

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

9042 SENATE STATE AFFAIRS

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
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STATE OF ALASKA

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MEMORANDUM

January 23, 1996

SUBJECT: Sectional Summary of CSSB 177(STA) draft, dated 1/12/96. (Work Order No. 9-LS1139\G)

TO: Senator Bert Sharp
Attn: Ann Ringstad

FROM: Gerald P. Luckhaupt *GLP*
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 and the weapon possessed is a concealed handgun.

Section 2 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.

Section 3 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 4 of the bill amends AS 18.65.700(b) to require the department to accept or reject a concealed handgun application within 30 days.

Senator Bert Sharp
January 23, 1996
Page 2

Section 5 of the bill amends AS 18.65.700(d) by removing a requirement that a concealed handgun permit must specify the action types and calibers of handguns the person has demonstrated competence with and can carry.

Section 6 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 7 of the bill amends AS 18.65.715(a) by removing a requirement that a certificate of completion of a handgun course specify the action types and 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 handgun type and caliber the applicant wants to carry.

Section 8 of the bill adds a new section, AS 18.65.718, that permits the department to enter into agreements to provide reciprocity holders of concealed handgun permits in other states.

Section 9 of the bill AS 18.65.720 by reducing the fees for a permit.

Section 10 of the bill amends AS 18.65.735(a) by limiting the reasons for suspending a concealed handgun 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 providing that concealed handgun permittees may carry their weapons anywhere in Alaska except where prohibited by federal law or by local option election.

Section 13 of the bill amends AS 18.65.790(3) by allowing miniature handguns to be carried by a concealed handgun permittee.

Section 14 of the bill provides repealers.

GPL:pl:gle
96-031.plm

9-LS1139AG /
Luckhaupt
1/12/96

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

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS GREEN, Halford, Taylor

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 (e) In a prosecution under (a)(7) of this section, it is an affirmative defense that
5 the defendant, at the time of possession, was the holder of a valid permit to carry a
6 concealed handgun under AS 18.65.700 - 18.65.790, the deadly weapon was a concealed
7 handgun as defined in AS 18.65.790, and the possession did not occur in a municipality
8 or established village in which the possession of concealed handguns is prohibited under
9 AS 18.65.780 - 18.65.785.

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

11 (d) In a prosecution under (a)(2) of this section, it is
12 (1) an affirmative defense that the defendant, at the time of
13 possession, was the holder of a valid permit to carry a concealed handgun under
14 AS 18.65.700 - 18.65.790, the loaded firearm was a concealed handgun as defined

1 in AS 18.65.790, and the possession did not occur in a municipality or established
2 village in which the possession of concealed handguns is prohibited under
3 AS 18.65.780 - 18.65.785;

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

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

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

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

11 (a) The department shall issue a permit to carry a concealed handgun to a
12 person who

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

14 (2) qualifies under AS 18.65.705;

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

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

26 (5) submits evidence of competence with handguns as provided in
27 AS 18.65.715;

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

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

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

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

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

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

13 * Sec. 5. AS 18.65.700(d) is amended to read:

14 (d) A permit issued under (a) of this section is valid for five years from the
15 date of issue. [THE PERMIT MUST SPECIFY THE ACTION TYPES AND
16 MAXIMUM CALIBERS OF HANDGUN DESCRIBED IN THE PERMITTEE'S
17 CERTIFICATE OF COMPETENCY UNDER AS 18.65.715 BUT MAY NOT
18 SPECIFICALLY IDENTIFY A HANDGUN BY MAKE, MODEL, OR SERIAL
19 NUMBER.]

20 * Sec. 6. AS 18.65.710(a)(3) is amended to read:

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

24 * Sec. 7. AS 18.65.715(a) is amended to read:

25 (a) An applicant for a permit to carry a concealed handgun shall provide a
26 certificate of successful completion of a handgun course that is approved by the
27 department. [THE CERTIFICATE MUST STATE THE ACTION TYPE AND
28 CALIBER OF HANDGUN OR HANDGUNS THE APPLICANT HAS
29 DEMONSTRATED COMPETENCE WITH AND THAT THE APPLICANT MAY BE
30 PERMITTED TO CARRY. A PERMITTEE MAY ONLY CARRY AS A
31 CONCEALED HANDGUN AN ACTION TYPE OF HANDGUN DESCRIBED IN

1 THE CERTIFICATE. A PERMITTEE MAY ONLY CARRY AS A CONCEALED
2 HANDGUN THE CALIBER OF THE ACTION TYPE THAT THE PERMITTEE
3 DEMONSTRATED COMPETENCE WITH OR ANY LESSER CALIBER OF THE
4 SAME ACTION TYPE.] The handgun course must have been completed within the
5 12 months immediately preceding the application. The department shall approve a
6 handgun course, including the personal protection course offered by the National Rifle
7 Association, if the course tests the applicant's

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

10 (2) familiarity with the basic concepts of the safe and responsible use
11 of handguns; and

12 (3) knowledge of self-defense principles [; AND

13 (4) PHYSICAL COMPETENCE WITH EACH ACTION TYPE OF
14 HANDGUN THE APPLICANT WISHES TO CARRY UNDER THE PERMIT AND
15 THE MAXIMUM CALIBER FOR EACH ACTION TYPE THE APPLICANT
16 WISHES TO CARRY UNDER THE PERMIT].

17 * Sec. 8. AS 18.65 is amended by adding a new section to read:

18 Sec. 18.65.718. RECIPROCITY FOR HOLDERS OF CONCEALED
19 HANDGUN PERMITS FROM OTHER STATES. (a) The department may enter into
20 agreements with other states to provide reciprocity for holders of concealed handgun
21 permits issued by another state to be permitted to carry a concealed handgun in Alaska
22 provided the other state allows holders of concealed handgun permits issued under
23 AS 18.65.700 - 18.65.790 to be permitted to carry concealed handguns in the other
24 state. An agreement under this section, at a minimum must provide that for a person
25 issued a concealed handgun permit by another state to be reciprocally permitted in this
26 state to carry a concealed handgun the person must submit

27 (1) an application that provides information that is substantially similar
28 to that required under AS 18.65.710;

29 (2) sufficient information to verify that the person holds a concealed
30 handgun permit in the reciprocal state; and

31 (3) a reciprocal application fee that may not exceed the fee set for the

1 application and initial issuance of a permit under AS 18.65.720.

2 (b) A person receiving a reciprocal permit under this section may carry a
3 concealed handgun in the same manner and to the same extent as a person issued a
4 permit under AS 18.65.700. Following issuance of the permit, all aspects concerning
5 the regulation of the permit and the permittee are controlled by AS 18.65.700 -
6 18.65.790.

7 * Sec. 9. AS 18.65.720 is amended to read:

8 Sec. 18.65.720. FEES. The department shall charge a nonrefundable fee for
9 the processing of the application for and initial issuance of a permit, renewal of a
10 permit, or replacement of a permit. The fees shall be set by regulation and must be
11 based on the actual costs incurred by the department. However, the fee for the
12 processing of an application and initial issuance of a permit may not exceed \$65
13 [S125] and the fee for renewal of a permit or replacement of a permit may not exceed
14 \$30 [S60].

15 * Sec. 10. AS 18.65.735(a) is amended to read:

16 (a) The department shall immediately suspend a permit to carry a concealed
17 handgun if a permittee is arrested for or formally charged with a crime that would
18 disqualify the permittee under AS 18.65.705(3) [AS 18.65.705(3) - (4)] from being
19 eligible for a permit to carry a concealed handgun or is the subject of an injunction
20 under AS 25.35.010 - 25.35.020. A suspension of a permit remains in effect until the
21 permit is revoked under AS 18.65.740, the department has been notified of a
22 disposition favorable to the defendant or the defendant has been released from custody
23 without being charged, or the injunction under AS 25.35.010 - 25.35.020 is dissolved
24 or expires without being renewed. In this subsection, "disposition favorable to the
25 defendant" means a dismissal by the prosecutor or an adjudication by a court other
26 than a conviction or a suspended imposition of sentence.

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
29 the department when the permittee

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

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

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

8 * Sec. 12. AS 18.65.755(a) is amended to read:

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

10 (1) a [LAW ENFORCEMENT OR CORRECTIONAL FACILITY;

11 (2) OR ON SCHOOL GROUNDS OR A SCHOOL BUS; IN THIS
12 PARAGRAPH, "SCHOOL GROUNDS" HAS THE MEANING GIVEN IN
13 AS 11.71.900;

14 (3) A COURTHOUSE OR A COURTROOM OF THIS STATE,
15 UNLESS THE PERMITTEE

16 (A) IS A JUDGE; OR

17 (B) HAS BEEN AUTHORIZED TO POSSESS A
18 CONCEALED HANDGUN BY A JUDGE PRESIDING AT THAT
19 COURTHOUSE OR COURTROOM;

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

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

26 (6) A PASSENGER LOADING OR UNLOADING AREA OF AN
27 AIRLINE TERMINAL;

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

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

31 (9) A RESIDENCE WHERE NOTICE THAT CARRYING A

1 CONCEALED HANDGUN IS PROHIBITED HAS BEEN GIVEN BY THE
2 POSTING OF A CONSPICUOUS NOTICE OR BY ORAL STATEMENT BY THE
3 RESIDENT TO THE PERMITTEE;

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

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

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

15 (2) [(13)] a municipality or established village that has prohibited the
16 possession of concealed handguns by a permit under AS 18.65.780 - 18.65.785.

17 * Sec. 13. AS 18.65.790(3) is amended to read:

18 (3) "concealed handgun" means a firearm, that is a pistol or a revolver,
19 and that is covered or enclosed in any manner so that an observer cannot determine
20 that it is a handgun without removing it from that which covers or encloses it or
21 without opening, lifting, or removing that which covers or encloses it; however,
22 "concealed handgun" does not include a shotgun, rifle, or derringer [OR OTHER
23 MINIATURE HANDGUN], or a prohibited weapon as defined under AS 11.61.200;
24 in this paragraph, [(A)] "derringer" means a handgun that has individual barrels for
25 each cartridge it is capable of firing and lacks a manufacturer's installed trigger guard
26 that completely encircles the trigger and that [WHICH] is part of the frame [; AND

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

- 1 * Sec. 14. AS 18.65.705(4), 18.65.705(5), 18.65.705(9), 18.65.715(c), 18.65.725(c),
2 18.65.765(a)(4), and 18.65.790(2) are repealed.

ALASKA STATE LEGISLATURE

Interim:
165 East Parks Highway, Suite 106
Wasilla, Alaska 99654-7035
(907) 376-3370

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

SENATOR LYDA GREEN

SENATE DISTRICT N

MEMORANDUM

TO: Senator Bert Sharp, Chairman
Senate State Affairs Committee

FROM: Senator Lyda Green *Lyda Green*

DATE: January 12, 1905

SUBJECT: Request for committee hearing

=====

I respectfully request that a Senate State Affairs hearing be scheduled for Senate Bill 177.

My staff has provided you with a work draft of a CS for this bill and it is my understanding that you will be requesting the committee substitute and sectional analysis.

Representative James is having a identical CS drafted for her House Bill 338. It is possible she would be interested in holding a joint House/Senate State Affairs hearing on the two measures.

Thank you for your consideration of this request. If you have any questions about this bill please call me or my aide, Brett Huber.



Alaska State Legislature

Session:
State Capitol
Juneau AK 99801-1182

Senate State Affairs

Interim:
716 W 4th Avenue
Anchorage AK 99501-2133

TO: Allen J. Gray

FROM: Ann Ringstad, Committee Aide
Senate State Affairs Committee *A. Ringstad*

DATE: February 22, 1996

RE: CSSB 177 (STA)

Thank you for your letter of February 16th regarding SB 177, "An Act relating to permits to carry concealed handguns.". As you are probably aware, there were two hearings on this bill in the Senate State Affairs Committee. A committee substitute passed out of the committee on February 15th which addressed the following revisions to the current concealed weapons permitting statutes:

A holder of a concealed weapon permit will now be allowed to drop off or pick up from a school without violating the law. Concealed weapons will not be allowed in a courthouse or court room; further, a permittee may not carry a concealed handgun into a law enforcement or correctional facility, or where prohibited by federal law.

Misdemeanor offenses have been added back into the legislation that would still be considered grounds for permit denial.

Derringers as well as miniature handguns will now be considered as "legal" concealed weapons.

An applicant must be proficient as to the action of the gun, but not the caliber, for purposes of permit approval.

FBI Spot checks have been eliminated in the committee substitute; however, each application will still have a full FBI fingerprint check.

Section 9 has not changed from the original version of the bill. The Department of Public Safety may enter into reciprocity agreements with other states. Very little testimony was given in the Senate State Affairs Committee regarding this area of the bill.

I am forwarding your proposed amendment to the Senate Judiciary Committee for consideration at their hearing on Friday, February 23rd at 4:00 p.m. This hearing will be teleconferenced from Anchorage; you can testify from the Fairbanks Legislative Information Office at 119 North Cushman Street, Fairbanks, (in the Denali State Bank Building).

I am also including a copy of the committee substitute for your information and a sponsor statement clarifying points of the legislation. Please give me a call if I can provide any additional information.

Senator Bert Sharp
State Capital Room 514
Juneau, Ak 99801-1182

2/16/96

Dear Senator Sharp,

I like what is being done to correct some of the problems in the original concealed carry legislation as well as adding new sections like AS 18.65.718. We should have reciprocity agreements with other states. However, in implementing a reciprocity clause we need to keep in mind that the Department of Public Safety has not always had the People's best interest at heart. This was demonstrated throughout the passage and implementation of the original concealed handgun laws and regulations. So why put the statement "at a minimum" in front of a section of law that the department will turn into regulation. If you want something implemented a certain way then spell it out, tell the Department how the regulation is to be written and then tell them that is all that is to be written!

My suggestion is to simplify the reciprocity provision. If the other state has similar qualifications for a person to obtain a CCP then why don't we assume that the other state has determined that the person is a law abiding citizen. The Department should not have their workload needlessly increased. Please find my suggestions attached.

Thank you,



Allen J. Gray

126 Glacier Ave.

Fairbanks, Ak 99701

phone 907-452-7879

fax 907-457-7879

PS Please don't hesitate to contact/fax me on any late breaking developments. I will get as many people to send POMs as I can as long as I know what the current issues and/or problems are.

(Text added to CSHB 388, text deleted)

* Sec. 8. AS 18.65 is amended by adding a new section to read:

Sec. 18.65.718. RECIPROcity AGREEMENTS WITH OTHER STATES
FOR HOLDERS OF CONCEALED HANDGUN PERMITS FROM OTHER STATES.

