

Dear Members of the Alaska Senate State Affairs Committee:

I am a long-time resident (38 years) of Alaska and a retired attorney who has been following SB 136. I appreciate that the latest version of the bill narrows its focus but I remain opposed to it because imposing such restrictions on the governor's powers will likely do harm rather than good.

A time of disaster is a time when life and business do not proceed as usual. We give leaders special powers at those times because it's important for them to be able to move quickly and take decisive actions to protect public health and safety. For example, in the wake of an earthquake, tsunami or other natural disaster it could be important to limit possession or use of firearms in certain areas to prevent looting.

It's not possible to predict all the situations that might arise during a disaster that might require restrictions on people's movements and activities. I think it's unwise to tie our leaders' hands with absolute prohibitions on the scope of their authority with respect to firearms. Their authority is already limited by law, and a proclamation of disaster emergency can only last for 30 days unless both houses of the legislature concur. AS 26.23.020(c). We also already have a statute providing that "[t]he legislature may terminate a disaster emergency at any time by law." AS 26.23.025. Those limitations are sufficient. Please don't add more that could prevent the governor's and other officials' ability to respond effectively when disaster strikes.

Thank you for your service to our State. Sincerely, Ann Gifford

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Ann Gifford

Juneau, Alaska

(907) [REDACTED] Ann Gifford [REDACTED]

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Dear Honorable Members of the Alaska Senate State Affairs Committee:

I am Marian Clough of Auke Bay, Alaska and have resided in Alaska for the last 39 years. I am a mom, grandma, and a gun owner. I support citizens' rights to bear arms. However, I am asking you not to

support passage of SB 136 for the simple reasons that it does not make sense and invites needless expensive and distracting legal battles.

One of the fundamental responsibilities of government is to protect and provide for citizens in the event of a disaster. The proposed legislation does not appear to have any rational relationship to that goal. It would mandate firearm stores and firearm ranges be allowed to remain open in any type of declared disaster emergency. What the bill does not do is offer any justification as to how this mandate serves to advance the state's mission of disaster relief.

Alaska's statutes at AS 26.23.900 (2) define "disaster" as "the occurrence or imminent threat of widespread or severe damage, injury, loss of life or property, or shortage of food, water, or fuel resulting from" followed by a long list of recognized disaster scenarios. Many of those are articulated in subparagraph (A) as follows:

"(A) an incident such as storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, avalanche, snowstorm, prolonged extreme cold, drought, fire, flood, epidemic, explosion, or riot;"

I think it is worth noting that over time Alaska has suffered every one of those disasters, most of them on many occasions. So this is a very real issue we are addressing.

Can anyone seriously argue that gun stores and gun ranges must be allowed to remain open – under any and all circumstances - as part of a tsunami relief effort? How does guaranteeing that firearm stores and ranges may remain open help dealing with fires, landslides, floods, or volcanic eruptions? This does not appear to be rational. To make matters worse, it is also too easy to envision scenarios where SB 136's proposed mandate could demonstrably impair the government's ability to protect its citizens in the event of a disaster. Just a few months ago the Anchorage Daily News published an article on October 2, 2021, describing a deplorable incident in Alaska history where a riotous armed mob in Juneau rounded up scores of Chinese residents and forcibly evicted them from town without any notice, without their property and in fear of their very lives. Do the sponsors of SB 136 believe that in such a situation our laws should guarantee that gun stores remain open making additional arms and ammunition available to the rioters?

Of course the disaster example that resonates right now is "epidemic." Here is a scenario to contemplate – a disease as communicable as COVID but with the lethality of the bubonic plague which killed as much as 60% of Europe's population in seven years. In such a nightmare situation our only hope would be the institution of the strictest social gathering and distance protocols while our scientists

went into overdrive to create a vaccine. Yet SB 136 would mandate that – unlike every other type of profession, business or social club – gun shops and gun ranges must be allowed to remain open.

It makes no sense.

Finally I want to address subparagraph (c) of SB 136 (page 2, line 11) which allows civil action by an individual or by two or more individuals in a membership organization to bring suit if adversely affected. 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. It is made even more egregious by mandating that at a minimum 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 in protecting the environment 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 SB 136.

Thank you.

Marian Clough Marian Clough 

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February 13, 2022

The private/personal stressors befalling people caught-up in emergencies can be disorienting at best, psycho-socially de-animating in the least; and that's a pretty loathsome prospect in the midst of a pandemic bore, as it was, of our concurrent climate discord. Reference the Sunday, February 13, Juneau Empire documenting the surge of gun sales in 2020 which collected \$1.1 billion in tax receipts for retail purchases of guns and accoutrements, across the Country.

