

HOUSE JOINT RESOLUTION NO. 4

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MILLETT

Introduced: 1/24/13

Referred:

A RESOLUTION

1 **Urging the President of the United States to rescind 23 executive orders related to**
2 **regulation of firearms; and urging the United States Congress to refrain from passing**
3 **legislation that restricts the right of individuals to keep and bear arms.**

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

5 **WHEREAS** the Second Amendment to the Constitution of the United States and art.
6 I, sec. 19, Constitution of the State of Alaska, guarantee the right of individuals to keep and
7 bear arms; and

8 **WHEREAS** President Barack Obama has issued 23 executive orders intended to
9 reduce gun-related violence, and some of those orders may limit or restrict the ability of law-
10 abiding persons in the state to keep and bear arms as they have the right to do under the
11 Second Amendment to the Constitution of the United States; and

12 **WHEREAS** President Barack Obama has asked the United States Congress to pass
13 several gun control laws that, if passed, will restrict the ability of law-abiding people in the
14 state to own firearms and firearm accessories; and

15 **WHEREAS** the hearts of all Alaskans go out to the victims and families left behind in

1 the wake of gun-related tragedies like those that took place in Newtown, Connecticut, and
2 Aurora, Colorado; and

3 **WHEREAS**, when the federal government tries to curtail individual rights that are
4 guaranteed by the Second Amendment to the Constitution of the United States, Alaskans
5 expect their elected officials to defend those rights; and

6 **WHEREAS** Alaskans will not accept a one-size-fits-all approach by the federal
7 government that uses gun-control in a misguided attempt to curb gun-related crime; and

8 **WHEREAS** new laws banning firearms will only punish law-abiding Alaskans, not
9 individuals guilty of crimes; and

10 **WHEREAS** banning certain types of firearms and high capacity ammunition
11 magazines will not keep them out of the hands of criminals or mentally ill persons; and

12 **WHEREAS**, in 2012, the Congressional Research Service reported that "according to
13 a 1997 survey of 203,300 state and federal prisoners who had been armed during the
14 commission of the crimes for which they were incarcerated, fewer than 1 in 50, or less than 2
15 percent, used, carried, or possessed a semiautomatic assault weapon or machine gun"; and

16 **WHEREAS** a 1997 investigative report to the National Institute of Justice, United
17 States Department of Justice, found, regarding the effectiveness of the federal assault
18 weapons ban under the Public Safety and Recreational Firearms Use Protection Act, a subtitle
19 of the Violent Crime Control and Law Enforcement Act of 1994, that "the evidence is not
20 strong enough for us to conclude that there was any meaningful effect"; and

21 **WHEREAS** a 2004 investigative report to the National Institute of Justice, United
22 States Department of Justice, following up on the 1997 report to the National Institute of
23 Justice on the effectiveness of the federal assault weapons ban under the Public Safety and
24 Recreational Firearms Use Protection Act, found that, between 1994 and 2003, there had been
25 "no discernible reduction in the lethality of and injuriousness of gun violence"; and

26 **WHEREAS** the United States Congress could more effectively curb gun violence by
27 focusing its efforts on programs that help identify and treat mentally ill persons instead of
28 banning certain types of firearms and high capacity ammunition magazines; and

29 **WHEREAS** Alaskans cherish their Second Amendment rights and use firearms
30 responsibly for numerous legitimate purposes, including hunting, target shooting, competitive
31 shooting, and personal protection at home and in the backcountry; and

1 **WHEREAS** firearms are part of the state's culture, heritage, and history and will
2 continue to be for future generations of Alaskans; and

3 **WHEREAS** members of the Twenty-Eighth Alaska State Legislature simply believe
4 the best approach to preventing future incidents should be identified at the state level;

5 **BE IT RESOLVED** that the Alaska State Legislature urges President Barack Obama
6 to rescind 23 executive orders related to regulation of firearms; and be it

7 **FURTHER RESOLVED** that the Alaska State Legislature urges the United States
8 Congress to refrain from passing legislation that restricts the right of individuals, guaranteed
9 by the Second Amendment to the United States Constitution, to keep and bear arms.

10 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
11 the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and
12 President of the U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of
13 Representatives; the Honorable Harry Reid, Majority Leader of the U.S. Senate; the
14 Honorable Eric H. Holder, Jr., Attorney General of the United States; the Honorable B. Todd
15 Jones, acting Director, U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S.
16 Department of Justice; and the Honorable Lisa Murkowski and the Honorable Mark Begich,
17 U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
18 delegation in Congress.