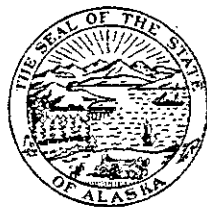


SJR

6

Alaska State Legislature

SENATOR
GENE THERRIAULT
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Senate

While in session
State Capitol
Juneau, Alaska
99801-1182
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SENATE DISTRICT F

Memorandum of Request

To: Senator Hollis French / Chair Senate Judiciary
From: Senator Gene Therriault *gs to GT*
Date: February 24, 2009
Re: SJR 6 / Opposing HR 45 (gun registration)

.....
SJR 6 has moved from the Senate State Affairs Committee to your Judiciary Committee.

I respectfully request at your earliest convenience a hearing on SJR 6.

Thank you for your consideration.

Alaska State Legislature

SENATOR
GENE THERRIAULT

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SENATE DISTRICT F

Sponsor Statement

SJR 6

SJR 6 asks our congressional delegation to oppose and defeat HR 45, a bill that has been introduced in Congress that would significantly diminish Alaskans' right to keep and bear arms. Among other things, HR 45 would require anyone who possesses a firearm to obtain a federal license to do so; it would make it a felony to transfer a firearm to someone who does not have a license; it would also make it a felony to fail to timely report such a transfer or to fail to report the loss or theft of a firearm within 72 hours to the US Attorney General; it requires the Attorney General to establish and maintain a data base of firearm transfers.

With those who favor gun control becoming more active in our nation's Capital, I feel it is very important that our congressional delegation hear from the Alaska Legislature as soon as possible on this issue.

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HR 45 Blair Holt Licensing and Record Act

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Poster By Posted Date/Time

[Rich's Mom](#) 13-Feb-09 - 10:30 PM ET

[alfermann66](#) 14-Feb-09 - 02:54 PM ET

Subject: HR 45 Blair Holt Licensing and Record Act

From: Rich's Mom

Email:

Date: Fri, Feb 13, 2009 - 10:30 PM ET

Website Address:

----- Original Message -----

PLEASE FORWARD.

HR 45, Blair Holt Licensing and Record Act

This is provided as information that should alarm most of you. The air has not yet stilled from the peaceful change of power in this country and already the Democrats have marshaled the anti-gun forces to license and fingerprint you into a National Database of gun owners. Note that there is no National Database of Convicted Felons and those who have lost their citizen's rights to gun ownership, but there will be one that seeks to make you either a dupe or a felon if this law is passed.

I request and suggest that you contact your elected representatives to voice your opposition to this bill to abridge your Rights. Note that the original author of this bill is Rahm Emanuel.

Are you ready for the House Bill titled 'HR 45, Blair Holt Licensing and Record Act of 2009'. It will make it illegal to own a firearm unless it is registered with the database in Washington D.C. As a gun owner you will have to be finger printed, you will be required to provide your DL#, SS#, you must maintain a valid address at all times, submit to mental and physical health records being put on file, you will also be required to file any address changes and any ownership changes even if a private sale. Each update will cost \$25 and if you fail to comply you will lose your right to own firearms. This bill and its language mirror almost completely one defeated last year in the House of

Representatives by soon to be Chief of Staff Rahm Emanuel. Will we the citizenry be as lucky this time?

Pass this on to everyone who believes in strict Constitutionalism and remember that laws only apply to those who obey them. Criminals by definition and nature do not abide by laws. New laws and restrictions only apply to the law abiding citizen and are not written with the criminal in mind. With guns, it is not about having laws on the books to prosecute individuals, it is about taking guns away from the people so that no one has them in the first place. One last item to note, when assuming power and creating a fascist state, Hitler was a proponent of strong gun laws because a disarmed populace was much easier to control than an armed one. The kings of old also outlawed weapons of any kind in any region that they conquered to quell the ability of the citizens to uprising against them.

The Founding Fathers of this nation understood all of the above and because of this they included the second amendment in the constitution. In fact, they knew that at some point in every society's life span that the need for the population to arise came about. To this end they made the right to keep and bear arms against a tyrannical state an absolute right that could not be revoked. They did this because the first thing tyrants and despots do is to remove a population's right to defend themselves. When this is done, the tyrants have no problem with the destruction of society as we know it.

Send this on to all true patriots! Protect your Second Amendment!

The following is a summary of the bill as provided by the Congressional Research Service. If you read the whole bill, you'll find it will effectively preclude the ownership of ANY firearms by law-abiding people unless licensed by the Attorney General. How long do you think THAT would take??

