

ALASKA LEGISLATURE

1535

HOUSE and SENATE FINANCE COMMITTEE FILES, 1995-1996

# FISCAL NOTE

No. 3

Bill Version: CS SB 177 (JUD)

(S) Publish Date: 3-6-96

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

Revision Date: 2/28/96 Dept. Affected: Department of Law  
 Title: \*An Act relating to permits to carry concealed BRU: Criminal Division  
 handgunt.\* Component: Criminal Division  
 Sponsor: Senator Green  
 Requester: Senate Judiciary Committee COMPONENT SERIAL NO. 2085

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
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>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE**

(Thousands of Dollars)

*002 Federal Receipts						
*003 GF Match						
*004 GF						
*005 GF/Program Receipts						
*006 GF/MHTIA						
Other						
<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 (FY96) cost: \$ 0.0

**POSITIONS**

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary)

CSSB 177 (JUD) amends Alaska's laws concerning concealed handguns to remove many of the existing places from the list of places where a permitted person is prohibited from possessing a deadly weapon, and to loosen existing concealed handgun eligibility, application, and qualification requirements. The bill will not have a fiscal impact on the Department of Law.

*Richard I. Pogues*

Prepared by: Richard I. Pogues, Director  
 Division: Administrative Services  
 Approved by Commissioner: Walter M. Batech, Attorney General  
 Agency: Department of Law

Phone: 465-3672  
 Date: 2/28/96  
 Date: 2/28/96

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# FISCAL NOTE

#3 3/1/96  
*[Handwritten initials]*

STATE OF ALASKA  
 1996 LEGISLATIVE SESSION

BILL NO. CSSB 177 (JUD)

Revision Date: 2/28/96 Dept. Affected: Department of Law  
 Title: "An Act relating to permits to carry concealed handguns." BRU: Criminal Division  
 Component: Criminal Division  
 Sponsor: Senator Green  
 Requester: Senate Judiciary Committee COMPONENT SERIAL NO. 2085

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES						
--------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY96) cost: \$ 0.0

**POSITIONS**

POSITIONS	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary)

CSSB 177 (JUD) amends Alaska's laws concerning concealed handguns to remove many of the existing places from the list of places where a permitted person is prohibited from possessing a deadly weapon, and to loosen existing concealed handgun eligibility, application, and qualification requirements. The bill will not have a fiscal impact on the Department of Law.

*Richard I. Pegues*

Prepared by: Richard I. Pegues, Director Phone: 465-1672  
 Division: Administrative Services Division Date: 2/28/96  
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 2/28/96  
 Agency: Department of Law

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# FISCAL NOTE

( No. 4 )

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

**BILL NO:** DI **Bill Version:** CS SB 177(JUD)  
**(S) Publish Date:** 3-6-96

**Revision Date:** March 5, 1995  
**Title:** " An Act relating to permits to carry concealed handguns "  
**Sponsor:** Senator Green  
**Requestor:** (S) JUD

**Dept. Affected:** Public Safety  
**BRU:** AST and DPS Statewide Support  
**Component:** Detachments and AK Criminal Records and Identification  
**COMPONENT SERIAL NO.:** 799 and 1190

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>						
<b>CAPITAL EXPENDITURES</b>						
<b>CHANGE IN REVENUES ( )</b>						
Revenue Code						

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	(117.4)	(117.4)	(117.4)	(117.4)	(117.4)	(117.4)
1006 GRANTIA						
Other						
<b>TOTAL</b>						

Estimate of current year (FY 96) impact: \$ 0

**POSITIONS:**

Full Time						
Part Time						
TEMPORARY						

**ANALYSIS (Attach a separate page if necessary)**

See attached analysis

**Prepared By:** Lt Dan Lowden and Frank Atan  
**Division:** Alaska State Troopers

**Phone:** 465-5505 269-5691  
**Date:** March 4, 1996

**Approved by Commissioner:** \_\_\_\_\_  
**Agency:** \_\_\_\_\_

*Ronald L. Otto*  
Ronald L. Otto, Capt. of Public Safety

**Date:** 3/6/96

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STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO:

CS SB 177 (JUD)  
~~DR 177 CS SB 177 (JUD)~~

Revision Date: March 5, 1996

Dept. Affected:

Public Safety

The effect of this legislation will be to limit the Program Receipts authority to a maximum of \$65 per initial permit. The cost of providing the required background checks, including the processing of fingerprint checks through the FBI and the State of Alaska by the Alaska Criminal Records & Identification Section, is \$59. Under this bill \$6 per permit is all that the AST Permits Section would have available to process the applications. It should also be noted that if the fingerprinting requirement of current application process is eliminated, holders of Alaska Concealed Handgun Permits would no longer be exempted from the Brady Bill requirements.

The level of funding in this bill would reduce the Concealed Handgun staff from the current 1.5 to less than 30% of one position. The level of funding in this bill will not provide for any other costs such as the printing of new permits. This would result in the issuance of permits becoming backlogged and the backlog growing longer as time progresses. AST could not meet the 30 day time limit to issue permits as required in Section 4 (b) of the bill.

The Alaska Concealed Handgun Permitting process was intended to be self-supporting and not to negatively impact the Division of Alaska State Trooper's basic law enforcement function. Accordingly, AST would only be able to process a very limited number of permits utilizing the estimated \$12,378 that are projected to be available from the limited \$6 per application.

On the following page is a financial summary of the impact on the Detachments Component of the AST BRU and upon the Alaska Criminal Records and Identification component of the DPS Statewide Support BRU.

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO:

CS SB 177(JUD)  
~~HB 127/CS SB 177(JUD)~~

Revision Date: March 5, 1996

Dept. Affected: Public Safety

Draft CSSB177 Revenue Changes Recap

FY 97 Governor's Budget Program Receipts Recap

Component	est applic	fee	FY 97 Gov Budget Prog Recpt	Pass Thru to FBI	Total Receipts
Crim Records/ID	2063	AAFIS \$35	72,205		72,205
	2063	FBI 24		49,512	49,512
subtotal		59	72,205	49,512	121,717
AST/Detachments	2063	CHP 61	129,969		129,969
Total	2063	122	202,174	49,512	251,686

Draft CSSB177 Program Receipts Revised Projection

Component	est. applic.	fee	Revised Prog Recpt. HB 338	Pass Thru to FBI	Total Receipts
Crim Records/ID	2063	AAFIS \$35	72,205		72,205
	2063	FBI 24		49,512	49,512
subtotal		59	72,205	49,512	121,717
AST/Detachments	2063	CHP 5	12,378		12,378
Total	2063	65	84,583	49,512	134,095

Fiscal Note Recap

Component	est. applic.	fee	Revised Prog Recpt HB 338	FY 97 Gov Budget Prog Recpt	Fiscal Note Impact
Crim Records/ID	2063	AAFIS	72,205	(72,205)	0
	2063	FBI			
subtotal			72,205	(72,205)	0
AST/Detachments	2063	CHP	12,378	(129,969)	(117,591)
Total	2063		84,583	(202,174)	(117,591)

# FISCAL NOTE

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

**BILL NO: CSSB 177(FIN)**

Revision Date: March 27, 1996  
 Title: \* An Act relating to permits to carry concealed handguns \*  
 Sponsor: Senator Green  
 Requestor: S. Rules

Dept. Affected: Public Safety  
 BRU: AST and DPS Statewide Support  
 Component: Detachments and AK Criminal Records and Identification  
 COMPONENT SERIAL NO. 799 and 1190

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
Revenue Code						

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GE Match						
1004 GE						
1005 GE/Program Receipts	(17.4)	(47.4)	(47.4)	(47.4)	(47.4)	(47.4)
1006 GE/MHTIA						
Other						
TOTAL						

Estimate of current year (FY 95) impact \$ 0

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS (Attach a separate page if necessary)**

See attached analysis

Prepared By Lt. Dan Lowden and Frank Allan  
 Division Alaska State Troopers  
 Approved by Commissioner *Ronald L. Ott*  
 Agency Ronald L. Ott, Dept. of Public Safety

Phone 465-5505 269-5691  
 Date 03/27/96  
 Date 3/27/96

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**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

**BILL NO: CSSB 177(FIN)**

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety

The effect of this legislation will be to limit the Program Receipts authority to a maximum of \$99 per initial permit. The cost of providing the required background checks, including the processing of fingerprint checks through the FBI and the State of Alaska by the Alaska Criminal Records & Identification Section, is \$59. Under this bill \$40 per permit is all that the AST Permits Section would have available to process the applications. It should also be noted that if the fingerprinting requirement of current application process is eliminated, holders of Alaska Concealed Handgun Permits would no longer be exempted from the Brady Bill requirements.

The Alaska Concealed Handgun Permitting process was intended to be self-supporting and not to negatively impact the Division of Alaska State Trooper's basic law enforcement function. This bill will force the existing AST budget to provide all costs for the supervision of the program which had previously been paid by program receipts.

On the following page is a financial summary of the impact on the Detachments Component of the AST BRU and upon the Alaska Criminal Records and Identification component of the DPS Statewide Support BRU.

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. CSSB 177 (FIN)

Revision Date: 3/27/96 Dept. Affected: Department of Law  
 Title: "An Act relating to permits to carry concealed handguns...possession of firearms on state ferries." BRU: Criminal Division  
 Component: Criminal Division  
 Sponsor: Senator Green  
 Requester: Senate Finance Committee COMPONENT SERIAL NO. 2085

**Expenditures/Revenues** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
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>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
--------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

FUND SOURCE	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<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 (FY96) cost: \$ 0.0

**POSITIONS**

POSITIONS	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary)

CSSB 177 (FIN) amends Alaska's laws concerning concealed handguns to remove many of the existing places from the list of places where a permitted person is prohibited from possessing a deadly weapon, and to loosen existing concealed handgun eligibility, application, and qualification requirements. This version of SB 177 adds a section that includes and spells out the restrictions for possessing a firearm aboard a vessel of the Alaska Marine Highway System to conform to existing practice. This bill will not have a fiscal impact for the Department of Law.

Prepared by: Richard I. Pegues, Director Phone: 465-3672  
 Division: Administrative Services Division Date: 3/27/96  
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 3/27/96  
 Agency: Department of Law

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# FISCAL NOTE

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

**BILL NO: CSSB 177(FIN) am**

Revision Date: <u>April 10, 1996</u>	Dept. Affected: <u>Public Safety</u>
Title: <u>* An Act relating to permits to carry concealed handguns *</u>	BRU: <u>AST and DPS Statewide Support</u>
Sponsor: <u>Senator Green</u>	Component: <u>Detachments and AK Criminal Records and Identification</u>
Requestor: <u>S Rules</u>	COMPONENT SERIAL NO. <u>799 and 1190</u>

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0
<b>CAPITAL EXPENDITURES</b>	0	0	0	0	0	0
<b>CHANGE IN REVENUES ( )</b>	0	0	0	0	0	0
Revenue Code						

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GE Match						
1004 GE						
1005 GE/Program Receipts	(47.4)	(47.4)	(47.4)	(47.4)	(47.4)	(47.4)
1006 GE/MHTIA						
Other						
<b>TOTAL</b>						

Estimate of current year (FY 96) impact \$ 0

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS (Attach a separate page if necessary.)**

See attached analysis

Prepared By: <u>Lt Dan Lowden and Frank Allan</u>	Phone: <u>465-5505 269-5691</u>
Division: <u>Alaska State Troopers</u>	Date: <u>April 10, 1996</u>
Approved by Commissioner: <u><i>Ronald L. Otto</i></u>	Date: <u>4/10/96</u>
Agency: <u>Ronald L. Otto, Dept. of Public Safety</u>	

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**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

**BILL NO: CSSB 177(FIN) am**

Revision Date: April 10, 1996

Dept. Affected: Public Safety

The effect of this legislation will be to limit the Program Receipts authority to a maximum of \$99 per initial permit. The cost of providing the required background checks, including the processing of fingerprint checks through the FBI and the State of Alaska by the Alaska Criminal Records & Identification Section, is \$59. Under this bill \$40 per permit is all that the AST Permits Section would have available to process the applications.

The Alaska Concealed Handgun Permitting process was intended to be self-supporting and not to negatively impact the Division of Alaska State Trooper's basic law enforcement function. It is anticipated that this program will continue to be self-supporting at the \$99 fee established in the bill.

# A FAX

## Alaska State Legislature

Date: 26 March 1996

To: Jerry Luckhaupt

Fax #: 2029 Phone #: 2450

From: Jerry, Sen. Finance Committee

Phone #: 4935

Re: please incorporate attached amendments (3) into final version of CSSB 171 (FIN). Many thanks!

Following this page, please find 6 pages(s). If this does not reach you in full, please inform us ASAP.



## THANK YOU.

*faxed 10:45 a.m.  
3/26/96*

3-26-96  
SFC  
-SR  
By Rights-moved  
Adopted  
4-3

Amendment  
To: Work Draft 9-LS1139 \ D  
CS SB 177

Page 6, Lines 16-17

Delete: "A FACILITY PROVIDING SERVICES TO VICTIMS OF DOMESTIC VIOLENCE OR SEXUAL ASSAULT"

Insert "a facility providing services to victims of domestic violence or sexual assault"

re-number other subparagraphs accordingly

SENATE FINANCE  
COMMITTEE

Amendment Number: 3

Bill Number: \_\_\_\_\_

Sponsor: \_\_\_\_\_ Date: 3/26/96

Logged In By: kl

9-LS1139Z.4

Luckhaupt

3/25/96

JFC 3/24/96

RP moved

Adopted

4-3

AMENDMENT

OFFERED IN THE SENATE

TO: CSSB 177(JUD)

BY SENATOR PHILLIPS

1 Page 7, line 1:

2 Delete

3 "(9) A RESIDENCE WHERE"

4 Insert

5 "(9) A) residence, other than the permittee's residence, unless the  
6 permittee has first obtained the express permission to bring a concealed handgun  
7 into the residence from an adult residing there [WHERE"

8 Page 7, lines 13 - 14:

9 Delete "AS 06;

10 (12) ANOTHER]"

11 Insert "AS 06);

12 (5) a [(12) ANOTHER]"

13 Page 7, line 16:

14 Delete "(5)"

15 Insert "(6)"

9-LS1139AD ✓  
Luckhaupt  
3/25/96

*JFC 3/26/96*  
*BS*  
*Moved*  
*Adopted*

CS FOR SENATE BILL NO. 177(FIN)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
NINETEENTH LEGISLATURE - SECOND SESSION

*Amend p. 4*  
*Adopted*

BY THE SENATE FINANCE COMMITTEE

Offered:  
Referred:

Sponsor(s): SENATORS GREEN, Halford, Taylor, Donley

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to permits to carry concealed handguns; and relating to  
2 possession of firearms on state ferries."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 • Section 1. AS 11.61.220(b) is amended to read:

5 (b) In a prosecution under (a)(1) of this section, it is an affirmative defense  
6 that the defendant, at the time of possession, was

7 (1) in the defendant's dwelling or on land owned or leased by the  
8 defendant appurtenant to the dwelling;

9 (2) actually engaged in lawful hunting, fishing, trapping, or other lawful  
10 outdoor activity that necessarily involves the carrying of a weapon for personal  
11 protection; [OR]

12 (3) the holder of a valid permit to carry a concealed handgun under  
13 AS 18.65.700 - 18.65.790, the deadly weapon concealed was a concealed handgun as  
14 defined in AS 18.65.790, and the possession did not occur in a municipality or

1 established village in which the possession of concealed handguns is prohibited under  
2 AS 18.65.780 - 18.65.785; or

3 (4) the holder of a valid permit to carry a concealed handgun  
4 issued by another state if the state that issued the permit allows persons holding  
5 permits issued under AS 18.65.700 - 18.65.790 to carry a concealed handgun in  
6 that state as determined by the Department of Public Safety, and

7 (A) the deadly weapon concealed was a concealed handgun  
8 as defined in AS 18.65.790; and

9 (B) the possession did not occur in a municipality or  
10 established village in which the possession of concealed handguns is  
11 prohibited under AS 18.65.780 - 18.65.785.

