

**Mina Ryan**

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**From:** dr. Marco palomba <bounce@list.everytown.org>  
**Sent:** Wednesday, March 15, 2023 9:46 AM  
**To:** House Community and Regional Affairs  
**Subject:** Vote NO on HB 61: Message for gun safety from dr. Marco palomba in 09016

Dear House Community and Regional Affairs Committee ,

I'm urging you to vote NO on HB 61. This bill would disallow the governor, a state agency, or a municipality from taking any action during a declared disaster emergency that would restrict the possession, use or sale of a firearm, a firearm accessory, ammunition or other weapon.

Our state is no stranger to natural disasters—typhoons, floods, earthquakes—and these are times when life and business do not proceed as usual. It's dangerous to tie the hands of elected leaders and threaten them with costly litigation during the times we most need them to take decisive action to protect public health and safety.

For example, it could be important for law enforcement to safeguard unsecured firearms in damaged areas to prevent them from being stolen, or to not allow personally-owned firearms to be brought into shelters managed by the military, a government agency or the Red Cross.

Even more egregious, the bill allows any person or special interest group to sue Alaska's government agencies if they feel they are adversely affected by such an action during a disaster emergency and win triple punitive damages.

Limiting these powers during a disaster is a threat to public safety. Please vote NO on HB 61.

Sincerely,

DR. MARCO PALOMBA  
IGLESIAS, AK 09016

## Testimony HB61 March, 16 2023

My name is Frank Rue, I live at 7083 Hendrickson Rd. in Juneau, Alaska. I have lived in Alaska since 1977. I am a gun owner, hunter, and former Commissioner of the Alaska Department of Fish and Game (ADF&G). During my tenure as Commissioner of ADF&G, two indoor shooting ranges, one in Fairbanks and one in Juneau, were completed. I say this only to stress that I support shooting sports, hunting, hunter safety, hunter education and the safe responsible use of firearms.

I do not support House Bill 61 for the following reasons.

**HB61 appears to be a solution in search of a problem.** Have there been instances of Alaska Governors, Alaska state agencies or Alaska municipalities forbidding the possession, use, or transfer of a firearm, firearm accessory, other weapons during a declared disaster emergency when, as some supporters of the bill have said, pot shops and liquor stores were left open? If so, was this disparity remedied?

**HB61 does not just address, as some have suggested, parity between liquor stores and gun stores in a disaster emergency.** If that is all it did, I doubt there would be much opposition.

**Every disaster emergency will be different** and the impacts felt most severely in the area of the disaster emergency. Local Alaskans will, with the help of state agencies, be best situated to determine what response is needed. I do not think it is in the best interest of Alaskans to tie their own hands as they deal with a disaster. Furthermore, a Governor's disaster declaration has a term of 30 days, unless the legislature extends it. The Legislature can address any unacceptable overreach by the state or local government when it authorizes an extension.

**Will HB61 invalidate existing restrictions?** The Governor is given extraordinary powers under a disaster emergency declaration. Powers to, among other things, relocate all or some of the people from a stricken area; prescribe where people can and cannot travel; commandeer private property subject to compensation; change the duties of state agencies.... etc. But under this bill, even in the extraordinary circumstance of a disaster emergency declaration, the possession, use and transfer of firearms or other weapons, plus all the other actions in Sec.44.99.510(a) {1-4} would be out of the reach of the Governor, state agencies and municipalities.

There is nothing in HB61 that lays out the purpose for prohibiting the Governor, state agencies or municipalities from taking the actions listed in Sec.44.99.510(a) {1-4} during a declared disaster emergency under AS 26.23.020. What is the purpose for drawing a line between a disaster emergency and non-disaster emergency times? Without such an explicit purpose will this law invalidate existing statute or policy? And could anyone allowed to own a gun or other

weapon then be allowed to bring a loaded gun to a school or assembly chamber, for example, during a disaster emergency declaration when in normal circumstances they would not?

**Will HB61 inevitably be declared the law of the land in non-disaster/emergency times?** In normal times the legislature, governor, state agencies and municipalities have prohibited the possession or use of firearms in, for example: the capitol building; public schools; state offices; assembly chambers; public hospitals, or public shelters. Under HB61 during a disaster emergency they could not prohibit any of this (except perhaps the legislature). Without any legislative Purpose/Intent as to why there is a difference between a disaster emergency and any other time, won't all of the prohibitions of Sec.44.99.510(a) (1-4), ipso facto, (inevitably) apply all of the time? If the answer is yes, then it will inevitably be illegal to restrict people legally allowed to own guns and weapons to take guns, ammunition and other weapons to shelters, schools, legislative buildings, and other public spaces whether there is a disaster emergency or not.

