

**SJR**

**14**

# HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: February 27, 1997

FURTHER REFERRALS:

Date of Committee Action: 4/15/97

The STATE AFFAIRS Committee considered:

SJR 14

SENATE JOINT RESOLUTION NO. 14

SUPPORT FEDERAL CONCEALED GUN LEGISLATION

Relating to support for federal legislation permitting state concealed handgun permittees to carry concealed handguns in other states.

recommends it be replaced with the following committee substitute \_\_\_\_\_  the same title  a new title

additional referral to \_\_\_\_\_ Committee  attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_ APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) \_\_\_\_\_  fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_  zero fiscal note(s) SEN STA

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Jeannette James</i>	/			
<i>J. K. ...</i>		✓		
<i>W. A. ...</i>			✓	
<i>Paul ...</i>	/			
<i>...</i>			✓	
<i>...</i>	✓			

CHAIR'S SIGNATURE *Jeannette James*



Official Business

# Alaska State Legislature

## Senate

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HALFORD**

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## ***SPONSOR STATEMENT*** ***SJR 14***

***Supporting federal legislation permitting state concealed handgun permittees to carry concealed handguns in other states.***

SJR 14 is a resolution which would put Alaska on the record in support of H. R. 339, a bill currently being considered in the United States House of Representatives. This federal legislation, introduced by Congressman Cliff Stearns (R-Florida), would provide a national standard in accordance with which nonresidents of a state may carry certain concealed firearms.

In 1994 the Alaska Legislature joined the growing number of states which allow residents to carry concealed handguns for their personal protection and defense. In 1994 Alaska's citizens also *overwhelmingly* approved an amendment to our State Constitution which affirmed our *individual* right to keep and bear arms.

The need and desire for personal protection and defense does not end at the borders of the state of a person's residence. Unfortunately there is only limited reciprocity between the states in regard to the legal carry of concealed handguns. H. R. 339 would allow concealed handgun permittees of one state to carry concealed handguns in each of the other states.

Even though one might presume that the 2nd Amendment to the Bill of Rights would apply uniformly in all 50 states, a law abiding citizen faces a labyrinth of often confusing laws and regulations. H. R. 339 would help remedy this situation.

H. R. 339 is supported by the National Rifle Association of America, a grass roots organization which boasts 25,000 Alaskans among its membership.

1 OF 1 115 LINES  
 VERSION As Introduced in the House  
 • 105th CONGRESS  
 1st Session

BILL H. R. 339  
 TITLE To amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry certain concealed firearms in the State, and to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

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 IN THE HOUSE OF REPRESENTATIVES  
 JANUARY 7, 1997

Mr. Stearns (for himself, Mr. Bartlett of Maryland, Mr. Hostettler, and Mr. Barr of Georgia) introduced the following bill; which was referred to the Committee on the Judiciary

TEXT

A BILL  
 To amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry certain concealed firearms in the State, and to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NATIONAL STANDARD FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS BY NONRESIDENTS.

(a) In General. - Chapter 44 of title 18, United States Code, is amended by inserting after section 926A the following:

'Sec. 926B. National standard for the carrying of certain concealed firearms by nonresidents

'(a) Notwithstanding any provision of the law of any State or political subdivision thereof, a person who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm and is carrying a valid license or permit which is issued by a State and which permits the person to carry a concealed firearm (other than a machinegun or destructive device) may carry in another State a concealed firearm (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

'(b) (1) If such other State issues licenses or permits to carry concealed firearms, the person may carry a concealed firearm in the State under the same restrictions which apply to the carrying of a concealed firearm by a person to whom the State has issued such a license or permit.

'(2) If such other State does not issue licenses or permits to carry concealed firearms, the person may not, in the State, carry a concealed firearm in a police station, in a public detentior facility, in a courthouse, in a public polling place, at a meeting of a State, county, or municipal governing body, in a school, at a professional or school athletic event not related to firearms, in a portion of an establishment licensed by the State to dispense alcoholic beverages for consumption on the premises, or inside the sterile or passenger area of an airport, except to the extent expressly permitted by State law.'

(b) Clerical Amendment. - The table of sections for such chapter is amended by inserting after the item relating to section 926A the

following:

'926B. National standard for the carrying of certain concealed firearms by nonresidents.'

SEC. 2. EXEMPTION OF QUALIFIED CURRENT AND FORMER LAW ENFORCEMENT OFFICERS FROM STATE LAWS PROHIBITING THE CARRYING OF CONCEALED HANDGUNS.

(a) In General. - Chapter 44 of title 18, United States Code, is amended by inserting after section 926B, as added by section 1(a) of this Act, the following:

'Sec. 926C. Carrying of concealed handguns by qualified current and former law enforcement officers

'(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified law enforcement officer or a qualified former law enforcement officer and who is carrying appropriate written identification of such status may carry a concealed handgun.

'(b) As used in this section:

'(1) The term 'qualified law enforcement officer' means an officer, agent, or employee of a public agency who -

'(A) is a law enforcement officer;

'(B) is authorized by the agency to carry a firearm in the course of duty;

'(C) is not the subject of any disciplinary action by the agency; and

'(D) meets such requirements as have been established by the agency with respect to firearms.

