

ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE

April 30, 2005

9:30 a.m.

MEMBERS PRESENT

Senator Ralph Seekins, Chair
Senator Charlie Huggins, Vice Chair
Senator Gene Therriault
Senator Hollis French
Senator Gretchen Guess

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE JOINT RESOLUTION NO. 15

Requesting the United States Congress to end the abuse of tort laws against the firearms industry.

MOVED SJR 15 OUT OF COMMITTEE

SENATE BILL NO. 125

"An Act relating to the licensing, regulation, enforcement, and appeal rights of ambulatory surgical centers, assisted living homes, child care facilities, child placement agencies, foster homes, free-standing birth centers, home health agencies, hospices or agencies providing hospice services, hospitals, intermediate care facilities for the mentally retarded, maternity homes, nursing facilities, residential child care facilities, residential psychiatric treatment centers, and rural health clinics; relating to criminal history requirements, and a registry, regarding certain licenses, certifications, approvals, and authorizations by the Department of Health and Social Services; making conforming amendments; and providing for an effective date."

SCHEDULED BUT NOT HEARD

SENATE BILL NO. 127

"An Act prohibiting a public officer from taking official action regarding a matter in which the public officer has a significant financial interest; and defining 'official action' for purposes

of the chapter generally referred to as the Executive Branch Ethics Act."

SCHEDULED BUT NOT HEARD

SENATE BILL NO. 165

"An Act relating to card rooms and card operations."

SCHEDULED BUT NOT HEARD

SENATE BILL NO. 186

"An Act relating to the Alaska Executive Branch Ethics Act."

SCHEDULED BUT NOT HEARD

SENATE BILL NO. 187

"An Act relating to legislative ethics open meetings guidelines, to the public members of the Select Committee on Legislative Ethics, to alternate members of the legislative subcommittees, to advisory opinions, and to confidential information and proceedings regarding legislative ethics complaints and investigations."

SCHEDULED BUT NOT HEARD

CS FOR HOUSE BILL NO. 33(FIN)

"An Act relating to required notification of the Department of Commerce, Community, and Economic Development, economic effect statements, and regulatory flexibility analyses regarding the adoption of regulations that may govern the conduct of small businesses; relating to a private cause of action, regulation invalidation, and judicial review related to required notification, economic effect statements, and regulatory flexibility analyses for the adoption of regulations that may govern the conduct of small businesses; and providing for an effective date."

SCHEDULED BUT NOT HEARD

CS FOR HOUSE BILL NO. 81(L&C)

"An Act establishing an administrative fine and procedure for construction contractors in certain circumstances; increasing the amount of a civil penalty for persons acting in the capacity of contractors or home inspectors; modifying the elements of a crime involving contractor registration and residential contractors; modifying the exemptions from regulation under AS 08.18 for contractors; and exempting the administrative hearings

for imposing an administrative fine on construction contractors from the hearings conducted by the office of administrative hearings in the Department of Administration."

SCHEDULED BUT NOT HEARD

CS FOR HOUSE BILL NO. 149(FIN) am

"An Act relating to controlled substances; relating to the crimes of manslaughter, endangering the welfare of a child, and misconduct involving a controlled substance; relating to the manufacture of methamphetamine and to the sale, possession, and delivery of certain substances and precursors used in the manufacture of methamphetamine; relating to listing certain anabolic steroids as controlled substances; and providing for an effective date."

CS FOR HOUSE BILL NO. 183(JUD) am

"An Act relating to the use of campaign contributions for shared campaign activity expenses and to reimbursement of those expenses; and amending the definition of 'contribution' in regard to sharing fundraising lists between candidates and political parties without compensation."

SCHEDULED BUT NOT HEARD

CS FOR HOUSE BILL NO. 183(JUD) am

"An Act relating to the use of campaign contributions for shared campaign activity expenses and to reimbursement of those expenses; and amending the definition of 'contribution' in regard to sharing fundraising lists between candidates and political parties without compensation."

SCHEDULED BUT NOT HEARD

HOUSE BILL NO. 184 am

"An Act relating to firearms."

SCHEDULED BUT NOT HEARD

CS FOR HOUSE BILL NO. 210(JUD)

"An Act relating to blood testing of certain persons alleged to have committed certain offenses directed toward peace officers or emergency workers."

SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: SJR 15

SHORT TITLE: BAN LAWSUITS AGAINST FIREARMS INDUSTRY

SPONSOR(S): SENATOR(S) HUGGINS

03/09/05 (S) READ THE FIRST TIME - REFERRALS
03/09/05 (S) L&C, JUD
04/21/05 (S) L&C AT 1:30 PM BELTZ 211
04/21/05 (S) Moved SJR 15 Out of Committee
04/21/05 (S) MINUTE(L&C)
04/22/05 (S) L&C RPT 3DP 1NR
04/22/05 (S) DP: BUNDE, SEEKINS, STEVENS B
04/22/05 (S) NR: DAVIS
04/30/05 (S) JUD AT 9:00 AM BUTROVICH 205

WITNESS REGISTER

Senator Charlie Huggins
Alaska State Capitol
Juneau, AK 99801-1182

POSITION STATEMENT: Introduced SJR 15

Ms. Karen Sawyer
Staff to Senator Huggins
Alaska State Capitol
Juneau, AK 99801-1182

POSITION STATEMENT: Commented on SJR 15

ACTION NARRATIVE

CHAIR RALPH SEEKINS called the Senate Judiciary Standing Committee meeting to order at [9:30:38 AM](#). Present were Senators Hollis French, Charlie Huggins, Gretchen Guess, and Chair Ralph Seekins.

SJR 15-BAN LAWSUITS AGAINST FIREARMS INDUSTRY

[9:31:30 AM](#)

CHAIR RALPH SEEKINS announced SJR 15 to be up for consideration.

SENATOR CHARLIE HUGGINS introduced SJR 15. The State of Alaska would be sending a message saying the citizens do not like the legal approach of shutting down an industry that Alaskan citizens fully support.

MS. KAREN SAWYER, staff to Senator Huggins, commented SJR 15 would end tort law abuse against the firearm industry. Lawsuits force law-abiding businesses to pay for criminal acts by

individuals beyond their control. Lawsuits do nothing to control gun violence.

SENATOR HUGGINS commented National Rifle Association (NRA) money helps communities.

[9:35:05 AM](#)

CHAIR RALPH SEEKINS admitted he has to buy a new gun safe because his large one is full. His grandson recently finished an NRA safety class. He routinely enrolls his family in gun safety classes. It is an Alaskan right and heritage to safely use firearms for useful purposes.

[9:40:32 AM](#)

SENATOR GRETCHEN GUESS clarified the committee was not discussing a firearm malfunctioning type of lawsuit.

SENATOR HUGGINS answered no. Manufacturers are forced ridiculous measures to protect themselves against frivolous lawsuits.

[9:42:24 AM](#)

SENATOR HOLLIS FRENCH referred to a letter provided by Mr. Brian Judy that informs people could still sue for product liability. He expressed support of SJR 15.

[9:44:18 AM](#)

CHAIR SEEKINS asserted SJR 15 does not absolve someone who sells a firearm to someone knowing that person will use it in violation of the law.

SENATOR HUGGINS moved SJR 15 from committee with individual recommendations and attached fiscal note(s). There being no objection, the motion carried.

CHAIR SEEKINS recessed the meeting to the call of the chair at [9:49:14 AM](#).