The following summary was written by the Congressional Research Service, a well-respected nonpartisan arm of the Library of Congress. GovTrack did not write and has no control over these summaries.

1/6/2009--Introduced. Blair Holt's Firearm Licensing and Record of Sale Act of 2009 - Amends the Brady Handgun Violence Prevention Act to prohibit a person from possessing a firearm unless that person has been issued a firearm license under this Act or a state system certified under this Act and such license has not been invalidated or revoked. Prescribes license application, issuance, and renewal requirements. Prohibits transferring or receiving a qualifying firearm unless the recipient presents a valid firearms license, the license is verified, and the dealer records a tracking authorization number. Prescribes firearms transfer reporting and record keeping requirements. Directs the Attorney General to establish and maintain a federal record of sale system.

Prohibits: 1) transferring a firearm to any person other than a licensee, unless the transfer is processed through a licensed dealer in accordance with national instant criminal background check system requirements, with exceptions; (2) a licensed manufacturer or dealer from failing to comply with reporting and record keeping requirements of this Act; (3) failing to report the loss or theft of the firearm to the Attorney General within 72 hours; (4) failing to report to the Attorney General an

address change within 60 days; or (5) keeping a loaded firearm, or an unloaded firearm and ammunition for the firearm, knowingly or recklessly disregarding the risk that a child is capable of gaining access, if a child uses the firearm and causes death or serious bodily injury. Prescribes criminal penalties for violations of firearms provisions covered by this Act. Directs the Attorney General to: (1) establish and maintain a firearm injury information clearinghouse; (2) conduct continuing studies and investigations of firearm-related deaths and injuries; and (3) collect and maintain current production and sales figures of each licensed manufacturer. Authorizes the Attorney General to certify state firearm licensing or record of sale systems.

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Subject: HR 45 Blair Holt Licensing and Record Act

From: alfermann66

Email:

Date: Sat, Feb 14, 2009 - 02:54 PM ET

Website Address:

A BILL

To reauthorize the assault weapons ban, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Assault Weapons Ban and Law Enforcement Protection Act of 2007'.

SEC. 2. REINSTATEMENT FOR 10 YEARS OF REPEALED CRIMINAL PROVISIONS RELATING TO ASSAULT WEAPONS AND LARGE CAPACITY AMMUNITION FEEDING DEVICES.

(a) Reinstatement of Provisions Wholly Repealed- Paragraphs (30) and (31) of section 921(a), subsections (v) and (w) and Appendix A of section 922, and the last 2 sentences of section 923(i) of title 18, United States Code, as in effect just before the repeal made by section 110105(2) of the Violent Crime Control and Law Enforcement Act of 1994, are hereby enacted into law.

(b) Reinstatement of Provisions Partially Repealed- Section 924 of title 18, United States Code, is amended--

(1) in subsection (a)(1), by striking subparagraph (B) and inserting the following:

(B) knowingly violates subsection (a)(4), (f), (k), (r), (v), or (w) of section 922;'; and

(2) in subsection (c)(1)(B), by striking clause (i) and inserting the following:

(i) is a short-barreled rifle, short-barreled shotgun, or semiautomatic assault weapon,

the person shall be sentenced to a term of imprisonment of not less than 10 years; or'.

SEC. 3. DEFINITIONS.

(a) In General- Section 921(a)(30) of title 18, United States Code, as added by section 2 (a) of this Act, is amended to read as follows:

(30) The term 'semiautomatic assault weapon' means any of the following:

(A) The following rifles or copies or duplicates thereof:

(i) AK, AKM, AKS, AK-47, AK-74, ARM, MAK90, Misr, NHM 90, NHM 91, SA 85, SA 93, VEPR;

(ii) AR-10;

(iii) AR-15, Bushmaster XM15, Armalite M15, or Olympic Arms PCR;

(iv) AR70;

(v) Calico Liberty;

(vi) Dragunov SVD Sniper Rifle or Dragunov SVU;

(vii) Fabrique National FN/FAL, FN/LAR, or FNC;

(viii) Hi-Point Carbine;

(ix) HK-91, HK-93, HK-94, or HK-PSG-1;

(x) Kel-Tec Sub Rifle;

(xi) M1 Carbine;

(xii) Saiga;

(xiii) SAR-8, SAR-4800;

(xiv) SKS with detachable magazine;

(xv) SLG 95;

(xvi) SLR 95 or 96;

(xvii) Steyr AUG;

(xviii) Sturm, Ruger Mini-14;

(xix) Tavor;

(xx) Thompson 1927, Thompson M1, or Thompson 1927 Commando; or

(xxi) Uzi, Galil and Uzi Sporter, Galil Sporter, or Galil Sniper Rifle (Galatz).