(a) The department ~~may~~ shall ~~make a good faith effort to~~ enter into agreements with other states to provide reciprocity for holders of concealed handgun permits issued by another state to be permitted to carry a concealed handgun in Alaska provided the other state allows holders of concealed handgun permits issued under AS 18.65.700 - 18.65.790 to be permitted to carry concealed handguns in the other state. An agreement under this section, ~~at a minimum,~~ must shall, in total, provide that for a person issued a concealed handgun permit by

(1) another state to be reciprocally permitted in this state to carry a concealed handgun the person must submit

(A) read and understand an information packet on this state's laws and regulations related to carrying a concealed handgun provided by the department at no charge upon request in person or by mail. This information packet will also include a list of municipalities and established villages that prohibit possession of a concealed handgun under AS 18.65.780 - 18.65.785; and

(B) have in the person's possession sufficient information to verify that the person holds a concealed handgun permit in the reciprocal state.

(2) this state to be reciprocally permitted in the other state to carry a concealed handgun the person must

(A) read and understand an information packet on the other state's laws and regulations related to carrying a concealed handgun provided by the other state upon request, either in person or by mail; and

(B) have in the person's possession the person's state of Alaska concealed handgun permit.

~~(1) an application that provides information that is substantially similar to that required under AS 18.65.710~~

~~(2) sufficient information to verify that the person holds a concealed handgun permit in the reciprocal state; and~~

~~(3) a reciprocal application fee that may not exceed the fee set for the application and initial issuance of a permit under AS 18.65.720.~~

(b) A person from receiving a reciprocal state is permitted under this section may to carry a concealed handgun in the same manner and to the same extent as a person issued a permit under AS 18.65.700. ~~Following issuance of the permit, all aspects concerning the regulation of the permit and the permittee are controlled by AS 18.65.700 - 18.65.790.~~

(c) The department shall provide upon request a list of other states that have reciprocity agreements with Alaska. The list will also provide addresses and information for obtaining the other state's laws and regulations relating to concealed handguns.



MARY CONRAD CENTER

October 4, 1995

Post-It® Fax Note	7671	Date	9/5	# of pages	7
To	JEANETTE JAMES		From	JOAN FISHER	
Co./Dept.	LEO		Co.	MCC	
Phone #			Phone #		
Fax #	258-1261		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 its 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 Centennial Drive
 Anchorage, Alaska 99504
 (907) 553-9100



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
In Senior Well-Being

9100 Cassin Drive
Anchorage, Alaska 99504
(907) 533-6100

Please enter into the record my testimony to the Joint State Affairs committee on SB177, dated 1/23/96

My name is Raymond L. Carr, I live at 4401 N. Dogwood, Kenai, AK, my phone number is (907)283-7001

I am a certified range officer for the United State Practical Shooting Association/International Practical Shooting Confederation, a graduate of the American Small Arms Academy, have been shooting regularly in action pistol, rifle, and shotgun competitions for the past ten years, and I have been an NRA Certified Instructor since 1985

I support SB177 except for parts of section 7 pertaining to firearms training. I do not believe a training course should be accepted that is not specifically designed to instruct a student in the safe handling and use of a concealed handgun for self defense

The hunter safety course, some firearms education courses, military service, and some shooting competitions do not give individuals the vital information needed to safely carry a concealed handgun for self defense. A few very important topics not covered by those courses are:

1. Self defense principles.
2. Proper ammo selection for self defense.
3. Conceal handgun carry techniques.
4. How to clear malfunctions.
5. Use of cover.
6. Defensive firearms selection for individuals, and
7. Mental conditioning.

As far as military training is concerned, most service men train only with a rifle and shoot only a few times a year with a range officer standing over them. They carry their rifles much of the time, but aren't given ammo except on the firing line at the range or just before they go into combat. This training has nothing to do with carrying a loaded-concealed handgun in public.

There are specific safe gun handling rules for carrying concealed, if these are not learned, the carrier is more likely to have an accidental discharge. If you carry daily you will handle a loaded handgun a minimum of two times a day, that's 730 times a year, you won't handle a loaded hunting rifle or combat rifle in the military that many times in a lifetime.

My hope is for Alaska's conceal carry law to be successful in saving lives and protecting law-abiding citizens. All it would take to tarnish the program is an accident by someone not receiving the proper training. Please keep the training for the conceal carry program relevant.

STATE OFFICE
ALASKA PEACE OFFICERS ASSOCIATION

P.O. Box 240106 Anchorage, Alaska 99524-0106 Phone (907) 277-0515 Fax (907) 272-5355

February 9, 1996

**Senator Bert Sharp
State Affairs Chair
Alaska State Legislature
State Capitol (MS 3100)
Juneau AK 99801-1182**

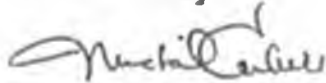
Dear Senator Sharp,

The following letter was sent to Senators Dave Donley, Lyda Green, Rick Halford, and Robin Taylor:

On behalf of the Alaska Peace Officers Association, I would like to inform you of our position on Senate Bill 177. At a recent meeting of the APOA State Board, we unanimously decided to oppose this legislation. We feel that the present concealed weapon law is workable and no changes are necessary. We also feel that your proposed changes eliminate necessary investigative and practical steps in the concealed permit process and opens the door for abuse

We encourage you to call on us when there are teleconference hearings to testify about this legislation. Please call me at 451-5316, if you have questions about the position the Alaska Peace Officers Association has on this issue.

Sincerely



**Michael Corkill
State President**

Business Manager

Joseph E. Young
Anchorage

Board of Directors

Michael Corkill, President
Fairbanks

Robin Low, Vice President
Juneau

Mike Games, Past President
Anchorage

Ron Belden, Member
Kenai

Pres. Kenai Chapter

Leo Branden, Member
Anchorage

Pres. Anchorage Chapter

Sam Edwards, Member
Palmer

Pres. Mt. Su Chapter

Steve Heikman, Member
Fairbanks

Pres. Fairbank North Chapter

Steve Kawada, Member
Juneau

Pres. Capitol City Chapter

Scott Chalm, Member
Wrangell

Pres. Wrangell Chapter

Leroy Nestas, Member
Bethel

Pres. Fair City Chapter

James Sear, Member
Craig

Pres. Prince of Wales Chapter

January 24, 1996

Senator Bert Sharp
119 N. Cushman St., #201
Fairbanks, AK 99701

Mark & Mimi Nix
P.O. Box 56753
3476 Durham Circle
North Pole, AK 99705

Dear Senator Sharp:

We would appreciate your prompt attention to assure the passage of Senate Bill 177. This bill contains important revisions in our state's concealed carry law that we deem very appropriate. We appreciate your attention to the matter.

Mark Nix
Alaskan Voter

with other states allowing a permit for holder of permit in other states should require that the requirements of that state be in line with Alaska's requirements, especially in the background check, educational training, and competency in handling a handgun.

The restrictions on where a permit holder may carry a concealed handgun should be eliminated, except as disallowed by federal law. The present restrictions place an unfair boundary on a qualified permittee.

Perhaps HB 338, Sec. 7(a)(2) could add to "the presentation of evidence of experience with a handgun..." the words "or law enforcement service" following the words "or military" service.



Legislative Affairs Agency
Division of Administrative Services
Delta Junction Legislative Information Office
P.O. Box 1189
Delta Jct., AK 99737
Phone: (907) 895-4236 Fax: (907) 895-5017

Official Business

To: Senate State Affairs
Fax: 465-2070 Phone: _____

Testimony from Senate State Affairs
Committee hearing on 1123196

Date Sent: 1/24/96 No. of Pages Including Cover Sheet: 3

Thank You,
Tammy R. Hall
Tammy R. Hall
Information Assistant



Alaska State Legislature

Please enter into the record my testimony to the Joint Standing of Affairs

committee on SB 177 HR 238 dated 1-23-96

I agree these ^{bill/subject} Bills need to be amended. Not just with a word or phrase changed added or taken away. These Bills and any like them are totally against the Federal and State Constitution and are totally illegal. These bills need to be changed to read we the people shall have the right to keep and bear arms without any infringements.

PERIOD

Anything other is and infringement and is illegal.
PS Hitler also started gun confiscation with permits under his regime.
Why are we following his example?
Reservation of Rights without prejudice
under UCC 1-207

Signed: [Signature]
Testifier

Concerned Citizen

Representing (Optional) Fourth Judicial District
LIO PO Box 1059
Delta Junction Alaska Republic

Address
895 4th St
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the _____ committee name

committee on SB 177 / HB 338 , dated 1-23-96
bill/subject

I believe that less government interventions would be better for all. These Bills and most that are like them only enhance the ability to take away rights belonging to the People according to the Federal and State Constitution. This is just another ploy to control people much like Hitler did. It's another way to ~~do~~ do away with the Constitution and give funding to the State by the Federal government for harassment and threatening the People. Government is the Peoples Servant not the Master.

Preservation of Rights without prejudice under UCC 1-207

Signed: Jeanne Marie Pappas
Testifier

Concerned Citizen For Sovereignty
Representing (Optional) FOURTH JUDICIAL DISTRICT
1/2 P.O. Box 544 Delta Junction Alaska Republic
Address
907-895-4805
Phone No.

~~NOT LEGISLATIVE~~



Alaska State Legislature

Please enter into the record my testimony to the Joint House Senate St aff.
committee name

committee on HB 338 SB 177, dated 1/23/96
bill/subject

I wish to express my support for SB 177 amending the Conceal Carry Laws. This process was never meant to be a money maker for the state, nor to require unreasonable restraint on permit applicants.

Mike Langan
PO Box 28
Glenallen AK. 99588
Ph # 907-822-3786

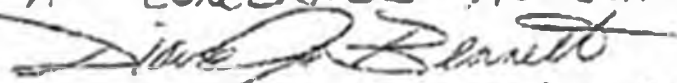
TESTIMONY TO JOINT HOUSE / SENATE AFFAIRS

I PERSONALLY FEEL WE WERE GIVEN
THE RIGHT TO BEAR ARMS BY OUR
CONSTITUTION — NOT IF WE COULD
AFFORD THE FEE TO TAKE THE
CLASS & IF WE COULD AFFORD
THE CHARGE FOR THE PERMIT.

WE HAVE THE RIGHT TO CARRY
ARMS.

IT IS THE HONEST CITIZENS
WHO ARE BEING PUNISHED BY THESE
LAWS. THE CRIMINALS ARE STILL
ABLE TO OBTAIN & CARRY FIREARMS.
THEY HAVE THE AUTOMATIC WEAPONS THAT
THE LAW ABIDING CITIZENS CAN'T
HAVE, WHERE IS THE FAIRNESS
IN THAT?

A CONCERNED ALASKAN



DAVE BENNETT, BOX 2542, SOLDOTNA

Post-It™ brand fax transmittal memo 7671		# of pages = 3
To: <i>H. State Affairs</i>	From: <i>Met - Su L10</i>	
Co:	Co.	
Dept: <i>6</i>	Phone: <i>376-3704</i>	
Fax: <i>465-2070</i>	Fax: 376-6180	

TESTIMONY 1/23/96- JOINT SENATE/HOUSE- STATE AFFAIRS COMMITTEES ON SB-177, A BILL TO AMEND THE CONCEALED HANDGUN CARRY PERMIT PROVISIONS.

I testified on October 1995 before a joint meeting of these same committees concerning this same subject. My attitudes and concerns have not changed and I support SB-177 as drafted in the "Work Draft" dated 1/17/96. 10:57 A.

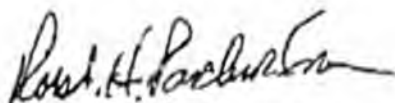
I have only the following comments:

1) To legislators who are inclined to vote in opposition to this legislation, please recognize that persons who are granted permits to carry concealed handguns are law abiding citizens.

2) Commissioner Ron Oue has been very cooperative in administering provisions in the existing statute for permitting concealed carry of handguns. However, officials of the previous administration appeared to have less understanding of, or willingness to comply with legislative intent. Therefore, I suggest that stronger language than "authorize" be used to direct the Department of Public Safety to seek reciprocity with other states with "carry permit" regulations..

3) It is a disappointment to see prohibitions on the use of "derringers" for this purpose. They have the advantage of being easier to carry than larger arms, but retain adequate power more common to larger arms.

Thank you for accepting this testimony.



Robert H. Parkerson - Ph: (907) 745-4358
 HC 02, Box 7630-A1
 Palmer, Alaska 99645

Date: *Jan 23, 1996*



Alaska State Legislature

Please enter into the record my testimony to the HIS STA
 committee name
 committee on HB 338 / SB 177 , dated 1-23-96
 bill/subject

THE AOC SUPPORTS HB 338 / SB 177
 AND AGREES WITH THE TESTIMONY
 PROVIDED BY JANIE WINGGAR DURING
 TODAY'S TELECONFERENCE.

Signed: EDDIE GRASSER
 Testifier
ALASKA OUTDOOR COUNCIL
 Representing (Optional)
Box 2192 Palmer AK 99645
 Address
745-3772
 Phone No.



Alaska State Legislature

Please enter into the record my testimony to the HS STA.
committee name

committee on HS 338 / SB 177, dated 1-23-96
bill/subject

I CONCUR WITH TESTIMONY TO REDUCE COST OF
PERMIT.

REDUCE REGULATIONS IN THE BILL.

YOU SHOULD NOT BE MADE TO FEEL YOU WANT
SOMETHING YOU DO NOT DESERVE BY ALL THE
CHECKS YOU HAVE TO DO.

Signed: Ken R. ...

Testifier

SELF

Representing (Optional)

BOX 871842 WASH. AK 99687

Address

007 376 2140

Phone No.



STATE of ALASKA

Delta Junction Legislative Information Office

P.O. Box 1189
Room 210, Jarvis Office Center
Delta Junction, AK 99737
(907) 895-4236

Fax: (907) 895-5017

January 24, 1996

TO: Senate State Affairs Committee

Please accept the enclosed original(s) of written testimony for the House State Affairs Committee hearing that was scheduled on 1/23/96.

Copies of this testimony were transmitted by fax on 1/24/96.

Thank you.

A handwritten signature in cursive script that reads "Tammy Renee Hall".

Tammy Renee Hall
Information Assistant

Enclosures: 2

DEAR SENATOR:

JUST A QUICK NOTE TO THANK YOU FOR EVERYTHING YOU HAVE DONE FOR US IN THE INTERIOR OF ALASKA. AS I DID LAST YEAR I FIND A IMPORTANT ISSUE WORKING ITS WAY ON TO TO FLOOR TO BE VOTED UPON. I FIND I MUST ASK YOU TO SUPPORT SB177. CHANGES TO THE CONCEALED HANGUN PERMITS. WE NEED THIS BILL TO MAKE IT TO THE FLOOR AND TO BE APPROVED.