12 \* Sec. 2. AS 11.61.220(d) is amended to read:

13 (d) In a prosecution under (a)(2) of this section, it is

14 (1) an affirmative defense that the defendant, at the time of  
15 possession, was the holder of a valid permit to carry a concealed handgun under  
16 AS 18.65.700 - 18.65.790, the loaded firearm was a concealed handgun as defined  
17 in AS 18.65.790, the defendant did not consume an intoxicating liquor at the place  
18 where the possession occurred and did not consume an intoxicating liquor at any  
19 time during the eight hours before the possession, and the possession did not  
20 occur in a municipality or established village in which the possession of concealed  
21 handguns is prohibited under AS 18.65.780 - 18.65.785;

22 (2) a defense that the defendant, at the time of possession, was on  
23 business premises

24 (A) [(1) ON BUSINESS PREMISES] owned by or leased by  
25 the defendant; or

26 (B) [(2) ON BUSINESS PREMISES] in the course of the  
27 defendant's employment for the owner or lessee of those premises.

28 \* Sec. 3. AS 18.65.700(a) is amended to read:

29 (a) The department shall issue a permit to carry a concealed handgun to a person  
30 who

31 (1) applies in person at an office of the Alaska State Troopers;

32 (2) qualifies under AS 18.65.705;

1 (3) submits a completed application on a form provided by the  
2 department, that provides the information required under AS 18.65.705 and 18.65.710  
3 and is executed under oath; with each application form provided by the department,  
4 the department shall provide a copy of the state laws and regulations relating to  
5 concealed handguns;

6 (4) submits two complete sets of fingerprints on Federal Bureau of  
7 Investigation approved fingerprint cards that are of sufficient quality so that the  
8 fingerprints may be processed; the fingerprints must be taken by a person, group, or  
9 agency approved by the department; the department shall maintain a list of persons,  
10 groups, or agencies approved to take fingerprints and shall provide the list to the public  
11 upon request;

12 (5) submits evidence of competence with handguns as provided in  
13 AS 18.65.715;

14 (6) provides two frontal view color photographs of the person taken  
15 within the preceding 30 days that include the head and shoulders of the person and are  
16 of a size specified by the department;

17 (7) shows a valid Alaska driver's license or identification card at the time  
18 of application;

19 (8) does not suffer a physical infirmity that prevents the safe handling  
20 of a handgun; and

21 (9) pays the application fee required by AS 18.65.720.

22 • Sec. 4. AS 18.65.700(b) is amended to read:

23 (b) The department shall either approve or reject an application for a permit to  
24 carry a concealed handgun under (a) of this section within 30 [15] days of receipt of  
25 [PERMIT ELIGIBILITY INFORMATION FROM THE FEDERAL BUREAU OF  
26 INVESTIGATION OR OTHER AGENCY NECESSARY TO MAKE A  
27 DETERMINATION CONCERNING] the application. [THE DEPARTMENT SHALL  
28 REQUEST PERMIT ELIGIBILITY INFORMATION UNDER THIS SUBSECTION  
29 WITHIN FIVE DAYS OF THE RECEIPT OF THE APPLICATION.] The department  
30 shall notify the applicant in writing of the reason for a rejection.

31 • Sec. 5. AS 18.65.700(d) is amended to read:

32 (d) A permit issued under (a) of this section is valid for five years from the date

1 of issue. The permit must specify the action types [AND MAXIMUM CALIBERS] of  
 2 handgun described in the permittee's certificate of competency under AS 18.65.715 but  
 3 may not specifically identify a handgun by make, model, or serial number.

4 \* Sec. 6. AS 18.65.705(4) is amended to read:

5 (4) has not been convicted, within the five years immediately preceding  
 6 the application, of, and is not currently charged under a complaint, information,  
 7 indictment, or presentment with, any of the following misdemeanor offenses or similar  
 8 laws of another jurisdiction:

9 (A) AS 11.41.230, 11.41.250, 11.41.270;

10 (B) AS 11.46.315, ~~11.46.320, 11.46.330,~~ 11.46.430, 11.46.484;

11 (C) AS 11.51.130;

12 (D) AS 11.56.330, 11.56.340, former AS 11.56.350, 11.56.380,  
 13 11.56.545, 11.56.700, 11.56.710, 11.56.740, 11.56.780, 11.56.790, 11.56.800,  
 14 11.56.805;

15 (E) ~~AS 11.61.110(a)(3) - (7)~~ [AS 11.61.110], 11.61.120,  
 16 11.61.210, 11.61.220, 11.61.240; or

17 (F) AS 11.71.050, 11.71.060;

18 \* Sec. 7. AS 18.65.710(a)(3) is amended to read:

19 (3) a statement that the applicant has been furnished with a copy of the  
 20 state laws and regulations relating to concealed handguns [AS 18.65.700 -  
 21 18.65.790], has read those sections, and understands them;

22 \* Sec. 8. AS 18.65.715(a) is amended to read:

23 (a) An applicant for a permit to carry a concealed handgun shall provide a  
 24 certificate of successful completion of a handgun course that is approved by the  
 25 department. The certificate must state the action type [AND CALIBER] of handgun or  
 26 handguns the applicant has demonstrated competence with and that the applicant may be  
 27 permitted to carry. A permittee may only carry as a concealed handgun an action type  
 28 of handgun described in the certificate. [A PERMITTEE MAY ONLY CARRY AS A  
 29 CONCEALED HANDGUN THE CALIBER OF THE ACTION TYPE THAT THE  
 30 PERMITTEE DEMONSTRATED COMPETENCE WITH OR ANY LESSER CALIBER  
 31 OF THE SAME ACTION TYPE.] The handgun course must have been completed  
 32 within the 12 months immediately preceding the application. The department shall

1 approve a handgun course, including the personal protection course offered by the  
2 National Rifle Association, if the course tests the applicant's

3 (1) knowledge of Alaska law relating to firearms and the use of deadly  
4 force;

5 (2) familiarity with the basic concepts of the safe and responsible use of  
6 handguns;

7 (3) knowledge of self-defense principles; and

8 (4) physical competence with each action type of handgun the applicant  
9 wishes to carry under the permit [AND THE MAXIMUM CALIBER FOR EACH  
10 ACTION TYPE THE APPLICANT WISHES TO CARRY UNDER THE PERMIT].

11 \* Sec. 9. AS 18.65.720 is amended to read:

12 Sec. 18.65.720. FEES. The department shall charge a nonrefundable fee for the  
13 processing of the application for and initial issuance of a permit, renewal of a permit, or  
14 replacement of a permit. The fees shall be set by regulation and must be based on the  
15 actual costs incurred by the department. However, the fee for the processing of an  
16 application and initial issuance of a permit may not exceed \$99 [S125] and the fee for  
17 renewal of a permit or replacement of a permit may not exceed \$30 [S60].

18 \* Sec. 10. AS 18.65.740(a) is amended to read:

19 (a) A permit to carry a concealed handgun shall be immediately revoked by the  
20 department when the permittee

21 (1) becomes disqualified to receive and hold a permit under  
22 AS 18.65.705; ~~or~~

23 (2) [IS CONVICTED OF TWO CLASS A MISDEMEANORS OF THIS  
24 STATE OR SIMILAR LAWS OF ANOTHER JURISDICTION WITHIN A FIVE-  
25 YEAR PERIOD IF AT LEAST ONE OF THE CONVICTIONS OCCURS AFTER THE  
26 APPLICATION;

27 (3)] knowingly supplied a false or fraudulent answer, statement, or  
28 document, or made a material misstatement or omission, in connection with an  
29 application for a permit or renewal or replacement of a permit.

30 \* Sec. 11. AS 18.65.755(a) is amended to read:

31 (a) A permittee may not carry a concealed handgun into

32 (1) a law enforcement or correctional facility;

1 (2) or on school grounds or a school bus; in this paragraph, "school  
2 grounds" has the meaning given in AS 11.71.900;

3 (3) a courthouse or a courtroom of this state, unless the permittee

4 (A) is a judge; or

5 (B) has been authorized to possess a concealed handgun by a  
6 judge presiding at that courthouse or courtroom;

7 (4) a [BUILDING HOUSING ONLY STATE OR FEDERAL OFFICES  
8 OR THE OFFICES OF A POLITICAL SUBDIVISION OF THE STATE, EXCEPT  
9 AS AUTHORIZED UNDER (3) OF THIS SUBSECTION;

10 (5) AN OFFICE OF THE STATE, FEDERAL GOVERNMENT, OR OF  
11 A POLITICAL SUBDIVISION OF THE STATE THAT IS NOT LOCATED IN A  
12 BUILDING DESCRIBED IN (4) OF THIS SUBSECTION;

13 (6) A PASSENGER LOADING OR UNLOADING AREA OF AN  
14 AIRLINE TERMINAL;

15 (7) A VESSEL OF THE ALASKA MARINE HIGHWAY SYSTEM;

16 (8) A FACILITY PROVIDING SERVICES TO VICTIMS OF  
17 DOMESTIC VIOLENCE OR SEXUAL ASSAULT;

18 (9) A RESIDENCE WHERE NOTICE THAT CARRYING A  
19 CONCEALED HANDGUN IS PROHIBITED HAS BEEN GIVEN BY THE POSTING  
20 OF A CONSPICUOUS NOTICE OR BY ORAL STATEMENT BY THE RESIDENT  
21 TO THE PERMITTEE;

22 (10) A MEETING OF A BUSINESS, CHARITABLE, OR OTHER  
23 ORGANIZATION OR ENTITY WHERE NOTICE THAT CARRYING A  
24 CONCEALED HANDGUN IS PROHIBITED HAS BEEN GIVEN BY THE POSTING  
25 OF CONSPICUOUS NOTICE;

26 (11) A FINANCIAL INSTITUTION; IN THIS PARAGRAPH,  
27 "FINANCIAL INSTITUTION" MEANS A BANK, SAVINGS BANK, SAVINGS  
28 ASSOCIATION, CREDIT UNION, OR OTHER INSTITUTION REGULATED BY  
29 THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT UNDER  
30 AS 06;

31 (12) ANOTHER] place where the possession of a deadly weapon or  
32 firearm is prohibited by a statute of this state or a law of the federal government

1 [LAW]; or

2 (5) ~~((13))~~ a municipality or established village that has prohibited the  
3 possession of concealed handguns by a permit under AS 18.65.780 - 18.65.785.

4 • Sec. 12. AS 18.65.765(a) is amended to read:

5 (a) The holder of a permit issued under AS 18.65.700 - 18.65.790

6 (1) shall notify the department of a change in the permittee's address  
7 within 30 days;

8 (2) shall immediately report a lost, stolen, or illegible permit to the  
9 department;

10 (3) shall immediately notify the department if the holder is no longer  
11 qualified to hold a permit under AS 18.65.705; and

12 (4) may only carry a concealed handgun of the action type [AND  
13 CALIBER] the holder has demonstrated competency with [OR OF ANY LESSER  
14 CALIBER OF THE SAME ACTION TYPE] as authorized in the permit issued under  
15 AS 18.65.700.

16 • Sec. 13. AS 18.65.790(3) is amended to read:

17 (3) "concealed handgun" means a firearm, that is a pistol or a revolver,  
18 and that is covered or enclosed in any manner so that an observer cannot determine that  
19 it is a handgun without removing it from that which covers or encloses it or without  
20 opening, lifting, or removing that which covers or encloses it; however, "concealed  
21 handgun" does not include a shotgun or [.] rifle. [DERRINGER OR OTHER  
22 MINIATURE HANDGUN.] or a prohibited weapon as defined under AS 11.61.200 [;  
23 IN THIS PARAGRAPH.

24 (A) "DERRINGER" MEANS A HANDGUN THAT HAS  
25 INDIVIDUAL BARRELS FOR EACH CARTRIDGE IT IS CAPABLE OF  
26 FIRING AND LACKS A MANUFACTURER'S INSTALLED TRIGGER  
27 GUARD THAT COMPLETELY ENCIRCLES THE TRIGGER AND WHICH  
28 IS PART OF THE FRAME; AND

29 (B) "MINIATURE HANDGUN" MEANS A HANDGUN THAT  
30 HAS A BARREL LENGTH OF THREE AND ONE-HALF INCHES OR LESS  
31 AND LACKS A MANUFACTURER'S INSTALLED TRIGGER GUARD  
32 THAT COMPLETELY ENCIRCLES THE TRIGGER AND WHICH IS PART

1 OF THE FRAME];

2 \* Sec. 14. AS 19.65 is amended by adding a new section to read:

3 Sec. 19.65.055. POSSESSION OF FIREARMS ABOARD FERRIES. (a) A  
4 person may not possess or carry a firearm while aboard a vessel of the Alaska marine  
5 highway system unless the person

6 (1) is a peace officer;

7 (2) secures the firearm in a locked propelled vehicle; or

8 (3) upon boarding, allows the purser to hold and secure the firearm  
9 until the person disembarks from the vessel.

10 (b) In this section, "firearm" and "propelled vehicle" have the meanings given  
11 in AS 11.81.900.

12 \* Sec. 15. AS 18.65.705(5), 18.65.705(9), and 18.65.725(c) are repealed.

# A FAX

## Alaska State Legislature

Date: 22 March 1996

To: Jerry Luckhaupt, Legal Services

Fax #: 2029 Phone #: 2450

From: Jerry L. Soltani, Senate Finance Committee

Phone #: 4935

Re: using CSSB 177 (JUD) as a basis would you please do a draft version of a FIN CS incorporating the amendments I have attached. Many thanks.

Following this page, please find 6 pages(s). If this does not reach you in full, please inform us ASAP.



# THANK YOU.

SENATE FINANCE  
COMMITTEE

Amendment Number: 1

Bill Number: SB 177

Sponsor: \_\_\_\_\_ Date: 3/22/96

Logged In By: JS

Sen. Donkey moved  
adopted 3/22/96  
9-LS1139Z.3  
Luckhaupt  
3/19/96

AMENDMENT

OFFERED IN THE SENATE

TO: CSSB 177(JUD)

1 Page 1, lines 3 - 13:

2 Delete all material.

3 Page 1, line 14:

4 Delete "\* Sec. 2."

5 Insert "\* Section 1."

6 Renumber the following bill sections accordingly.

7 Page 6, lines 10 - 17:

8 Delete

9 "(2) or possess a concealed handgun within a building, on the  
10 grounds or on the parking lot of a public or private preschool, elementary, junior  
11 high, or secondary school except while the permittee, without entering a school  
12 building, without detour or delay while on school grounds, and without being on  
13 a school bus, directly escorted to or from the school, or picked up or dropped off  
14 at the school, a person or thing; (ON SCHOOL GROUNDS OR A SCHOOL BUS;  
15 IN THIS PARAGRAPH, "SCHOOL GROUNDS" HAS THE MEANING GIVEN IN  
16 AS 11.71.900);"

17 Insert

18 "(2) or on school grounds or a school bus; in this paragraph, "school  
19 grounds" has the meaning given in AS 11.71.900;"

Sen. Frank moved  
adopted 8/22/96  
9-LS1139Z.2  
Luckhaupt  
3/19/96

AMENDMENT

OFFERED IN THE SENATE

TO: CSSB 177(JUD)

- 1 Page 5, line 25:
- 2 Delete "\$65"
- 3 Insert "\$99"

SENATE FINANCE  
COMMITTEE  
Amendment Number: 2  
Bill Number: SB 177  
Sponsor: \_\_\_\_\_ Date: 8/22/96  
Logged In By: js

1 that the defendant, at the time of possession, was

2 (1) in the defendant's dwelling or on land owned or leased by the  
3 defendant appurtenant to the dwelling;

4 (2) actually engaged in lawful hunting, fishing, trapping, or other lawful  
5 outdoor activity that necessarily involves the carrying of a weapon for personal  
6 protection; [OR]

7 (3) the holder of a valid permit to carry a concealed handgun under  
8 AS 18.65.700 - 18.65.790, the deadly weapon concealed was a concealed handgun as  
9 defined in AS 18.65.790, and the possession did not occur in a municipality or  
10 established village in which the possession of concealed handguns is prohibited under  
11 AS 18.65.780 - 18.65.785; or

12 (4) the holder of a valid permit to carry a concealed handgun  
13 issued by another state if the state that issued the permit allows persons holding  
14 permits issued under AS 18.65.700 - 18.65.790 to carry a concealed handgun in  
15 that state as determined by the Department of Public Safety, and

16 (A) the deadly weapon concealed was a concealed handgun  
17 as defined in AS 18.65.790; and

18 (B) the possession did not occur in a municipality or  
19 established village in which the possession of concealed handguns is  
20 prohibited under AS 18.65.780 - 18.65.785.

