

HEB

102

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSHB 102(JUD)
 (H) Publish Date: 2/23/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Corrections
 Title: An Act relating to the theft of propelled vehicles. BRU: 271
 Component: All
 Sponsor: Representative Kott
 Requester: House Judiciary Committee Component Number: 694

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	***	***	***	***	***	***

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						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	***	***	***	***	***	***

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill adds a provision making it a C felony (vehicle theft in the 1st degree) if the owner is deprived of the use of the vehicle for seven days or more. It also adds snow machines and four wheelers to the Vehicle Theft 1 statute. It is unclear how many new felony offenders will result from this legislation. The Department of Corrections does think that this will have an impact, but we are submitting an indeterminate fiscal note because we don't know the figures.

Prepared by: Candace Browe Phone 456-4652
 Division: Commissioner's Office Date/Time: 02/16/01 5:30 p.m.
 Approved by: Margaret Pugh, Commissioner Date: 02/16/01 5:30 p.m.
 Agency: Dept. of Corrections

For distribution information, call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 102(JUD)
 (H) Publish Date: 2/23/01

Revision Date/Time (Note if correction) _____ Dept. Affected _____
 Title Theft of Propelled Vehicles BRU Alaska Court System
 Component Trial Courts
 Sponsor Rep. Pete Kott
 Requester Rep. Pete Kott Component No. 768

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 The court system does not anticipate any fiscal impact from the passage of HB 102.

Prepared by: Douglas Wooliver Phone 463-4750
 Division: Alaska Court System Date/Time 2/06/01 2:30 p.m.
 Approved by: Stephanie Cole Date 2/6/01
 Agency: Alaska Court System

For distribution information, call the Governor's Legislative Office

Alaska State Legislature

House of Representatives

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ALASKA STATE CAPITOL
JUNEAU, AK 99801

Sponsor Statement

HB 102

This legislation focuses on the crime of vehicle theft and equal penalties associated with the taking of propelled vehicles without the owners' permission.

All terrain vehicles and snow machines are used in many parts of Alaska as the sole means of transportation for some Alaskans, and therefore, are more than merely recreational vehicles for those owners. Equal protection under the law demands that the theft of such vehicles be accorded the same treatment as provided for the principle transportation vehicles of other Alaskans.

HB 102 provides a new element in the commission of taking the propelled vehicle of another when the owner is deprived of the use of the vehicle for a specific period of time and incurs expenses as a result of the loss of use of the vehicle. It amends the definition for "all terrain vehicles", as well as, the definition for "watercraft".

I urge your support.



Representative Pete Kott

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SPONSOR STATEMENT



LEGAL SERVICES

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MEMORANDUM

February 5, 2001

SUBJECT: Sectional Summary of HB 102

TO: Representative Pete Kott
Attn: Roger

FROM: Gerald P. Luckhaupt *JPL*
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1 of the bill amends AS 11.46.360(a) by adding a new element for the commission of this crime. Currently a person commits auto theft in the first degree if a person takes

- the car, truck, motorcycle, motor home, bus, aircraft, or watercraft of another;
- a police or emergency vehicle;
- the propelled vehicle of another when the offender has a previous conviction for theft of an auto or joyriding; or
- the propelled vehicle of another and the vehicle or other property is damaged in the amount of ~~\$500~~^{\$1,000} or more or the owner of the vehicle incurs expenses as a result of loss of use of the vehicle in the amount of ~~\$500~~^{\$1,000} or more.

This section adds that a person commits by taking the propelled vehicle of another and the owner is deprived of the use of the vehicle for seven days.

Sections 2 of the bill amends the definition of "all-terrain vehicle" for the purpose of this section. Even though "all-terrain vehicle" is not explicitly found in this section the term is a part of this section through the definition of "propelled vehicle" found in AS 11.81.900(b)(49).

Section 3 of the bill amends the definition of "watercraft" to exclude "personal water craft" such as jet skis, ski-doods, and the like from that definition. This will place these propelled vehicles on the same footing as snow machines and all-terrain vehicles with regard to the vehicle theft laws. In that the theft of a personal water craft, snow machine, or all-terrain vehicle is only a felony if there is ~~\$500~~^{\$1,000} damage to the vehicle or other property, the vehicle is a police or emergency vehicle, the owner incurs ~~\$500~~^{\$1,000} or more in expenses for loss of use, or the owner is deprived of the use of the vehicle for seven days or more.

GPL:glc
01-098.glc

*Dollar figures reflect
figures in CS. DLW
3/22/2001*