THANK YOU
CASEY WHEELER



To: Bert Sharp
Company:
Fax number: +1 (907) 4652070
Business phone:

From: Martha L. Andrew
Fax number: +1 (907) 563-8006
Business phone:
Home phone:

Date & Time: 3/5/96 3:10:51 PM
Pages: 2
Re: Senate Bill 177, Concealed Handgun Bill Amendments

From: Timothy Andrew
1515 Nelchina St #1
Anchorage, AK 99501
274-0967 (voice) 563-4854 (fax)

Dear Legislator,

I am writing in opposition to SB 177, which amends the Concealed Handgun Bill

I do not see any reason why the public's safety should be compromised for the simple convenience of one who possesses a concealed handgun permit. As far as I am aware prior to the passage of the Concealed Handgun Bill people were granted the privilege of carrying a concealed weapon due to the potentially dangerous nature of their occupation. I don't recall a chauffeur or transporter of students being designated as a justifiably hazardous occupation warranting a gun permit. Therefore, I question the need for someone to have the right to carry a firearm onto school property (including buses, etc.)

I am a reasonable person who strongly believes in citizens' rights to protect themselves

News from the Senate Majority

Alaska State Legislature

Senator Lyda Green

Contact: 907-465-6600

For Immediate Release: February 13, 1996

Legislation Proposes Changes to Concealed Handgun Permit Program

Juneau — Senate Bill 177, legislation revising the concealed handgun permit program, moved out of the Senate State Affairs committee Tuesday, February 13, 1996.

The current concealed handgun program has proven to be overly restrictive and too expensive according to Senator Lyda Green (R Mat-Su), sponsor of SB177. This new bill streamlines the process for obtaining a permit and creates greater latitude for law abiding citizens to exercise their right to carry concealed handguns.

Senator Green noted, "This is not just a gun bill -- it's a constitutional freedom bill that will ensure the rights of Alaskans to keep and bear arms."

Senate Bill 177 will simplify the concealed handgun permitting process and make the permits more available to those people who need them most. Some of the bill's provisions call for reducing the cost of the permitting process, aligning the state laws on restrictions to be consistent with federal law, and eliminating the one year state residency requirement for application.

Specifically, this bill's two major revisions will change the application fee cap from \$125 to \$65, and will reduce the renewal fee cap from \$50 to \$25. It will also allow permittees greater latitude in where they are allowed to carry their concealed handguns.

Senator Green was afforded the opportunity to familiarize herself with the current program as a result of obtaining her handgun permit last fall. "In going through the permitting process, I realized there were inconsistencies embodied in the current law, and now understand even more the importance of training people who carry a handgun to be diligent, informed and wise in their decisions and actions," Green said.

"Concealed handgun permit holders are law abiding citizens. They have met the application criteria, submitted to fingerprinting and background checks, received professional training on the use of firearms and the use of deadly force, and have displayed competency with their firearm," explained Senator Green. "They deserve a program that provides the opportunity to exercise their right to self-protection."

SB 177

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

I support Senate Bill 177

NAME	ADDRESS	PHONE
Jeffrey W LAMB	3605 ARCTIC #2243 DR. AK	258-1519
Chris Neumann	41901 Pine Roby #2252 WASHILLA AK	996-87
CLAY LANGRISH	3605 Arctic Blvd Anch 99503	
Harriet S. Burgen	2814 Brittanville Anch. AK 99504	333-0900
Jesse S. Bell	P.O. Box 878783 Wasilla	373-7339
Jesse S. Bell	PO 878783 WASHILLA 99687	373-7339 376-9250
Sam Rayman	1051 Golf Drive Wasilla 99654	
Paul Barry	3850 Caribou Dr.	376-4569
James J. Clark	4100 Bull Moose Dr Wasilla 99654	373-6670
Lydia J. Clever	Bull Moose Dr Wasilla 99654	373-6670 99654-1741

THANK YOU FOR YOUR SUPPORT

... Senator ...

LYDA GREEN



SB 177

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

I support Senate Bill 177

NAME	ADDRESS	PHONE
MICHAEL W. MOORE	P.O. Box 873427 WASILLA, AK. 99697	1-907-376-6165
RICHARD PERRY	P.O. Box 19031, ANCHORAGE, ALASKA	907-344-7697
Deane L Goodrich	Box 821 Palmer 99645	745 3968
Steve R Swartz	PO Box 821 Palmer AK 99645	745-3968
Dean Hendrickson	PO Box 1271 Palmer AK 99645	745-0835
RAE ANN HENDRICKSON	" "	" "
WALTER F FERGUS	840 Rockside Wasilla AK 99654	576-6907
Rita Sennings	Box 19 SUTTON 99674	746-0787
Keith Peffer	Box 871415 Wasilla 99687	376-5523
JAMES GARHART	Box 872533 WASILLA	746-2828
ALICE EDWARD	740 G ST. ST Ft RICHMOND	420-4087
Tom Whitstone Jr	Box 871985 Wasilla	373-2578
Sherry Whitstone	" "	" "
DAVID AUSMAN	1503 W 33RD ANCH.	501 8904

THANK YOU FOR
YOUR SUPPORT

... Senator ...

LYDA GREEN



SB 177

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

I support Senate Bill 177

NAME	ADDRESS	PHONE
JEFF HASKIN	WASILLA, AK. 99654 500 E. Crestwood Ave	376-2073
PAM HASKIN	WASILLA AK 99654 500 E CRESTWOOD	376-2073
WILLIAM GAINES	99687 P.O. Box 877414, WASILLA,	373-1634
Mary Peorak	99645 P.O. Box 1365 Palmer	745-3000
Joe Boekly	HC30 5503 WasAK 99654	373-7951
Billie	Palmer AK 997	
Billie	6870 Ehrlich - Anch	537-5527
Jane Peterson	Box 1000, Willow, AK	495 6556
JR Bobart	Palmer AK 99645 Po Box 3915	892 8632
Robert G. Ylvisaker	Box 2666 Palmer	746-0626
John A. Hoque	Box 2137 Palmer AK	745-1736
Billy C. Lemon, Jr	HC89 Box 8107 Talkeetna	355-1441
FLO M. Lemon	99687 P.O. Box 870441, WASILLA AK	373-1441
PAT MARLEY	2901 WHISPERING Woods 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

NAME	ADDRESS	PHONE
Ken Lewitt	HC04 Box 9576 Palmer AK 99645	745-1376
Rob Shipley	9600 ALBATROSS DR. ANCH. 99515	257-3915
J.P. McCubbins	P.O. Box 1656 Homer ALASKA 99603	255417
Kim Medlock	PO Box 2125 Palmer	746-3519
PATRICK CRAMER	9411 AGATTU CIR. EAGLE RIVER 99577	694-7898
TUCKERMAN DABOCH	HC01 Box 6219 C. Palmer 99645	746-7632
Jacob Hicock	6209 Chervigny Anch. AK 99502	243-3439
HEDBERT L. FEY	PO Box 1101 Chickaloon AK 99674	746-5139
PEGGY M. CUTTARD	PO Box 874803 Wasilla 99687	373-5600 5221959
JAMES W. HILL	3860 AMBER BAY LOOP, ANCH-99515	
Ron Johnson	PO Box 871706 Wasilla AK 99687	373-6700
Jeff Ferry	PO Box 62 Willow AK 99687	745-1015
CARY MUMFORD	HC01 Box 6050 BB PALMER 99645	745-8274
William W. Carlson	P.O. Box 190024 ANCH. AK 99519	346-2897

... Senator ...

THANK YOU FOR YOUR SUPPORT

LYDA GREEN



Please
sign-in

1995 Alaska State Fair - Visitors

PAGE 2

NAME

ADDRESS

PHONE

I SUPPORT SB 177

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

~~Spencer~~ Stephen Still 1001 TORROR CR WASILLA AK

~~Linnette Booth~~ Linnette Booth " "

BILL SPENCER PO Box 520553 Big Lake AK 99652 892-674

Russel Tucker P.O. Box 873425 Wasilla AK 99697

ROY C. McLaughlin 7021 Muldrew Street ANCHORAGE AK 99504

MARTIN H. OTT 392 BOUNDARY FAIRBANKS AK 99701

PAUL H GABBONT 2ND WEST BEND ALEXANDER CR AK 99695

GERALD A. WILLMAN 1401 Box 6083 PALMOK 745-3665

Robert Katsya 445 TERROR DR. WASILLA 376-1389

Sandy Blomfield ^{HB156} 7610 Wildwood Cir. Anch, AK 346-2738

Portia Badrock 10209 Chisquoy St. 99502 # 243-3439

LORETTA WOLSKI 3354 ORION 243-271

THANK YOU
FOR VISITING!

... Senator ...

LYDA GREEN



M.M. MOORE
2200 E 56th
Anchorage, Alaska 99507
(907) 563-7516

To: Senator Lyda 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

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,

Stewart E. Stone

Po Box 111414

ANCHORAGE, AK 99511



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

SEP 7 1995



September 6, 1995

Senator Green & 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

Post-It™ brand fax transmittal memo 7671		# of pages >	3
To: State Affairs Committee		From:	Thot-Nu 610
Dept.		Co.	
Fax # 258-8173		Phone #	376-3704
		Fax #	376-6180

TESTIMONY OF CLAUDE J. JENSEN ALASKA HOUSE/ SENATE STATE AFFAIRS
COMMITTEES ON BILLS TO AMEND THE CONCEALED HANDGUN PROVISIONS-
HB-338/SB177.

I HAVE BEEN A SHOOTER FOR MORE THAN 50 YRS. AND HAVE CONSISTENTLY SUPPORTED RESPONSIBLE FIREARMS OWNERSHIP AND USE. I SUPPORTED PASSAGE OF HB-351 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-259) HAD UNDER REASON FINGERPRINTED: "CONCEALED HANDGUN APPLICANT AS 18.65.760"

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
HC 02, BOX 7630-A1
PALMER, ALASKA 99645.

APPLICANT

LEAVE BLANK

TYPE OR PRINT ALL INFORMATION IN BLOCKS
LAST NAME **NAM** FIRST NAME MIDDLE NAME

PARKERSON, Robert Henry

950974877008

SIGNATURE OF PERSON FINGERPRINTED

Robert H. Parker

ALIAS **AKA**

OR
I

AKAST0100

RESIDENCE OF PERSON FINGERPRINTED

**Our Rd, Old Glenn Hwy
PALMER, ALASKA**

CLIENT #8001

**DPS
ANCHORAGE, AK**

DATE OF BIRTH **DOB**
MONTH DAY YEAR
06 02 31

CITIZENSHIP **USA**

M W 6'0" 205 BLU WHI

PLACE OF BIRTH **POB**
Brooklyn, N.Y.

SIGNATURE OF OFFICIAL (PRINT NAME)

Robert H. Parker

YOUR NO. **OCA 40C6**

LEAVE BLANK

UNITED AND ADDRESS

**Henderson & Holmquist
P.O. Box 3090
Palmer AK 99645**

FBI NO. **FBI**

CLASS _____

ARMED FORCE NO. **MNU AF 15-506438**

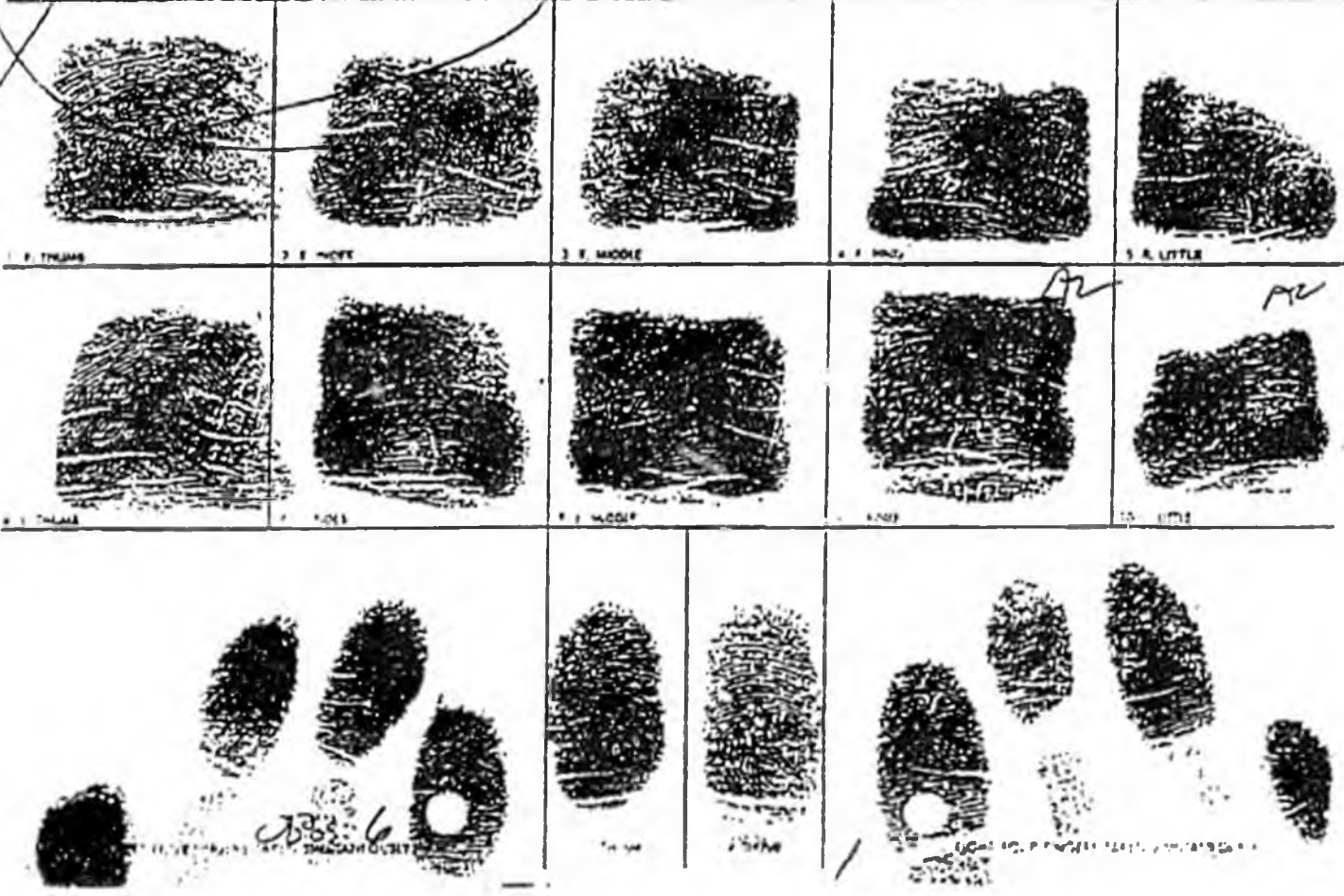
SEC _____

LOCAL SECURITY NO. **500 126-26-2573**

MISCIDANEOUS NO. **MNU 0465049**

PERSON FINGERPRINTED

**CONCEALED HANDGUN
APPLICATION
AS 18.65.760**



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.