21 • Sec. 3. AS 11.61.220(d) is amended to read:

22 (d) In a prosecution under (a)(2) of this section, it is

23 (1) an affirmative defense that the defendant, at the time of  
24 possession, was the holder of a valid permit to carry a concealed handgun under  
25 AS 18.65.700 - 18.65.790, the loaded firearm was a concealed handgun as defined  
26 in AS 18.65.790, and the possession did not occur in a municipality or established  
27 village in which the possession of concealed handguns is prohibited under  
28 AS 18.65.780 - 18.65.785;

29 (2) a defense that the defendant, at the time of possession, was on  
30 business premises

31 (A) [(1) ON BUSINESS PREMISES] owned by or leased by

Sen. Donley moved  
adopted  
3/22/96

1 AS 18.65.700 - 18.65.790, the loaded firearm was a concealed handgun as defined  
2 in AS 18.65.790, [the defendant did not consume an intoxicating liquor at the place  
3 where the possession occurred and did not consume an intoxicating liquor at any  
4 time during the eight hours before the possession,] and the possession did not  
5 occur in a municipality or established village in which the possession of concealed  
6 handguns is prohibited under AS 18.65.780 - 18.65.785;

7 (2) a defense that the defendant, at the time of possession, was on  
8 business premises

9 (A) [(1) ON BUSINESS PREMISES] owned by or leased by the  
10 defendant; or

11 (B) [(2) ON BUSINESS PREMISES] in the course of the  
12 defendant's employment for the owner or lessee of those premises.

13 • Sec. 3. AS 18.65.700(a) is amended to read:

14 (a) The department shall issue a permit to carry a concealed handgun to a person  
15 who

16 (1) applies in person at an office of the Alaska State Troopers;

17 (2) qualifies under AS 18.65.705;

18 (3) submits a completed application on a form provided by the  
19 department, that provides the information required under AS 18.65.705 and 18.65.710  
20 and is executed under oath; with each application form provided by the department,  
21 the department shall provide a copy of the state laws and regulations relating to  
22 concealed handguns;

23 (4) submits two complete sets of fingerprints on federal bureau of  
24 investigation approved fingerprint cards that are of sufficient quality so that the  
25 fingerprints may be processed; the fingerprints must be taken by a person, group, or  
26 agency approved by the department; the department shall maintain a list of persons,  
27 groups, or agencies approved to take fingerprints and shall provide the list to the public  
28 upon request;

29 (5) submits evidence of competence with handguns as provided in  
30 AS 18.65.715;

31 (6) provides two frontal view color photographs of the person taken  
32 within the preceding 30 days that include the head and shoulders of the person and are

1 AS 18.65.700 - 18.65.790, the loaded firearm was a concealed handgun as defined  
2 in AS 18.65.790, [the defendant did not consume an intoxicating liquor at the place  
3 where the possession occurred and did not consume an intoxicating liquor at any  
4 time during the eight hours before the possession,] and the possession did not  
5 occur in a municipality or established village in which the possession of concealed  
6 handguns is prohibited under AS 18.65.780 - 18.65.785;

7 (2) a defense that the defendant, at the time of possession, was on  
8 business premises

9 (A) [(1) ON BUSINESS PREMISES] owned by or leased by the  
10 defendant; or

11 (B) [(2) ON BUSINESS PREMISES] in the course of the  
12 defendant's employment for the owner or lessee of those premises.

13 • Sec. 3. AS 18.65.700(a) is amended to read:

14 (a) The department shall issue a permit to carry a concealed handgun to a person  
15 who

16 (1) applies in person at an office of the Alaska State Troopers;

17 (2) qualifies under AS 18.65.705;

18 (3) submits a completed application on a form provided by the  
19 department, that provides the information required under AS 18.65.705 and 18.65.710  
20 and is executed under oath; with each application form provided by the department,  
21 the department shall provide a copy of the state laws and regulations relating to  
22 concealed handguns;

23 (4) submits two complete sets of fingerprints on federal bureau of  
24 investigation approved fingerprint cards that are of sufficient quality so that the  
25 fingerprints may be processed; the fingerprints must be taken by a person, group, or  
26 agency approved by the department; the department shall maintain a list of persons,  
27 groups, or agencies approved to take fingerprints and shall provide the list to the public  
28 upon request;

29 (5) submits evidence of competence with handguns as provided in  
30 AS 18.65.715;

31 (6) provides two frontal view color photographs of the person taken  
32 within the preceding 30 days that include the head and shoulders of the person and are

the bill for the committee. Senator Donley moved amendment #1 and without objection it was adopted. Senator Frank moved amendment #2 and without objection it was adopted. Senator Donley moved that in Sec. 3, page 2, line 25 the House version (HB0338b), page 2, line 2 beginning with the word "the..." and ending with the word "possession" on line 4 be added and without objection it was adopted. Senator Donley moved in Section 7, page 4, line 19 delete "11.06.484(a)(1), (2), or (7)", line 22 delete "[11.56.545,]", line 23 delete "[, 11.56.805]" and leave line 24 as is and without objection it was adopted. The following individuals testified before the committee: Mr. David Schwantes, ret., NEA; Lt. Chris Stockard, Department of Public Safety; Jayne Andreen, Council on Domestic Violence and Sexual Assault; Mr. Ed Viscardi, NEA; and Kimberly Homme, Special Assistant to the Commissioner, Department of Education. The bill was HELD in committee pending further action.

#### ADJOURNMENT

The meeting was adjourned at approximately 11:20 A.M.

1 [PERMIT ELIGIBILITY INFORMATION FROM THE FEDERAL BUREAU OF  
2 INVESTIGATION OR OTHER AGENCY NECESSARY TO MAKE A  
3 DETERMINATION CONCERNING] the application. [THE DEPARTMENT SHALL  
4 REQUEST PERMIT ELIGIBILITY INFORMATION UNDER THIS SUBSECTION  
5 WITHIN FIVE DAYS OF THE RECEIPT OF THE APPLICATION.] The department  
6 shall notify the applicant in writing of the reason for a rejection.

7 • Sec. 6. AS 18.65.700(d) is amended to read:

8 (d) A permit issued under (a) of this section is valid for five years from the date  
9 of issue. The permit must specify the action types [AND MAXIMUM CALIBERS] of  
10 handgun described in the permittee's certificate of competency under AS 18.65.715 but  
11 may not specifically identify a handgun by make, model, or serial number.

12 • Sec. 7. AS 18.65.705(4) is amended to read:

13 (4) has not been convicted, within the five years immediately preceding  
14 the application, of, and is not currently charged under a complaint, information,  
15 indictment, or presentment with, any of the following misdemeanor offenses or similar  
16 laws of another jurisdiction:

17 (A) AS 11.41.230, 11.41.250, 11.41.270;

18 (B) AS 11.46.315, [11.46.320, 11.46.330,] 11.46.430,

19 *del. 11.46.484(1)(1), (2), or (7)* [11.46.484];

20 (C) AS 11.51.130;

21 (D) AS 11.56.330, 11.56.340, former AS 11.56.350, 11.56.380,

22 *del. 11.56.545;* 11.56.700, 11.56.710, 11.56.740, 11.56.780, 11.56.790, 11.56.800

23 *del. 11.56.805;*

24 (E) AS 11.61.110(a)(3) - (7) [AS 11.61.110], 11.61.120,  
25 11.61.210, 11.61.220, 11.61.240; or

26 (F) AS 11.71.050, 11.71.060;

27 • Sec. 8. AS 18.65.710(a)(3) is amended to read:

28 (3) a statement that the applicant has been furnished with a copy of the  
29 state laws and regulations relating to concealed handguns [AS 18.65.700 -  
30 18.65.790], has read those sections, and understands them;

31 • Sec. 9. AS 18.65.715(a) is amended to read:

32 (a) An applicant for a permit to carry a concealed handgun shall provide a

3/20/96

Jerry-

Please review final  
C55B 177 (Fix) and  
advise if inclusion of  
Sen. Phillips' amend.  
meets with his approval.

OK by Jerry } Thank You,  
1:45 pm } Kathy  
2618

3:55 pm Call from Kern  
Approved by Sen. Donley

Post Office Telephone Message Card 7560

To 60262  
Date 3/26 Time 2:02 PM

WHILE YOU WERE OUT

M Phillips  
of Sen. Phillips' office

Phone No. \_\_\_\_\_

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
WAS IN TO SEE YOU	<input type="checkbox"/>	WILL CALL BACK
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT
RETURNED YOUR CALL	<input type="checkbox"/>	

Message  
will look you

Operator 1

NEW BILL  
COMMITTEE 3/6/96

CS FOR SENATE BILL NO. 177(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 3/6/96

Referred: Finance

Sponsor(s): SENATORS GREEN, Halford, Taylor, Donley

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to permits to carry concealed handguns."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 • Section 1. AS 11.61.210 is amended by adding a new subsection to read:

4 (c) In a prosecution under (a)(7) of this section, it is an affirmative defense  
5 that the defendant, at the time of possession, was the holder of a valid permit to carry  
6 a concealed handgun under AS 18.65.700 - 18.65.790, the deadly weapon was a  
7 concealed handgun as defined in AS 18.65.790, and the possession

8 (1) did not occur within or on a school bus;

9 (2) occurred as the defendant, without entering the school building,  
10 directly escorted to or from the school, or picked up or dropped off at the school,  
11 without detour or delay while on school grounds, a person or thing; and

12 (3) did not occur in a municipality or established village in which the  
13 possession of a concealed handgun is prohibited under AS 18.65.780 - 18.65.785.

14 • Sec. 2. AS 11.61.220(b) is amended to read:

15 (b) In a prosecution under (a)(1) of this section, it is an affirmative defense

1 that the defendant, at the time of possession, was

2 (1) in the defendant's dwelling or on land owned or leased by the  
3 defendant appurtenant to the dwelling;

4 (2) actually engaged in lawful hunting, fishing, trapping, or other lawful  
5 outdoor activity that necessarily involves the carrying of a weapon for personal  
6 protection; [OR]

7 (3) the holder of a valid permit to carry a concealed handgun under  
8 AS 18.65.700 - 18.65.790, the deadly weapon concealed was a concealed handgun as  
9 defined in AS 18.65.790, and the possession did not occur in a municipality or  
10 established village in which the possession of concealed handguns is prohibited under  
11 AS 18.65.780 - 18.65.785; or

12 (4) the holder of a valid permit to carry a concealed handgun  
13 issued by another state if the state that issued the permit allows persons holding  
14 permits issued under AS 18.65.700 - 18.65.790 to carry a concealed handgun in  
15 that state as determined by the Department of Public Safety, and

16 (A) the deadly weapon concealed was a concealed handgun  
17 as defined in AS 18.65.790; and

18 (B) the possession did not occur in a municipality or  
19 established village in which the possession of concealed handguns is  
20 prohibited under AS 18.65.780 - 18.65.785.

21 \* Sec. 3. AS 11.61.220(d) is amended to read:

22 (d) In a prosecution under (a)(2) of this section, it is

23 (1) an affirmative defense that the defendant, at the time of  
24 possession, was the holder of a valid permit to carry a concealed handgun under  
25 AS 18.65.700 - 18.65.790, the loaded firearm was a concealed handgun as defined  
26 in AS 18.65.790, and the possession did not occur in a municipality or established  
27 village in which the possession of concealed handguns is prohibited under  
28 AS 18.65.780 - 18.65.785;

29 (2) a defense that the defendant, at the time of possession, was on  
30 business premises

31 (A) [(1) ON BUSINESS PREMISES] owned by or leased by

1 the defendant; or

2 (B) [(2) ON BUSINESS PREMISES] in the course of the  
3 defendant's employment for the owner or lessee of those premises.

4 • Sec. 4. AS 18.65.700(a) is amended to read:

5 (a) The department shall issue a permit to carry a concealed handgun to a person  
6 who

7 (1) applies in person at an office of the Alaska State Troopers;

8 (2) qualifies under AS 18.65.705;

9 (3) submits a completed application on a form provided by the  
10 department, that provides the information required under AS 18.65.705 and 18.65.710  
11 and is executed under oath; with each application form provided by the department,  
12 the department shall provide a copy of the state laws and regulations relating to  
13 concealed handguns;

14 (4) submits two complete sets of fingerprints on Federal Bureau of  
15 Investigation approved fingerprint cards that are of sufficient quality so that the  
16 fingerprints may be processed; the fingerprints must be taken by a person, group, or  
17 agency approved by the department; the department shall maintain a list of persons,  
18 groups, or agencies approved to take fingerprints and shall provide the list to the public  
19 upon request;

20 (5) submits evidence of competence with handguns as provided in  
21 AS 18.65.715;

22 (6) provides two frontal view color photographs of the person taken  
23 within the preceding 30 days that include the head and shoulders of the person and are  
24 of a size specified by the department;

25 (7) shows a valid Alaska driver's license or identification card at the time  
26 of application;

27 (8) does not suffer a physical infirmity that prevents the safe handling  
28 of a handgun; and

29 (9) pays the application fee required by AS 18.65.720.

30 • Sec. 5. AS 18.65.700(b) is amended to read:

31 (b) The department shall either approve or reject an application for a permit to  
32 carry a concealed handgun under (a) of this section within 30 [15] days of receipt of

1 [PERMIT ELIGIBILITY INFORMATION FROM THE FEDERAL BUREAU OF  
2 INVESTIGATION OR OTHER AGENCY NECESSARY TO MAKE A  
3 DETERMINATION CONCERNING] the application. [THE DEPARTMENT SHALL  
4 REQUEST PERMIT ELIGIBILITY INFORMATION UNDER THIS SUBSECTION  
5 WITHIN FIVE DAYS OF THE RECEIPT OF THE APPLICATION.] The department  
6 shall notify the applicant in writing of the reason for a rejection.

7 • Sec. 6. AS 18.65.700(d) is amended to read:

8 (d) A permit issued under (a) of this section is valid for five years from the date  
9 of issue. The permit must specify the action types [AND MAXIMUM CALIBERS] of  
10 handgun described in the permittee's certificate of competency under AS 18.65.715 but  
11 may not specifically identify a handgun by make, model, or serial number.

