

HB

268



HOUSE JUDICIARY COMMITTEE

STATE CAPITOL, ROOM 120
(907) 465-4990

COMMITTEE MEMBERS

Rep. Jay Ramras
Chairman
Room, 118
(907) 465-3004

Rep. Nancy Dahlstrom
Vice-Chairman
Room 409
(907) 465-3783

Rep. John Coghill
Room 214
(907) 465-3719

Rep. Bob Lynn
Room 104
(907) 465-4931

Rep. Ralph Samuels
Room 204
(907) 465-2095

Rep. Max Gruenberg
Room 110
(907) 465-4940

Rep. Lindsey Holmes
Room 405
(907) 465-4919

MEMORANDUM

Date: February 6, 2008

To: Representative John Coghill
Chairman House Rules Committee

From: Representative Jay Ramras
Chairman House Judiciary Committee

Re: Referral File for HB 268 - MOTOR VEHICLE ARSON
ON PUBLIC LAND

Please accept the following documents as the referral file for HB268:

- Sponsor Statement
- HB268 (25-LS0875\A)
- Fiscal Notes
 - ADM - 0
 - ADM - 0
 - LAW - 0
- Support
- HJUD Report

ALASKA STATE LEGISLATURE

Vice Chair:
House Finance Committee

Chair:
House Finance Subcommittees for,
Department of Public Safety
Department of Law



Session:
Alaska State Capitol
Juneau, AK 99801-1182
Phone: (907) 465-4958
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PO Box 464
Chugiak, AK 99567

BILL STOLTZE

State Representative

Representative_Bill_Stoltze@legis.state.ak.us

House Bill 268

Motor Vehicle Arson on Public Land

"An Act relating to damaging a vehicle on public land by starting or causing an explosion."

In many parts of Alaska people can access areas of the State by roads and trails. While these roads and trails provide Alaskans with access for many recreational opportunities, the remote location of these access points also provides individuals with a place to dump their trash, old appliances, and abandon and burn motor vehicles. These activities negatively impact the area, fish and wildlife and their habitat, and the recreational opportunities for other Alaskans. House Bill 268 addresses the burning of vehicles on state and municipal land by establishing the burning of a vehicle on state or municipal land a class C felony. By establishing this offense for this particular activity we will give law enforcement officers and prosecutors another tool to pursue these individuals.

I ask for your consideration and support of HB 286 to help clean up our public lands so that all Alaskans can continue to enjoy them.

DISTRICT 16

BIRCHWOOD • BUTTE • CHUGIAK • EKLUTNA • FAIRVIEW LOOP
KNIK RIVER ROAD • LAZY MOUNTAIN • PALMER • PETERS CREEK

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 268
 () Publish Date: _____

Identifier (file name): HB268-DOA-OPA-1-28-08 Dept. Affected: Administration
 Title: "An Act relating to damaging a vehicle on public land by starting a fire or causing an explosion..." RDU: Legal and Advocacy Services
 Component: Office of Public Advocacy
 Sponsor: Reps. Stoltze, Lynn, Ramras, Gallo
 Requester: _____ Component Number: 43

Expenditures/Revenues (Thousands of Dollars)

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

| | Appropriation Required | Information | | | | | |
|-------------------------------|---------------------------|-------------|------------|------------|------------|------------|------------|
| | | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 |
| OPERATING EXPENDITURES | | | | | | | |
| 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 | 0.0 |

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| 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 Interagency Receipts | | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

| | | | | | | | |
|-----------|--|--|--|--|--|--|--|
| Full-time | | | | | | | |
| Part-time | | | | | | | |
| Temporary | | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

This bill will create a new felony crime of arson in circumstances where a person intentionally damages a motor vehicle by starting a fire or causing an explosion while the vehicle is on state or municipal land. Although this bill will create a new felony offense, the agency does not anticipate a significant number of new cases as a result of this bill. Therefore, the agency submits a zero fiscal note.

Prepared by: Joshua P. Fink, Director
 Division: Office of Public Advocacy
 Approved by: Rachael Petro, Deputy Commissioner
Department of Administration

Phone: 907-269-3501
 Date/Time: 1/28/08 2:00 p.m.
 Date: 1/28/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 268
 () Publish Date: _____

Identifier (file name): HB268-DOA-PDA-1-28-08 Dept. Affected: Administration
 Title: "An Act relating to damaging a vehicle on public land..." RDU: Legal and Advocacy Services
 Component: Public Defender Agency
 Sponsor: Representative Stoltze
 Requester: _____ Component Number: 1631

Expenditures/Revenues (Thousands of Dollars)

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

| | Appropriation Required | Information | | | | | |
|-------------------------------|---------------------------|-------------|------------|------------|------------|------------|------------|
| | | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 |
| OPERATING EXPENDITURES | | | | | | | |
| Personal Services | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Travel | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Contractual | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Supplies | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Equipment | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Land & Structures | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Grants & Claims | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Miscellaneous | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

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| CAPITAL EXPENDITURES | | | | | | | |
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| CHANGE IN REVENUES () | | | | | | | |
|-------------------------------|--|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | | |
|----------------------------|------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1003 GF Match | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1004 GF | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/Program Receipts | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1037 GF/Mental Health | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Other Interagency Receipts | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY2008) cost: _____

POSITIONS

| | | | | | | | |
|-----------|--|--|--|--|--|--|--|
| Full-time | | | | | | | |
| Part-time | | | | | | | |
| Temporary | | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

This bill amends the crime of Arson by adding a new section prohibiting intentionally damaging a motor vehicle by starting a fire or causing an explosion. This bill is not expected to have a fiscal impact on the Agency.