This bill does more than "keep gun shops, etc. open when liquor stores are open" during a disaster declaration. I urge you to not support HB61 as currently written.

Thank you

**Mina Ryan**

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**From:** Sally Donaldson <sallyanndonaldson@gmail.com>  
**Sent:** Wednesday, March 15, 2023 10:55 AM  
**To:** House Community and Regional Affairs  
**Subject:** HB 61

Dear House Community and Regional Affairs  
Committee Members,

I am writing, opposing HB61, which would prohibit the governor, a state agency, or a municipality from taking action(s) during a declared disaster emergency that would restrict the possession, use or sale of a firearm, a firearm accessory, ammunition, or other weapon — including not allowing the temporary closure of gun stores or gun ranges during a declared disaster. I believe the bill would be harmful to the people of our Great state. During a state of emergency, the focus should be on actions that protect public safety, not limit state and local governments' power to maintain order and safety.

As we learned in 2020, the first year of the Covid pandemic, during the state of emergency, the people of Alaska gained access to resources and services that they normally would have to wait a long time to access. In that state of emergency, our state leaders were able to act quickly and efficiently.

HB61 sets up for individuals or interest groups to act as legal enforcers of state law through civil suit. I vehemently oppose this proposal, and would feel extremely unsafe if it were to become law.

I fail to see how this bill if it became law, would make Alaskans safer. I see the opposite, that we would be made unsafe, even more uncertainty would prevail and people who may not be thinking clearly would be able to go out in a state of panic and buy a firearm and ammunition! How is that good???

Thank you for taking my testimony. I remain hopeful. Please do not pass this bill out of committee.

Sincerely,  
Sally Donaldson



**Mina Ryan**

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**From:** Marian Clough [REDACTED]  
**Sent:** Wednesday, March 15, 2023 12:03 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:** HB61 Written Testimony

Written Testimony for Thursday, March 16, 2023 Alaska State House Community and Regional Affairs Committee

Dear 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.

However, I am asking you not to support passage of HB 61 for the simple reason that it is redundant and invites needless expensive and distracting politically motivated legal battles.

Alaska State Statutes 44.99.040 and 44.99.500 already address Second Amendment rights.

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 relationship to that goal.

HB 61 would demonstrably impair the government's ability to protect its citizens in the event of a disaster. HB 61 takes the responsibility for governing away from our Alaska Governor and state or municipal agencies (which includes universities and school districts in its definition) and places it in the hands of special interest groups.

The most egregious section of HB 61 is subparagraph (c) at page 2, starting at line 13, which allows civil action by "a membership organization consisting of two or more individuals" 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. 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?

Is there anything in current Alaska law that requires gun shops and ranges to close every time an emergency is declared? In HB 61's Sponsor Statement it indicates that firearms retailers were arbitrarily closed in Alaska. What is the evidence of such closures and for how long due to the Covid-19 pandemic? Out of the 20 gun stores in Anchorage, I found an article from "Must Read Alaska" that the Municipality of Anchorage temporarily closed Sportsman's Warehouse, Cabela's, and Bass Pro Shop but not any other gun stores. Is it really an issue?

Aren't there far more pressing – and real – issues for you to focus your efforts upon?

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 100<sup>th</sup> Anniversary of the first Territorial Legislature which convened on March 3, 1913.





## ALASKA GUN RIGHTS



3/15/2023

Dear Members of the House Community & Regional Affairs Committee,

Alaska Gun Rights opposes HB61/SB63, versions A. Both of these bills are alleged to protect Alaskan's gun rights during times of emergency or disaster declarations. This is not true.

The proposed legislation claims to prevent gun stores and shooting ranges from being shut down by disaster declarations or emergency orders. It actually does the opposite. The legislation would allow government to shut down gun stores and ranges, along with other stores and businesses.

Both bills contain fatally flawed language. Starting page 1, line 15:

(4) *unless the closure or limitation applies equally to all forms of commerce within the jurisdiction, closing or limiting the operating hours of...*

The first half of that sentence gives government the authority to shutdown all commerce relating to firearms. This is unacceptable. We urge you to reject the language: "*unless the closure or limitation applies equally to all forms of commerce within the jurisdiction*".

Secondly, a prior version of the bill (of a previous legislature) started off with the word "Notwithstanding" on page 1, line 5, as opposed to "During" (the present versions). The word "Notwithstanding" would be superior and would extend additional protections for the 2<sup>nd</sup> Amendment.

Alaska Gun Rights was started in January 2020 and is Alaska's No-compromise Gun Rights Advocacy organization committed to defending our God-granted right to keep and bear arms. We are committed to stopping the erosion of our rights and the retaking of ground that has been lost.

