



AMENDMENT #12

OFFERED IN THE HOUSE BY REPRESENTATIVE EASTMAN  
TO: CSHB 76(FIN)

1 Page 1, line 11, following "COVID-19;":

2 Insert "relating to martial law;"

3

4 Page 3, following line 23:

5 Insert a new subsection to read:

6 "(c) The legislature does not find that proclaiming martial law is in the best interest of  
7 the state. Nothing in this Act shall be construed to authorize the proclamation of martial law."

8

9 Page 11, following line 17:

10 Insert new bill sections to read:

11 "\* **Sec. 14.** AS 26.05.090 is amended to read:

12 **Sec. 26.05.090. Proclamations of martial law.** The governor may proclaim  
13 martial law when the public safety requires it in case of rebellion or actual or  
14 imminent invasion, and may order all or any part of the organized militia into active  
15 state service to enforce the proclamation. The militia shall assume only those functions  
16 of civil government specified by the governor, or those that, in the discretion of the  
17 militia commander, must be assumed in order to accomplish a specific mission  
18 assigned by the governor. Martial law may not continue for longer than 20 days  
19 without the approval of a majority of the members of the legislature in joint session.

20 In this section, "martial law" means the suspension of a civil law or a civil  
21 lawmaking process, but does not include the suspension of a law under  
22 AS 26.23.020(g)(1).

23 \* **Sec. 15.** AS 26.23.200 is amended to read:

1                   **Sec. 26.23.200. Limitations.** Nothing in AS 26.23.010 - 26.23.220

2                   (1) interferes with or allows interference with the course or conduct of  
3 a labor dispute, except that actions otherwise authorized by AS 26.23.010 - 26.23.220  
4 or other laws may be taken when necessary to forestall or mitigate imminent or  
5 existing danger to public health or safety;

6                   (2) interferes with or allows interference with dissemination of news or  
7 comment on public affairs; but any communications facility or organization, including  
8 but not limited to radio and television stations, wire services, and newspapers, may be  
9 requested to transmit or print public service messages furnishing information or  
10 instructions in connection with a disaster emergency, in a manner that encroaches as  
11 little as possible on [UPON] the normal functions of the news media;

12                   (3) affects the jurisdiction or responsibilities of police forces,  
13 firefighting forces, units of the armed forces of the United States, or of any personnel  
14 of them, when on active duty; but state, local, and interjurisdictional disaster  
15 emergency plans shall place reliance on [UPON] the forces available for performance  
16 of functions related to disaster emergencies;

17                   (4) limits, modifies, or abridges the authority of the governor to  
18 proclaim martial law, or exercise any other powers vested in the governor under the  
19 constitution, statutes, or common law of this state independent of, or in conjunction  
20 with, any provision of AS 26.23.010 - 26.23.220; in this paragraph, "martial law"  
21 has the meaning given in AS 26.05.090; or

22                   (5) authorizes the confiscation of a firearm lawfully owned, possessed,  
23 or carried by a law-abiding citizen."  
24

25 Renumber the following bill sections accordingly.

26  
27 Page 12, line 13:

28                   Delete "13 and 14"

29                   Insert "13 and 16"