

HB

80

<TARGET><BILL>HB 80</BILL><SUBJECT>HB
80</SUBJECT><COMM>HFIN27</COMM></TARGET>



Alaska State Legislature

Please enter into the record my testimony to the House Finance Committee

Committee on HB 80 Date: March 30, 2011
Bill/subject

02 (4) protecting a child or a member of the person's household; or
03 (5) in any place where the person has a right to be.

The underlined portion of HB 80 (see above) extends the Castle Doctrine. I support this bill. It is a common sense addition to the Alaska law defining and supporting self defense.

Some of my reasons include:

- 1. Alaska is a huge state with many remote and rural off-road areas. Self defense is a necessity when police are not available.
- 2. Alaska has the highest rate of domestic violence in the U.S. Women need to know that they can defend themselves without going to prison.
- 3. Child molestation is very high in Alaska. Children need to know that they can defend themselves against attacks by larger, stronger adults without fear of reprisal.

Thank you for considering these reasons.

Peace through strength,

Barbara J Struble
Maranatha Learning for Living

Barbara J Struble

Signed:

Testifier

Representing (Optional)

Address

barbjst@gmail.com

Phone number

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: February 14, 2011

FURTHER REFERRALS:

Date of Committee Action: 4.4.11

The FINANCE Committee considered:

HB 80

HOUSE BILL NO. 80

"An Act relating to self defense in any place where a person has a right to be."

HB 80 SELF DEFENSE

Recommends it be replaced with HCS or CS for _____ (_____)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of Abbrev for Depts.:
 ADM
 CED
 COR
 CRT
 EED
 DEC
 DFG
 GOV
 DHS
 LWF
 LAW
 LEG
 MVA
 DNR
 DPS
 REV
 DOT
 UA

<u>NEW FISCAL NOTES</u>				
*FN# is assigned by Chief Clerk's Office				
*FN#	List by Dept(s):	Fiscal	Indet.	Zero
1	LAW		✓	

<u>PREVIOUS FISCAL NOTES</u>				
FN#	List by Dept(s):	Fiscal	Indet.	Zero
1	DPS			✓

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	FAIRCLOUGH	✓			
	STEVENS BELL			✓	
Jamnie Wilson	T. Wilson	✓			
	Soule			✓	
	ROBYN COSTELLO	✓		✓	
Chair:	State House	✓			
Chair:	Will Bill	✓			

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
 Bill Version HB080 1A
 () Publish Date _____

Identifier (file name): HB080-LAW-CRIM-03-25-11 Dept. Affected Law
 Title An Act relating to self defense in any place where a person has a right to be. Appropriation Criminal
 Allocation Criminal Justice Litigation
 Sponsor REPRESENTATIVE(s) NEUMAN, FEIGE, LYNN, COSTELLO
 Requester (H) Finance OMB Component Number 2202

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING	***	***	***	***	***	***	***	***

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES								
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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								
Other (please identify)								
TOTAL	***	***	***	***	***	***	***	***

Estimate of any current year (FY2011) cost ***

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

Fiscal note changed to indeterminate.

Prepared by Eileen Donahue, Division Operations Manager
 Division Administrative Services
 Approved by John J. Burns, Attorney General
Department of Law

Phone 465-5427
 Date/Time 3/25/11 12:30 PM
 Date 3/25/2011

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB 080 VA

Analysis

House Bill 80 expands the places from which a person need not retreat before using deadly force in self defense to any place the person has a right to be. The Criminal Division anticipates an increase in cases, to both screen referrals and prosecute those that are accepted.

The fiscal impact of this legislation cannot be accurately determined at this time.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 1
Bill Version HB 80
(H) Publish Date 2/14/11

Identifier (file name) HB080-DPS-AST-02-07-11 Dept. Affected Public Safety
Title "An Act relating to self defense in any place where a person has a right to be." Appropriation Alaska State Troopers
Allocation AST Detachments
Sponsor Neuman, Feige, Lynn and Costello
Requester House Judiciary OMB Component Number 2325

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES								
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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								
Other (please identify)								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by Lt. Rodney Dial
Division Alaska State Troopers
Approved by Joseph Masters
Commissioner

Phone 907-247-4480
Date/Time 2/7/11 5:00 PM
Date 2/7/2011

FISCAL NOTE #1

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB 80

Analysis

This bill amends AS 11.81.335 (justification for the use of deadly force) by adding areas (exceptions) a person is not required to leave prior to the application of deadly force.

Passage of this legislation will have no fiscal impact on the department.