(B) The following pistols or copies or duplicates thereof:

(i) Calico M-110;

(ii) MAC-10, MAC-11, or MPA3;

(iii) Olympic Arms OA;

(iv) TEC-9, TEC-DC9, TEC-22 Scorpion, or AB-10; or

(v) Uzi.

(C) The following shotguns or copies or duplicates thereof:

(i) Armscor 30 BG;

(ii) SPAS 12 or LAW 12;

(iii) Striker 12; or

(iv) Streetsweeper.

(D) A semiautomatic rifle that has an ability to accept a detachable magazine, and that has--

(i) a folding or telescoping stock;

(ii) a threaded barrel;

(iii) a pistol grip;

(iv) a forward grip; or

(v) a barrel shroud.

(E)(i) Except as provided in clause (ii), a semiautomatic rifle that has a fixed magazine with the capacity to accept more than 10 rounds.

(ii) Clause (i) shall not apply to an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

(F) A semiautomatic pistol that has the ability to accept a detachable magazine, and has--

(i) a second pistol grip;

(ii) a threaded barrel;

(iii) a barrel shroud; or

(iv) the capacity to accept a detachable magazine at a location outside of the pistol grip.

(G) A semiautomatic pistol with a fixed magazine that has the capacity to accept more than 10 rounds.

(H) A semiautomatic shotgun that has--

(i) a folding or telescoping stock;

(ii) a pistol grip;

(iii) the ability to accept a detachable magazine; or

(iv) a fixed magazine capacity of more than 5 rounds.

(I) A shotgun with a revolving cylinder.

(J) A frame or receiver that is identical to, or based substantially on the frame or receiver of, a firearm described in any of subparagraphs (A) through (I) or (L).

(K) A conversion kit.

(L) A semiautomatic rifle or shotgun originally designed for military or law enforcement use, or a firearm based on the design of such a firearm, that is not particularly suitable for sporting purposes, as determined by the Attorney General. In making the determination, there shall be a rebuttable presumption that a firearm procured for use by the United States military or any Federal law enforcement agency is not particularly suitable for sporting purposes, and a firearm shall not be determined to be particularly suitable for sporting purposes solely because the firearm is suitable for use in a sporting event.'

(b) Related Definitions- Section 921(a) of such title is amended by adding at the end the following:

(36) Barrel Shroud- The term 'barrel shroud' means a shroud that is attached to, or partially or completely encircles, the barrel of a firearm so that the shroud protects the user of the firearm from heat generated by the barrel, but does not include a slide that encloses the barrel, and does not include an extension of the stock along the bottom of the barrel which does not encircle or substantially encircle the barrel.

(37) Conversion Kit- The term 'conversion kit' means any part or combination of parts designed and intended for use in converting a firearm into a semiautomatic assault weapon, and any combination of parts from which a semiautomatic assault weapon can be assembled if the parts are in the possession or under the control of a person.

(38) Detachable Magazine- The term 'detachable magazine' means an ammunition

feeding device that can readily be inserted into a firearm.

(39) Fixed Magazine- The term `fixed magazine' means an ammunition feeding device contained in, or permanently attached to, a firearm.

(40) Folding or Telescoping Stock- The term `folding or telescoping stock' means a stock that folds, telescopes, or otherwise operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability, of a firearm.

(41) Forward Grip- The term `forward grip' means a grip located forward of the trigger that functions as a pistol grip.

(42) Pistol Grip- The term `pistol grip' means a grip, a thumbhole stock, or any other characteristic that can function as a grip.

(43) Threaded Barrel- The term `threaded barrel' means a feature or characteristic that is designed in such a manner to allow for the attachment of a firearm as defined in section 5845(a) of the National Firearms Act (26 U.S.C. 5845(a)).'

SEC. 4. GRANDFATHER PROVISION.

Section 922(v)(2) of title 18, United States Code, as added by section 2(a) of this Act, is amended--

(1) by inserting `(A)' after `(2)'; and

(2) by adding after and below the end the following:

(B) Paragraph (1) shall not apply to any firearm the possession or transfer of which would (but for this subparagraph) be unlawful by reason of this subsection, and which is otherwise lawfully possessed on the date of the enactment of this subparagraph.'

SEC. 5. REPEAL OF CERTAIN EXEMPTIONS.

