

CS FOR HOUSE JOINT RESOLUTION NO. 4(JUD) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Amended: 2/27/13

Offered: 2/11/13

Sponsor(s): **REPRESENTATIVES MILLETT, Lynn, Johnson, Hawker, Chenault, Higgins, LeDoux, Peggy Wilson, Gattis, Saddler, Feige, Thompson, Neuman, Tammie Wilson, Olson, Costello, Hughes, Pruitt, Herron, Isaacson, Reinbold, Stoltze**

A RESOLUTION

1 **Urging the President of the United States to rescind 23 executive orders, executive**
2 **actions, and executive recommendations, related to regulation of firearms; and urging**
3 **the United States Congress to refrain from passing legislation that restricts the right of**
4 **individuals to keep and bear arms.**

5 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 **WHEREAS** the Second Amendment to the Constitution of the United States and art.
7 I, sec. 19, Constitution of the State of Alaska, guarantee the right of individuals to keep and
8 bear arms; and

9 **WHEREAS** President Barack Obama has issued 23 executive orders, executive
10 actions, and executive recommendations, intended to reduce gun-related violence, and some
11 of those orders, actions, or recommendations may limit or restrict the ability of law-abiding
12 persons in the state to keep and bear arms as they have the right to do under the Second
13 Amendment to the Constitution of the United States; and

14 **WHEREAS** President Barack Obama has asked the United States Congress to pass
15 several gun control laws that, if passed, will restrict the ability of law-abiding people in the

1 state to own firearms and firearm accessories; and

2 **WHEREAS** the hearts of all Alaskans go out to the victims and families left behind in
3 the wake of gun-related tragedies like those that took place in Newtown, Connecticut, Aurora,
4 Colorado, and Bethel, Alaska; and

5 **WHEREAS**, when the federal government tries to curtail individual rights that are
6 guaranteed by the Second Amendment to the Constitution of the United States, Alaskans
7 expect their elected officials to defend those rights; and

8 **WHEREAS** Alaskans will not accept a one-size-fits-all approach by the federal
9 government that uses gun-control in a misguided attempt to curb gun-related crime; and

10 **WHEREAS** new laws banning firearms will only punish law-abiding Alaskans, not
11 individuals guilty of crimes; and

12 **WHEREAS** banning certain types of firearms and high capacity ammunition
13 magazines will not keep them out of the hands of criminals or mentally ill persons; and

14 **WHEREAS**, in 2012, the Congressional Research Service reported that "according to
15 a 1997 survey of 203,300 state and federal prisoners who had been armed during the
16 commission of the crimes for which they were incarcerated, fewer than 1 in 50, or less than 2
17 percent, used, carried, or possessed a semiautomatic assault weapon or machine gun"; and

18 **WHEREAS** a 1997 investigative report to the National Institute of Justice, United
19 States Department of Justice, found, regarding the effectiveness of the federal assault
20 weapons ban under the Public Safety and Recreational Firearms Use Protection Act, a subtitle
21 of the Violent Crime Control and Law Enforcement Act of 1994, that "the evidence is not
22 strong enough for us to conclude that there was any meaningful effect"; and

23 **WHEREAS** a 2004 investigative report to the National Institute of Justice, United
24 States Department of Justice, following up on the 1997 report to the National Institute of
25 Justice on the effectiveness of the federal assault weapons ban under the Public Safety and
26 Recreational Firearms Use Protection Act, found that, between 1994 and 2003, there had been
27 "no discernible reduction in the lethality of and injuriousness of gun violence"; and

28 **WHEREAS** Alaskans cherish their Second Amendment rights and use firearms
29 responsibly for numerous legitimate purposes, including hunting, target shooting, competitive
30 shooting, and personal protection at home and in the backcountry; and

31 **WHEREAS** Alaska has one of the highest rates of gun ownership in the nation but

1 one of the lowest rates of gun crimes in the nation; and

2 **WHEREAS** firearms are part of the state's culture, heritage, and history and will
3 continue to be for future generations of Alaskans; and

4 **WHEREAS** members of the Twenty-Eighth Alaska State Legislature simply believe
5 the best approach to preventing future incidents should be identified at the state level;

6 **BE IT RESOLVED** that the Alaska State Legislature urges President Barack Obama
7 to rescind the executive orders, executive actions, and executive recommendations related to
8 regulation of firearms; and be it

9 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
10 Congress to refrain from passing legislation that restricts the right of individuals, guaranteed
11 by the Second Amendment to the United States Constitution, to keep and bear arms.

12 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
13 the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and
14 President of the U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of
15 Representatives; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the
16 Honorable Eric H. Holder, Jr., Attorney General of the United States; the Honorable B. Todd
17 Jones, acting Director, U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S.
18 Department of Justice; and the Honorable Lisa Murkowski and the Honorable Mark Begich,
19 U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
20 delegation in Congress.