

SJR

6

<TARGET><BILL>SJR 6</BILL><SUBJECT>SJR
6</SUBJECT><COMM>HJUD28</COMM></TARGET>

ALASKA STATE LEGISLATURE



SENATOR FRED DYSON SENATE DISTRICT F

Date: February 26, 2013

To: Rep. Wes Keller
House Judiciary Chair

From: Senator Fred Dyson 

Re: Request for Hearing – SJR 6

I respectfully request SJR 6 be scheduled for a hearing in House Judiciary. SJR 6 is a resolution in support of our Second Amendment rights and urges Congress to not relinquish to the office of the President of the United States the legislative duty to safeguard our most fundamental right.

During Session (January - April): Alaska State Capitol • Juneau, Alaska 99801 • (800) 342-2199 • (907) 465-2199 • (907) 465-4587 (fax)

During Interim (May-December): • 12641 Old Glenn Highway, Suite 201, Eagle River, Alaska 99577 • (907) 694-6683 • (907) 694-1015 (fax)

Sen.Fred.Dyson@akleg.gov

HOUSE CS FOR SENATE JOINT RESOLUTION NO. 6(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATOR DYSON

REPRESENTATIVE Keller

A RESOLUTION

1 **Urging the United States Congress not to relinquish to the office of the President of the**
2 **United States the legislative duty to safeguard our most fundamental right; and urging**
3 **the President of the United States to refrain from any further efforts to restrict**
4 **ownership of firearms.**

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

6 **WHEREAS**, on December 14, 2012, a mentally unstable man fatally shot 20 children
7 and six adult staff members at Sandy Hook Elementary School in the town of Newtown,
8 Connecticut; and

9 **WHEREAS**, on January 10, 2013, Vice-President Joseph R. Biden, Jr., stated that
10 President Barack Obama was exploring the use of executive orders to help prevent mass
11 shootings in America because executive orders do not require Congressional approval; and

12 **WHEREAS**, on January 16, 2013, President Barack Obama issued 23 executive
13 actions, including orders that establish the groundwork for setting up a national registry
14 system for gun owners, clarify that the Health Insurance Portability and Accountability Act of
15 1996 and the Patient Protection and Affordable Care Act allow physicians to ask patients

1 about personal ownership of guns and report the findings, and create incentives for state and
2 federal agencies to share information about gun ownership and persons who may be mentally
3 ill; and

4 **WHEREAS**, on January 16, 2013, President Barack Obama called on lawmakers to
5 require anyone trying to buy a gun to undergo a criminal background check as a prerequisite,
6 and urged the Congress to reinstate the Public Safety and Recreational Firearms Use
7 Protection Act, a subtitle of the Violent Crime Control and Law Enforcement Act of 1994,
8 and restrict ammunition magazines to not more than 10 rounds; and

9 **WHEREAS** the Second Amendment to the Constitution of the United States provides,
10 "A well regulated Militia, being necessary to the security of a free State, the right of the
11 people to keep and bear Arms, shall not be infringed"; and

12 **WHEREAS** the greatest fear the founders of this nation had was that a strong central
13 government with a strong political leader at the center would be established, because they no
14 longer wanted to be ruled by kings or czars but by a loose association of states in which the
15 power emanated from the states and not from a central government; and

16 **WHEREAS** history is replete with examples of rulers and despots who inflicted the
17 most abhorrent evils on their subjects after requiring gun registration, followed by gun
18 confiscation, leaving the people powerless to defend themselves from tyranny; and

19 **WHEREAS** James Madison, author of the First through the Tenth Amendments to the
20 Constitution of the United States, collectively known as the Bill of Rights, said that
21 Americans possess the advantage of being armed over the people of most other nations,
22 whose governments are afraid to trust the people with arms; and

23 **WHEREAS** Noah Webster, a strong advocate of the United States Constitutional
24 Convention of 1787 and publisher of the first American dictionary, wrote, "Before a standing
25 army can rule, the people must be disarmed; as they are in almost every kingdom of Europe.
26 The supreme power in America cannot enforce unjust laws by the sword; because the whole
27 body of the people are armed, and constitute a force superior to any band of regular troops
28 that can be, on any pretense, raised in the United States"; and