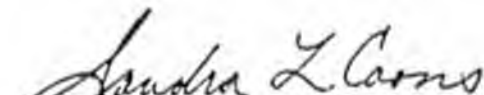
One of the big costs for a permit to carry is the requirement for fingerprints. According to Senator Lyda Green's staff, Florida has only had 0.01% of the applicants who applied turn out to be ineligible due to previous felony convictions. Florida does not use fingerprints but uses NCIC computers for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

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 remodify 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.)

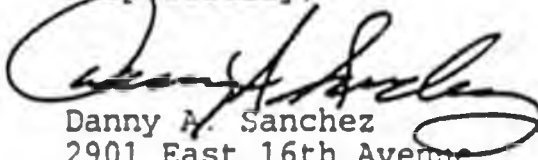
I as well as many others I'm sure are interested in minimizing costs and keeping these on-going law abiding opportunities available to the people of Alaska.

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

deletion
by (0) 2/12/96

Current Law (1995)

Brief Description of Misdemeanor Offenses That Disqualify a Person for Five Years from Obtaining a Permit to Carry a Concealed Handgun

- AS 11.41.230 (assault in the fourth degree) is often referred to as misdemeanor assault. It includes causing non-serious physical injury as well as placing someone in fear of imminent physical injury by words or other conduct. Most non-serious domestic assaults fall into this category.
- AS 11.41.250 (reckless endangerment) prohibits creating a substantial risk of serious physical injury to another.
- AS 11.41.270 (stalking in the second degree) prohibits causing a person to be in fear for his or her safety, or the safety of a family member, because of more than one incident of contact with the person (including contact by telephone, mail or other indirect methods) without that person's consent.
- AS 11.46.315 (possession of burglary tools) prohibits possessing explosives, torches, tools or other devices intended to be used to commit burglary or theft of services.
- AS 11.46.320 and 330 (criminal trespass in the first and second degrees) prohibits entering or remaining on land, premises, in a dwelling or in a vehicle, without having a right to be there or after having been asked to leave.
- AS 11.46.430 (criminally negligent burning) prohibits damaging another person's property by fire or explosion.
- AS 11.46.484 (criminal mischief in the third degree) prohibits any of the following, if you do not have a right to do so: (1) intentionally damaging another person's property in an amount less than \$500, (2) taking another person's vehicle (joyriding), (3) late return of a rental vehicle, (4) tampering with a fire protection device in a public place, (5) knowingly accessing a computer, (6) using a descrambling device to obtain electronic signals, and (7) tampering with a traffic control device.
- AS 11.51.130 (contributing to the delinquency of a minor) prohibits aiding, inducing, causing or encouraging a person (1) under 18 to violate the law or to be in a place where illegal drugs are sold, or (2) under 16 to be absent from school or their parent's custody.
- AS 11.56.330 and 350 (escape in the fourth degree and unlawful evasion in the second degree) prohibits removing yourself from police restraint before an arrest, or removing yourself from official detention for a misdemeanor, whether by escaping or failing to return after being granted a temporary leave or a furlough.
- AS 11.56.380 (promoting contraband in the second degree) prohibits taking contraband into a correctional facility or possessing or attempting to make contraband within a correctional facility.
- AS 11.56.545 (tampering with a witness in the second degree) prohibits attempting to induce a witness to be absent from an official proceeding to which the witness has been summoned.
- AS 11.56.700 (resisting or interfering with arrest) prohibits resisting or interfering with an arrest by (1) force, (2) criminal mischief, or (3) creating a substantial risk of physical injury to anyone.
- AS 11.56.710 (harming a police dog in the second degree) prohibits injuring, tormenting, kicking, striking, stoning or tampering with a police dog, knowing it is a police dog.
- AS 11.56.740 (violating a domestic violence restraining order) prohibits knowingly violating an order issued under AS 25.35.010(b) or 020, if the court issuing the order found that the person subjected another to domestic violence.
- AS 11.56.780 (hindering prosecution in the second degree) prohibits helping a person who has committed an offense punishable by more than 90 days in jail, by (1) harboring or concealing the person, (2) warning the person of discovery or arrest, (3) providing the person with money, transportation, a weapon, a disguise or other means of avoiding apprehension, (4) preventing anyone by means of force, threat or deception from doing anything that might result in discovering or arresting the person, (5) conceals, alters or destroys physical evidence, (6) aids the person in securing or protecting proceeds of the crime.
- AS 11.56.790 (compounding) prohibits offering any kind of benefit, or agreeing to accept a benefit, for concealing a crime, refraining from initiating prosecution or withholding evidence.
- AS 11.56.800 (making a false report) prohibits knowingly giving false information to a peace officer (1) to report a crime, (2) to implicate another person in a crime, or (3) to give a false report or a false alarm about a fire or another dangerous incident that would call for an emergency response.
- AS 11.56.805 (false accusation) prohibits knowingly making a false report to the legislative ethics committee.
- AS 11.61.110 (disorderly conduct) prohibits (1) making an unreasonably loud noise, (2) refusing a police officer's lawful order to disperse or to leave the premises, (3) challenging another to fight or engaging in fighting not in self-defense, (4) creating a hazardous condition without lawful excuse, and (5) intentionally exposing one's buttocks to another person.
- AS 11.61.120 (harassment) prohibits intending to harass or annoy another person by (1) insulting, taunting or challenging the person in a manner likely to provoke an immediate violent response, (2) telephoning and failing to hang up, (3) making repeated telephone calls at

see attached like

inconvenient hours, (4) making anonymous or obscene telephone calls, or one that threatens injury, (5) subjecting another person to offensive physical contact.

AS 11 61 210 (misconduct involving weapons in the fourth degree) prohibits (1) possessing a firearm on your person or in a vehicle when your physical or mental condition is impaired by alcohol or drugs, (2) discharging a firearm from, on or across a highway (3) discharging a firearm with reckless disregard for risk of damage to property or injury, (4) possessing metal knuckles (5) making or selling a switchblade or a gravity knife, and (6) knowingly selling a firearm or defensive weapon to a person under age 18.

AS 11 61 220 (misconduct involving weapons in the fifth degree) prohibits (1) carrying a concealed deadly weapon, other than an ordinary pocket knife or a defensive weapon (2) possessing a loaded firearm in any place where intoxicating liquor is sold for consumption on the premises (3) being under 18 and possessing a firearm without parental consent (4) possessing a firearm or defensive weapon on school grounds and (5) possessing a switchblade or gravity knife.

AS 11 61 240 (criminal possession of explosives) prohibits possession of explosives intended to be used to commit a crime.

AS 11 71 050 (misconduct involving controlled substances in the fifth degree) prohibits (1) possessing one-half ounce or more of marijuana with the intent to grow or deliver it for free, (2) possessing any amount of marijuana with the intent to grow or deliver it for sale or exchange, and (3) illegally possessing certain amounts of schedule IIIA and IVA controlled substances.

AS 11 71 060 (misconduct involving controlled substances in the sixth degree) prohibits (1) using or displaying any amount of marijuana, and (2) possessing less than one-half pound of marijuana.

Important Definitions for an Applicant to be Aware Of

"alcohol treatment program" means counseling about the effects of the consumption of alcohol on human behavior and physiology whether provided individually or in a group, by a public or private agency or on an in-patient or out-patient basis.

"convicted" or "conviction" means that a person has entered a plea of guilty or no contest to, or has been found guilty by a court or jury of a criminal offense, regardless of whether the judgment was after that set aside under AS 12 55 085 or a similar procedure in another jurisdiction, or was the subject of a pardon or other executive clemency, but does not include a judgment that has been reversed or vacated by a court as a result of motion, appellate action, petition for writ of habeas corpus, or application for post-conviction relief under Rule 35 1 of the Alaska Rules of Criminal Procedure or a similar procedure in another jurisdiction.

"felony" means an offense punishable by more than a year of incarceration if committed by an adult under the laws of this state or a similar law of another jurisdiction.

"injunction under AS 25 35 010 - 25 35 020" means a domestic violence restraining order, regardless of whether the order

"resident" has the meaning given in AS 01 10 055.

"substance abuse treatment program" means counseling about the effects on human behavior and physiology of the consumption of alcohol, illegal drugs, or other controlled substances, excluding tobacco, whether provided individually or in a group, by a public or private agency or on an in-patient or out-patient basis.

"unlawful user of a controlled substance" means the applicant has unlawfully distributed or has possessed or used without a prescription.

For purposes of AS 18 65 705(4) and (5), the date of conviction is the date sentence was imposed or imposition of sentence was suspended under AS 12 55 085 or a similar procedure in another jurisdiction.

"Mental illness" as used in AS 18 65 705 has the meaning given in AS 47 30 915.

"A schedule IVA or VA controlled substance" is described in AS 11 71 170 - 11 71 180 and includes a large number of prescription drugs such as barbitol, phenobarbitol, valium, librium, tranxene, darvon, and prescription cough suppressants, and

"A schedule IA or IIA or IIIA controlled substance" is described in AS 11 71 140 - 11 71 160 and includes a large number of narcotic depressant, stimulant, and hallucinogenic drugs such as opium, heroin, morphine, demerol, dilaudid, percocan, methadone, lysergic acid diethylamide (LSD), mescaline, peyote, cocaine, phencyclidine (PCP), amphetamine, methamphetamine, barbiturates, hashish, hash oil, tetrahydrocannabinol (THC), psilocybin, methaqualone, codeine, and secobarbital.

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.

Federal Aviation Regulations - Part 108
(49 CFR Part 108)

EFFECTIVE DATE: September 19, 1991.

.....

Sec. 108.10 Prevention and management of hijackings and sabotage attempts.

(a) Each certificate holder shall--

(1) Provide and use a Security Coordinator on the ground and in flight for each international and domestic flight, as required by its approved security program; and

(2) Designate the pilot in command as the inflight Security Coordinator for each flight, as required by its approved security program.

(b) Ground Security Coordinator. Each ground Security Coordinator shall carry out the ground Security Coordinator duties specified in the certificate holder's approved security program.

(c) Inflight Security Coordinator. The pilot in command of each flight shall carry out the inflight Security Coordinator duties specified in the certificate holder's approved security program.

[Doc. No. 24719, 50 FR 28893, July 16, 1985]

Sec. 108.11 Carriage of weapons.

(a) No certificate holder required to conduct screening under a security program may permit any person to have, nor may any person have, on or about his or her person or property, a deadly or dangerous weapon, either concealed or unconcealed, accessible to him or her while aboard an airplane for which screening is required unless:

(1) The person having the weapon is--

(i) An official or employee of the United States, or a State or political subdivision of a State, or of a municipality who is authorized by his or her agency to have the weapon; or

(ii) Authorized to have the weapon by the certificate holder and the Administrator and has successfully completed a course of training in the use of firearms acceptable to the Administrator.

(2) The person having the weapon needs to have the weapon accessible in connection with the performance of his or her duty from the time he or she would otherwise check it in accordance with paragraph (d) of this section until the time it would be returned after deplaning.

(3) The certificate holder is notified--

(i) Of the flight on which the armed person intends to have the weapon accessible to him or her at least 1 hour, or in an emergency as soon as practicable, before departure; and

(ii) When the armed person is other than an employee or official of the United States, that there is a need for the weapon to be accessible to the armed person in connection with the performance of that person's duty from

the time he or she would otherwise check it in accordance with paragraph (d) of this section until the time it would be returned to him or her after deplaning.

(4) The armed person identifies himself or herself to the certificate holder by presenting credentials that include his or her clear, full-face picture, his or her signature, and the signature of the authorizing official of his or her service or the official seal of his or her service. A badge, shield, or similar may not be used as the sole means of identification.

(5) The certificate holder--

(i) Ensures that the armed person is familiar with its procedures for carrying a deadly or dangerous weapon aboard its airplane before the time the person boards the airplane;

(ii) Ensures that the identity of the armed person is known to each law enforcement officer and each employee of the certificate holder responsible for security during the boarding of the airplane; and

(iii) Notifies the pilot in command, other appropriate crewmembers, and any other person authorized to have a weapon accessible to him or her aboard the airplane of the location of each authorized armed person aboard the airplane.

(b) No person may, while on board an airplane operated by a certificate holder for which screening is not conducted, carry on or about that person a deadly or dangerous weapon, either concealed or unconcealed. This paragraph does not apply to--

(1) Officials or employees of a municipality or a State, or of the United States, who are authorized to carry arms; or

(2) Crewmembers and other persons authorized by the certificate holder to carry arms.

(c) No certificate holder may knowingly permit any person to transport, nor may any person transport or tender for transport, any explosive, incendiary or a loaded firearm in checked baggage aboard an airplane. For the purpose of this section, a loaded firearm means a firearm which has a live round of ammunition, cartridge, detonator, or powder in the chamber or in a clip, magazine, or cylinder inserted in it.

(d) No certificate holder may knowingly permit any person to transport, nor may any person transport or tender for transport, any unloaded firearm in checked baggage aboard an airplane unless--

(1) The passenger declares to the certificate holder, either orally or in writing before checking the baggage, that any firearm carried in the baggage is unloaded;

(2) The firearm is carried in a container the certificate holder considers appropriate for air transportation;

(3) When the firearm is other than a shotgun, rifle, or other firearm normally fired from the shoulder position, the baggage in which it is carried is locked, and only the passenger checking the baggage retains the key or combination; and

(4) The baggage containing the firearm is carried in an area, other than the flightcrew compartment, that is inaccessible to passengers.

(e) No certificate holder may serve any alcoholic beverage to a person

having a deadly or dangerous weapon accessible to him or her nor may such person drink any alcoholic beverage while aboard an airplane operated by the certificate holder.

(f) Paragraphs (a), (b), and (d) of this section do not apply to the carriage of firearms aboard air carrier flights conducted for the military forces of the Government of the United States when the total cabin load of the airplane is under exclusive use by those military forces if the following conditions are met:

(1) No firearm is loaded and all bolts to such firearms are locked in the open position; and

(2) The certificate holder is notified by the unit commander or officer in charge of the flight before boarding that weapons will be carried aboard the aircraft.

[Doc. No. 108, 46 FR 3786, Jan. 15, 1981, as amended by Amdt. 108-4, 51 FR 1352, Jan. 10, 1986]

Sec. 108.13 Security of airplanes and facilities.

Each certificate holder required to conduct screening under a security program shall use the procedures included, and the facilities and equipment described, in its approved security program to perform the following control functions with respect to each airplane operation for which screening is required:

(a) Prohibit unauthorized access to the airplane.

(b) Ensure that baggage carried in the airplane is checked in by a responsible agent and that identification is obtained from persons, other than known shippers, shipping goods or cargo aboard the airplane.

(c) Ensure that cargo and checked baggage carried aboard the airplane is handled in a manner that prohibits unauthorized access.

(d) Conduct a security inspection of the airplane before placing it in service and after it has been left unattended.

Sec. 108.14 Transportation of Federal Air Marshals.