'(2) The term 'qualified former law enforcement officer' means an individual who -

'(A) retired from service with a public agency as a law enforcement officer, other than for reasons of mental disability;

'(B) immediately before such retirement, was a qualified law enforcement officer;

'(C) has a nonforfeitable right to benefits under the retirement plan of the agency;

'(D) meets such requirements as have been established by the State in which the individual resides with respect to training in the use of firearms; and

'(E) is not prohibited by Federal law from receiving a firearm.

'(3) The term 'law enforcement officer' means an individual authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law, and includes corrections, probation, parole, and judicial officers.

'(4) The term 'appropriate written identification' means, with respect to an individual, a document which -

'(A) was issued to the individual by the public agency with which the individual serves or served as a law enforcement officer; and

'(B) identifies the holder of the document as a current or former officer, agent, or employee of the agency.'

(b) Clerical Amendment. - The table of sections for such chapter is amended by inserting after the item added by section 1(b) of this Act the following:

'926C. Carrying of concealed handguns by qualified current and former law enforcement officers.'

(c) Effective Date. - The amendments made by this section shall

take effect 180 days after the date of the enactment of this Act.  
END



**NATIONAL RIFLE ASSOCIATION OF AMERICA**  
**INSTITUTE FOR LEGISLATIVE ACTION**  
**555 CAPITOL Mall, SUITE 455**  
**SACRAMENTO, CA 95814**  
**(916) 446-2455**

February 5, 1997

Senator Rick Halford  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, AK 99801-1182

Dear Senator Halford,

On behalf of the over 25,000 members of the National Rifle Association of America (NRA) who reside in the State of Alaska, I commend your recognition of the importance of H.R. 339, currently pending in the 105th Congress. Let me take this opportunity to put the full support of the NRA membership behind your effort to pass SJR 14 through the Alaska State Legislature so the weight of your legislature can, in turn, be put behind H.R. 339.

H.R. 339 provides that concealed weapon permits issued to law-abiding citizens in one state would be recognized and valid while the holder of the permit is traveling through any other state. Just as valid drivers licenses allow motorists to travel interstate, so should concealed weapon permits allow law-abiding citizens to provide a means for defense of themselves and their families when they travel interstate.

There are currently fifteen states which provide some level of "reciprocity" for the recognition of concealed weapon permits issued by jurisdictions in other states. This patchwork approach to providing reciprocity generates confusion and uncertainty with respect to the varying laws. Additionally, it obviously treats law-abiding citizens from different jurisdictions very inequitably.

Thirty states currently have laws providing for the issuance of concealed weapon permits on a non-discretionary and non-discriminatory basis. Although concerns have typically been raised when these concealed weapon permit laws were proposed, generally that there would be increased violence and more firearm accidents, these predictions have not come to pass. Empirical evidence from every state which has given law-abiding citizens the legal ability to carry a means of self-protection has proven what you and we already knew: responsible law-abiding firearm owners are not a criminal threat and can be trusted!

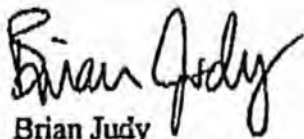
SJR 14

Page 2

Law-abiding citizens have shown, in Alaska and the other 29 states with fair and equitable right-to-carry laws, that they can handle the responsibility that goes along with carrying a firearm for self-defense. It is time for a national law which recognizes law-abiding citizens' right to bear arms for self-protection.

The NRA, again, offers strong support for SJR 14.

Sincerely,

A handwritten signature in cursive script that reads "Brian Judy".

Brian Judy  
Alaska State Liaison



Official Business

# Alaska State Legislature

## Senate

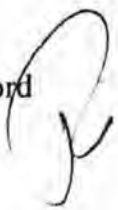
**RICK  
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TO: Representative James, Chair  
House State Affairs Committee

FROM: Senator Rick Halford 

DATE: 2/27/97

RE: Scheduling of SJR 14

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I request that you schedule SJR 14, a resolution which supports H. R. 339, federal legislation which would provide interstate reciprocity for holders of concealed weapons permits. Please do not hesitate to contact me if you have any questions.

# FISCAL NOTE

No. 1

Bill Version: STR14

(S) Publish Date: 2/14/97

STATE OF ALASKA  
1997 LEGISLATIVE SESSION

Revision Date 2/5/97  
 Title Support Federal Concealed Gun Legislation  
 Sponsor HALFORD, Green, Taylor  
 Requester \_\_\_\_\_

Dept. Affected \_\_\_\_\_  
 BRU \_\_\_\_\_  
 Component \_\_\_\_\_  
 Component Serial No. \_\_\_\_\_

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES [ ]</b>						
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**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1091 Designated Program Receipts						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY97) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
 This resolution will have no fiscal impact.

Prepared by Senate State Affairs  
 Division \_\_\_\_\_  
 Approved by Senator Lyda Green, Chair *[Signature]*  
 Agency \_\_\_\_\_

Phone 485-4522  
 Date \_\_\_\_\_  
 Date 2/12/97

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