29 **WHEREAS**, by restricting access to or taking away guns, the President of the United
30 States is forcing Americans to rely more and more on police forces across the country as the
31 only acceptable means of defending themselves and their families, a practical impossibility

1 and the very definition of a police state; and

2 **WHEREAS** the office of the President of the United States should not be allowed to
3 unilaterally assault the Second Amendment without the full consent of Congress; and

4 **WHEREAS** ruling against the Second Amendment to the Constitution of the United
5 States is not a presidential prerogative; if allowed to rule against that amendment, the
6 President of the United States could turn his attention to the First Amendment to the
7 Constitution of the United States and issue an order prohibiting criticism of the presidency in
8 the press; and

9 **WHEREAS** the Declaration of Independence states that "all men are created equal,
10 that they are endowed by their Creator with certain unalienable Rights, that among these are
11 Life, Liberty, and the pursuit of Happiness," and it is the sacred duty of every citizen of the
12 State of Alaska to protect and defend those rights by whatever means necessary; and

13 **WHEREAS** it is the right of the people to keep and bear arms that protects all other
14 rights; and

15 **WHEREAS** the Alaska State Legislature recognizes that the solution to violence in
16 America is not through more laws, but through a transformational cultural and spiritual
17 change that resists the glorification of violence in our culture, restores our unity and faith as
18 expressed in our national motto "In God we trust," promotes healthy families, and uses
19 existing laws to prosecute aggressively people who illegally use firearms to commit assaults
20 on our citizenry;

21 **BE IT RESOLVED** that the Alaska State Legislature urges the United States
22 Congress to not relinquish to the office of the President of the United States the legislative
23 duty of the United States Congress to safeguard our most fundamental right; and be it

24 **FURTHER RESOLVED** that the Alaska State Legislature urges the President of the
25 United States to refrain from any further efforts to restrict firearms ownership.

26 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
27 the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and
28 President of the U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of
29 Representatives; the Honorable Harry Reid, Majority Leader of the U.S. Senate; and the
30 Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the
31 Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

CONCEPTUAL AMENDMENT #1

28-LS0352\A
March 4, 2013

OFFERED IN THE HOUSE to SJR 6

By: House Judiciary Committee

Page 1, line 13

Delete [Orders]

Insert [**actions**]

FISCAL NOTE

STATE OF ALASKA
2013 LEGISLATIVE SESSION

Bill Version SJR 6
 Fiscal Note Number 1
 (S) Publish Date 2/11/13

Identifier (file name) _____ Dept. Affected _____
 Title OPPOSE EXECUTIVE ORDERS ON GUN CONTROL Appropriation _____
 Allocation _____
 Sponsor Senator Dyson
 Requester (S) Judiciary OMB Component Number _____

Expenditures/Revenues (Thousands of Dollars)

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

	FY14 Appropriation Requested	Included in Governor's FY14 Request	Out-Year Cost Estimates				
			FY15	FY16	FY17	FY18	FY19
OPERATING EXPENDITURES	FY14	FY14	FY15	FY16	FY17	FY18	FY19
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE		(Thousands of Dollars)					
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							

Estimated **SUPPLEMENTAL (FY13) operating costs** _____ (separate supplemental appropriation required)
 (discuss reasons and fund source(s) in analysis section)

Estimated **CAPITAL (FY14) costs** _____ (separate capital appropriation required)
 (discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? _____
 If yes, by what date are the regulations to be adopted, amended, or repealed? _____ Discuss details in analysis section.

Why this fiscal note differs from previous version (if initial version, please note as such)

Initial Version

Prepared by SENATE JUDICIARY COMMITTEE Phone 465-3717
 Division _____ Date/Time _____
 Approved by Senator Coghill Date 2/2/2013

FISCAL NOTE ANALYSIS #1

STATE OF ALASKA
2013 LEGISLATIVE SESSION

BILL NO. SJR 6

Analysis

Will be absorbed within the current legislative budget.