(a) Each certificate holder shall carry Federal Air Marshals, in the number and manner specified by the Administrator, on each scheduled and public charter passenger operation designated by the Administrator.

(b) Each Federal Air Marshal shall be carried on a first priority basis and without charge while on official duty, including repositioning flights.

(c) Each certificate holder shall assign the specific seat requested by a Federal Air Marshal who is on official duty.

[Doc. No. 24714, 50 FR 27925, July 8, 1985]

Sec. 108.15 Law enforcement officers.

Senate State Affairs Committee Hearing January 23, 1996

CSSB 177 (STA) draft dated 1/12/96, (Work order No. 9-LS1139\G)

- ✓1. Adopt CS for discussion purposes.
2. Recognize the following fiscal notes relating to proposed CS:
 - Corrections = \$0
 - Public Safety, Troopers = (\$117.6)
 - Public Safety, Admin. Services = \$0
 - Law, Criminal Division = \$0
3. Note for members information that Department of Public Safety has provided a packet containing a permit application, a copy of applicable statute changes from Ch. 67, SIA 94 and regulations thereof.
3. Note sectional analysis on CS provided by Legislative Legal Services dated 1/23/96.

For your information only:

1. Amendment may be provided to address school property, i.e. permittee allowed to carry concealed handgun on school property when dropping off student, but not entering building or facilities:
2. **Misdemeanor Offenses** applicable to disqualification from obtaining a permit are in your file. They are also found in the Public Safety application packet. Proposed CS would allow for a misdemeanant to apply for a concealed handgun permit. Should any of these misdemeanor offenses still be considered?
3. **Providence Hospital and Mary Conrad Center** will testify that provision to delete ban on handguns on their premises is not acceptable to them.
4. **Courts** will also testify that handguns, permitted or not, should not be allowed in court buildings.

Sec. 11.61.110

DISORDERLY CONDUCT.

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(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.

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF ALASKA STATE TROOPERS

TONY KNOWLES, GOVERNOR

Ronald L. Otte, Commissioner

Permits and Licensing
117 W. 4th Ave.
Anchorage, Alaska 99501
Phone (907)258-8892
FAX (907)258-8893

Dear Applicant:

Please read Section III of the application document carefully. The answers to these questions are provided by you under penalty of perjury and will be used to initially determine your eligibility to receive a concealed handgun permit.

Your application will be promptly processed by the Permits and Licensing Unit. If additional information is needed or some further action on your part is required, you will be notified by mail. Your application file will remain open for 90 days after the request for additional information on a new application. If the required action has not been taken by you, your file will be closed. Please note that all application fees are non-refundable.

Fingerprints submitted must be taken by a law enforcement agency or state correctional facility at the discretion of the agency or facility, or by a person or agency who has been approved by the Department of Public Safety. Please check with your fingerprint person or agency to determine that they have in fact been approved by the department to take fingerprints for the ACHP program. FBI blue lettered Applicant Fingerprint cards must be signed and completed in black ink. You may contact the nearest Trooper Post or the Permits and Licensing Unit in Anchorage for a list of approved persons or agencies.

Alaska Statute requires that your application be submitted in person at an office of the Alaska State Troopers. If you live in an area where there is not a State Trooper office, you may contact the Anchorage Permits and Licensing Unit to determine how to submit your application. Applications mailed directly to the Permits and Licensing Unit will not be accepted.

The application for a concealed handgun permit consists of two pages. Separate the two pages before filling out either page as they are carbon packs and failure to separate the pages may result in illegible copies for your records. If you have any questions concerning the application, please contact a service representative at the Department of Public Safety Permits and Licensing Unit, 117 West Fourth Avenue, Anchorage, Alaska 99501, phone (907) 258-8892.

Sgt. Jeff Babcock
Supervisor, Permits & Licensing
Alaska State Troopers

Enclosures

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY



APPLICATION PACKET
FOR
CONCEALED HANDGUN PERMIT

This Packet Contains:

- General information and Instructions for Completion of Application Forms
- Application Form for Concealed Handgun Permit
- Instructions and Specifications for Photographs and Fingerprint Cards
- Select Definitions

Inquiries should be directed to the Department of Public Safety, Permits and Licensing Unit at 117 W. 4th Ave., Anchorage, AK 99501. Telephone (907) 258-8892.

GENERAL INFORMATION AND INSTRUCTIONS - Retain for your files

1. CARRYING CONCEALED HANDGUN LAW AS 18.65.700 - 18.65.790 and ADMINISTRATIVE REGULATIONS 13 AAC 30.010 - 13 AAC 30.900.

By submitting an application for a concealed handgun permit you are acknowledging that you have read and understand the laws and regulations relating to the carrying of a concealed handgun.

2. FEES

- Initial Application: Fees totaling \$122 must be submitted with your application. These fees consist of a \$63 license processing fee (13 AAC 30.040) and a \$59 fingerprint processing fee (13 AAC 25.400).
- Fees paid with personal check, cashier's check or money order, must be made payable to the State of Alaska, Department of Public Safety. **ALL FEES ARE NON - REFUNDABLE** (AS 18.65.720).

3. TRAINING DOCUMENTATION

You must submit a copy of a certificate of successful completion from a handgun course that has been approved by the department with this application. The copy of the certificate will not be returned. A list of approved handgun courses is available from any office of the Alaska State Troopers or may be obtained from the department's Permits and Licensing Unit at the address listed below.

4. FINGERPRINT CARD INSTRUCTIONS

Two sets of fingerprint cards of acceptable technical quality must accompany this application. Fingerprints submitted must be taken by a person or agency who has been approved by the department, or may be taken by a law enforcement agency or state correctional facility at the discretion of the agency or facility. A list of these persons or agencies approved by the department is available from any office of the Alaska State Troopers. See Fingerprint Card Instructions inside this application package for specific information.

5. PHOTOGRAPH INSTRUCTIONS

Two photographs of particular size and quality must be submitted with this application. See Photograph Instructions inside this application package for specific information.

6. COMPLETION OF APPLICATION

If you have any questions or need assistance in completing of your application, contact a service representative at the:

DEPARTMENT OF PUBLIC SAFETY
PERMITS AND LICENSING UNIT
117 W 4TH AVE
ANCHORAGE AK 99501
Phone (907) 258-8892

- Once your application has been completed and notarized, bring the application, photographs, fingerprints, a copy of your training certificate and processing fee to an office of the Alaska State Troopers or Fish and Wildlife Protection, or a municipal police department that has been authorized to accept Alaska Concealed Handgun Permit applications. You **must** apply for a concealed handgun permit in person (AS 18.65.700). Your application cannot be processed until all of the required documents have been received.

7. TERM OF NEW PERMIT

New permits issued under 13 AAC 30.010 expire five years following issuance of the permit.

ALASKA DEPARTMENT OF PUBLIC SAFETY Division of Alaska State Troopers	APPLICATION FOR A NEW CONCEALED HANDGUN PERMIT Please type or print in ink	Do not Write in this Space
THIS APPLICATION WILL NOT BE PROCESSED UNLESS ALL APPLICABLE QUESTIONS HAVE BEEN ANSWERED and is accompanied by the required training certificate, photographs, fingerprints, and processing fee. FEES ARE NON-REFUNDABLE.		

Section I.

Alaska Drivers License No or Alaska Identification No.	Date of Birth (month / day / year)
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Section II.

Name		First		Middle		Last			
Height		Weight		Hair Color		Eye Color			
FT	IN								
Mailing Address					City		State	Zip Code	
Residence Address (if Different than above)				Street		City		State	Zip Code
List each city and state that you have lived in for the five years preceding this application. Attach a separate page if necessary.									
City			State			Date(s)			

Section III Read each question carefully. If you cannot answer yes or no to the following questions, attach a separate sheet with an explanation. The separate sheet must be signed and dated.

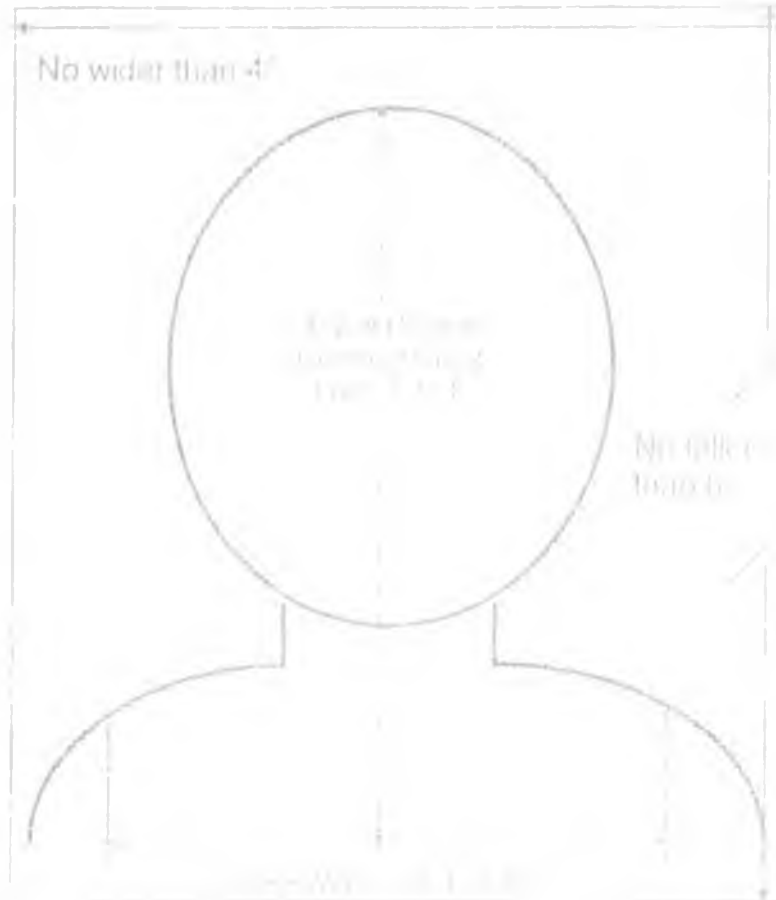
1	Are you 21 years of age or older?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2	Are you eligible to own or possess a firearm under the laws of this State and federal law?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3	Have you been convicted of or are you currently charged under a complaint, information, indictment or presentment with a felony under the laws of this State or a similar law of another jurisdiction?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4	Have you been convicted within the five years immediately preceding this application of any of the following misdemeanor offenses or similar laws of another jurisdiction?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, check any appropriate blocks		
<input type="checkbox"/>	AS 11 41 230 Assault in the 4th degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 41 250 Reckless endangerment	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 41 270 Stalking in the 2nd degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 46 315 Possession of burglary tools	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 46 320 Criminal trespass in the 1st degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 46 330 Criminal trespass in the 2nd degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 46 430 Criminally negligent burning	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 46 484 Criminal mischief in the 3rd degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 51 130 Contributing to the delinquency of a minor	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 56 330 Escape in the 4th degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 56 350 Unlawful evasion in the 2nd degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 56 380 Promoting contraband in the 2nd degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 56 545 Tampering with a witness in the 2nd degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 56 700 Resisting or interfering with an arrest	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 56 710 Harming a police dog in the 2nd degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 56 740 Violating a domestic violence restraining order	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 56 780 Hindering prosecution in the 2nd degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 56 790 Compounding	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 56 800 Making a false report	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 56 805 False accusations	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 61 110 Disorderly conduct	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 61 120 Harassment	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 61 210 Misconduct involving weapons in the 4th degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 61 220 Misconduct involving weapons in the 5th degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 61 240 Criminal possession of explosives	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 71 050 Misconduct involving a controlled substance in the 5th degree	<input type="checkbox"/>
<input type="checkbox"/>	AS 11 71 060 Misconduct involving a controlled substance in the 6th degree	<input type="checkbox"/>
5	Have you been convicted of two or more class A misdemeanors of this State or similar laws of another jurisdiction within the five years immediately preceding this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No

INSTRUCTIONS and SPECIFICATIONS for PHOTOGRAPHS

Submitted photographs **must be either:**

- An uncut color passport size photograph with the distance from the top of the subject's head to the center of the chest no less than 2" or
- If not a passport size photograph, the submitted photographs must meet the following requirements

The outer dimensions of the photographs must be **at least 3 1/2" wide X 4" tall** and **cannot be larger than 4" wide X 6" tall**. The photographs submitted **must conform to the specifications listed on this form**.



In addition, all photographs submitted must meet the following requirements:

- Two color photographs of every candidate must be submitted.
- Photographs must be taken within 30 days of the application date.
- Photographs must show the subject from a frontal, neutral perspective, not profile or three-quarter views.
- Candid pictures or full-length portraits will not be accepted.
- Head size and angle from the front of the face must be within the specifications of the photograph.
- Photographs must be submitted in color, printed on a white background, and must be uncut.
- Photographs made in the United States must be printed on a white background.
- Photographs must not be altered, retouched, or manipulated in any way.
- Photographs must not be pasted or taped onto another form, any way.
- Do not trim the photograph. Please do not use a hole punch on the photograph.
- Using crayon or felt pen to avoid smudging of the photographs, applicants must place a name and identification number on the back of the photograph.
- **IMPORTANT NOTE:** Failure to submit a photograph as requested will not affect your application.

ALASKA DEPARTMENT OF PUBLIC SAFETY Division of Alaska State Troopers	APPLICATION FOR A NEW CONCEALED HANDGUN PERMIT Please type or print in ink	Do not Write in this Space
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Section I.

Alaska Drivers License No. or Alaska Identification No.	Date of Birth (month / day / year)
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Section II.

Name		First	Middle	Last	
Height	Weight	Hair Color	Eye Color		
FT	IN				
Mailing Address			City	State	Zip Code
Residence Address (if Different than above)			Street	City	State
				State	Zip Code
List each city and state that you have lived in for the five years preceding this application. Attach a separate page if necessary					
City		State		Date(s)	

Section III. Read each question carefully. If you cannot answer yes or no to the following questions, attach a separate sheet with an explanation. The separate sheet must be signed and dated.