ALASKA STATE LEGISLATURE

3/8/11

Member:

House Finance Committee
Legislative Budget & Audit Committee



Chair:

House Budget Sub Committees on:
- Department of Administration
- Department of Labor and Workforce
Development

Session:

Alaska State Capitol
Juneau, AK 99801-1182
Phone: (907) 465-2679
Fax: (907) 465-4822
Toll Free (800) 505-2678

Interim:

600 E. Railroad Ave
Wasilla, AK 99654
Phone: (907) 376-2679
Fax: (907) 373-4745

Representative Mark Neuman

Rep.Mark.Neuman@legis.state.ak.us

HB 80 Expected Witnesses

In Person:

Offnet: Brian Judy – NRA

ALASKA STATE LEGISLATURE

3/8/11

Member:

House Finance Committee
Legislative Budget & Audit Committee



Chair:

House Budget Sub Committees on:
- Department of Administration
- Department of Labor and Workforce
Development

Session:

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600 E. Railroad Ave
Wasilla, AK 99654
Phone: (907) 376-2679
Fax: (907) 373-4745

Representative Mark Neuman

Rep.Mark.Neuman@legis.state.ak.us

Sponsor Statement

Alaska Statutes already recognize that we have a right to use deadly force to protect our family, person, and property. HB 80 further clarifies that right exists not only in our home but also in any place that we have a right to be.

This legislation clarifies the individual's right to stand their ground and not second guess the consequence of protecting their family or self.

HB 80 strengthens the legal recognition of a basic human right to defend oneself by sending a message to the Judiciary and Law Enforcement that it is the criminal who has the duty to retreat.

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE
REPRESENTATIVE CARL GATTO, CHAIR

COMMITTEE MEMBERS:
REP. STEVE THOMPSON, VICE CHAIR
REP. BOB LYNN
REP. WES KELLER
REP. LANCE PRUITT
REP. LINDSEY HOLMES
REP. MAX GRUENBERG



STATE CAPITOL BUILDING, RM 120
JUNEAU, AK 99801-1182
PHONE: 907-465-4990
FAX: 907-465-2381
HOUSE_JUDICIARY@LEGIS.STATE.AK.US

DATE: February 14, 2011
TO: House Finance Committee members
FROM: Representative Carl Gatto
House Judiciary Chair
RE: Fiscal Note HB080-LAW-CRIM-02-09-11

A handwritten signature in cursive script, appearing to read "Carl Gatto".

The House Judiciary Committee has reservations about the fiscal note from the Criminal Division of the Department of Law on HB 80 "Self Defense." Several members have concerns about the Department's claim that this legislation will produce a sufficient amount of new cases to merit two additional full-time attorneys. The committee also questions whether \$450,000 annually is an appropriate estimate for these two positions.

We respectfully request that the House Finance Committee exercise due care and consideration of this fiscal note.

Alaska State Legislature
HOUSE FINANCE COMMITTEE

Agenda
6:00 PM

Monday, April 4, 2011

HB 80 – Self Defense
NEW FISCAL NOTE LAW * replaces #2

On Teleconference:

Rep Mark Neuman the sponsor

Brian Judy is online to testify for the NRA and may be asked to answer questions during our presentation.

no joule
~~No Sara~~
No Edgerson
No Hawker
No Thomas

Send Sherri message about Judy.

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 2
 Bill Version HB 80
 (H) Publish Date 2/14/11

Identifier (file name): HB080-LAW-CRIM-02-09-11
 Title An Act relating to self defense in any place where a person has a right to be.
 Sponsor REPRESENTATIVE(s) NEUMAN, FEIGE, LYNN, COSTELLO
 Requester (H) JUDICIARY
 Dept. Affected Law
 Appropriation Criminal
 Allocation Criminal Justice Litigation
 OMB Component Number 2202

Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services	384.6		384.6	384.6	384.6	384.6	384.6	384.6
Travel	2.2		2.2	2.2	2.2	2.2	2.2	2.2
Services	53.4		53.4	53.4	53.4	53.4	53.4	53.4
Commodities	8.0		8.0	8.0	8.0	8.0	8.0	8.0
Capital Outlay	1.8		1.8	1.8	1.8	1.8	1.8	1.8
Grants								
Miscellaneous								
TOTAL OPERATING	450.0	0.0	450.0	450.0	450.0	450.0	450.0	450.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES								
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	450.0		450.0	450.0	450.0	450.0	450.0	450.0
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other (please identify)								
TOTAL	450.0	0.0	450.0	450.0	450.0	450.0	450.0	450.0

Estimate of any current year (FY2011) cost 0.0

POSITIONS

Full-time	2.0		2	2	2	2	2
Part-time							
Temporary							

Why this fiscal note differs from previous version (if initial version, please note as such)

Prepared by Eileen Donahue, Division Operations Manager
 Division Administrative Services
 Approved by John J. Burns, Attorney General
Department of Law

Phone 465-5427
 Date/Time 2/9/11 11:30 AM
 Date 2/9/2011

FISCAL NOTE #2

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB 80

Analysis

House Bill 80 expands the places from which a person need not retreat before using deadly force in self defense to any place the person has a right to be. The Criminal Division anticipates it would need 2 new FTE attorney positions to handle the increased cases, to both screen referrals and prosecute those that are accepted. This number is based upon the referral of 1,155 cases in 2010 in which self defense was a potential justification.