

Mina Ryan

From: Marian Clough [REDACTED]
Sent: Monday, March 20, 2023 4:23 PM
To: House Community and Regional Affairs; Rep. CJ McCormick; Rep. Kevin McCabe; Rep. Thomas McKay; Rep. Josiah Patkotak; Rep. Justin Ruffridge; Rep. Rebecca Himschoot; Rep. Donna Mears
Subject: Oppose HB 61

Written Testimony for Tuesday, March 21, 2023 Alaska State House Community and Regional Affairs Committee

Dear Chair McCormick and Honorable Members of the Alaska House Community and Regional Affairs Committee:

I am Marian Clough of Auke Bay, Alaska and have resided in Alaska for the last 40 years. I am a gun owner (I like to trap shoot), I'm a mom and grandma (with children and grandchildren in Fairbanks, Anchorage and Juneau). I support citizens' rights to bear arms – I am not anti-gun.

I am asking you not to support passage of HB61 as it is currently written for the simple reason that it invites needless expensive and distracting politically-motivated legal battles.

At your meeting on Thursday, March 16, I listened to the Honorable Representative Tilton and her staff member Mr. St. Clair as well as the invited testimony (unfortunately, only one-side was presented from those who support the bill).

The view point of "equity in commerce" where if any private businesses are open in an emergency declaration such as the COVID pandemic then gun stores and ranges should also be open is understandable.

However, what I do not understand is HB61 at subparagraph (c) at page 2, starting at line 13, allows civil action by "a membership organization consisting of two or more individuals" to bring suit if adversely affected. This section is very concerning to me And, I might add that neither the sponsor nor the invited testifiers addressed this section.

This is another example of a disturbing new trend of allowing any politically motivated individual or interest group to act as the legal enforcers of state laws. A prevailing plaintiff would recover punitive damages in the amount of three times their actual attorneys' fees. Is this how the Alaska Legislature believes state laws should be enforced? If so, shouldn't we have similar statutes mandating triple attorneys' fees for groups who feel their interest is being adversely affected by some governmental action? Or, mandate triple attorneys' fees for anyone or any interest group who feels they are adversely affected by official misconduct such as ethics violations? Where does it all end?

Please ensure that our state or municipal agencies have the ability to respond to disasters unencumbered by the political agendas of interest groups. I respectfully request you not pass HB 61.

Thank you for your public service and Happy 100th Anniversary of the first Territorial Legislature which convened on March 3, 1913.

Marian Clough