Prepared by: Quinlan Steiner, Director
 Division: Public Defender Agency
 Approved by: Rachael Petro, Deputy Commissioner
Department of Administration

Phone: 907-334-4414
 Date/Time: 1/28/08 11:10 AM
 Date: 1/28/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: HB268 LAW-CIV-02-01-08
 Bill Version: HB268
 (j) Publish Date: _____

Identifier (file name): _____ Dept. Affected: LAW
 Title An Act relating to damaging a vehicle on public land by RDU CRIMINAL
starting a fire or causing an explosion Component CRIMINAL JUSTICE LITIGATION
 Sponsor REPRESENTATIVE(s) STOLTZE
 Requester House Judiciary Component Number _____

Expenditures/Revenues (Thousands of Dollars)

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

| | Appropriation Required | Information | | | | | | |
|-------------------------------|---------------------------|-------------|------------|------------|------------|------------|------------|------------|
| | | FY 2009 | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 | FY 2014 |
| OPERATING EXPENDITURES | | | | | | | | |
| Personal Services | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Travel | | | | | | | | |
| Contractual | | | | | | | | |
| Supplies | | | | | | | | |
| Equipment | | | | | | | | |
| Land & Structures | | | | | | | | |
| Grants & Claims | | | | | | | | |
| Miscellaneous | | | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

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| CAPITAL EXPENDITURES | | | | | | | | |
|-----------------------------|--|--|--|--|--|--|--|--|

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| CHANGE IN REVENUES () | | | | | | | | |
|-------------------------------|--|--|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | | | |
|----------------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | | | |
| 1003 GF Match | | | | | | | | |
| 1004 GF | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/Program Receipts | | | | | | | | |
| 1037 GF/Mental Health | | | | | | | | |
| Other Interagency Receipts | | | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

| | | | | | | | | |
|-----------|--|--|--|--|--|--|--|--|
| Full-time | | | | | | | | |
| Part-time | | | | | | | | |
| Temporary | | | | | | | | |

ANALYSIS: (Attach a separate page if necessary)
 The bill would adopt a new crime – arson in the 3rd degree as a class C felony, which would prohibit starting a fire or explosion to damage a motor vehicle that is on public land. Enactment of the bill is not anticipated to fiscally impact the Department of Law.

Prepared by: Robert Meiners, Administrative Services Manager
 Division: Administrative Services Division
 Approved by: Talis Colberg, Attorney General
Department of Law

Phone 907-465-5427
 Date/Time 2/1/08 8:04 AM
 Date 2/1/2008





Ben Mulligan

From: Terri Nielsen-Rogers [nielsenranch@hotmail.com]
Sent: Tuesday, January 29, 2008 3:56 PM
To: Rep. Bill Stoltze
Subject: HB268A thank you

Representative Stoltze,

I just wanted to write and thank you for all your efforts to launch HB268A on our behalf. As a property owner and resident of the Butte Area, in close proximity to the popular Knik River recreation area, I am thrilled to have your support in putting something in place to allow local law enforcement to protect our area and allow prosecution of those people who disrespect our need for a clean, safe environment.

It is only through your efforts and those of the bill's cosponsors, that any positive change can begin to happen. Thank you for all your efforts on our behalf.

Terri Nielsen-Rogers

Need to know the score, the latest news, or you need your Hotmail®-get your "fix". Check it out.

Ben Mulligan

From: Kelley Griffin [kelleyg@mtaonline.net]
Sent: Monday, January 28, 2008 9:06 AM
To: Rep. Bill Stoltze
Subject: vehicle arson

I support this legislation! Car burning is a frustrating phenomenon that degrades entire areas in record time. Much like what occurs with the "broken window" syndrome. We need the tools to deal with this activity -- statewide.

Thank You,
Kelley Griffin
HC 35 Box 5355 Z
Wasilla, AK 99654

From: Knik River Lodge [mailto:knikriverlodge@mac.com]
Sent: Sunday, January 27, 2008 8:39 PM
To: Rep. Bill Stoltze; Rep. Jay Ramras
Cc: Butte Area Residents
Subject: Thank you and support for HB0268A

Dear Mr. Stoltz and Mr. Ramras,

Thank you very much for introducing HB0268A to make car burnings/explosions on state and municipal lands a Third Class Felony statewide. This is a much needed initiative and will help protect residents, visitors and our ecosystem. Please accept this email as a letter of support for HB0268A and feel free to contact me at anytime if we can be of further assistance in this matter.

Sincerely,

Peter Schadee

Knik River Lodge
T. 745 5002
F. 745 5024
E. info@knikriverlodge.com
www.knikriverlodge.com