1. Are you 21 years of age or older?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Are you eligible to own or possess a firearm under the laws of this State and federal law?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been convicted of or are you currently charged under a complaint, information, indictment, or presentment with a felony under the laws of this State or a similar law of another jurisdiction?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Have you been convicted within the five years immediately preceding this application of any of the following misdemeanor offenses or similar laws of another jurisdiction?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, check any appropriate blocks	
<input type="checkbox"/> AS 11 41 230 Assault in the 4th degree	<input type="checkbox"/> AS 11 56 700 Resisting or interfering with an arrest
<input type="checkbox"/> AS 11 41 250 Reckless endangerment	<input type="checkbox"/> AS 11 56 710 Harming a police dog in the 2nd degree
<input type="checkbox"/> AS 11 41 270 Stalking in the 2nd degree	<input type="checkbox"/> AS 11 56 740 Violating a domestic violence restraining order
<input type="checkbox"/> AS 11 46 315 Possession of burglary tools	<input type="checkbox"/> AS 11 56 780 Hindering prosecution in the 2nd degree
<input type="checkbox"/> AS 11 46 320 Criminal trespass in the 1st degree	<input type="checkbox"/> AS 11 56 790 Compounding
<input type="checkbox"/> AS 11 46 330 Criminal trespass in the 2nd degree	<input type="checkbox"/> AS 11 56 800 Making a false report
<input type="checkbox"/> AS 11 46 430 Criminally negligent burning	<input type="checkbox"/> AS 11 56 805 False accusations
<input type="checkbox"/> AS 11 46 484 Criminal mischief in the 3rd degree	<input type="checkbox"/> AS 11 61 110 Disorderly conduct
<input type="checkbox"/> AS 11 51 130 Contributing to the delinquency of a minor	<input type="checkbox"/> AS 11 61 120 Harassment
<input type="checkbox"/> AS 11 56 330 Escape in the 4th degree	<input type="checkbox"/> AS 11 61 210 Misconduct involving weapons in the 4th degree
<input type="checkbox"/> AS 11 56 350 Unlawful evasion in the 2nd degree	<input type="checkbox"/> AS 11 61 220 Misconduct involving weapons in the 5th degree
<input type="checkbox"/> AS 11 56 380 Promoting contraband in the 2nd degree	<input type="checkbox"/> AS 11 61 240 Criminal possession of explosives
<input type="checkbox"/> AS 11 56 545 Tampering with a witness in the 2nd degree	<input type="checkbox"/> AS 11 71 050 Misconduct involving a controlled substance in the 5th degree
	<input type="checkbox"/> AS 11 71 060 Misconduct involving a controlled substance in the 6th degree
5. Have you been convicted of two or more class A misdemeanors of this State or similar laws of another jurisdiction within the five years immediately preceding this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No

ALASKA DEPARTMENT OF PUBLIC SAFETY Division of Alaska State Troopers	APPLICATION FOR A NEW CONCEALED HANDGUN PERMIT Please type or print in ink	Do not Write in this Space
THIS APPLICATION WILL NOT BE PROCESSED UNLESS ALL APPLICABLE QUESTIONS HAVE BEEN ANSWERED and is accompanied by the required training certificate, photographs, fingerprints, and processing fee FEES ARE NON-REFUNDABLE.		

Section I.

Alaska Drivers License No or Alaska Identification No.	Date of Birth (month / day / year)
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Section II.

Name		First	Middle	Last	
Height	Weight	Hair Color	Eye Color		
FT	IN				
Mailing Address			City	State	Zip Code
Residence Address (if Different than above)		Street	City	State	Zip Code
List each city and state that you have lived in for the five years preceding this application Attach a separate page if necessary					
City		State		Date(s)	

Section III Read each question carefully. If you cannot answer yes or no to the following questions, attach a separate sheet with an explanation. The separate sheet must be signed and dated.

1. Are you 21 years of age or older?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Are you eligible to own or possess a firearm under the laws of this State and federal law?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been convicted of or are you currently charged under a complaint, information, indictment, or presentment with a felony under the laws of this State or a similar law of another jurisdiction?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Have you been convicted within the five years immediately preceding this application of any of the following misdemeanor offenses or similar laws of another jurisdiction?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, check any appropriate blocks	
<input type="checkbox"/> AS 11.41.230 Assault in the 4th degree	<input type="checkbox"/> AS 11.56.700 Resisting or interfering with an arrest
<input type="checkbox"/> AS 11.41.250 Reckless endangerment	<input type="checkbox"/> AS 11.56.710 Harming a police dog in the 2nd degree
<input type="checkbox"/> AS 11.41.270 Stalking in the 2nd degree	<input type="checkbox"/> AS 11.56.740 Violating a domestic violence restraining order
<input type="checkbox"/> AS 11.46.315 Possession of burglary tools	<input type="checkbox"/> AS 11.56.780 Hindering prosecution in the 2nd degree
<input type="checkbox"/> AS 11.46.320 Criminal trespass in the 1st degree	<input type="checkbox"/> AS 11.56.790 Compounding
<input type="checkbox"/> AS 11.46.330 Criminal trespass in the 2nd degree	<input type="checkbox"/> AS 11.56.800 Making a false report
<input type="checkbox"/> AS 11.46.430 Criminally negligent burning	<input type="checkbox"/> AS 11.56.805 False accusations
<input type="checkbox"/> AS 11.46.484 Crminal mischief in the 3rd degree	<input type="checkbox"/> AS 11.61.110 Disorderly conduct
<input type="checkbox"/> AS 11.51.130 Contributing to the delinquency of a minor	<input type="checkbox"/> AS 11.61.120 Harassment
<input type="checkbox"/> AS 11.56.330 Escape in the 4th degree	<input type="checkbox"/> AS 11.61.210 Misconduct involving weapons in the 4th degree
<input type="checkbox"/> AS 11.56.350 Unlawful evasion in the 2nd degree	<input type="checkbox"/> AS 11.61.220 Misconduct involving weapons in the 5th degree
<input type="checkbox"/> AS 11.56.380 Promoting contraband in the 2nd degree	<input type="checkbox"/> AS 11.61.240 Criminal possession of explosives
<input type="checkbox"/> AS 11.56.545 Tampering with a witness in the 2nd degree	<input type="checkbox"/> AS 11.71.050 Misconduct involving a controlled substance in the 5th degree
	<input type="checkbox"/> AS 11.71.060 Misconduct involving a controlled substance in the 6th degree
5. Have you been convicted of two or more class A misdemeanors of this State or similar laws of another jurisdiction within the five years immediately preceding this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No

6	Have you been adjudicated a delinquent for a felony offense of this State or another jurisdiction within the 10 years immediately preceding this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7	Are you now suffering, or within the five years immediately preceding this application have you suffered, from a mental illness?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8	Have you been adjudicated as mentally incapacitated by a court of this State, another state, territory, or jurisdiction, or of the United States and the guardianship or similar arrangement has not been closed or terminated for five years prior to this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9	Are you a resident of this State and have you been a resident of the State for the 12 months immediately preceding this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10	Have you been discharged from the armed forces of the United States under dishonorable conditions?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11	Are you an alien who is residing in the United States illegally or a former citizen of the United States who has renounced his or her citizenship?	<input type="checkbox"/> Yes <input type="checkbox"/> No
12	Are you an unlawful user of, or addicted to, a controlled substance?	<input type="checkbox"/> Yes <input type="checkbox"/> No
13	Are you now the subject of a domestic violence injunction under AS 25 35 010 - 25 35 020 that has not been dissolved or expired?	<input type="checkbox"/> Yes <input type="checkbox"/> No
14	Are you now in, or within the three years immediately preceding this application have you been ordered by a court to complete, an alcohol treatment program?	<input type="checkbox"/> Yes <input type="checkbox"/> No
15	Are you now in, or within the three years immediately preceding this application have you entered a substance abuse treatment program?	<input type="checkbox"/> Yes <input type="checkbox"/> No
16	Have you demonstrated competence with handguns as provided in AS 18 65 715?	<input type="checkbox"/> Yes <input type="checkbox"/> No
17	I understand that a permit eligibility investigation will be conducted as part of the application process, and the investigation may involve computerized records searches. I authorize a permit eligibility investigation	<input type="checkbox"/> Yes <input type="checkbox"/> No

Section IV. AFFIDAVIT

THIS APPLICATION IS EXECUTED UNDER OATH. SUPPLYING A FALSE STATEMENT, ANSWER, OR DOCUMENT THAT THE APPLICANT DOES NOT BELIEVE TO BE TRUE, MAY SUBJECT THE APPLICANT TO CRIMINAL PROSECUTION FOR PERJURY UNDER AS 11.56.200. IF FOUND GUILTY, THE APPLICANT MAY BE PUNISHED FOR VIOLATION OF A CLASS B FELONY AND IN SUCH CASES THE PERMIT WILL BE REVOKED AND THE APPLICANT MAY BE BARRED FROM ANY FURTHER APPLICATION FOR A PERMIT.

Before me this day personally appeared _____, being duly sworn, deposes and says
 Print Name of Applicant

I DO SWEAR AND AFFIRM UNDER PENALTY OF LAW THAT:

1. I have read AS 18.65.705 and qualify to apply for a concealed handgun permit.
2. I have read Alaska Statutes 18.65.700 - 18.65.790 and understand them.
3. I desire a permit to carry a concealed handgun for lawful purposes, which may include self-defense.
4. I do not suffer from a physical infirmity or a mental illness which prevents the safe handling of a handgun.
5. The information in this application or a document submitted with this application, is true, correct, and complete to the best of my knowledge and belief.

 Signature of applicant

SUBSCRIBED AND SWORN TO before me _____ 199__

(Notary Seal)

 Notary Public in and for Alaska

My commission expires _____

Do not write in the space below.

RECEIPT FOR FEES PAID

The Department of Public Safety acknowledges that on _____ 199__ the sum of \$ _____ was received by:

CASH CHECK No. _____ MONEY ORDER No. _____

 Signature of Employee accepting application

 Printed or typed name of Employee accepting application

6.	Have you been adjudicated a delinquent for a felony offense of this State or another jurisdiction within the 10 years immediately preceding this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.	Are you now suffering, or within the five years immediately preceding this application have you suffered, from a mental illness?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8.	Have you been adjudicated as mentally incapacitated by a court of this State, another state, territory, or jurisdiction, or of the United States and the guardianship or similar arrangement has not been closed or terminated for five years prior to this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9.	Are you a resident of this State and have you been a resident of the State for the 12 months immediately preceding this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10.	Have you been discharged from the armed forces of the United States under dishonorable conditions?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11.	Are you an alien who is residing in the United States illegally or a former citizen of the United States who has renounced his or her citizenship?	<input type="checkbox"/> Yes <input type="checkbox"/> No
12.	Are you an unlawful user of, or addicted to, a controlled substance?	<input type="checkbox"/> Yes <input type="checkbox"/> No
13.	Are you now the subject of a domestic violence injunction under AS 25 35 010 - 25 35 020 that has not been dissolved or expired?	<input type="checkbox"/> Yes <input type="checkbox"/> No
14.	Are you now in, or within the three years immediately preceding this application have you been ordered by a court to complete, an alcohol treatment program?	<input type="checkbox"/> Yes <input type="checkbox"/> No
15.	Are you now in, or within the three years immediately preceding this application have you entered a substance abuse treatment program?	<input type="checkbox"/> Yes <input type="checkbox"/> No
16.	Have you demonstrated competence with handguns as provided in AS 18 65 715?	<input type="checkbox"/> Yes <input type="checkbox"/> No
17.	I understand that a permit eligibility investigation will be conducted as part of the application process, and the investigation may involve computerized records searches. I authorize a permit eligibility investigation.	<input type="checkbox"/> Yes <input type="checkbox"/> No

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Before me this day personally appeared _____ who, being duly sworn, deposes and says
 Print Name of Applicant

I DO SWEAR AND AFFIRM UNDER PENALTY OF LAW THAT:

1. I have read AS 18.65.705 and qualify to apply for a concealed handgun permit.
2. I have read Alaska Statutes 18.65.700 - 18.65.790 and understand them.
3. I desire a permit to carry a concealed handgun for lawful purposes, which may include self-defense.
4. I do not suffer from a physical infirmity or a mental illness which prevents the safe handling of a handgun.
5. The information in this application or a document submitted with this application, is true, correct, and complete to the best of my knowledge and belief.

 Signature of applicant

SUBSCRIBED AND SWORN TO before me _____ 199 ____

(Notary Seal)

 Notary Public in and for Alaska

Do not write in the space below.

 My commission expires

RECEIPT FOR FEES PAID

The Department of Public Safety acknowledges that on _____ 199 ____, the sum of \$ _____ was received by:

CASH CHECK No. _____ MONEY ORDER No. _____

 Signature of Employee accepting application

 Printed or typed name of Employee accepting application

CONCEALED HANDGUN PERMIT APPLICATION CHECKLIST

Alaska Drivers License Number or
Alaska Identification Number _____

Name of Applicant _____

Instructions to the Applicant: Use the checklist below as a reminder that you have included all the necessary forms and documents. Place a check in the box to the left of an item as you place that item in the envelope to take to the Alaska State Trooper Office or office of an approved police department.

Applicant Checklist		
<input type="checkbox"/> 1 Application Page 1	<input type="checkbox"/> 2 Application Page 2	<input type="checkbox"/> 3 Photographs
<input type="checkbox"/> 4 Fingerprint Cards	<input type="checkbox"/> 5 Training Certificate	<input type="checkbox"/> 6 Attachments
<input type="checkbox"/> 7 Fee		

Instructions to employee receiving the application at the AST office, FWP office, or approved police department:

Use the checklist below to check off items that are in the packet, prior to forwarding the application packet to the Permits and License Unit. The applicant turning in this document must show to you a valid Alaska Drivers License or Alaska Identification card.

When the fee is paid, fill out the receipt and give the pink copy to the applicant.

Receiving Office		
<input type="checkbox"/> 1 Alaska DL or ID Verified	<input type="checkbox"/> 2 Application Page 1	<input type="checkbox"/> 3 Application Page 2
<input type="checkbox"/> 4 Page 2 Notarized	<input type="checkbox"/> 5 Photographs	<input type="checkbox"/> 6 Fingerprint Cards
<input type="checkbox"/> 7 Training Certificate	<input type="checkbox"/> 8 Attachments	<input type="checkbox"/> 9 Fee
<input type="checkbox"/> 10 Receipt	<input type="checkbox"/> 11 Pink Copies Given to Applicant	

This section to be used by the Permits and Licensing Unit upon receipt of this application packet.