12 • Sec. 7. AS 18.65.705(4) is amended to read:

13 (4) has not been convicted, within the five years immediately preceding  
14 the application, of, and is not currently charged under a complaint, information,  
15 indictment, or presentment with, any of the following misdemeanor offenses or similar  
16 laws of another jurisdiction:

17 (A) AS 11.41.230, 11.41.250, 11.41.270;

18 (B) AS 11.46.315, [11.46.320, 11.46.330,] 11.46.330,

19 11.46.384(a)(1), (2), or (7) [11.46.384];

20 (C) AS 11.51.130;

21 (D) AS 11.56.330, 11.56.340, former AS 11.56.350, 11.56.380

22 [11.56.545,] 11.56.700, 11.56.710, 11.56.740, 11.56.780, 11.56.790, 11.56.800

23 [, 11.56.805];

24 (E) AS 11.61.110(a)(3) - (7) [AS 11.61.110], 11.61.120,

25 11.61.210, 11.61.220, 11.61.240; or

26 (F) AS 11.71.050, 11.71.060;

27 • Sec. 8. AS 18.65.710(a)(3) is amended to read:

28 (3) a statement that the applicant has been furnished with a copy of the  
29 state laws and regulations relating to concealed handguns [AS 18.65.700 -  
30 18.65.790], has read those sections, and understands them;

31 • Sec. 9. AS 18.65.715(a) is amended to read:

32 (a) An applicant for a permit to carry a concealed handgun shall provide a

1 certificate of successful completion of a handgun course that is approved by the  
2 department. The certificate must state the action type [AND CALIBER] of handgun or  
3 handguns the applicant has demonstrated competence with and that the applicant may be  
4 permitted to carry. A permittee may only carry as a concealed handgun an action type  
5 of handgun described in the certificate. [A PERMITTEE MAY ONLY CARRY AS A  
6 CONCEALED HANDGUN THE CALIBER OF THE ACTION TYPE THAT THE  
7 PERMITTEE DEMONSTRATED COMPETENCE WITH OR ANY LESSER CALIBER  
8 OF THE SAME ACTION TYPE.] The handgun course must have been completed  
9 within the 12 months immediately preceding the application. The department shall  
10 approve a handgun course, including the personal protection course offered by the  
11 National Rifle Association, if the course tests the applicant's

12 (1) knowledge of Alaska law relating to firearms and the use of deadly  
13 force;

14 (2) familiarity with the basic concepts of the safe and responsible use of  
15 handguns;

16 (3) knowledge of self-defense principles; and

17 (4) physical competence with each action type of handgun the applicant  
18 wishes to carry under the permit [AND THE MAXIMUM CALIBER FOR EACH  
19 ACTION TYPE THE APPLICANT WISHES TO CARRY UNDER THE PERMIT].

20 \* Sec. 10. AS 18.65.720 is amended to read:

21 Sec. 18.65.720. FEES. The department shall charge a nonrefundable fee for the  
22 processing of the application for and initial issuance of a permit, renewal of a permit, or  
23 replacement of a permit. The fees shall be set by regulation and must be based on the  
24 actual costs incurred by the department. However, the fee for the processing of an  
25 application and initial issuance of a permit may not exceed \$65 [ \$125 ] and the fee for  
26 renewal of a permit or replacement of a permit may not exceed \$30 [ \$60 ].

27 \* Sec. 11. AS 18.65.740(a) is amended to read:

28 (a) A permit to carry a concealed handgun shall be immediately revoked by the  
29 department when the permittee

30 (1) becomes disqualified to receive and hold a permit under  
31 AS 18.65.705; or

32 (2) [IS CONVICTED OF TWO CLASS A MISDEMEANORS OF THIS

1 STATE OR SIMILAR LAWS OF ANOTHER JURISDICTION WITHIN A FIVE-  
2 YEAR PERIOD IF AT LEAST ONE OF THE CONVICTIONS OCCURS AFTER THE  
3 APPLICATION;

4 (3)] knowingly supplied a false or fraudulent answer, statement, or  
5 document, or made a material misstatement or omission, in connection with an  
6 application for a permit or renewal or replacement of a permit.

7 • Sec. 12. AS 18.65.755(a) is amended to read:

8 (a) A permittee may not carry a concealed handgun into

9 (1) a law enforcement or correctional facility;

10 (2) or possess a concealed handgun within a building, on the grounds  
11 or on the parking lot of a public or private preschool, elementary, junior high, or  
12 secondary school except while the permittee, without entering a school building,  
13 without detour or delay while on school grounds, and without being on a school  
14 bus, directly escorted to or from the school, or picked up or dropped off at the  
15 school, a person or thing; [ON SCHOOL GROUNDS OR A SCHOOL BUS; IN THIS  
16 PARAGRAPH, "SCHOOL GROUNDS" HAS THE MEANING GIVEN IN  
17 AS 11.71.900];

18 (3) a courthouse or a courtroom of this state, unless the permittee

19 (A) is a judge; or

20 (B) has been authorized to possess a concealed handgun by a  
21 judge presiding at that courthouse or courtroom;

22 (4) a [BUILDING HOUSING ONLY STATE OR FEDERAL OFFICES  
23 OR THE OFFICES OF A POLITICAL SUBDIVISION OF THE STATE, EXCEPT  
24 AS AUTHORIZED UNDER (3) OF THIS SUBSECTION;

25 (5) AN OFFICE OF THE STATE, FEDERAL GOVERNMENT, OR OF  
26 A POLITICAL SUBDIVISION OF THE STATE THAT IS NOT LOCATED IN A  
27 BUILDING DESCRIBED IN (4) OF THIS SUBSECTION;

28 (6) A PASSENGER LOADING OR UNLOADING AREA OF AN  
29 AIRLINE TERMINAL;

30 (7) A VESSEL OF THE ALASKA MARINE HIGHWAY SYSTEM;

31 (8) A FACILITY PROVIDING SERVICES TO VICTIMS OF  
32 DOMESTIC VIOLENCE OR SEXUAL ASSAULT;

1 (9) A RESIDENCE WHERE NOTICE THAT CARRYING A  
2 CONCEALED HANDGUN IS PROHIBITED HAS BEEN GIVEN BY THE POSTING  
3 OF A CONSPICUOUS NOTICE OR BY ORAL STATEMENT BY THE RESIDENT  
4 TO THE PERMITTEE;

5 (10) A MEETING OF A BUSINESS, CHARITABLE, OR OTHER  
6 ORGANIZATION OR ENTITY WHERE NOTICE THAT CARRYING A  
7 CONCEALED HANDGUN IS PROHIBITED HAS BEEN GIVEN BY THE POSTING  
8 OF CONSPICUOUS NOTICE;

9 (11) A FINANCIAL INSTITUTION; IN THIS PARAGRAPH,  
10 "FINANCIAL INSTITUTION" MEANS A BANK, SAVINGS BANK, SAVINGS  
11 ASSOCIATION, CREDIT UNION, OR OTHER INSTITUTION REGULATED BY  
12 THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT UNDER  
13 AS 06;

14 (12) ANOTHER] place where the possession of a deadly weapon or  
15 firearm is prohibited by a law of this state or the federal government; or

16 ~~(5)~~ [(13)] a municipality or established village that has prohibited the  
17 possession of concealed handguns by a permit under AS 18.65.780 - 18.65.785.

18 \* Sec. 13. AS 18.65.765(a) is amended to read:

19 (a) The holder of a permit issued under AS 18.65.700 - 18.65.790

20 (1) shall notify the department of a change in the permittee's address  
21 within 30 days;

22 (2) shall immediately report a lost, stolen, or illegible permit to the  
23 department;

24 (3) shall immediately notify the department if the holder is no longer  
25 qualified to hold a permit under AS 18.65.705, and

26 (4) may only carry a concealed handgun of the action type [AND  
27 CALIBER] the holder has demonstrated competency with [OR OF ANY LESSER  
28 CALIBER OF THE SAME ACTION TYPE] as authorized in the permit issued under  
29 AS 18.65.700.

30 \* Sec. 14. AS 18.65.790(3) is amended to read:

31 (3) "concealed handgun" means a firearm, that is a pistol or a revolver,  
32 and that is covered or enclosed in any manner so that an observer cannot determine that

1 it is a handgun without removing it from that which covers or encloses it or without  
2 opening, lifting, or removing that which covers or encloses it; however, "concealed  
3 handgun" does not include a shotgun or [.] rifle. [DERRINGER OR OTHER  
4 MINIATURE HANDGUN,] or a prohibited weapon as defined under AS 11.61.200 [;  
5 IN THIS PARAGRAPH.

6 (A) "DERRINGER" MEANS A HANDGUN THAT HAS  
7 INDIVIDUAL BARRELS FOR EACH CARTRIDGE IT IS CAPABLE OF  
8 FIRING AND LACKS A MANUFACTURER'S INSTALLED TRIGGER  
9 GUARD THAT COMPLETELY ENCIRCLES THE TRIGGER AND WHICH  
10 IS PART OF THE FRAME; AND

11 (B) "MINIATURE HANDGUN" MEANS A HANDGUN THAT  
12 HAS A BARREL LENGTH OF THREE AND ONE-HALF INCHES OR LESS  
13 AND LACKS A MANUFACTURER'S INSTALLED TRIGGER GUARD  
14 THAT COMPLETELY ENCIRCLES THE TRIGGER AND WHICH IS PART  
15 OF THE FRAME];

16 \* Sec. 15. AS 18.65.705(5), 18.65.705(9), and 18.65.725(c) are repealed.

SENATE FINANCE  
COMMITTEE

9-LS1139Z.4

Luckhaupt

3/25/96

Amendment Number: 3

Bill Number: \_\_\_\_\_

Sponsor: \_\_\_\_\_ Date: 3/26/96

Logged In By: ML

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR PHILLIPS

TO: CSSB 177(JUD)

1 Page 7, line 1:

2 Delete

3 "(9) A RESIDENCE WHERE"

4 Insert

5 "(9) A] residence, other than the permittee's residence, unless the  
6 permittee has first obtained the express permission to bring a concealed handgun  
7 into the residence from an adult residing there [WHERE"

8 Page 7, lines 13 - 14:

9 Delete "AS 06:

10 (12) ANOTHER]"

11 Insert "AS 06];

12 (5) [(12) ANOTHER]"

13 Page 7, line 16:

14 Delete "(5)"

15 Insert "(6)"

# SENATE FINANCE COMMITTEE REPORT

DATE: 3/6/96

DATE TURNED INTO OFFICE: 3/24/96

The Finance Committee considered SB 177

Relating to permits to carry concealed handguns.

*CS (Fin)  
coming*

and recommends:

- be replaced with CS SB 177 (Fin)
- adopt previous CS \_\_\_\_\_
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

- Senate Bill:
- same title
  - new title
- House Bill:
- same title
  - technical change
  - new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>	<input checked="" type="checkbox"/>		
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>	<input checked="" type="checkbox"/>		
Co-Chair: <i>[Signature]</i>	<input checked="" type="checkbox"/>	Co-Chair:			
Co-Chair: <i>[Signature]</i>	<input checked="" type="checkbox"/>	Co-Chair:			

**NEW FISCAL NOTE(S):**

Department                      Date    Zero    Fiscal

DPS	4/2/96	0	

**PREVIOUS FISCAL NOTE(S):\***

Department                      Date    Zero    Fiscal

#3 DOLAW	2/29/96	0	
#4 DPS	7/0/96		(117.6)

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

TESTIMONY FOR SB 177

OFFERED IN THE SENATE FINANCE  
COMMITTEE



LEONARD ABEL, Ph.D.  
PROGRAM ADMINISTRATOR  
COMMUNITY MENTAL HEALTH SERVICES

STATE OF ALASKA  
DEPARTMENT OF HEALTH & SOCIAL SERVICES  
DIVISION OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

P.O. BOX 1164  
JUNEAU ALASKA 99801  
PHONE (907) 465-3370

FRIDAY MARCH 22, 1996

## Testimony In Support Of CS For SB 177 (STA) And CS For HB 338

I would like to take this opportunity to address the committee in support of CS For SB 177 (STA) and CS for HB 338. I will attempt to state that support briefly, and as dispassionately as possible. I realize that the issue of firearm possession, in general, is a highly controversial and emotional one, and that concealed weapons, in particular, occasion passionate discussion that is heavily laden with fear and misinformation but most frequently devoid of reasoned analysis.

As simply stated as possible, the effect of CS For SB 177 (STA) and CS for HB 338 would be to allow Alaskans more appropriate access to concealed weapon permits, and with a valid concealed weapon permit, to conduct their daily affairs, discretely armed for personal protection, without inappropriate restrictions as to where the weapon can be carried.

When the original legislation allowing concealed weapon permits appeared likely to pass, a number of amendments were quickly offered which made the permit harder to get. The cost of the permit was placed out of the reach of many working people, time limits to process applications were made too long, the training requirements imposed were excessive, and some of the past offenses which would bar a person from ever having a permit went beyond reason. For example, if you were ever convicted of playing your stereo too loud (AS 11.61.110 (a) (1) (2)), or of "mooning" someone (AS 11.61.110 (a) (7)), you would be considered too dangerous to carry a concealed weapon.

These amendments were not added because of a reasoned analysis of the issue of properly controlling access to concealed weapon permits. The amendments were driven by emotion - a fear of guns and anyone who would wish to carry one. The amendments were a deliberate attempt to allow as few permits as possible to be issued, and make the process of obtaining them as difficult as possible.

CS For SB 177 (STA) and CS for HB 338 would correct some of these problems. The cost of the permit is reduced 50%, bringing it in line with the majority of states that have enacted similar statutes, and that are currently in the process of enacting them. Time limits for processing applications have been shortened, and training requirements are streamlined. Annoying your neighbor with loud rock and roll music will no longer bar you from getting a permit, and the senate bill will not bar you because you "mooned" someone.

The 18th Legislature believed that law-abiding Alaskans should be allowed to carry concealed weapons for personal protection. If that assumption is valid, and I believe it is, the restrictions were illogical. If you do not believe that individuals have the right to carry weapons to protect themselves and their families, then the restrictions are something you are likely to support. However, there should be an honest statement that the opposition to the changes brought about through CS For SB 177 (STA) and CS for HB 338 are opposition to guns, and not to the particulars of these bills.

In addition to the restrictions placed on getting a permit, a number of other amendments were also offered by those opposed to concealed carry permits, which placed so many restrictions on

where the concealed weapon could be carried that a permit holder could not conduct a day's business without repeatedly returning to his home or car, removing the weapon from his person, leaving the weapon to conduct one item of business, going back to get the weapon, etc. The point of a concealed weapon for personal protection is to be able to conduct all daily activities with the weapon available, but not as an item of particular concern. You should be able to largely forget that it is there. Within reason, a law-abiding citizen who passes a criminal background check and has a valid permit should be able to go anywhere with the weapon that he could go without the weapon.

I can legally carry ten dollars and my concealed handgun to the supermarket to buy groceries. I am allowed to protect myself in that instance. However, if I am carrying ten thousand dollars to the bank, I have to leave the only reliable means of self protection at home and risk robbery, and worse. I can legally go to Burger King to eat while carrying my concealed handgun. However, I can not go out to eat at Josephine's in Anchorage with that same weapon, because the restaurant sells liquor by the drink, even if I only have coffee with my meal. CS For SB 177 (STA) and CS for HB 338 would change these situations.

I can carry my concealed weapon to my doctor's office, to my barber shop, to the hardware store, and to many other places of business, but I can't drop my kid off at school, pick my wife up at the airport (even if I'm outside the terminal in the passenger loading area), go onto a ferry, or go to Motor Vehicles to renew my car license tags. CS For SB 177 (STA) and CS for HB 338 would also change these situations. These restrictions were placed upon permit holders because those opposed to concealed carry permits believe that anyone carrying a weapon is a danger to society, despite the evidence to the contrary. The belief is that I would become a danger to bank employees and customers if I conducted my banking while armed. There is no data to support that contention. The evidence suggests that permit holders, as a group, commit far fewer crimes of all types than does the general population. A bank customer would be safer entering a bank which had present a dozen customers with permits, and all armed, than he would be with a dozen randomly selected citizens who were not permit holders.