Whether buyers are experiencing the cognitive stress bore of misinterpretation when trying to process false information—and all mis-information gains publication and social dissemination consequent an unearned excess of wealth to sanction a subjectively experienced bu faux rendition of reality spurring a private/personal delusion of planetary resource control; a delusion of control individually begotten and amassed through the fallacy of supply-side economics (in refute of Ayn Rand)—or is of the stress bore of 'acts of nature' and the climatic emergency undercutting our economies and communities at large. In

which case, we are all living under an 'emergent distress' and are in perpetual threat of harming ourselves (suicide) or others (homicide).


Not wishing to psychoanalyze, people who live in this survivalist style having of no value to the community, state or nation simply taking the benefits of communal synergy without contributing thereby demeaning the value of the whole. It appears SB 136 subsection (b) Lines 9-12 refers to these citizens who cannot legally possess a firearm or weapon but are so granted that sanction with an Emergency Declaration. S.B. 136 appears to be granting the use of firearm and weaponry to those currently prohibited from owning anything of the sort!

(b)

9 This section does not apply to the possession of a firearm, a firearm  
10 accessory, ammunition, or other weapon by a person who is prohibited from legally  
11 possessing a firearm, a firearm accessory, ammunition, or other weapon under state  
12 law

Gun deaths in the U.S. reached the highest level ever recorded in 2020, claiming the lives of more than 45,000 Americans, according to newly released data from the Centers for Disease Control and Prevention (CDC). A review of the CDC data by the Education Fund to Stop Gun Violence (EFGV) found that the increase is driven by a dramatic rise in gun homicide – nearly 5,000 more-gun homicides than 2019 – and a persistently high number of gun suicides. The increase coincided with a record increase in gun sales in 2020 though was not confined to cities or particular parts of the country. There were some stark disparities, though — Black Americans experienced far higher rates of gun deaths than their white counterparts.

Whatever one's emergent stress maybe, natural or self-imagined, as "protectors" of Alaska, consider it's Black History Month but DO NOT consider this travesty of justice!

John Sonin, Douglas john sonin 

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Senate State Affairs Committee Members,

Thank you for reading my email on this important issue.

I am opposed to SB 136 which would prohibit state and municipal regulations on restricting or limiting firearms and firearm sales in an emergency declaration.

As a state, we have a seriously high record of deaths by firearm, yet there is continually no progress in regulations that could lower our numbers of death, particularly by suicide in our young Alaska Native population.

Please carefully review reasons for regulations that would protect innocents.

Please vote against SB 136.

Thank you,

Sally Donaldson

[REDACTED]  
Juneau, AK 99801 Sally Donaldson [REDACTED]

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Dear Members of the Senate State Affairs Committee,

I am writing in opposition to SB 136. I am a resident of Anchorage and a mother of three young children. In a state of emergency, the focus should be on public safety, not limiting state and local governments' power to maintain order and safety. If we experienced a disaster in Alaska - another earthquake, for example - we will need medical assistance, social services and economic support to repair damage. This seems like a waste of time when we have much more pressing issues in our state.

Thank you,

Rochelle Parker

[REDACTED]  
Anchorage, AK 99502 Rochelle Parker [REDACTED]

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Greetings,

I am a resident of Juneau, and have also lived in Anchorage and Kodiak during the past 40 years I have called Alaska home. I am also a gun owner.

Limiting local control during an emergency sounds like a bad idea to me. Local communities need to respond rapidly to emergencies, and mandating that gun stores stay open would not help during an earthquake or tsunami for example.

There are certainly many urgent issues for the legislature to consider, and this sounds like a waste of your limited time. Please vote not to pass this bill out of committee.

Thanks for your consideration.

Joy Lyon

Juneau AK 99801 Joy Lyon [REDACTED]

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Dear Senators:

Please take all actions to prevent SB 136 from becoming law. This is a preemptive law that takes away the power of communities to sensibly protect themselves from gun violence. I am a mother of three children in Anchorage and am very concerned about the vast number of guns in our community that are in the hands of those who should not have this privilege. Please do what you can to help families be safe by opposing this bill. Local communities in Alaska should retain the power to do what is in the interest of their citizens.

Sincerely,

Annette Marley, MPH

[REDACTED]

Anchorage, AK 99504 Annette Marley [REDACTED]

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Chair Shower and Members of the Senate State Affairs Committee:

I am a lifelong Alaskan and mother and grandmother and writing in strong opposition of SB 136.

I do not believe protecting gun interests by limiting state and local governments' authority to maintain order and safety during an emergency will protect the public's safety nor provide the services needed during an emergency.

I would rather our legislators do more to save lives and protect the health and safety of Alaskans by supporting common sense gun safety laws and other health and safety services.

Sincerely,

Patty Owen

Juneau, Alaska Patricia Owen [REDACTED]

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