Permits and License Unit		
<input type="checkbox"/> 1 Fingerprint Cards	<input type="checkbox"/> 2 Application Page 1	<input type="checkbox"/> 3 Application Page 2
<input type="checkbox"/> 4 Page 2 Notarized	<input type="checkbox"/> 5 Photographs	<input type="checkbox"/> 6 Training Certificate
<input type="checkbox"/> 7 Attachments Fee	<input type="checkbox"/> 8 Fee	<input type="checkbox"/> 9 Receipt

Brief Description of Misdemeanor Offenses That Disqualify a Person for Five Years
from Obtaining a Permit to Carry a Concealed Handgun

- AS 11 41 230 (assault in the fourth degree) is often referred to as misdemeanor assault. It includes causing non-serious physical injury, as well as placing someone in fear of imminent physical injury by words or other conduct. Most non-serious domestic assaults fall into this category.
- AS 11 41 250 (reckless endangerment) prohibits creating a substantial risk of serious physical injury to another.
- AS 11 41 270 (stalking in the second degree) prohibits causing a person to be in fear for his or her safety or the safety of a family member, because of more than one incident of contact with the person (including contact by telephone, mail or other indirect methods) without that person's consent.
- AS 11 46 315 (possession of burglary tools) prohibits possessing explosives, torches, tools or other devices intended to be used to commit burglary or theft of services.
- AS 11 46 320 and 330 (criminal trespass in the first and second degrees) prohibits entering or remaining on land, premises, in a dwelling or in a vehicle without having a right to be there or after having been asked to leave.
- AS 11 46 430 (criminally negligent burning) prohibits damaging another person's property by fire or explosion.
- AS 11 46 484 (criminal mischief in the third degree) prohibits any of the following if you do not have a right to do so: (1) intentionally damaging another person's property in an amount less than \$500; (2) taking another person's vehicle (joyriding); (3) late return of a rental vehicle; (4) tampering with a fire protection device in a public place; (5) knowingly accessing a computer; (6) using a desecrating device to obtain electronic signals; and (7) tampering with a traffic control device.
- AS 11 51 130 (contributing to the delinquency of a minor) prohibits aiding, inducing, causing or encouraging a person (1) under 18 to violate the law or to be in a place where illegal drugs are sold or (2) under 16 to be absent from school or their parent's custody.
- AS 11 56 330 and 350 (escape in the fourth degree and unlawful evasions in the second degree) prohibits removing yourself from police restraint before an arrest or removing yourself from official detention for a misdemeanor, whether by escaping or failing to return after being granted a temporary leave or a furlough.
- AS 11 56 360 (promoting confinement in the second degree) prohibits taking confinement into a correctional facility or possessing or attempting to make confinement with a correctional facility.
- AS 11 56 545 (tampering with a witness in the second degree) prohibits attempting to induce a witness to be absent from an official proceeding to which the witness has been summoned.
- AS 11 56 700 (creating or interfering with arrests) prohibits creating or interfering with an arrest by (1) force; (2) criminal mischief; or (3) creating a substantial risk of physical injury to anyone.
- AS 11 56 710 (harming a police dog or the second degree) prohibits injuring, tormenting, killing, wounding or tampering with a police dog, knowing it is a police dog.
- AS 11 56 740 (violating a domestic violence restraining order) prohibits knowingly violating an order issued under AS 25 35.01(9)(b) or 020 if the court issuing the order found that the person subjected another to domestic violence.
- AS 11 56 780 (rendering protection in the second degree) prohibits helping a person who has committed an offense punishable by more than 90 days in jail by (1) harboring or concealing the person; (2) warning the person of discovery or arrest; (3) providing the person with money, transportation, a weapon, a disguise or other means of avoiding apprehension; (4) preventing anyone by means of force, threat or deception from doing anything that might result in discovering or arresting the person; (5) concealing, altering or destroying physical evidence; (6) aids the person in securing or producing proceeds of the crime.
- AS 11 56 790 (compounding) prohibits offering any kind of benefit or agreement to accept a benefit by concealing a crime, refraining from relating prosecution or withholding evidence.
- AS 11 56 800 (making a false report) prohibits knowingly giving false information to a police officer (1) to report a crime; (2) to encourage another person in a crime; or (3) to give a false report or a false alarm about a fire or another dangerous incident that would call for an emergency response.
- AS 11 56 805 (false accusation) prohibits knowingly making a false report to the legislative ethics committee.
- AS 11 61 110 (disorderly conduct) prohibits (1) making an unreasonably loud noise; (2) refusing a police officer's lawful order to disperse or to leave the premises; (3) challenging another to fight or engaging in fighting not in self defense; (4) creating a hazardous condition without lawful excuse; and (5) intentionally exposing one's buttocks to another person.
- AS 11 61 120 (harassment) prohibits intending to harass or annoy another person by (1) making, sending or challenging the person in a manner likely to provide an immediate violent response; (2) telephoning and hanging up; (3) making repeated telephone calls or

inconvenient hours (4) making anonymous or obscene telephone calls or one that threatens injury (5) subjecting another person to offensive physical contact

AS 11 61 210 (misconduct involving weapons in the fourth degree) prohibits (1) possessing a firearm on your person or in a vehicle when your physical or mental condition is impaired by alcohol or drugs (2) discharging a firearm from on or across a highway (3) discharging a firearm with reckless disregard for risk of damage to property or injury (4) possessing metal knuckles (5) making or selling a switchblade or a gravity knife, and (6) knowingly selling a firearm or defensive weapon to a person under age 18

AS 11 61 220 (misconduct involving weapons in the fifth degree) prohibits (1) carrying a concealed deadly weapon other than an ordinary pocket knife or a defensive weapon (2) possessing a loaded firearm in any place where intoxicating liquor is sold for consumption on the premises (3) being under 16 and possessing a firearm without parental consent (4) possessing a firearm or defensive weapon on school grounds, and (5) possessing a switchblade or gravity knife

AS 11 61 240 (criminal possession of explosives) prohibits possession of explosives intended to be used to commit a crime

AS 11 71 050 (misconduct involving controlled substances in the fifth degree) prohibits (1) possessing one half ounce or more of marijuana with the intent to grow or deliver it for free (2) possessing any amount of marijuana with the intent to grow or deliver it for sale or exchange, and (3) illegally possessing certain amounts of schedule IIIA and IVA controlled substances

AS 11 71 060 (misconduct involving controlled substances in the sixth degree) prohibits (1) using or displaying any amount of marijuana, and (2) possessing less than one-half pound of marijuana

Important Definitions for an Applicant to be Aware Of

"alcohol treatment program" means counseling about the effects of the consumption of alcohol on human behavior and physiology whether provided individually or in a group, by a public or private agency, or on an in patient or out patient basis

"convicted" or "conviction" means that a person has entered a plea of guilty or no contest to, or has been found guilty by a court or jury of a criminal offense, regardless of whether the judgment was after that set aside under AS 12 55 085 or a similar procedure in another jurisdiction, or was the subject of a pardon or other executive clemency, but does not include a judgment that has been reversed or vacated by a court as a result of motion, appellate action, petition for writ of habeas corpus, or application for post conviction relief under Rule 35 f of the Alaska Rules of Criminal Procedure or a similar procedure in another jurisdiction

"felony" means an offense punishable by more than a year of incarceration if committed by an adult, under the laws of this state or a similar law of another jurisdiction

"injunction under AS 25 35 010 - 25 35 020" means a domestic violence restraining order, regardless of whether the order

"resident" has the meaning given in AS 01 10 055

"substance abuse treatment program" means counseling about the effects on human behavior and physiology of the consumption of alcohol, illegal drugs, or other controlled substances, excluding tobacco, whether provided individually or in a group, by a public or private agency, or on an in patient or out patient basis

"unlawful user of a controlled substance" means the applicant has unlawfully distributed, or has possessed or used without a prescription

For purposes of AS 18 65 705A; and (5), the date of conviction is the date sentence was imposed or imposition of sentence was suspended under AS 12 55 085 or a similar procedure in another jurisdiction

"Mental illness" as used in AS 18 65 705 has the meaning given in AS 47 30 215

A schedule IV or VA controlled substance is described in AS 11 71 170 - 11 71 180 and includes a large number of prescriptive drugs such as barbitals, phenobarbital, valium, secobarbital, fentanyl, daron, and prescription cough suppressants, and

A schedule IA, II, IIIA or IIIA controlled substance is described in AS 11 71 140 - 11 71 160 and includes a large number of narcotic, depressant, stimulant, and hallucinogenic drugs such as opium, heroin, morphine, demerol, dextro, percocan, methadone, lysergic acid diethylamide (LSD), mescaline, peyote, cocaine, phenylpiridine (PCP), amphetamine, methamphetamine, barbiturates, hashish, hash, or tetrahydrocannabinol (THC), psilocybin, marijuana, codeine, and secobarbital



LAWS OF ALASKA

1994

Source
SCS CSHB 351(STA) am S

Chapter No.

AN ACT

Relating to permits for the carrying of a concealed handgun; providing for local option elections in municipalities and established villages to prohibit the possession of a concealed handgun under a permit; and relating to the possession of weapons; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to permits for the carrying of a concealed handgun; providing for local option
2 elections in municipalities and established villages to prohibit the possession of a concealed
3 handgun under a permit; and relating to the possession of weapons; and providing for an
4 effective date.

5 _____
6 * Section 1. AS 11.61.220(b) is amended to read:

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

9 (1) in the defendant's dwelling or on land owned or leased by the
10 defendant appurtenant to the dwelling; [OR]

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

14 (3) the holder of a valid permit to carry a concealed handgun

1 under AS 18.65.700 - 18.65.790, the deadly weapon concealed was a handgun as
2 defined in AS 18.65.790, and the possession did not occur in a municipality or
3 established village in which the possession of concealed handguns is prohibited
4 under AS 18.65.780 - 18.65.785.

5 * Sec. 2. AS 11.61.220(e) is amended to read:

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

12 * Sec. 3. AS 11.61.220(f) is amended to read:

13 (f) For purposes of (a)(2) and (e) of this section, a firearm is loaded if the
14 (1) firing chamber, magazine, clip, or cylinder of the firearm contains
15 a cartridge; and
16 (2) chamber, magazine, clip, or cylinder is installed in or on the
17 firearm.

18 * Sec. 4. AS 18.65 is amended by adding new sections to read:

19 ARTICLE 9. PERMIT TO CARRY A CONCEALED HANDGUN.

20 Sec. 18.65.700. PERMIT TO CARRY A CONCEALED HANDGUN. (a)

21 The department shall issue a permit to carry a concealed handgun to a person who

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

23 (2) qualifies under AS 18.65.705;

24 (3) submits a completed application on a form provided by the
25 department, that provides the information required under AS 18.65.705 and 18.65.710
26 and is executed under oath;

27 (4) submits two complete sets of fingerprints on Federal Bureau of
28 Investigation approved fingerprint cards that are of sufficient quality so that the
29 fingerprints may be processed; the fingerprints must be taken by a person, group, or
30 agency approved by the department; the department shall maintain a list of persons,
31 groups, or agencies approved to take fingerprints and shall provide the list to the

1 public upon request;

2 (5) submits evidence of competence with handguns as provided in
3 AS 18.65.715;

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

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

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

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

12 (b) The department shall either approve or reject an application for a permit
13 to carry a concealed handgun under (a) of this section within 15 days of receipt of
14 permit eligibility information from the Federal Bureau of Investigation or other agency
15 necessary to make a determination concerning the application. The department shall
16 request permit eligibility information under this subsection within five days of the
17 receipt of the application. The department shall notify the applicant in writing of the
18 reason for a rejection.

19 (c) A person whose application is rejected under this section may appeal the
20 rejection decision to the commissioner. A person may seek judicial review of the
21 decision of the commissioner under AS 44.62.560 - 44.62.570.

22 (d) A permit issued under (a) of this section is valid for five years from the
23 date of issue. The permit must specify the action types and maximum calibers of
24 handgun described in the permittee's certificate of competency under AS 18.65.715
25 but may not specifically identify a handgun by make, model, or serial number.

26 Sec. 18.65.705. QUALIFICATIONS TO OBTAIN A PERMIT. A person is
27 qualified to receive and hold a permit to carry a concealed handgun if the person

28 (1) is 21 years of age or older;

29 (2) is eligible to own or possess a firearm under the laws of this state
30 and under federal law;

31 (3) has not been convicted of and is not currently charged under a

1 complaint, information, indictment, or presentment with a felony under the laws of
2 this state or a similar law of another jurisdiction;

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

7 (A) AS 11.41.230, 11.41.250, 11.41.270;

8 (B) AS 11.46.315, 11.46.320, 11.46.330, 11.46.430,
9 11.46.484;

10 (C) AS 11.51.130;

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

14 (E) AS 11.61.110, 11.61.120, 11.61.210, 11.61.220,
15 11.61.240; or

16 (F) AS 11.71.050, 11.71.060;

17 (5) has not been convicted of two or more class A misdemeanors of
18 this state or similar laws of another jurisdiction within the five years immediately
19 preceding the application;

20 (6) has not within the 10 years immediately preceding the application
21 been adjudicated a delinquent for a felony offense of this state or another jurisdiction;

22 (7) is not now suffering, and has not within the five years immediately
23 preceding the application suffered, from a mental illness as defined in AS 47.30.915;

24 (8) has not been adjudicated as mentally incapacitated by a court of this
25 state, another state, territory, or jurisdiction, or of the United States, unless the
26 guardianship or similar arrangement has been closed or terminated and five years have
27 elapsed since the closure or other termination;

28 (9) is a resident of the state and has been for the one year immediately
29 preceding the application for a permit;

30 (10) has not been discharged from the armed forces of the United
31 States under dishonorable conditions;

1 (11) is not an alien who is residing in the United States illegally or a
2 former citizen of the United States who has renounced the person's citizenship;

3 (12) is not an unlawful user of, or addicted to, a controlled substance;

4 (13) is not now the subject of an injunction under AS 25.35.010 -
5 25.35.020 unless the injunction has been dissolved or has expired;

6 (14) is not now in and has not in the three years immediately preceding
7 the application been ordered by a court to complete an alcohol treatment program;

8 (15) is not now in and has not in the three years immediately preceding
9 the application entered a substance abuse treatment program; and

10 (16) has demonstrated competence with handguns as provided in
11 AS 18.65.715.

12 Sec. 18.65.710. APPLICATION FOR PERMIT TO CARRY A
13 CONCEALED HANDGUN. (a) The application for a permit to carry a concealed
14 handgun must contain the following information:

15 (1) the applicant's name, physical residence, mailing address, place and
16 date of birth, physical description, including height, weight, race, hair color, and eye
17 color, Alaska driver's license or identification card number, and the city and state of
18 each place the applicant has resided in the five years immediately preceding the
19 application;

20 (2) a statement that the applicant qualifies under AS 18.65.705;

21 (3) a statement that the applicant has been furnished with a copy of
22 AS 18.65.700 - 18.65.790, has read those sections, and understands them;

23 (4) a statement that the applicant desires a permit to carry a concealed
24 handgun for a lawful purpose, which may include self-defense;

25 (5) a sworn statement by the applicant that all statements, answers, and
26 attachments to the application are true and complete;

27 (6) a conspicuous warning that the application is executed under oath
28 and that an applicant who supplies a false statement, answer, or document, in
29 connection with the application that the applicant does not believe to be true, may be
30 prosecuted for perjury under AS 11.56.200 and, if found guilty, may be punished for
31 violation of a class B felony, and that in such cases the permit shall be revoked and

1 the applicant may be barred from any further application for a permit; and

2 (7) a statement that the applicant understands that a permit eligibility
3 investigation will be conducted as a part of the application process, that this may
4 involve computerized records searches, and that the applicant authorizes the
5 investigation.

6 (b) An application under (a) of this section may not inquire of an applicant
7 about or require the submission of information beyond that described in that
8 subsection. As part of an application under (a) of this section, the department may
9 not inquire of an applicant as to any firearms owned by the applicant.

