

**HB**

**75**

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. CSSSHB 75 (FIN)

Revision Date:	<u>3/14/96</u>	Dept. Affected:	<u>Corrections</u>
Title:	<u>An act related to vehicle theft...</u>	BRU:	<u>All</u>
Sponsor:	<u>Rep. Sanders</u>	Component:	<u></u>
Requester:	<u>Senate Judiciary</u>	COMPONENT SERIAL NO.	<u># 0694</u>

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	513.0	520.7	528.5	536.4	544.5	552.6
TRAVEL						
CONTRACTUAL	727.0	727.0	727.0	727.0	727.0	727.0
SUPPLIES	66.7	66.7	66.7	66.7	66.7	66.7
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>1,306.7</b>	<b>1,314.4</b>	<b>1,322.2</b>	<b>1,330.1</b>	<b>1,338.2</b>	<b>1,346.3</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,306.7	1,310.8	1,314.9	1,319.1	1,323.4	1,327.7
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>1,306.7</b>	<b>1,310.8</b>	<b>1,314.9</b>	<b>1,319.1</b>	<b>1,323.4</b>	<b>1,327.7</b>

Estimate of any current year (FY96) cost: \$ 0.0

**POSITIONS**

FULL-TIME	10					
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary)

Based on data supplied by DPS and DOL, the Department of Corrections projects the following fiscal impact :

Thirty-two (32) offenders with a prior felony conviction will be convicted of vehicle theft in the first degree. They will be subject to a presumptive sentence of two years in prison. They will serve 16 months allowing for good time reduction. These people are currently serving an average of 30 days. Thus, they will serve an additional 15 months in prison and 8 months on mandatory parole. Of the additional prison time, it is assumed they will average 3 months in prison and 12 months in a CRC.

CONTINUED ON PAGE 2

Prepared by:	<u>Jerry Shiner</u>	Phone:	<u>465-4652</u>
Division:	<u>Office of the Commissioner</u>	Date:	<u>3/14/96</u>
Approved by Commissioner:	<u>Margaret M. Pugh</u> Margaret Pugh	Date:	<u>3/14/96</u>
Agency:	<u>Department of Corrections</u>		

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Fiscal Note  
"An Act relating to Vehicle Theft"  
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32 Offenders X 90 days X \$107 per day	= \$ 308,160
32 Offenders X 365 days X \$57 per day	= \$ 665,760
32 Offenders X 240 days X \$4.25 per day	= \$ 2,940
<b>TOTAL NEW</b>	<b>= \$1,006,560</b>

Forty-three (43) new "C" Felons will be convicted and sentenced to an average of 30 days in CRC's and 6 months probation. These first time offenders would have been serving an average of 5 days which would have been served in a CRC under the old statute. An average net of 25 additional days will be served per offender and the sentence will be served in a CRC at an average cost of \$ 57.00 per day.

New (43 Offenders X 180 Days X \$ 4.25 per day)	=	\$ 32,895
New (43 Offenders X 25 Days X \$ 57.00 per day)	=	<u>\$ 61,275</u>
<b>TOTAL NEW</b>	=	<b>\$ 94,170</b>

Eighty-five (85) additional "C" felons will be convicted and receive a suspended imposition of sentence for one year. Their conviction will be set aside if these offenders successfully complete their year's probation. The Department assumes that these will be the least serious first time offenders, to be managed at a lower level of probation supervision, and the cost per case will be about 1/2 the average cost of other probationers in this group of offenders.

New (85 Offenders X 365 days X \$ 4.25 per day) = \$ 131,856 [Probation]

Each felony conviction will require a pre-sentence investigation. While the cases would be spread across the state, the incremental equivalent is 1.4 probation officer positions.

P.O. I! (w/benefits) \$ 52,900 X 1.4 = 74,060 for presentence investigations

A total of four (4) probation officers and an Administrative Clerk will be required to prepare reports and supervise additional cases.

