

HB

79

Alaska State Legislature

Representative Carl E. Moses



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HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL FISHERIES COMMITTEE

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MEMORANDUM

DATE: April 7, 1993

TO: Representatives Barnes, Carney, Hanley,
Phillips, Sanders, Ulmer

FROM: Rep. Carl E. Moses, Chairman *CEM*
House Rules Committee

RE: Rules Committee Meeting

I have scheduled a Rules Committee meeting to discuss proposed Committee Substitutes for HB 79, the bill relating to damage to property by minors, and HB 236, relating to newspapers of general circulation.

We will meet in the Speaker's Chambers on Tuesday, April 13th, at 4:00pm.

If there are questions, please contact Tim Benintendi of my staff at 3764.

cc: *Chief Clerk*
Rep. Bunde
Rep. Hudson

CEM/lb/m12



House of Representatives

Sponsor Summary of House Bill 79

This statute has been on our books since 1957. This bill is a victim's rights bill which will encourage responsibility among parents and juveniles. The principal behind the statute is that the parents or legal guardians of juveniles that have caused property damage are monetarily responsible for the damages caused by the juvenile. Almost every state in the country has a statute similar to this. The dollar amounts may vary somewhat but they generally tend to average around \$10,000 - \$15,000.

The bill was originally written to increase the dollar amount from \$2000 to \$50,000 or the maximum allowed in district court. Many people believe that \$50,000 is too high; I am open to amending the amount to \$10,000. I do believe the \$5,000 amount (changed in House Finance) must be increased to a more reasonable level. It should reflect the cost of living increases and the sophisticated actions of many of today's juveniles. This amended amount would be closer to the national average and would ensure that victims of property damage could recover a greater amount of their total damages.

Under the current statute, the \$2000 limit leaves victims without the ability to recover the total amount for their damages. The owner of the damaged property must make up the difference either out of their own pocket or from their insurance company, if they are covered. The victims, property owners, should not be cornered into paying for damages caused by someone else.

REPRESENTATIVE CON BUNDE
CO-CHAIR HEALTH, EDUCATION
& SOCIAL SERVICES

Alaska State Legislature



DURING SESSION:
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House of Representatives

Amendment

By Representative Con Bunde for House Bill 79 (FIN)

Line 7 delete the amount "\$5,000"

Line 7 insert the amount "\$10,000"

CS FOR HOUSE BILL NO. 79(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 3/29/93

Referred: Rules

Sponsor(s): REPRESENTATIVES BUNDE, Toohey, Potter, Olberg, Green

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to recovery from a parent or legal guardian of wilful or
2 malicious destruction of property by a minor."

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

4 * Section 1. AS 34.50.020(a) is amended to read:

5 (a) A person, municipal corporation, association, village, school district, or
6 religious or charitable organization, incorporated or unincorporated, may recover
7 damages in a civil action in an amount not to exceed \$5,000 [~~\$2,000~~] and court costs,
8 from either parent or both parents or the legal guardian or person having the legal
9 custody of an emancipated minor under the age of 18 years, who maliciously or
10 wilfully destroys real or personal property belonging to the person, municipal
11 corporation, association, village, school district, or religious or charitable organization.