I wish to repeat something I said earlier. The 18th Legislature believed that law-abiding Alaskans should be allowed to carry concealed weapons for personal protection. Even if you do not agree with their decision, that decision is Alaska law. CS For SB 177 (STA) and CS for HB 338 are pieces of legislation that reaffirm the faith that the 18th Legislature had in the wisdom, stability, and maturity of Alaskans to assume responsibility for their own protection and that of their families. That faith is shown in the removal of emotionally-driven restrictions upon that process. If you accept that persons have a basic right to protect themselves and their families, and if you accept the decision of the 18th Legislature that Alaskans who have a valid permit have the right to carry concealed weapons for that purpose, then you will find nothing of concern in CS For SB 177 (STA) and CS for HB 338, and should approve them. If you take the position that guns, and anyone who carries them, are inherently bad, then you will likely be opposed to this legislation, as a general stand against firearms. I hope that you will look logically and unemotionally at the issues. If you do, I trust you will approve CS For SB 177 (STA) and CS for HB 338.

# ALASKA STATE LEGISLATURE

Interim  
600 East Railroad Avenue  
Wasilla, Alaska 99654  
(907) 376-3370  
(907) 376-3157 Fax

State Capitol  
Juneau, Alaska 99801-1102  
(907) 465-2600  
Fax (907) 465-3805

## SENATOR LYDA GREEN SENATE DISTRICT N

### MEMORANDUM

TO: Senator Rick Halford, Chairman  
Senate Finance Committee

FROM: Senator Lyda Green *Lyda Green*

DATE: March 21, 1996

SUBJECT: Request for Hearing

=====

I respectfully request that you schedule Senate Bill 177, relating to concealed handgun permit revisions, for a hearing in the Senate Finance Committee.

I have attached a copy of my sponsor statement, sectional analysis and other applicable supporting documentation for inclusion in the committee packets.

There are a couple of amendments that I would like to make to the bill. The first raises the fee cap from the \$65 to \$99, this level is supported by the Department and will allow them to continue to issue permits in a timely manner. The second deletes the allowance of concealed carry on school grounds. This issue has been the most contentious portion of the bill and maintaining the current law should help solidify support among the other members.

Thank you for your consideration. Please let me know if your need further information or have any questions.

# ALASKA STATE LEGISLATURE

Interim  
140 East Railroad Avenue  
Wasilla, Alaska 99654  
(907) 376-3370  
(907) 376-3157 Fax



Senator  
State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-6600  
Fax (907) 465-3805

## SENATOR LYDA GREEN

SENATE DISTRICT N

### CSSB 177 (JUD)

## "An Act Relating to Permits to Carry Concealed Handguns"

### Sponsor Statement

In an effort to simplify the concealed handgun permitting process and make the permits more available to those who need them the most, the following revisions are proposed:

1. **RETAIN** F.B.I. fingerprint requirement (and **CHANGE** department's time limit for approval from 15 to 30 days).
2. **RETAIN** requirement to qualify with specific action types, but delete specified caliber.
3. **DELETE** residency requirement.
4. **CHANGE** application fee cap from \$125 to \$65 and change renewal fee cap from \$50 to \$25.
5. **AUTHORIZE** the Department of Public Safety to enter into reciprocity agreements with other states for holders of concealed handgun permits.
6. **REMOVE** restrictions on where a permit holder may carry a concealed handgun, other than inside school buildings, state court facilities, correctional facilities, law enforcement facilities and where disallowed by Alaska state and federal law.
7. **LIMITS** misdemeanor offenses that would preclude obtaining a permit to those involving violence or misuse of weapons.
7. **DELETE** prohibition on derringers and miniature handguns as allowable for concealed carry.
8. **ADD** providing applicant with a copy of laws and regulations pertaining to the concealed handgun program.

The revisions contained in SB 177 are necessary in order to provide a more streamlined and less costly process for obtaining a permit as well as greater latitude for law abiding citizens to exercise their right to carry concealed. I respectfully request your support of this legislation.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

## MEMORANDUM

March 11, 1996

**SUBJECT:** Sectional Summary of CSSB 177(JUD)  
(Work Order No. 9-LS1139VZ)

**TO:** Senator Lyda Green  
Attn: Brett Huber

**FROM:** Gerald P. Luckhaupt *GL*  
Legislative Counsel

You have requested a sectional summary of the above-described bill draft.

As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1 of the bill amends AS 11.61.210 by adding a new subsection that provides an affirmative defense to a charge under AS 11.61.210(a)(7) of possessing a deadly weapon "within the buildings of, on the grounds of, or on the school parking lot of a public or private preschool, elementary, junior high, or secondary school" if the person possessing the deadly weapon is a concealed handgun permittee, the weapon possessed is a concealed handgun, the possession does not occur on a school bus or within a municipality or established village that has prohibited the possession of concealed handguns, and the possession is incident to the escorting, picking up, or dropping off of a person or thing at the school.

Section 2 of the bill amends AS 11.61.220 by providing an affirmative defense to a charge of carrying a concealed deadly weapon if the person charged has a permit to carry a concealed handgun from another state if that state allows Alaska permit holders to carry concealed handguns in that state.

Section 3 of the bill amends AS 11.61.220(d) by providing an affirmative defense to a charge under AS 11.61.220(a)(2) of possessing "a loaded firearm on the person at any place where intoxicating liquor is sold for consumption on the premises" if the person possessing the loaded firearm is a concealed handgun permittee and the loaded firearm is a concealed handgun.

Senator Lyda Green

March 11, 1996

Page 2

Section 4 of the bill amends AS 18.65.700(a)(3) to require the Department of Public Safety (department) to provide a copy of the state laws and regulations related to firearms with each application for a concealed handgun permit.

Section 5 of the bill amends AS 18.65.700(b) to require the department to accept or reject a concealed handgun application within 30 days.

Section 6 of the bill amends AS 18.65.700(d) by removing a requirement that a concealed handgun permit must specify the calibers of handguns the person has demonstrated competence with and can carry.

Section 7 of the bill amends the list of misdemeanors that disqualify a person from receiving a concealed handgun permit.

Section 8 of the bill amends AS 18.65.710(a)(3) relating to a concealed handgun applicant's receipt of a copy, knowledge, and understanding of the state laws and regulations related to firearms.

Section 9 of the bill amends AS 18.65.715(a) by removing a requirement that a certificate of completion of a handgun course specifies the calibers of handguns the applicant has demonstrated competency with and also by removing a requirement that a handgun course must test an applicant's competence with each caliber the applicant wants to carry.

Section 10 of the bill amends AS 18.65.720 by reducing the fees for a permit.

Section 11 of the bill amends AS 18.65.740(a) by limiting the reasons for revoking a concealed handgun permit.

Section 12 of the bill amends AS 18.65.755(a) by changing the places that concealed handgun permittees may not carry their weapons.

Section 13 of the bill amends AS 18.65.765(a) by removing the requirement that permittees may only carry concealed handguns of the calibers they have demonstrated competency with.

Section 14 of the bill amends AS 18.65.790(3) by allowing derringers and miniature handguns to be carried by a concealed handgun permittee.

Section 15 of the bill provides repealers.

GPL:kjb

96-178.kjb

10-5-95

Honorable Members :

The major failing of the recently enacted Concealed Carry law is the outrageous cost to obtain a permit. Out of six friends who had planned to apply for a permit only one has done so due to the high cost.

Thank you,

Daniel E. Stone

Po Box 111414

ANCHORAGE, AK 99511

October 5, 1995

Legislative Affairs Office  
716 West 4th Avenue  
Anchorage, AK 99501

ATTN: Senator Lyda Green &  
House Representative Jeannette James  
Ref. SB-177 & HB 338 (Concealed Weapon Permit)  
Page 1 of 2

I begin my residency as a young boy back in the days when my father moved my brother and I (then we as three) from California to Alaska in January of 1960. Since those days there has been many changes since we first relocated to this state.

Growing up here created many memories of my youthful early days in Alaska. From attending elementary schools, high school graduation, college days and which inevitably lead me towards the courtship and marriage of my wife and raising a family. My wife and I have four grown daughters and we now enjoy the title of grandparents and godparents too.

My wife and I both have been long time employee's of righteous employer's striving to create a good example for our children and a solid living home environment for our family and friends.

I am interested in endorsing safe and healthy communities for all people who live or visit our great state. This includes (but not limited to), the elimination of fear of violence in the streets, our homes, our work places or any other everyday location(s) we desire to go.

I would like to say the expenses endured to obtain a concealed handgun permit within the State of Alaska would be to the benefit of the holder, providing, the costs were dramatically and immediately reduced. Unfortunately, still as of today, they are quite expensive since the inception of this permit program was implemented into law.

Due to the administrative "red tape" implemented by the individual(s) and /or agency(s) pursuing to maintain a high maintenance cost for processing each application, I fail to see where there is not a sound conclusive way to remedy and reduce the over all inflated process fees.

If we as United States citizens are experiencing everyday down sizing; cut backs; budgetary restraints; tightening up our belts; etc., and therefore are expected by our leaders to "do more with less resources". So why can't this same principle be applied here?

October 5, 1995  
Legislative Affairs Office  
ATTN: Senator Lyda Green &  
House Representative Jeannette James  
Page 2 of 2 (cont.)

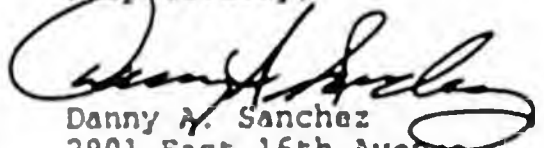
I as well as many others I'm sure are interested in minimizing costs and keeping these on-going law abiding opportunities available to the people of Alaska.

Those who choose to comply with the law and abide by the law, should not be chastised by over zealous expenditures beyond their reach, but, should be rewarded to share the opportunities granted to them by their elected officials as an incentive to reap the benefits and rewards of choosing to reside in the forty ninth state of the United States of America.

Therefore, I support and urge the both of you respectively to seek a more cost effective way to down size and reduce the overall cost of this concealed weapon bill for the benefit of the citizens of the State of Alaska now under reconsideration.

I thank you for this opportunity to speak out and be heard hopefully to have my vote counted in favor of concealed weapon permit application cost reduction fees to and for the people of the State of Alaska.

Respectfully;



Danny A. Sanchez  
2901 East 16th Avenue  
Anchorage, AK 998508-2911  
907-269-4944 (W)

COMMENTS (PUBLIC OPINION) REGARDING HOUSE BILL NO.338 and  
SENATE BILL NO.177

Most of the changes to the existing law that these two bills propose are beneficial. The single exception is Section 7.

The current law specifies the NRA-Personal Protection Course or similar approved course. This course includes, along with safety and handling, a section on local and state laws relating to lethal force and the responsibilities of owning and carrying a firearm. This is a necessary part of the course and should not be omitted. The only group of people that might be exempted from this required training would be civilian law enforcement officers. I was trained in the use of military small arms and I have been involved with the training of security guards. Neither training begins to cover the attitude of care and responsibility or legal knowledge necessary for responsible carry of a firearm for personal protection.

The present course requirements should remain as is. The proposed changes in Sec.7 should be omitted from these bills.

Sincerely,  
J. David Longacre

P.O. box 103553  
Anchorage, Ak. 99510  
(907) 561-2522

15073163151 P.01  
M.M. MOORE  
2200 E 56th  
Anchorage, Alaska 99507  
(907) 563-7576

To: Senator Nyda Green:

Re: SB 177 "An Act Relating to Permits to Carry Concealed Handguns"

Dear Senator Green:

It appears that Senate Bill 177 fails to make provision for former Alaska Peace Officers. These people who have carried a gun in the line of duty have had the training and are certainly qualified to obtain a permit without the necessity of participating in a training course.

May I suggest that Senate Bill 177, Number 6, page 2, be amended as follows:

6. Presentation of evidence of experience with a handgun, equivalent to any of the courses or classes above through participation in organized shooting competition or military service, or having served as a Alaska Peace Officer.

Sincerely,

M.M. "Moose" Moore

Michael and Sandra Coons  
P.O. Box 4229  
Palmer AK 99645  
Phone (907) 745-6779

10/03/95

The House and Senate State Affairs Committee  
House bill 338 and Senate Bill 177 Revisions  
C/O Rep Jeannette James  
P.O. Box 56622  
North Pole, AK 99705

To All Committee Members:

We are writing in support of HB 338 and SB 177 to revise the standards for issuing Concealed Handgun Permits. Three of our biggest obstacles in obtaining a permit to carry has been the one year residency rule, cost for training and permit fees and the time to attend a class. With the proposed revisions all of these obstacles will be deleted. We will focus on these ~~three~~ issues in our written testimony.

We moved to Alaska in Apr of this year. Mike started his residency in Jan 95 while working in Allakaket and Sandy started her residency in Mar 95 when we started the purchase of our home in Palmer. Since that time we have become aware of the increased crime problems in Mountain View and Spenard, as well as the rest of the greater Anchorage area. Mike's work requires flying in and out of Anchorage at all hours of the day and night. This puts Sandy in a potentially dangerous situation when she drives alone without any legal means of defense against carjacking, drive-by shootings or other crimes which could occur. We feel strongly that Alaskan citizens are being penalized solely because we haven't been living in the state for an arbitrary period of time. We would be better served, as Alaskans, to be able to apply for a permit to carry upon obtaining a legal residence, driver's license and registering to vote. The current Handgun Law does not recognize us as Alaskan residents when in fact we are, under the state laws for voting and obtaining a driver's license and vehicle registration.

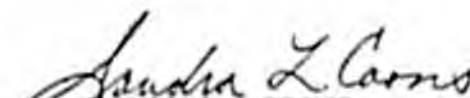
One of the big costs for a permit to carry is the requirement for fingerprints. According to Senator Lyda Groon's staff, Florida has only had 0.01% of the applicants who applied turn out to be ineligible due to previous felony convictions. Florida does not use fingerprints but uses NCIC computers for criminal background checks. This method is cheaper for both the

applicant and the State/Federal government. Another cost, which is a burden, is the fees for firearms self defense instruction. We strongly concur with the revised requirements instead of the present law. As Hunter Safety Instructors for the State of Alaska from 1979 to 1981 we taught over 300 students. These students were taught the Ten Commandments of firearms safety. The most important of which is to only shoot at a clearly identified target which you intend to shoot (paraphrase). This applies to both a hunting environment as well as a self defense situation. The decision to shoot or don't shoot is a decision which cannot be taken lightly under any circumstances. From personal experience as an instructor there were usually 3-4 students in our classes who were taking the course either because their husband had firearms in the house and the wife was uneasy with firearms, or the student had or was purchasing a firearm for self defense purposes. The revised training requirements will reward those who have already taken firearms training courses by not requiring an additional cost. For those who have not had any firearms training these revisions will help in State-wide firearms safety overall, with minimal cost to the applicant.

The time factor in finding a class which does not interfere with work can be a burden. This may be viewed as a minor point of concern by many, but in reality it can be an irritating factor for someone who wants a carry permit. It becomes even more of an irritant to those of us who have life-long training in firearms use (which we could teach or have taught) but are still required to attend a course under the present law .

We agree with all other proposed changes to HB 338 and SB 177 as they currently appear. We appreciate the chance to testify to this hearing and look forward to a better law which will benefit all Alaskans.

  
MICHAEL C. COONS

  
SANDRA L. COONS

Post-it brand fax transmittal memo 7571	# of pages = 5
St. State Affairs Center Nat. 6110	
Dept.	Phone 376-3704
258-8173	376-6180

TESTIMONY OF OCTOBER 3, 1995 JOINT HOUSE/ SENATE STATE AFFAIRS  
COMMITTEES ON BILLS TO AMEND THE CONCEALED HANDGUN PROVISIONS-  
HB-338/SB177.

I HAVE BEEN A SHOOTER FOR MORE THAN 30 YRS. AND HAVE CONSISTENTLY SUPPORTED RESPONSIBLE FIREARMS OWNERSHIP AND USE. I SUPPORTED PASSAGE OF HB-331 IN 1994. I ALSO SUPPORT CHANGES TO THE EXISTING LAW BASED PRIMARILY UPON ON THE BELIEF THAT PERMITTING IS EXCESSIVELY COSTLY AND TIME CONSUMING.