10 Sec. 18.65.715. DEMONSTRATION OF COMPETENCE WITH
11 HANDGUNS. (a) An applicant for a permit to carry a concealed handgun shall
12 provide a certificate of successful completion of a handgun course that is approved by
13 the department. The certificate must state the action type and caliber of handgun or
14 handguns the applicant has demonstrated competence with and that the applicant may
15 be permitted to carry. A permittee may only carry as a concealed handgun an action
16 type of handgun described in the certificate. A permittee may only carry as a
17 concealed handgun the caliber of the action type that the permittee demonstrated
18 competence with or any lesser caliber of the same action type. The handgun course
19 must have been completed within the 12 months immediately preceding the
20 application. The department shall approve a handgun course, including the personal
21 protection course offered by the National Rifle Association, if the course tests the
22 applicant's

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

25 (2) familiarity with the basic concepts of the safe and responsible use
26 of handguns;

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

28 (4) physical competence with each action type of handgun the applicant
29 wishes to carry under the permit and the maximum caliber for each action type the
30 applicant wishes to carry under the permit.

31 (b) At the time the permittee renews a permit under AS 18.65.725, the

1 permittee shall provide a certificate of successful completion of a handgun course
2 approved by the department under (a) of this section. The handgun course required
3 under this subsection must be completed in the 12 months immediately preceding the
4 renewal.

5 (c) The department may not require a certificate of competence submitted
6 under this section to contain any specifically identifying information, including make,
7 model, or serial number, of a handgun with which an applicant or permittee has
8 demonstrated competence.

9 (d) The department shall maintain a list of approved courses and shall provide
10 the list to the public upon request.

11 Sec. 18.65.720. FEES. The department shall charge a nonrefundable fee for
12 the processing of the application for and initial issuance of a permit, renewal of a
13 permit, or replacement of a permit. The fees shall be set by regulation and must be
14 based on the actual costs incurred by the department. However, the fee for the
15 processing of an application and initial issuance of a permit may not exceed \$125 and
16 the fee for renewal of a permit or replacement of a permit may not exceed \$60.

17 Sec. 18.65.725. PERMIT RENEWAL. (a) A permittee shall apply in person
18 for renewal of a permit to carry a concealed handgun within 90 days before the
19 expiration of the permit and shall present a complete renewal form provided by the
20 department. The renewal form shall be submitted under oath and must include

21 (1) any change in the information originally submitted under
22 AS 18.65.710;

23 (2) a statement that the person remains qualified to receive and hold
24 a permit to carry a concealed handgun under AS 18.65.705;

25 (3) a certificate of successful completion of a handgun course within
26 the 12 months immediately preceding the renewal;

27 (4) two frontal view photographs of the person taken within the
28 preceding 30 days that include the head and shoulders of the person and are of a size
29 specified by the department; and

30 (5) the renewal fee required under AS 18.65.720.

31 (b) The department shall take a single thumb or fingerprint from the permittee

1 to compare against the fingerprints originally submitted with the application.

2 (c) A renewal of a permit to carry a concealed handgun submitted on or after
3 the expiration date is subject to a late fee of \$25. The department may not accept a
4 renewal for a permit that is submitted more than 30 days after the expiration date of
5 the permit. Nothing in this subsection prohibits the holder of an expired permit from
6 applying for a new permit.

7 (d) A renewal form under (a) of this section may not inquire of a permittee
8 about, or require the submission of, information beyond that described in (a) of this
9 section.

10 Sec. 18.65.730. REPLACEMENT OF PERMIT. The department may
11 replace a permit that the permittee certifies under oath has been lost, stolen, or
12 destroyed, provided the permittee applies in person and

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

16 (2) submits to the taking of a single thumb or fingerprint by the
17 department to compare against the fingerprint originally submitted with the
18 application; and

19 (3) pays the replacement fee required under AS 18.65.720.

20 Sec. 18.65.735. SUSPENSION OF PERMIT. (a) The department shall
21 immediately suspend a permit to carry a concealed handgun if a permittee is arrested
22 for or formally charged with a crime that would disqualify the permittee under
23 AS 18.65.705(3) - (4) from being eligible for a permit to carry a concealed handgun
24 or is the subject of an injunction under AS 25.35.010 - 25.35.020. A suspension of
25 a permit remains in effect until the permit is revoked under AS 18.65.740, the
26 department has been notified of a disposition favorable to the defendant or the
27 defendant has been released from custody without being charged, or the injunction
28 under AS 25.35.010 - 25.35.020 is dissolved or expires without being renewed. In
29 this section, "disposition favorable to the defendant" means a dismissal by the
30 prosecutor or an adjudication by a court other than a conviction or a suspended
31 imposition of sentence.

1 (b) A person whose permit is suspended under this section shall immediately
2 surrender the permit to the nearest peace officer. A peace officer receiving a permit
3 under this section shall immediately forward the permit to the department.

4 (c) The department shall retain a permit suspended under this section until the
5 permit is revoked or returned to the permittee.

6 Sec. 18.65.740. REVOCATION OF PERMIT; APPEAL. (a) A permit to
7 carry a concealed handgun shall be immediately revoked by the department when the
8 permittee

9 (1) becomes disqualified to receive and hold a permit under
10 AS 18.65.705;

11 (2) is convicted of two class A misdemeanors of this state or similar
12 laws of another jurisdiction within a five-year period if at least one of the convictions
13 occurs after the application;

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

17 (b) A person whose permit is revoked under (a) of this section shall
18 immediately surrender the permit to the nearest peace officer. A peace officer
19 receiving a permit under this section shall immediately forward the permit to the
20 department.

21 (c) A person whose permit is revoked under this section may appeal the
22 revocation decision to the commissioner. A person may seek judicial review of the
23 decision of the commissioner under AS 44.62.560 - 44.62.570.

24 (d) A person whose permit is revoked may not apply for a permit until at least
25 five years after the revocation.

26 Sec. 18.65.745. NO LIABILITY FOR ISSUANCE OF PERMIT OR FOR
27 TRAINING. (a) The state, and its officers and employees, are not liable by virtue
28 of having issued a permit to carry a concealed handgun for damage or harm caused
29 by the permittee.

30 (b) A person who provides firearm training to a person who receives a permit
31 under AS 18.65.700 - 18.65.790 is not liable for damage or harm caused by the

1 permittee.

2 Sec. 18.65.750. POSSESSION AND DISPLAY OF PERMIT. (a) A
3 permittee shall carry the permit at all times the permittee carries a concealed handgun.
4 The permittee shall display both the license and other proper identification when asked
5 to do so by a peace officer at any time.

6 (b) Whenever a permittee who is carrying a concealed handgun is contacted
7 by a peace officer, the permittee shall immediately inform the peace officer that the
8 permittee is carrying a concealed handgun under the permit.

9 (c) During a contact with a permittee, a peace officer may secure a handgun,
10 or direct that it be secured, during the duration of the contact if the peace officer
11 determines that the action is necessary for the safety of any person, including the
12 peace officer, present. The permittee shall submit to the securing of the handgun.

13 (d) In this section, "contacted by a peace officer" means stopped, detained,
14 questioned, or addressed in person by the peace officer for an official purpose.

15 (e) A person who violates (a) of this section is guilty of a violation and upon
16 conviction may be punished by a fine of not more than \$100.

17 (f) A person who violates (b) or (c) of this section is guilty of a class A
18 misdemeanor.

19 Sec. 18.65.755. PLACES WHERE PERMITTEE MAY NOT POSSESS A
20 CONCEALED HANDGUN. (a) A permittee may not carry a concealed handgun
21 into

22 (1) a law enforcement or correctional facility;

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

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

26 (A) is a judge; or

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

29 (4) a building housing only state or federal offices or the offices of a
30 political subdivision of the state, except as authorized under (3) of this subsection;

31 (5) an office of the state, federal government, or of a political

1 subdivision of the state that is not located in a building described in (4) of this
2 subsection;

3 (6) a passenger loading or unloading area of an airline terminal;

4 (7) a vessel of the Alaska marine highway system;

5 (8) a facility providing services to victims of domestic violence or
6 sexual assault;

7 (9) a residence where notice that carrying a concealed handgun is
8 prohibited has been given by the posting of a conspicuous notice or by oral statement
9 by the resident to the permittee;

10 (10) a meeting of a business, charitable, or other organization or entity
11 where notice that carrying a concealed handgun is prohibited has been given by the
12 posting of conspicuous notice;

13 (11) a financial institution; in this paragraph, "financial institution"
14 means a bank, savings bank, savings association, credit union, or other institution
15 regulated by the Department of Commerce and Economic Development under AS 06;

16 (12) another place where the possession of a deadly weapon or firearm
17 is prohibited by law; or

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

20 (b) In (a) of this section, the posting of a conspicuous notice is satisfied if the
21 notice

22 (1) is printed in legible English;

23 (2) is at least 144 square inches in size;

24 (3) contains the name and address of the person under whose authority
25 the notice is posted; and

26 (4) is posted at each entrance to the residence or place where a meeting
27 is being held.

28 (c) In addition to any other penalty provided by law, a person who violates
29 this section is guilty of a class B misdemeanor.

30 Sec. 18.65.760. MISUSE OF A PERMIT. (a) The holder of a permit issued
31 under AS 18.65.700 - 18.65.790 may not

- 1 (1) alter the permit;
- 2 (2) allow another person to use the permit;
- 3 (3) possess or display a suspended or revoked permit; or
- 4 (4) display an expired permit.

5 (b) A person who violates (a)(1) - (3) of this section is guilty of a class A
6 misdemeanor.

7 (c) A person who violates (a)(4) of this section is guilty of a violation and
8 upon conviction may be punished by a fine of not more than \$100.

9 Sec. 18.65.765. RESPONSIBILITIES OF THE PERMITTEE. (a) The
10 holder of a permit issued under AS 18.65.700 - 18.65.790

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

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

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

17 (4) may only carry a concealed handgun of the action type and caliber
18 the holder has demonstrated competency with or of any lesser caliber of the same
19 action type as authorized in the permit issued under AS 18.65.700.

20 (b) A person who violates this section is guilty of a violation and upon
21 conviction may be punished by a fine of not more than \$100.

22 Sec. 18.65.770. ACCESS TO LIST OF PERMITTEES BY PEACE
23 OFFICERS. The department shall compile a list of permittees in a manner that allows
24 immediate access to the information by peace officers. The list of permittees and all
25 applications, permits, and renewals are not public records under AS 09.25.110 -
26 09.25.125 and may only be used for law enforcement purposes.

27 Sec. 18.65.775. REGULATIONS. The department shall adopt regulations to
28 implement AS 18.65.700 - 18.65.790. This section does not delegate to the
29 department the authority to regulate or restrict the issuing of permits beyond those
30 provisions contained in AS 18.65.700 - 18.65.790.

31 Sec. 18.65.778. MUNICIPAL PREEMPTION. A municipality may not

1 restrict the carrying of a concealed handgun by permit under AS 18.65.700 -
2 18.65.790 except as provided in AS 18.65.780 - 18.65.785.

3 Sec. 18.65.780. PROHIBITION OF POSSESSION OF CONCEALED
4 HANDGUNS. (a) The following question, appearing alone, may be placed before
5 the voters of a municipality or an established village in accordance with
6 AS 18.65.785:

7 Shall the possession of concealed handguns by permit in

8 (name of municipality or village) be prohibited?

9 Yes No.

10 (b) If a majority of the voters vote "yes" on the question set out in (a) of this
11 section, the department shall be notified immediately after certification of the results
12 of the election, and so long as the prohibition remains in effect, a person may not
13 possess a concealed handgun with a permit issued under AS 18.65.700 - 18.65.790
14 in the municipality or the established village.

15 Sec. 18.65.785. PROCEDURE FOR LOCAL OPTION ELECTIONS. (a)
16 The local governing body of a municipality, whenever a number of registered voters
17 equal to at least 10 percent of the number of votes cast at the last regular municipal
18 election petition the local governing body to do so, shall place upon a separate ballot
19 at the next regular election or at a special election the question set out in
20 AS 18.65.780 that is the subject of the petition. The local governing body shall
21 conduct the election in accordance with the election ordinance of the municipality.

22 (b) The lieutenant governor, whenever 10 percent of the registered voters
23 residing within an established village petition the lieutenant governor to do so, shall
24 place upon a separate ballot at a special election the question set out in AS 18.65.780
25 that is the subject of the petition. The lieutenant governor shall conduct the election
26 in the manner prescribed by AS 15 (Alaska Election Code).

27 (c) Notwithstanding another provision of law, an election under (a) or (b) of
28 this section relating to the possession of concealed handguns by permit under
29 AS 18.65.780 may not be conducted more than once every 12 months.

30 (d) AS 29.26.110 - 29.26.160 apply to a petition under (a) of this section in
31 a general law municipality except the

1 (1) number of required signatures is determined under (a) of this
2 section rather than under AS 29.26.130;

3 (2) application filed under AS 29.26.110 must contain the question set
4 out under AS 18.65.780 rather than containing an ordinance or resolution;

5 (3) petition must contain the question set out under AS 18.65.780
6 rather than material required under AS 29.26.120(a)(1) and (2).

7 Sec. 18.65.790. DEFINITIONS. In AS 18.65.700 - 18.65.790,

8 (1) "commissioner" means the commissioner of public safety;

9 (2) "competence" means the ability to place in a life size silhouette
10 target

11 (A) seven out of 10 shots at seven yards;

12 (B) six out of 10 shots at 15 yards;

13 (3) "concealed handgun" means a firearm, that is a pistol or a
14 revolver, and that is covered or enclosed in any manner so that an observer cannot
15 determine that it is a handgun without removing it from that which covers or encloses
16 it or without opening, lifting, or removing that which covers or encloses it; however,
17 "concealed handgun" does not include a shotgun, rifle, derringer or other miniature
18 handgun, or a prohibited weapon as defined under AS 11.61.200; in this paragraph,

19 (A) "derringer" means a handgun that has individual barrels for
20 each cartridge it is capable of firing and lacks a manufacturer's installed
21 trigger guard that completely encircles the trigger and which is part of the
22 frame; and

23 (B) "miniature handgun" means a handgun that has a barrel
24 length of three and one-half inches or less and lacks a manufacturer's installed
25 trigger guard that completely encircles the trigger and which is part of the
26 frame;

27 (4) "department" means the Department of Public Safety;

28 (5) "established village" has the meaning given in AS 04.21.080;

29 (6) "local governing body" has the meaning given in AS 04.21.080;

30 (7) "permit" means a permit to carry a concealed handgun issued under
31 AS 18.65.700 - 18.65.790.

- 1 * Sec. 5. AS 18.65.780 - 18.65.790, added by sec. 4 of this Act, take effect immediately.
- 2 * Sec. 6. Except as provided in sec. 5 of this Act, this Act takes effect October 1, 1994.