One post will be added to one medium secured facility to take care of the additional inmate load.  
5 x 48.3 = \$241.5 \$66.7 is included in supplies for food and miscellaneous expenses.

**TOTAL NEW COSTS** **\$ 1,306,646**

**FISCAL NOTE**

no. 15

Bill Version: CSSSHB 75(FIN)

(H) Publish Date: 2/23/96

**STATE OF ALASKA  
1996 LEGISLATIVE SESSION**

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: Felony Vehicle Theft BRU: Alaska State Troopers  
 Component: Detachments  
 Sponsor: Representative Sanders  
 Requestor: H. Finance COMPONENT SERIAL NO. 0799

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	8.8	8.8	8.8	8.8	8.8	8.8
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>8.8</b>	<b>8.8</b>	<b>8.8</b>	<b>8.8</b>	<b>8.8</b>	<b>8.8</b>
<b>CAPITAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
CHANGE IN REVENUES ( ) Revenue Code	-0-	-0-	-0-	-0-	-0-	-0-

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	8.8	8.8	8.8	8.8	8.8	8.8
1005 GF/Program						
1008 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>8.8</b>	<b>8.8</b>	<b>8.8</b>	<b>8.8</b>	<b>8.8</b>	<b>8.8</b>

Estimate of current year (FY 98) impact: \$ \_\_\_\_\_

**POSITIONS:**

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

**ANALYSIS: (Attach a separate page if necessary.)**

See Attached.

Prepared By: Lt. Dan Lowden Phone: 465-5505  
 Division: Alaska State Troopers Date: February 22, 1996  
 Approved by Commissioner: Ronald L. Otte Date: 2/23/96  
 Agency: Ronald L. Otte, Department of Public Safety

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## FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO: SSHB 75Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety

## ANALYSIS CONTINUED:

This legislation will amend current state law so that all occurrences of taking a motor vehicle would be a felony. Under existing law the taking of a motor vehicle is only a felony if the vehicle is an emergency vehicle or \$500.00 or more in damage is done to the vehicle or other property.

This bill will have fiscal impact on the Department. Felony cases require more effort from the Department than do misdemeanor cases. That increased effort includes the court time involved by the Troopers worked on the case, increased evidence collection and processing, and increased report documentation with short time limits for report completion. It is difficult to place a precise dollar figure on this type of fiscal impact because of the many variables involved. At the very least, the passage of this bill will require the investigating trooper to attend a grand jury session.

In 1995 the Troopers arrested 89 persons for "joyriding." One third of those cases were removed assuming that the case was investigated by a trooper assigned to day shift and no additional costs would be incurred for that trooper to testify before the grand jury. This leaves about 60 cases worked by swing and graveyard shift troopers who would have to attend the grand jury on overtime with a minimum of three hours pay by contract. This adds up to \$8,820 in overtime costs, using an average figure of \$49 per hour. Note: the average cost of \$49 per hour is just that an average cost. More senior troopers being paid at a higher step, geographic differential, and travel cost for troopers to fly to court from outlying areas would all have an effect on the figures.

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

Jo. 14  
Bill Version: CSSSHB 75(FIN)  
(H) Publish Date: 2/23/96

Revision Date: \_\_\_\_\_  
Title: "An Act relating to vehicle theft and consequences of vehicle theft..."  
Sponsor: Rep. Sanders  
Requestor: (H) FIN

Department Affected: Administration  
BRU: Public Defender Agency  
Component: Public Defender Agency  
  
COMPONENT SERIAL NO. 1631

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	86.2	86.2	86.2	86.2	86.2	86.2
TRAVEL						
CONTRACTUAL	7.0	7.0	7.0	7.0	7.0	7.0
SUPPLIES						
EQUIPMENT	3.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>96.2</b>	<b>93.2</b>	<b>93.2</b>	<b>93.2</b>	<b>93.2</b>	<b>93.2</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE:** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	96.2	93.2	93.2	93.2	93.2	93.2
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
<b>TOTAL</b>	<b>96.2</b>	<b>93.2</b>	<b>93.2</b>	<b>93.2</b>	<b>93.2</b>	<b>93.2</b>

Estimate of any current year (FY 96) cost: \$ 0

**POSITIONS:**

FULL-TIME	1	1	1	1	1	1
PART-TIME	1	1	1	1	1	1
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary.)