1. **FINGERPRINTING & BACKGROUND CHECKS:** I HAVE NO PERSONAL AVERSION TO BEING FINGERPRINTED OF HAVING MY BACKGROUND CHECKED.

A. BACKGROUND CHECKS, AT LEAST PRELIMINARY CHECKS, CAN BE MADE BY ALASKA AUTHORITIES USING THE FBI NATIONAL COMPUTER SYSTEM. FBI EXTRA CHECK MAY NOT BE NECESSARY. CHECKS SHOULD BE LESS COSTLY AND LESS TIME CONSUMING.

B. FBI FINGERPRINT CHECK SHOULD NOT BE STANDARD PRACTICE BEING USED ONLY IF THERE IS COMPELLING REASON TO QUESTION THE VALIDITY OF AN APPLICANT'S RECORD

C. UNDER NO CIRCUMSTANCES SHOULD A FEDERAL AGENCY BE ADVISED THAT THE REASON FOR ANY INQUIRIES RELATE TO CONCEALED CARRY PERMITTING OR FIREARM USE. IT IS A STATE PERMIT AND NOT FEDERAL. THE FEDERAL GOVERNMENT HAS NO NEED TO KNOW. THE PRACTICE REPRESENTS AN INTRUSION INTO MY PRIVACY. I WAS, AND REMAIN, ANGRY TO FIND THAT MY FBI FINGERPRINT FORM (FD-293) HAD UNDER REASON FINGERPRINTED: "CONCEALED HANDGUN APPLICANT AS 18.63.700"

2. **TRAINING:** IT IS RECOGNIZED THAT THE PRESENT TRAINING REQUIREMENT (NRA PERSONAL PROTECTION COURSE) IS BOTH EXPENSIVE AND MAY BE DIFFICULT TO SECURE IN SOME AREAS. I'VE TAKEN IT TWICE. IT IS MY OPINION THAT IT IS ENTIRELY ADEQUATE AND TO BE RECOMMENDED. OTHER COURSES MUST STRESS FIREARMS SAFETY AND HANDLING. NO OTHER TRAINING ADDRESSES INDIVIDUAL RESPONSIBILITY WITH RESPECT TO ALASKA LAW AND THE LEGITIMATE USE OF DEADLY FORCE OR PROVIDES DEMONSTRATED SAFE HANDGUN HANDLING OR PROFICIENCY IN HANDGUN USE. THE DEMONSTRATION OF KNOWLEDGE AND ABILITY NEEDS TO BE PRESERVED.

3 RESTRICTIONS ON CARRY: EXCEPT FOR PERHAPS DRINKING ESTABLISHMENTS, ALL PRIVATELY OWNED ESTABLISHMENTS SHOULD BE OPEN TO A LICENSED CARRIER UNDER ALASKA STATUTE. ONLY BY VERBAL REQUEST BY A PROPRIETOR OR WITH PROPER SIGNAGE SHOULD A CARRIER BE KEPT FROM SUCH ESTABLISHMENTS. THIS SHOULD APPLY AS WELL TO FINANCIAL INSTITUTIONS.

4. RESTRICTIONS ON QUALIFYING FIREARMS: ANY LEGALLY MANUFACTURED MINIATURE HANDGUNS OR "DERRINGERS" SHOULD QUALIFY AS USEABLE FOR CONCEALED HANDGUN CARRY. IF AN INDIVIDUAL HAS DEMONSTRATED THE SAME PROFICIENCY WITH THEM AS OTHER HANDGUNS.

ROBERT H. PARKERSON - PH: (907) 745-4358  
PO BOX 7630-A1  
PALMER, ALASKA 99647.

APPLICANT

LEAVE BLANK

TYPE OR PRINT ALL INFORMATION ON PLATE

LEAVE BLANK

LAST NAME FIRST MIDDLE NAME

PARKERSON, Robert Henry

*Paul R. Rochester*

AKAST0100

950974877006

Our Rd, Old Glenn Hwy  
PALMER, ALASKA

CLIENT #8001

DPS  
ANCHORAGE, AK

DATE OF BIRTH  
06 02 31

*1945 Robert H Henderson*

CITIZENSHIP USA

M W 6'0" 205 BLU WHI

PLACE OF BIRTH  
Brooklyn, N.Y.

*Henderson & Kolwosty St 514  
P.O. Box 3090  
Palmer AK 99645*

PHONE NO 4006

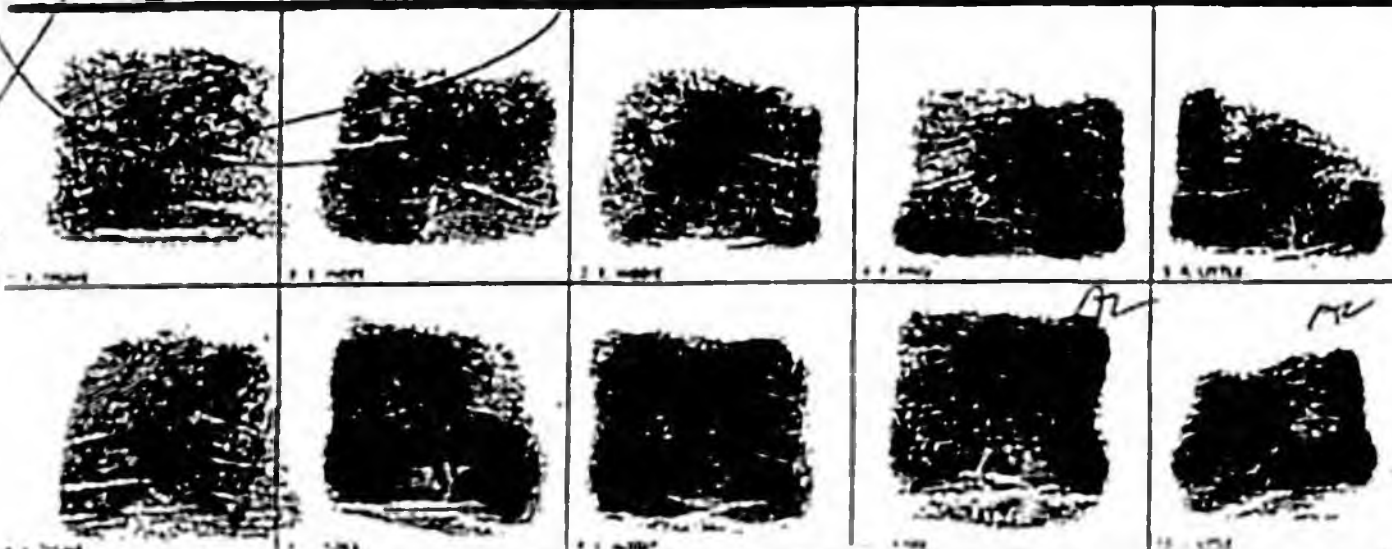
IN NO

ALASKA DRIVER NO 15-506438

ALASKA LICENSE NO 126-26-2573

ALASKA PASSPORT NO 0465049

CONFALD H/MDGUN  
APPLICATION  
AS 18.65.700





October 4, 1995

Post-It Fax Note	7871	Date	9/5	Page	7
To	JEANETTE JAMES	From	JOAN FISHER		
Co./Dept.	LIO	Co.	MCC		
Phone #		Phone #			
Fax #	258-1661	Fax #	338-6789		

Representative Jeanette James  
 Legislative Information Office  
 716 West Fourth Street  
 Anchorage, Alaska 99501

Re: HB 338/SB 177

Dear Representative James:

I am writing on behalf of the Providence Health System in Alaska which includes Providence Alaska Medical Center, Providence Extended Care Center, Providence Horizon House and the Mary Conrad Center (managed facility). The recent Alaska Statute and regulations that authorize licensed citizens to carry concealed handguns does not clearly allow the health care facilities authority to prohibit concealed handguns on our premises.

The facilities listed above care for persons who are medically fragile, elderly and disabled. Our facilities are open to the public 24 hours a day receiving many visitors, employees, medical staff, vendors and patients. We feel that we have sufficient justification for prohibiting the carrying of concealed handguns at the health care facilities.

We are seeking your support to approach the legislature to add an amendment to HB 338/SB 177 specifically authorizing health care facilities to prohibit the carrying of concealed handguns on premises. Please see the attached suggested amendment. Let me know if I can be of further assistance or answer any questions. Thank you for your consideration of this amendment to the bill.

Sincerely,

Joan L. Fisher  
 Operations Administrator

cc: Douglas Bruce, Chief Executive  
 Providence Health System in Alaska

A New Concept  
 In Senior Well-Being

9100 Commercial Drive  
 Anchorage, Alaska 99503  
 (907) 333-3100



SUGGESTED AMENDMENT TO HB 338/SB 177

Section 9, page 5, line 27: Amend 18.65.755 (a) by adding a new subsection (14), to read as follows:

(14) a health care facility: in this paragraph, "health care facility" means hospital, nursing home, public health center, outpatient clinic, facility for the developmentally disabled, rehabilitation facility, drug abuse and alcoholism treatment facility, mental health center, or health-care unit within a sheltered care home or within a home for senior citizens.

COMMENT: The effect of this amendment would be to add "health care facilities" to the list of places where a permittee may not carry a concealed handgun. The definition of "health care facility" is based on AS 18.26.900 (6), which pertains to the Alaska Medical Facility Authority.

---

A New Concept  
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---

9700 Commercial Drive  
Anchorage, Alaska 99504  
(907) 533-1100

SEP 7 1995



ROBERT WISEMAN  
 P.O. BOX 1135  
 SOLDOTNA, AK 99669  
 (907) 283-6110



September 6, 1995

Senator Green &amp; Representative James

I have given considerable thought to your pending legislation. I feel that the intentions of your legislation is in the best interest of all Alaskans.

However, I believe there is a much larger picture that must be looked at.

I believe that the current program has a very distinct advantage. That advantage is the ability to have reciprocity with 30 other states. At this time there are at least 30 states who have or have pending legislation for concealed carry laws. I feel that all Alaskans as well as all Americans would be very well served to have reciprocal concealed carry laws. I believe that to effect this wide spread reciprocity it is necessary to have the utmost integrity in our concealed carry law. I feel that we must maintain as part of our program the FBI fingerprint check, the 4 hour legal requirement, and the NRA certified instructors.

With the high number of Alaskans that travel to other states that have, or are trying to get, concealed carry laws and Alaska visitors from those states, reciprocity should be a very high priority. At this time there are some states who have legislation that makes reciprocity automatic for those states who recognize their permits. I believe that it would be very simple to give reciprocity to any state that as part of their program required the FBI fingerprint check and the 4 hour legal. This reciprocity could be for a maximum of 90 days for visitors. For anyone becoming a resident who has a permit from one of these states that our current renewal procedure could apply.

I believe that the current bill mandates the Dept. of Public Safety to justify the fee currently being charged for the permit. I have seen several changes recently that would indicate to me that they are trying to streamline their operation and thereby be able to lower the cost of the permit and cut down any delays. I feel that some communication between the legislature and the Dept of Public Safety may accomplish more than legislation in this area.

In conclusion I would ask that you give a lot of thought to what it might take to have reciprocity with as many states as possible, and how we might effect this. I would hope that you might agree that this direction might serve Alaskans better than taking a large part of the integrity out of the current program.

Thank You  
  
 Robert Wiseman

SB 177

"An Act relating to permits to carry concealed handguns."

I support Senate Bill 177

NAME	ADDRESS	PHONE
KEA LEIGHT	HCO4 Box 9576 Palmer AK 99645	745-1326
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PATRICK CRAMER	9411 AGATTV CIG. EAGLE RIVER 99577	694-7898
TUCKERMAN DUBOIS	HCO1 Box 6219 C. Palmer 99645	746-7632
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JAMES W. HILL	3860 AMBER BAY LOOP, ANCH-99515	
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CARY MUMFORD	HCO1 Box 6050 BB PALMER 99645	745-8224
William W. Paulson	P.O. Box 190029 ANCH. AK 99519	346-2897

THANK YOU FOR YOUR SUPPORT

... Senator ...

LYDA GREEN



# SB 177

# "An Act relating to permits to carry concealed handguns."

## I support Senate Bill 177

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Mary Pevak	99645 P.O. Box 1365 Palmer	745-3065
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John Beckly	Palmer AK 99647	373-7951
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Dave Peterson	Box 1010, Willow, AK	495 6556
JR Robert	Palmer AK 99645 P.O. Box 3915	892 8632
Robert G. Vilvisaker	Box 2666 Palmer	746-0626
John R. Bozner	Box 2132 Palmer AK	745-1736
Billy C. Lemon, Jr	HC 89 Box 8107 Talkeetna	355-1441
Flo M. Lemon	99687 P.O. Box 870441 WASILLA AK	373-1441
AT MARLEY	2901 Whispering Willow Dr.	376-5602

THANK YOU FOR  
YOUR SUPPORT

... Senator ...  
**LYDA GREEN**



SB 177

"An Act relating to permits to carry concealed handguns."

# I support Senate Bill 177

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Dean Hendrickson	PO Box 1271 Palmer AK 99645	745-0838
RAE Ann Hendrickson	" "	" "
WALTER F FERGUS	840 Rockside Wasilla AK 99654	576-6907
Rita Sennings	Box 19 SUTTON 99674	746-0787
Kelli Peppert	Box 870415 Wasilla 99687	376-5523
JAMES GARHART	Box 872533 WASILLA	746-2828
ASHLE EDWARD	740 G St 25 Ft. Richardson	420-4087
Tom Whitsome Jr	Box 871985 Wasilla	373-2578
Sherry Whitstone	" "	" "
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THANK YOU FOR  
YOUR SUPPORT

... Senator ...

# LYDA GREEN



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"An Act relating to permits to carry concealed handguns."

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CLAY LANGLAND	3605 Arctic Blvd Anch, 99503	
Katherine L. Burgen	2814 Brubaker Ave Anch, AK 99504	333-0900
Debra S. Bell	P.O. Box 878783 WAILIA	373-7339
<del>Debra S. Bell</del>	PO 878783 WAILIA (AK 99687)	5737339 576-9350
Sam Rappaport	1061 Gail Drive Wailia 99654	
Paul Barry	3850 Caribou Dr.	376-1569
Janet J. Day	4100 BULL MOOSE DR WAILIA	373-6670 99654-1741
Lydia Clarke	Bull Moose Dr Wailia	373-6670 99654-1741

THANK YOU FOR YOUR SUPPORT

... Senator ...

LYDA GREEN



Please  
sign-in

1995 Alaska State Fair - Visitors

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NAME

ADDRESS

PHONE

I SUPPORT SB 177

"AN ACT RELATING TO PERMITS TO  
CARRY CONCEALED HANDGUNS."

*[Signature]* Stephen Stoll 1001 TORR CR WASILLA

*[Signature]* Linnette Booth " "

Bill SPENCER PO Box 520553 Big Lake AK 99652 892-6745

Russel Tucker P.O. Box 873423 Wasilla AK 99697

Roy C. McLaughlin 7001 Mylonea Spur Anchorage AK 99504

MARTIN H. OTT 392 BOUNDARY FAIRBANKS AK 99701

PAUL H GABBONT 2ND WEST BEND ALEXANDER CR AK 99695

GERALD A WILDMAN HC01 Box 6083 Palmer 745-3665

Robert Katsue 495 JEROME DR. WASILLA 376-1309

Sandy Blomfield #B156 7610 Wildwood Cir. Anch, AK 346-2738

Pattia Bebrock 6209 Cheviot St. 99502 # 243-3439

LORETTA WOLSKI 3354 ORION 243-2765

THANK YOU  
FOR VISITING!

... Senator ...