Section 922(v)(3) of title 18, United States Code, as added by section 2(a) of this Act, is amended by striking `(3)' and all that follows through the 1st sentence and inserting the following:

(3) Paragraph (1) shall not apply to any firearm that--

(A) is manually operated by bolt, pump, level, or slide action;

(B) has been rendered permanently inoperable; or

(C) is an antique firearm.'

SEC. 6. REQUIRING BACKGROUND CHECKS FOR THE TRANSFER OF LAWFULLY POSSESSED SEMIAUTOMATIC ASSAULT WEAPONS.

Section 922(v) of title 18, United States Code, as added by section 2(a) of this Act, is amended by adding at the end the following:

(5) It shall be unlawful for any person to transfer a semiautomatic assault weapon to which paragraph (1) does not apply, except through--

(A) a licensed dealer, and for purposes of subsection (t) in the case of such a transfer, the weapon shall be considered to be transferred from the business inventory of the licensed dealer and the dealer shall be considered to be the transferor; or

(B) a State or local law enforcement agency if the transfer is made in accordance with the procedures provided for in subsection (t) of this section and section 923(g).

(6) The Attorney General shall establish and maintain, in a timely manner, a record of the make, model, and date of manufacture of any semiautomatic assault weapon which the Attorney General is made aware has been used in relation to a crime under Federal or State law, and the nature and circumstances of the crime involved, including the outcome of relevant criminal investigations and proceedings. The Attorney General shall annually submit the record to the Congress and make the record available to the general public.'

SEC. 7. STRENGTHENING THE BAN ON THE POSSESSION OR TRANSFER OF A LARGE CAPACITY AMMUNITION FEEDING DEVICE.

(a) Ban on Transfer of Semiautomatic Assault Weapon With Large Capacity Ammunition Feeding Device--

(1) IN GENERAL- Section 922 of title 18, United States Code, is amended by inserting after subsection (y) the following:

(z) It shall be unlawful for any person to transfer any assault weapon with a large capacity ammunition feeding device.'

(2) PENALTIES- Section 924(a) of such title is amended by adding at the end the following:

(8) Whoever knowingly violates section 922(z) shall be fined under this title, imprisoned not more than 10 years, or both.'

(b) Certification Requirement--

(1) IN GENERAL- Section 922(w) of such title, as added by section 2(a) of this Act, is amended--

(A) in paragraph (3)--

(i) by adding 'or' at the end of subparagraph (B); and

(ii) by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C); and

(B) by striking paragraph (4) and inserting the following:

(4) It shall be unlawful for a licensed manufacturer, licensed importer, or licensed dealer who transfers a large capacity ammunition feeding device that was manufactured on or before the date of the enactment of this subsection, to fail to certify to the Attorney General before the end of the 60-day period that begins with the date of the transfer, in accordance with regulations prescribed by the Attorney General, that the device was manufactured on or before the date of the enactment of this subsection.'

(2) PENALTIES- Section 924(a) of such title, as amended by subsection (a)(2) of this section, is amended by adding at the end the following:

(9) Whoever knowingly violates section 922(w)(4) shall be fined under this title, imprisoned not more than 5 years, or both.'

SEC. 8. UNLAWFUL WEAPONS TRANSFERS TO JUVENILES.

Section 922(x) of title 18, United States Code, is amended--

(1) in paragraph (1)--

(A) in subparagraph (B), by striking the period and inserting a semicolon; and

(B) by adding at the end the following:

(C) a semiautomatic assault weapon; or

(D) a large capacity ammunition feeding device.'; and

(2) in paragraph (2)--

(A) in subparagraph (B), by striking the period and inserting a semicolon; and

(B) by adding at the end the following:

(C) a semiautomatic assault weapon; or

(D) a large capacity ammunition feeding device.'

SEC. 9. BAN ON IMPORTATION OF LARGE CAPACITY AMMUNITION FEEDING DEVICE.

(a) In General- Section 922(w) of title 18, United States Code, as added by section 2(a) of this Act, is amended--

(1) in paragraph (1), by striking '(1) Except as provided in paragraph (2)' and inserting '(1)(A) Except as provided in subparagraph (B)';

(2) in paragraph (2), by striking '(2) Paragraph (1)' and inserting '(B) Subparagraph (A)'; and

(3) by inserting before paragraph (3) the following:

(2) It shall be unlawful for any person to import or bring into the United States a large capacity ammunition feeding device.'

(b) Conforming Amendment- Section 921(a)(31)(A) of such title, as added by section 2(a) of this Act, is amended by striking 'manufactured after the date of enactment of the Violent Crime Control and Law Enforcement Act of 1994'.

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