

**SB**

**146**



## SENATOR FRED DYSON

### MEMORANDUM

April 11, 2009

To: Senator Hollis French, Chair  
Senate Judiciary Committee

*Lucky*  
From: Senator Fred Dyson *FD*

Subject: Request Hearing on SB 146 – AK Firearms Exempt From Federal Regulation

---

Please schedule Senate Bill 146 for hearing in the Senate Judiciary Committee.  
Forwarded herewith is a copy of the bill and the sponsor statement.

Contact Information:  
Lucky Shultz x-6580

Enclosure: SB 146 and Sponsor Statement



## SENATOR FRED DYSON

### *Sponsor Statement for SB 146*

#### **“An Act declaring that certain firearms and accessories are exempt form federal regulation.”**

April 11, 2009

Contact: Lucky Shultz at Senator Fred Dyson’s office (907) 465-2199

The United States Constitution gives Congress the authority to regulate interstate commerce between the states. Furthermore, 18 USC 922 makes it unlawful for any person not licensed as a manufacturer or dealer in firearms to engage in the business of manufacturing or dealing in firearms. Take together, the Interstate Commerce Clause and 18 USC 922 effectively allow the federal government to regulate firearms.

Senate Bill 146 addresses this breach of our second amendment rights by exempting firearms, firearm accessories, and ammunition manufactured and retained in the state from federal firearm control laws, including registration, since firearms meeting this criteria will not fall under interstate commerce and therefore shouldn’t be regulated by the federal government. It should be noted that firearms addressed by this bill, and exempt from federal regulation, must have the words, “Made in Alaska” clearly stamped on a central metallic part such as the receiver or frame.

This bill frees certain firearms and accessories from federal regulation as long as certain conditions are met. It frees the state of Alaska from restrictive federal firearms regulations and allows the state to take responsible fire arm regulation into her own hands. SB 146 also provides a mechanism for protecting those Alaskans taking advantage of this action by requiring the state’s Attorney General to defend such individuals who beforehand advise the Attorney General of the citizen’s intent to manufacture firearms and accessories under this bill. Outdoorsmen, hunters, and Alaskans defending their families and property will benefit from the passage of SB 146.