**LYDA GREEN**



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NAME	ADDRESS	PHONE
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PAUL LE WHITE	✓ ✓ ✓	✓
Claude Morris	PO Box 547 Girdwood AK 99587	783-2836
Rocky FRANK	1601 Wolverine Anch, AK 99504	353 8888
Dick Train	2020 Diamond Dr Anch, AK 99507	568-798
Bryon Miller	P.O. Box 876227, Wasilla, AK 99687	373-3228
Mark Hollinger	1001 Dunedin St. Wasilla Ak	373-2535
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Larry Roberts	3705 ARCTIC HIGHWAY, ANCH, AK 99503	338-911
Donald Frederick	5771 CHISANA WAY	99516 3461721

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Senator Rick Halford



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Russ Moody	1012 5 <sup>th</sup> Willow, AK 99684	
Barbara Beckman	HC 32 Box 6629B Wasilla, AK 99654	373-2284
Jimmy Weinger	PO Box 1111 Chickadee, AK 99674	745-2093
John Elbert	650 STORMY CIR WASILLA AK 99654	376-1480
JESSE RAY	1241 SAN ANTONIO ST ANCH AK 99508	352-8646
PAUL BROWN	3840 EASTWOOD HICK AK 99508	338-7950
DON BLACKER	5121 Spruce Creek Cir Anch AK 99516	346-3286
CAROL R BLACKER	5121 SPRUCE CREEK CIR ANCH AK 99516	346-3285
W. H. MARTIN	5204 1271 2nd Ave Anch, AK 99507	894-2621
James A. Miller	3024 Brittany Place Anch. Ak 99504	333-2075
Melva Overlees	2912 Bonifera Parkway Anch. Ak. 99504	333-5147
Howard Solo	PO Box 52077 Big Lake, AK 99652	892-8796

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Ed Gross	2828 E 20th Anch AK 99508	277-3070
GEORGE BOICE	419 Enefso Pl, Wasilla AK 99654	376-6106

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LARRY E. WHITEJR	POB 2482 PALMER AK	745-6587
Wicki White	PO Box 2482 Palmer, AK	745-6587
STEVEN STOEPIER	116 BIEGLY ST APR22 SOLDONTA KA	260-3743
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James P. Daniels	P.O. Box 878605 Whittier AK <sup>99687</sup>	373-0832
W. Mung Bean	P.O. 671266 Chugiak, AK	688-3803
Valent Bone	P.O. 90825 Anch, AK	349-6240
KATH CORP	13921 TROY ST Anch AK	315-4772
Clyde Corp	12921 Troy St Anch AK	345-4223
Heather Palmer	1070 Tawana Dr Girdville AK 99654	376-7460
Patrick J. Parley	3160 Louisa Circle Ubbille AK 99654	376-7235
Allen R. Darnell	751 W. 76 <sup>th</sup> Apt. B. Anch. AK 99518	349-6970
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HANK YOU FOR  
YOUR SUPPORT

Senator Lyda Green  
Senator Rick Halford



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Norman Wilkins	HC1 Box 2440 GLENWALLEN	822-5271
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Kevin J. Herdley	12800 Foster Rd Arc AK 99511	345-1568
Charles F. Reed	P.O. Box 929 Eagle River, AK 99577	694-2792
Robert Reed	P.O. Box 929 Eagle River AK. 99577	
Marvin B. Andersen	Box 1216 Palmer AK . 99645	
Roger H. Buckhad	Box 672086 Chugiak Ak 99567	688-3849
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Carol Winters	182-12 Clear Falls Eagle AK	746-7060
ELIZABETH R. STEVENS-OPCZEWSKA	HC OR Box 7070 PALMER AK 99645	
PAULINE C. SMITH	PO Box 11, BEAR AK Arch AK 99524	

THANK YOU FOR  
YOUR SUPPORT

Senator Lyda Green  
Senator Rick Halford



SB 177

"An Act relating to permits to carry concealed handguns."

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Mike Beaty	PO Box 875611 Wasilla	376-4366
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Wm. Richter	HCO1, Box 6081E PALMER	746-6963
EWA MORGAN	P.O. Box 90564 ANCH	248-8857
GEORGE SCHWADERER	HCO1 Box 6312-C PALMER	376-6903
FRED SCHWADERER	5000 NAOMI DR. WASILLA, AK	373-1550
Kevin Robinson	PO Box 2711 Palmer AK	745 7811
Robert H. PARKERSON	HCO2, Box 7630-A1 <sup>Palmer</sup> AK	745-4358

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Senator Lyda Green  
Senator Rick Halford



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JAMES KRACKER	Box 1946 PALMER	99645 745-5679
Richard E Staller Jr.	21-666B PLUM ST ELMENDORF AFB AK 99506	753-7128
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(GALLARD) HALE	POB 272 PALMER AK 99645	745-5659
W. A. HUNT	12030 STEVENSON DR PALMER AK 99645	345-7904

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Senator Lyda Green  
Senator Rick Halford



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John Chamberlin	11535 Our Road Anch 99514	3461524
Maurice Pepera	P.O. BOX 879016 <sup>99687</sup> WASILLA AK	376-5697
Joseph Espiritu	5210 CHEVA AVE AK 99508	
Francisco A Ferrandaz	1129 E 11TH Ave 99501	
John Karsten	Box 661 Palmer AK	
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Patrick O'Connor	PO Box 3687 Palmer AK	
Frank Danford	Box 241123 Anch 99524	
Robert K. Thompson	18757 Maynard Circle Eagle River AK <sup>99577</sup>	696-5381

THANK YOU FOR  
YOUR SUPPORT

Senator Lyda Green  
Senator Rick Halford



SB 177

"An Act relating to permits to carry concealed handguns."

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# I support Senate Bill 177

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THANK YOU FOR  
YOUR SUPPORT

Senator Lyda Green  
Senator Rick Halford





DEPARTMENT OF PUBLIC SAFETY

ALASKA STATE TROOPERS

ALASKA CONCEALED HANDGUN PERMIT PROGRAM

FY 96 Planned Expenditure of the \$63 Fee

	Base ACHP Program (A)	Supervisor Cost (C)	Program Total
Personal Services:	75,100	33,300	108,400
Travel:			
For Investigations & Appeals		500	500
Contractual:			
Contractual Computer Support	2,000		2,000
Communications	4,000	100	4,100
Messenger Service	140		140
Repairs & Maintenance	260		260
Copier	2,300		2,300
Printing	1,000		1,000
Rent	4,675 (B)	785	5,460
SUPPLIES:			
Office supplies	1,600	100	1,700
DP supplies	640		640
<b>TOTALS</b>	<b>91,715</b>	<b>34,785</b>	<b>126,500</b>

\$126,500 divided by 2,008 applications = \$63.14, round to \$63.00

- (A) 2 clerk positions.
- (B) Estimated use by ACHP is 350 sq. ft. (including shared common areas) of the 3,101 sq. ft. lease space costing \$41,400 per year. Supervisor has approximately 150 sq. ft. (including common areas).
- (C) The permits Section is supervised by a Corporal (approximately 30% base cost to ACHP).

# Concealed Handgun Permit Program Cost Breakdown\*

~4000 applications  
divided by 12 months

~333 applications per month  
divided by 22 working days

~15 applications per day  
divided by 7.5 hours

~2 applications per hour

- \* Based on CHP applications received from 1/95 through 1/96 and the Department of Public Safety FY 96 planned CHP program expenditures (see attached).

MISDEMEANORS DELETED FROM CONCEALED HANDGUN PROGRAM

AS 11.46.320	criminal trespass first degree
AS 11.46.330	criminal trespass second degree
AS 11.46.484(a)(3-6)	criminal mischief
AS 11.56.545	tampering with a witness second degree
AS 11.56.805	false complaint
AS 11.61.110(a)(1,2)	disorderly conduct

Sec. 11.46.320

CRIMINAL TRESPASS IN THE FIRST DEGREE.

(a) A person commits the crime of criminal trespass in the first degree if the person enters or remains unlawfully

- (1) on land with intent to commit a crime on the land; or
- (2) in a dwelling.

(b) Criminal trespass in the first degree is a class A misdemeanor.

Sec. 11.46.330

CRIMINAL TRESPASS IN THE SECOND DEGREE.

(a) A person commits the crime of criminal trespass in the second degree if the person enters or remains unlawfully

- (1) in or upon premises; or
- (2) in a propelled vehicle.

(b) Criminal trespass in the second degree is a class B misdemeanor.

Sec. 11.46.484

CRIMINAL MISCHIEF IN THE THIRD DEGREE.

(a) A person commits the crime of criminal mischief in the third degree if, having no right to do so or any reasonable ground to believe the person has such a right

(1) with intent to damage property of another, the person damages property of another in an amount of \$50 or more but less than \$500;

(2) the person drives, tows away, or takes the propelled vehicle of another;

(3) having custody of a propelled vehicle under a written agreement with the owner of the vehicle that includes an agreement to return the vehicle to the owner at a specified time, the person knowingly retains or withholds possession of the vehicle without the consent of the owner for so long a period beyond the time specified as to render the retention or possession of the vehicle an unreasonable deviation from the agreement;

(4) the person tampers with a fire protection device in a building that is a public place;

(5) the person knowingly accesses a computer, computer system, computer program, computer network, or part of a computer system or network;

(6) the person uses a device to descramble an electronic signal that has been scrambled to prevent unauthorized receipt or viewing of the signal unless the device is used only to descramble signals received directly from a satellite or unless the person owned the device before September 18, 1984; or

(7) the person knowingly removes, relocates, defaces, alters, obscures, shoots at, destroys, or otherwise tampers with an official traffic control device or damages the work upon a highway under construction.

(b) Except as provided in (c) of this section, criminal mischief in the third degree is a class A misdemeanor.

(c) A person convicted under (a)(2) of this section is guilty of a class C felony if, within the preceding seven years, the person was convicted under

(1) the provisions of (a)(2) of this section;

(2) former AS 28.35.010;

(3) the provisions of AS 11.46.482(a)(4);

(4) an offense involving the theft of a propelled vehicle under AS 11.46.120 - 11.46.140; or

(5) a law or ordinance of this or another jurisdiction with elements substantially similar to those of the offenses described in (1) - (4) of this subsection.

Sec. 11.56.545

**TAMPERING WITH A WITNESS IN THE SECOND DEGREE.**

(a) A person commits the crime of tampering with a witness in the second degree if the person knowingly induces or attempts to induce a witness to be absent from an official proceeding, other than a judicial proceeding, to which the witness has been summoned.

(b) Tampering with a witness in the second degree is a class A misdemeanor.

Sec. 11.56.805

**FALSE ACCUSATION.**

(a) A person commits the crime of false accusation if the person knowingly or intentionally initiates a false complaint with the Select Committee on Legislative Ethics established in AS 24.60.

(b) False accusation is a class A misdemeanor.

Sec. 11.61.110

**DISORDERLY CONDUCT.**

(a) A person commits the crime of disorderly conduct if,

(1) with intent to disturb the peace and privacy of another not physically on the same premises or with reckless disregard that the conduct is having that effect after being informed that it is having that effect, the person makes unreasonably loud noise;

(2) in a public place or in a private place of another without consent, and with intent to disturb the peace and privacy of another or with reckless disregard that the conduct is having that effect after being informed that it is having that effect, the person makes unreasonably loud noise;

(3) in a public place, when a crime has occurred, the person refuses to comply with a lawful order of a peace officer to disperse;

(4) in a private place, the person refuses to comply with an order of a peace officer to leave premises in which the person has neither a right of possession nor the express invitation to remain of a person having a right of possession;

(5) in a public or private place, the person challenges another to fight or engages in fighting other than in self-defense;

(6) the person recklessly creates a hazardous condition for others by an act which has no legal justification or excuse; or

(7) the offender intentionally exposes the offender's buttock or anus to another with reckless disregard for the offensive or insulting effect the act may have on that person.

(b) As used in this section, "noise" is "unreasonably loud" if, considering the nature and purpose of the defendant's conduct and the circumstances known to the defendant, including the nature of the location and the time of day or night, the conduct involves a gross deviation from the standard of conduct that a reasonable person would follow in the same situation. "Noise" does not include speech that is constitutionally protected.

(c) Disorderly conduct is a class B misdemeanor and is punishable as authorized in AS 12.55 except that a sentence of imprisonment, if imposed, shall be for a definite term of not more than 10 days.

## MISDEMEANORS RETAINED IN CONCEALED HANDGUN PROGRAM

AS 11.41.230	assault in the fourth degree
AS 11.41.250	reckless endangerment
AS 11.41.270	stalking in the second degree
AS 11.46.315	possession of burglary tools
AS 11.46.430	criminally negligent burning
AS 11.46.484(a)(1)	intentionally damaging property
AS 11.46.484(a)(2)	joyriding
AS 11.46.484(a)(7)	criminal mischief - shooting signs
AS 11.51.130	contributing to the delinquency of a minor
AS 11.56.330	escape in the fourth degree
AS 11.56.340	unlawful evasion
AS 11.56.350	unlawful evasion in the second (former)
AS 11.56.380	promoting contraband in the second degree
AS 11.56.700	resisting or interfering with arrest
AS 11.56.710	harming a police dog in the second degree
AS 11.56.740	violating a domestic violence restraining order
AS 11.56.780	hindering prosecution in the second degree
AS 11.56.790	compounding
AS 11.56.800	making a false report
AS 11.61.110(3-7)	disorderly conduct
AS 11.61.120	harassment
AS 11.61.210	misconduct involving weapons in the fourth
AS 11.61.220	misconduct involving weapons in the fifth
AS 11.61.240	criminal possession of explosives
AS 11.71.050	misconduct inv. controlled substance in the fifth
AS 11.71.060	misconduct inv. controlled substance in the sixth

Sec. 11.41.230

ASSAULT IN THE FOURTH DEGREE.

- (a) A person commits the crime of assault in the fourth degree if
- (1) that person recklessly causes physical injury to another person;
  - (2) with criminal negligence that person causes physical injury to another person by means of a dangerous instrument; or
  - (3) by words or other conduct that person recklessly places another person in fear of imminent physical injury.
- (b) Assault in the fourth degree is a class A misdemeanor.

Sec. 11.41.250

RECKLESS ENDANGERMENT.

- (a) A person commits the crime of reckless endangerment if the person recklessly engages in conduct which creates a substantial risk of serious physical injury to another person.
- (b) Reckless endangerment is a class A misdemeanor.

Sec. 11.41.260

STALKING IN THE FIRST DEGREE.

- (a) A person commits the crime of stalking in the first degree if the person violates AS 11.41.270 and
- (1) the actions constituting the offense are in violation of an order issued under AS 25.35.010(b) or 25.35.020;
  - (2) the actions constituting the offense are in violation of a condition of probation, release before trial, release after conviction, or parole;
  - (3) the victim is under 16 years of age;
  - (4) at any time during the course of conduct constituting the offense the defendant possessed a deadly weapon;
  - (5) the defendant has been previously convicted of a crime under this section, AS 11.41.270, or AS 11.56.740, or a law or ordinance of this or another jurisdiction with elements similar to a crime under this section, AS 11.41.270, or AS 11.56.740; or
  - (6) the defendant has been previously convicted of a crime, or an attempt or solicitation to commit a crime, under (A) AS 11.41.100 - 11.41.250, 11.41.300 - 11.41.460, AS 11.56.810, AS 11.61.120, or (B) a law or an ordinance of this or another jurisdiction with elements similar to a crime, or an attempt or solicitation to commit a crime, under AS 11.41.100 - 11.41.250, 11.41.300 - 11.41.460, AS 11.56.810, or AS 11.61.120, involving the same victim as the present offense.
- (b) In this section, "course of conduct" and "victim" have the meanings given in AS 11.41.270(b).
- (c) Stalking in the first degree is a class C felony.

Sec. 11.41.270

STALKING IN THE SECOND DEGREE.