Based on the Department of Law's analysis of this version of the bill it appears there will be a distinct increase in the workload of the Anchorage Public Defender office. See Department of Law fiscal note dated 1/26/96. The PD will absorb this increase by adding 1/2 attorney position and 1 legal intern position to the Anchorage staff.

Prepared by: John B. Salemi, Director  
Division: Public Defender Agency

Phone: (907) 264-4312  
Date: \_\_\_\_\_

Approved by Commissioner: Mark Boyer  
Agency: Department of Administration

Date: 2-9-96

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FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. SSHB 75

ANALYSIS: (continued)

BUDGET ANALYSIS

1/2 Attorney III (Anchorage)	35.6
1 Attorney I (Legal Intern) (Anchorage)	<u>50.6</u>
	86.2
Personal Services	86.2
Contractual (Office Space)	7.0
Equipment (One Time)	<u>3.0</u>
TOTAL	96.2

# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 3/8/96

FURTHER: Finance

DATE TURNED INTO OFFICE: 3-29-96

The Judiciary Committee considered CS FOR SPONSOR SUBSTITUTE FOR HB 75(FIN)  
 Relating to vehicle theft and joyriding.

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:
- same title
  - new title
- House Bill:
- same title
  - technical title
  - new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Subs. Reen</i>	<input checked="" type="checkbox"/>				
<i>Kate Miller</i>	<input checked="" type="checkbox"/>				
CHAIR: <i>Adrian Taylor</i>	<input checked="" type="checkbox"/>	CHAIR:			

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal
<i>Corrections</i>	<i>2/14/96</i>		<i>1,306.7</i>
<i>Public Safety</i>	<i>2/22/96</i>		<i>8.8</i>
<i>Public Defender</i>	<i>2/6/96</i>		<i>96.2</i>
<i>Trial Courts</i>	<i>2/5/96</i>		<i>3.0</i>
<i>Dept. Law-Criminal</i>	<i>1/26/96</i>		<i>14.8</i>
<i>DFYS-Northern</i>	<i>1/26/96</i>		<i>61.0</i>

APPROPRIATION -- no fiscal note

*DFYS - Southern + 4/26/96 61.0*  
 \*include fiscal notes accompanying Governor's bill  
*DFYS - Southern 1/26/96 183.0*



Official Business

COMMITTEES  
Labor and Commerce  
Transportation

# Alaska State Legislature

Chairman - Economic Development Committee

REPRESENTATIVE  
**JERRY SANDERS**  
District 19

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State Capitol  
Juneau, AK 99801-1182  
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## SPONSOR STATEMENT

### COMMITTEE SUBSTITUTE FOR SPONSOR SUBSTITUTE FOR HOUSE BILL 75

### VEHICLE THEFT

Sponsor Substitute for House Bill 75 labels those who take cars belonging to others as what they are -- thieves -- not joy riders or pranksters. It increases the penalty for the crime of vehicle theft to a C Felony with one minor exception (first offense snow machines) and other off road vehicles.

This bill provides a strong deterrent for those who might otherwise commit vehicle theft. Generally, under current law, those caught "joy riding" can only be convicted of a Class A Misdemeanor. The current law ties the hands of police and provides no deterrent for the car thief unless they cause \$500 damage or it is their second offense.

By increasing the crime of "joy riding" to a felony, SSHB 75 provides a strong deterrent necessary to prevent Alaska's youth from participating in vehicle theft and it gives the justice system the tools with which to make car thieves responsible for their actions.

1. Revocation of drivers licenses.
2. Mandatory restitution to the victim.
3. Raises possible (not mandatory) jail time from one year to five years.
4. Changes possible fines from \$5,000 to \$50,000.

SPONSOR STATEMENT