

HOUSE BILL NO. 279

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE TAMMIE WILSON

Introduced: 1/27/14

Referred: Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the implementation of the rules and regulations of the United States**
2 **Environmental Protection Agency in the state."**

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

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 FINDINGS. The legislature finds that

7 (1) the rulemaking authority of the United States Environmental Protection
8 Agency is not authorized and violates the true meaning and intent of the Constitution of the
9 United States, as given by the drafters and ratifiers of the Constitution of the United States;

10 (2) the rulemaking authority of the United States Environmental Protection
11 Agency is invalid in the state, is rejected by the state, and is considered void, having no effect
12 in the state; and

13 (3) it is the duty of the legislature to adopt and enact the measures necessary to
14 prevent the enforcement of rules issued by the United States Environmental Protection

1 Agency that are not specifically authorized by the United States Congress or the legislature.

2 * **Sec. 2.** AS 44.99.040(a) is amended to read:

3 (a) A state or municipal agency may not use or authorize the use of an asset to
4 implement or aid in the implementation of a requirement of

5 (1) an order of the President of the United States, a federal regulation,
6 or a law enacted by the United States Congress that is applied to

7 (A) infringe on a person's right, under the Second Amendment
8 to the Constitution of the United States, to keep and bear arms;

9 (B) deny a person a right to due process, or a protection of due
10 process, that would otherwise be available to the person under the Constitution
11 of the State of Alaska or the Constitution of the United States; [OR]

12 (2) P.L. 109-13, Division B (REAL ID Act of 2005); or

13 (3) rules or regulations adopted by the United States
14 Environmental Protection Agency that are not authorized by the Constitution of
15 the United States, an Act of Congress, or the legislature.