- (a) A person commits the crime of stalking in the second degree if the person knowingly engages in a course of conduct that recklessly places another person in fear of death or physical injury, or in fear of the death or physical injury of a family member.
- (b) In this section,
- (1) "course of conduct" means repeated acts of nonconsensual contact involving the victim or a family member;
  - (2) "family member" means a
    - (A) spouse, child, grandchild, parent, grandparent, sibling, uncle, aunt, nephew, or niece, of the victim, whether related by blood, marriage, or adoption;
    - (B) person who lives, or has previously lived, in a spousal relationship with the victim;

- (C) person who lives in the same household as the victim; or
- (D) person who is a former spouse of the victim or is or has been in a dating, courtship, or engagement relationship with the victim;
- (3) "nonconsensual contact" means any contact with another person that is initiated or continued without that person's consent, that is beyond the scope of the consent provided by that person, or that is in disregard of that person's expressed desire that the contact be avoided or discontinued; "nonconsensual contact" includes
  - (A) following or appearing within the sight of that person;
  - (B) approaching or confronting that person in a public place or on private property;
  - (C) appearing at the workplace or residence of that person;
  - (D) entering onto or remaining on property owned, leased, or occupied by that person;
  - (E) contacting that person by telephone;
  - (F) sending mail or electronic communications to that person;
  - (G) placing an object on, or delivering an object to, property owned, leased, or occupied by that person;
- (4) "victim" means a person who is the target of a course of conduct.
- (c) Stalking in the second degree is a class A misdemeanor.

**Sec. 11.46.315**

**POSSESSION OF BURGLARY TOOLS.**

- (a) A person commits the crime of possession of burglary tools if the person possesses a burglary tool with intent to use or permit use of the tool in the commission of
  - (1) burglary in any degree;
  - (2) a crime referred to in AS 11.46.130(a)(3); or
  - (3) theft of services.
- (b) As used in this section, "burglary tools" means
  - (1) nitroglycerine, dynamite, or any other tool, instrument, or device adapted or designed for use in committing a crime referred to in (a)(1)-(3) of this section; or
  - (2) any acetylene torch, electric arc, burning bar, thermal lance, oxygen lance, or other similar device capable of burning through steel, concrete, or other solid material.
- (c) Possession of burglary tools is a class A misdemeanor.

**Sec. 11.46.430**

**CRIMINALLY NEGLIGENT BURNING.**

- (a) A person commits the crime of criminally negligent burning if with criminal negligence the person damages property of another by fire or explosion.
- (b) Criminally negligent burning is a class A misdemeanor.

Sec. 11.46.484

CRIMINAL MISCHIEF IN THE THIRD DEGREE.

(a) A person commits the crime of criminal mischief in the third degree if, having no right to do so or any reasonable ground to believe the person has such a right

(1) with intent to damage property of another, the person damages property of another in an amount of \$50 or more but less than \$500;

(2) the person drives, tows away, or takes the propelled vehicle of another;

(3) having custody of a propelled vehicle under a written agreement with the owner of the vehicle that includes an agreement to return the vehicle to the owner at a specified time, the person knowingly retains or withholds possession of the vehicle without the consent of the owner for so long a period beyond the time specified as to render the retention or possession of the vehicle an unreasonable deviation from the agreement;

(4) the person tampers with a fire protection device in a building that is a public place;

(5) the person knowingly accesses a computer, computer system, computer program, computer network, or part of a computer system or network;

(6) the person uses a device to descramble an electronic signal that has been scrambled to prevent unauthorized receipt or viewing of the signal unless the device is used only to descramble signals received directly from a satellite or unless the person owned the device before September 18, 1984; or

(7) the person knowingly removes, relocates, defaces, alters, obscures, shoots at, destroys, or otherwise tampers with an official traffic control device or damages the work upon a highway under construction.

(b) Except as provided in (c) of this section, criminal mischief in the third degree is a class A misdemeanor.

(c) A person convicted under (a)(2) of this section is guilty of a class C felony if, within the preceding seven years, the person was convicted under

(1) the provisions of (a)(2) of this section;

(2) former AS 28.35.010;

(3) the provisions of AS 11.46.482(a)(4);

(4) an offense involving the theft of a propelled vehicle under AS 11.46.120 - 11.46.140; or

(5) a law or ordinance of this or another jurisdiction with elements substantially similar to those of the offenses described in (1) - (4) of this subsection.

Sec. 11.51.130

CONTRIBUTING TO THE DELINQUENCY OF A MINOR.

(a) A person commits the crime of contributing to the delinquency of a minor if, being 19 years of age or older or being under 19 years of age and having the disabilities of minority removed for general purposes under AS 09.55.590, the person aids, induces, causes, or encourages a child

(1) under 18 years of age to do any act prohibited by state law unless the child's disabilities of minority have been removed for general purposes under AS 09.55.590;

(2) under 18 years of age to enter or remain in the same room in a building where the unlawful sale of a drug occurs unless the child's disabilities of minority have been removed for general purposes under AS 09.55.590;

(3) under 16 years of age to be repeatedly absent from school, without just cause; or

(4) under 18 years of age to be absent from the custody of a parent, guardian, or custodian without just cause, unless the child's disabilities of minority have been removed for general purposes under AS 09.55.590 or the person has immunity under AS 47.10.350 or 47.10.398(a).

(b) Contributing to the delinquency of a minor is a class A misdemeanor.

Sec. 11.56.330

**ESCAPE IN THE FOURTH DEGREE.**

- (a) One commits the crime of escape in the fourth degree if, without lawful authority, one
- (1) removes oneself from official detention for a misdemeanor; or
  - (2) having been placed under actual restraint by a peace officer before arrest, removes oneself from the restraint.
- (b) Escape in the fourth degree is a class A misdemeanor.

Sec. 11.56.340

**UNLAWFUL EVASION IN THE FIRST DEGREE.**

- (a) A person commits the crime of unlawful evasion in the first degree if, while charged with or convicted of a felony,
- (1) the person fails to return to official detention within the time authorized following temporary leave granted for a specific purpose or limited period, including leave granted under AS 33.30.181; or
  - (2) while on furlough under AS 33.30.101 - 33.30.131 the person fails to return to the place of confinement or residence within the time authorized by those having direct supervision.
- (b) Unlawful evasion in the first degree is a class A misdemeanor.

Sec. 11.56.350

**UNLAWFUL EVASION IN THE SECOND DEGREE.**

- (a) A person commits the crime of unlawful evasion in the second degree if, while charged with or convicted of a misdemeanor,
- (1) the person fails to return to official detention within the time authorized following temporary leave granted for a specific purpose or limited period, including leave granted under AS 33.30.181; or
  - (2) while on furlough under AS 33.30.101 - 33.30.131 the person fails to return to the place of confinement or residence within the time authorized by those having direct supervision.
- (b) Unlawful evasion in the second degree is a class B misdemeanor.

Sec. 11.56.380

**PROMOTING CONTRABAND IN THE SECOND DEGREE.**

- (a) A person commits the crime of promoting contraband in the second degree if the person
- (1) introduces, takes, conveys, or attempts to introduce, take, or convey contraband into a correctional facility; or
  - (2) makes, obtains, possesses, or attempts to make, obtain, or possess anything that person knows to be contraband while under official detention within a correctional facility.
- (b) Promoting contraband in the second degree is a class A misdemeanor.

Sec. 11.56.700

**RESISTING OR INTERFERING WITH ARREST.**

- (a) A person commits the crime of resisting or interfering with arrest if, knowing that a peace officer is making an arrest, with the intent of preventing the officer from making the arrest, the person resists personal arrest or interferes with the arrest of another by
- (1) force;
  - (2) committing any degree of criminal mischief; or
  - (3) any means that creates a substantial risk of physical injury to any person.
- (b) Resisting or interfering with arrest is a class A misdemeanor.

Sec. 11.56.710

**HARMING A POLICE DOG IN THE SECOND DEGREE.**

(a) A person commits the crime of harming a police dog in the second degree if the person intentionally causes physical injury to or, without causing physical injury to, torments, kicks, strikes, stones, or tampers with a police dog, knowing the dog to be a police dog.

(b) Harming a police dog in the second degree is a class A misdemeanor.

Sec. 11.56.740

**VIOLATING A DOMESTIC VIOLENCE RESTRAINING ORDER.**

(a) A person commits the crime of violating a domestic violence restraining order if

(1) the person knowingly violates a provision of an order issued under AS 25.35.010(b) or 25.35.020 restraining the person from communicating directly or indirectly with another; and

(2) at the time the restraining order was issued, the court made a finding that the person had subjected another to domestic violence.

(b) Violation of this section is a class A misdemeanor.

Sec. 11.56.780

**HINDERING PROSECUTION IN THE SECOND DEGREE.**

(a) A person commits the crime of hindering prosecution in the second degree if the person renders assistance to another who has committed a crime punishable by imprisonment for more than 90 days, with intent to

(1) hinder the apprehension, prosecution, conviction, or punishment of the other person; or

(2) assist the other person in profiting or benefiting from the commission of the crime.

(b) For purposes of this section, a person "renders assistance" to another if the person does any act described in AS 11.56.770(b).

(c) Hindering prosecution in the second degree is a class B misdemeanor.

Sec. 11.56.790

**COMPOUNDING.**

(a) A person commits the crime of compounding if, unless authorized by AS 12.45.120 or 12.45.130, the person

(1) confers, offers to confer, or agrees to confer a benefit on another in consideration of that other person's concealing an offense, refraining from initiating or aiding in the prosecution of an offense, or withholding evidence of an offense; or

(2) accepts or agrees to accept a benefit in consideration of concealing an offense, refraining from initiating or aiding in the prosecution of an offense, or withholding evidence of an offense.

(b) Compounding is a class A misdemeanor.

Sec. 11.56.800

**MAKING A FALSE REPORT.**

(a) A person commits the crime of making a false report if the person knowingly

(1) gives false information to a peace officer with the intent of implicating another in a crime;

(2) makes a false report to a peace officer that a crime has occurred or is about to occur;

(3) makes a false report or gives a false alarm that a fire or other incident dangerous to life or property calling for an emergency response has occurred or is about to occur; or

(4) makes a false report to the Department of Natural Resources under AS 46.17 concerning the condition of a dam or reservoir.

(b) Making a false report is a class A misdemeanor.

Sec. 11.61.110

DISORDERLY CONDUCT.

(a) A person commits the crime of disorderly conduct if,

(1) with intent to disturb the peace and privacy of another not physically on the same premises or with reckless disregard that the conduct is having that effect after being informed that it is having that effect, the person makes unreasonably loud noise;

(2) in a public place or in a private place of another without consent, and with intent to disturb the peace and privacy of another or with reckless disregard that the conduct is having that effect after being informed that it is having that effect, the person makes unreasonably loud noise;

(3) in a public place, when a crime has occurred, the person refuses to comply with a lawful order of a peace officer to disperse;

(4) in a private place, the person refuses to comply with an order of a peace officer to leave premises in which the person has neither a right of possession nor the express invitation to remain of a person having a right of possession;

(5) in a public or private place, the person challenges another to fight or engages in fighting other than in self-defense;

(6) the person recklessly creates a hazardous condition for others by an act which has no legal justification or excuse; or

(7) the offender intentionally exposes the offender's buttock or anus to another with reckless disregard for the offensive or insulting effect the act may have on that person.

(b) As used in this section, "noise" is "unreasonably loud" if, considering the nature and purpose of the defendant's conduct and the circumstances known to the defendant, including the nature of the location and the time of day or night, the conduct involves a gross deviation from the standard of conduct that a reasonable person would follow in the same situation. "Noise" does not include speech that is constitutionally protected.

(c) Disorderly conduct is a class B misdemeanor and is punishable as authorized in AS 12.55 except that a sentence of imprisonment, if imposed, shall be for a definite term of not more than 10 days.

Sec. 11.61.120

HARASSMENT.

(a) A person commits the crime of harassment if, with intent to harass or annoy another person, that person

(1) insults, taunts, or challenges another person in a manner likely to provoke an immediate violent response;

(2) telephones another and fails to terminate the connection with intent to impair the ability of that person to place or receive telephone calls;

(3) makes repeated telephone calls at extremely inconvenient hours;

(4) makes an anonymous or obscene telephone call or a telephone call that threatens physical injury; or

(5) subjects another person to offensive physical contact.

(b) Harassment is a class B misdemeanor.

Sec. 11.61.210

**MISCONDUCT INVOLVING WEAPONS IN THE FOURTH DEGREE.**

(a) A person commits the crime of misconduct involving weapons in the fourth degree if the person

(1) possesses on the person, or in the interior of a vehicle in which the person is present, a firearm when the person's physical or mental condition is impaired as a result of the introduction of an intoxicating liquor or a controlled substance into the person's body in circumstances other than described in AS 11.61.200(a)(7);

(2) discharges a firearm from, on, or across a highway;

(3) discharges a firearm with reckless disregard for a risk of damage to property or a risk of physical injury to a person;

(4) manufactures, possesses, transports, sells, or transfers metal knuckles;

(5) manufactures, sells, or transfers a switchblade or a gravity knife; or

(6) knowingly sells a firearm or a defensive weapon to a person under 18 years of

age.

(b) *Repealed, Sec. 4 ch 63 SLA 1990.*

(c) Misconduct involving weapons in the fourth degree is a class A misdemeanor.



Sec. 11.61.220

MISCONDUCT INVOLVING WEAPONS IN THE FIFTH DEGREE.

(a) A person commits the crime of misconduct involving weapons in the fifth degree if the person

(1) knowingly possesses a deadly weapon, other than an ordinary pocketknife or a defensive weapon, that is concealed on the person;

(2) knowingly possesses a loaded firearm on the person in any place where intoxicating liquor is sold for consumption on the premises;

(3) being an unemancipated minor under 16 years of age, possesses a firearm without the consent of a parent or guardian of the minor;

(4) knowingly possesses a firearm

(A) or a defensive weapon within the grounds of or on a parking lot immediately adjacent to a public or private preschool, elementary, junior high, or secondary school without the permission of the chief administrative officer of the school or district or the designee of the chief administrative officer, except that a person 21 years of age or older may possess

(i) an unloaded firearm in the trunk of a motor vehicle or encased in a closed container in a motor vehicle;

(ii) a defensive weapon; or

(B) within the grounds of or on a parking lot immediately adjacent to a center, other than a private residence, licensed under AS 47.33 or AS 47.35 or recognized by the federal government for the care of children; or

(5) possesses or transports a switchblade or a gravity knife.

(b) In a prosecution under (a)(1) of this section, it is an affirmative defense that the defendant, at the time of possession, was

(1) in the defendant's dwelling or on land owned or leased by the defendant appurtenant to the dwelling;

(2) actually engaged in lawful hunting, fishing, trapping, or other lawful outdoor activity that necessarily involves the carrying of a weapon for personal protection; or

(3) the holder of a valid permit to carry a concealed handgun under AS 18.65.700 - 18.65.790, the deadly weapon concealed was a handgun as defined in AS 18.65.790, and the possession did not occur in a municipality or established village in which the possession of concealed handguns is prohibited under AS 18.65.780 - 18.65.785.

(c) The provisions of (a)(1), (2), and (4) of this section do not apply to a peace officer acting within the scope and authority of the officer's employment.

(d) In a prosecution under (a)(2) of this section, it is a defense that the defendant, at the time of possession, was

(1) on business premises owned by or leased by the defendant; or

(2) on business premises in the course of the defendant's employment for the owner or lessee of those premises.

(e) For purposes of this section, a deadly weapon on a person is concealed if it is covered or enclosed in any manner so that an observer cannot determine that it is a weapon without removing it from that which covers or encloses it or without opening, lifting, or removing that which covers or encloses it; a deadly weapon on a person is not concealed if it is an unloaded firearm encased in a closed container designed for transporting firearms.

(f) For purposes of (a)(2) and (e) of this section, a firearm is loaded if the

(1) firing chamber, magazine, clip, or cylinder of the firearm contains a cartridge;

and

(2) chamber, magazine, clip, or cylinder is installed in or on the firearm.

(g) Misconduct involving weapons in the fifth degree is a class B misdemeanor.