

# FISCAL NOTE

**STATE OF ALASKA**  
**2009 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSHB 186(JUD)  
 (H) Publish Date: 4/7/09

Identifier (file name): HB186-LAW-CRIM-4-3-09 Dept. Affected: Law  
 Title An Act exempting certain firearms from federal regulation RDU CRIMINAL  
 Component CRIMINAL JUSTICE LITIGATION  
 Sponsor REPRESENTATIVE(S) KELLY, Wilson  
 Requester JUDICIARY Component Number 2202

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

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

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>	<b>***</b>

Estimate of any current year (FY2009) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

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

This bill attempts to declare that firearms that are made in Alaska are exempt from any federal law or regulation. The bill also requires the Attorney General for Alaska to pursue a declaratory judgment action in federal court upholding this declaration, and requires the Attorney General to defend any Alaska citizen prosecuted for violating federal law regarding firearms. The bill has significant constitutional issues. These issues would most likely arise in the context of a state citizen being charged with a crime in federal court and could result in significant litigation in both state and federal court. While such litigation is likely, it is difficult to estimate with any certainty the costs that might be incurred and they are therefore indeterminate at this point.

Prepared by: Robert Meiners, Deputy Director  
 Division Administrative Services  
 Approved by: Wayne Anthony Ross, Attorney General  
Department of Law

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 Date/Time 4/3/09 2:03 PM  
 Date 4/3/2009