles.

I was asked, also, to prescribe a specific minimum fine for convictions of the offense of criminal mischief involving a motor vehicle.

Sectional analysis of the bill:

AS 11.46.482(a) defines the offense of criminal mischief in the second degree, the class C felony. In bill section 1, I amended AS 11.46.482(a)(4) by adding a new subparagraph (A) to redefine the offense to cover all instances in which a person drives, tows away, or takes a motor vehicle; the taking of any motor vehicle under this provision is a felony, irrespective of damage or expenses incurred. In subparagraph (B), I left intact the requirement that, as to a propelled vehicle that is not a motor vehicle, one may be charged under this section only if there is the requisite minimum amount of damage caused or expenses incurred.

As specifically requested in the drafting instruction, bill section 2 prescribes a minimum mandatory fine for a conviction of criminal mischief in the second degree involving the taking of a motor vehicle. The mandatory minimum fine is \$200.

AS 11.46.484(a) defines the offense of criminal mischief in the third degree, the class A misdemeanor. Since, in bill section 1, the taking of any motor vehicle is made a felony, the amendment made in bill section 3 retains the misdemeanor

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designation only as to the taking of a propelled vehicle other than a motor vehicle for which less than \$500 of damage is caused or expense incurred.

Under current law, AS 11.46.484(c) aggravates a misdemeanor conviction under subsection (a) of that section into a felony if, generally speaking, within the preceding seven year period, the person has previously been convicted of the misdemeanor offense or a comparable offense. The revisions made in bill section 4 carry forward that aggravator (which remains applicable to instances involving propelled vehicles that are not motor vehicles), but eliminates two provisions: I eliminated current AS 11.46.484(c)(2), with its reference to "former AS 28.35.010," because more than seven years have passed since that provision was itself repealed, and reference to it no longer serves a valid legal purpose; I eliminated current AS 11.46.484(c)(3) because it refers to a provision that is repealed elsewhere in this bill. To accommodate the elimination of these two provisions, I have repealed and re-enacted this subsection.

Bill section 5 revises the criminal code definition of "propelled vehicle" by eliminating specific references to kinds of motor vehicles and inserting the specific term "motor vehicle."

Bill section 6 adds the definition of "motor vehicle" to the criminal code. There is, unfortunately, no commonly agreed to definition of the term, so I have tried to incorporate by reference the general definition of the motor vehicle code (AS 28). This leads to some circuitry in the definitions and their applications. If greater specificity is essential, the definition of "motor vehicle" in this section should be revised to identify the kinds or types of vehicles whose taking would be deemed a felony.

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