Regards,

Rick McClure  
President  
Alaska Gun Rights  
[www.AlaskaGunRights.org](http://www.AlaskaGunRights.org)

**Mina Ryan**

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**From:** Irene Bortnick [REDACTED]  
**Sent:** Wednesday, March 15, 2023 1:29 PM  
**To:** House Community and Regional Affairs  
**Cc:** Rep. CJ McCormick; Rep. Kevin McCabe; Rep. Thomas McKay; Rep. Josiah Patkotak; Rep. Justin Ruffridge; Rep. Rebecca Himschoot; Rep. Donna Mears  
**Subject:** HB 61--please do NOT support

Members,

Today the leading cause of death among children and teens in the state of Alaska, is firearms. Research shows that adolescents exposed to gun violence are twice as likely as others to perpetrate a serious violent crime within two years, perpetuating a cycle that can be hard to interrupt. It is not only children whose lives are at risk. During an emergency, any citizen's life could be in danger.

While I support the right to bear arms, I urge you to vote against **HB 61**.

My interpretation of **HB 61** is that it in no way adds to the safety of a community experiencing a disaster or emergency. On the contrary, it appears to open up the community to the possibility of uncontrolled gun violence, at a time when rather, increased safety measures are in order. Through this bill, law enforcement could be prevented from taking steps to keep the public safe and to keep the situation peaceful.

The section about the ability to bring civil suit is also incomprehensible. It could result in frivolous lawsuits which could take the courts' time away from more serious matters and the suggested punitive damages are out of line.

Thank you for your service in the House.

Sincerely,

Irene Bortnick



**Mina Ryan**

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**From:** Luann McVey [REDACTED]  
**Sent:** Wednesday, March 15, 2023 2:19 PM  
**To:** House Community and Regional Affairs  
**Subject:** HB 61

Dear Representative McCormick, Representative McCabe, Representative McKay, Representative Patkotak, Representative Ruffridge, Representative Himschoot, and Representative Mears,

I am a retired Alaskan teacher and a volunteer with the Alaska Chapter of Moms Demand Action for Gun Sense. I am opposed to HB 61 and I strongly urge you to keep this unnecessary and potentially harmful bill from passing out of your committee. I do not understand why we would prevent the governor, a state agency, or a municipality from taking action, during a declared disaster emergency, to restrict the possession, use or sale of a firearm, a firearm accessory, ammunition or other weapon. It does not make sense to stop our elected officials or agencies from temporarily closing gun stores or gun ranges during a declared disaster.

During a disaster emergency, emotions tend to run hot and our leaders might find it necessary to restrict gun use or sales, in order to limit the chaos that can erupt when angry people have easy access to firearms. I believe in the ability of our leaders to decide when such limits are necessary.

Please do not take away a tool that could be used for constructive purposes, to disarm those who might cause harm to others. Guns are not the answer to human strife, especially during a declared disaster emergency. I hope you will prevent this bill from passing out of your committee.

I implore you to put your time and energy into constructive legislation, such as requiring secure storage of firearms, or increasing funding for Alaskan schools, rather than crafting unnecessary legislation like HB 61.

Thank you.

Sincerely,  
Luann McVey  
[REDACTED]

**Mina Ryan**

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**From:** john sonin [REDACTED]  
**Sent:** Wednesday, March 15, 2023 3:11 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:** Do NOT "move" SB 61

As a 25-year Alaskan resident and vested member of an organized human purpose (that, of "seeking fulfilled happiness" individually, and as a community-state-nation, of organic human beings), the un-reasoned, delinquent, literally insane hypocrisy of Senate Bill 61 simply emboldens the dereliction of promoted duty by its sponsors, as many candidates lack virtue in their promotion - deceived in the belief monetized power is the end-all in life - to sponsor such waste. "Waste" of what little precious time and resources with which the divine 'Reason-for-All' has endowed us, and "waste" of that for which our Constitutions assures each so all endowed! And of course, a complete waste of OUR precious time as if all of us only wanted to extract value from each other.

Anyone who anticipates a crisis of State, or National emergency as the proper time to procure a sidearm is also duped into believing the commercial economy and its synergistic wealth will still sustain product availability so as to be purchased?! If the economy remains functioning, the mission and reason for our State and Federal Constitutions are as valid as the Oath we bore/swore to protect, and it is the duty of that Oath that we citizens, and those promoted to govern us, maintain the social order to the best of our ability (the job of evry Constitutionally sworn citizen!) and to insure the peace (and tranquility!) of society -- that is unless insurgency be one's intent?!

In this case, would not SB 61 be a Constitutional revocation? ... as well as a vehicle to codify criminality?

John Sonin  
[REDACTED]