2021 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1272

2021 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee
Room JW327C, State Capitol

HB 1272
1/25/2021

Manufactured firearms, accessories & ammunition

(2:13) Chairman Lefor calls the hearing on HB 1272.

Representatives	Attendance
Chairman Lefor	P
Vice Chairman Keiser	P
Rep Hagert	P
Rep Jim Kasper	P
Rep Scott Louser	P
Rep Nehring	P
Rep O'Brien	P
Rep Ostlie	P
Rep Ruby	P
Rep Schauer	P
Rep Stemen	P
Rep Thomas	P
Rep Adams	P
Rep P Anderson	P

Discussion Topics:

- Federal regulations to own firearms

Rep Simons~District 36: Attachment # 3099

Clayton Peterson~From Sioux County testified in favor.

Andrew Kordonowy~ Attachment # 2996

Chairman Lefor closes the hearing.

Rep Kasper moved a Do Pass.

Rep Nehring second.

Representatives	Vote
Chairman Lefor	Y
Vice Chairman Keiser	N
Rep Hagert	Y
Rep Jim Kasper	Y
Rep Scott Louser	Y
Rep Nehring	Y
Rep O'Brien	Y
Rep Ostlie	Y
Rep Ruby	Y
Rep Schauer	Y
Rep Stemen	Y
Rep Thomas	Y
Rep Adams	N
Rep P Anderson	N

Vote roll call taken Motion carried 11-3-0 & Rep Ruby is the carrier.

Additional written testimony: Attachment #3009.

(2:52) End time.

Ellen LeTang, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1272: Industry, Business and Labor Committee (Rep. Lefor, Chairman) recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1272 was placed on the Eleventh order on the calendar.

3099

HB 1272 North Dakota firearm freedom act.

Thank you Mr. chairman and members of the business and labor committee.

I am representative Luke Simons from District 36 which is a large district on the western side of the state.

HB 1272 is a states rights bill, one that nine other states including Alaska, Arizona, Idaho, Montana, Kansas, Tennessee, South Dakota, Utah and Wyoming all have. They have had this in their century code for years. Three other states that I know of are looking at the exact same or very similar bill this year and you may have seen it on Fox news last week Tuesday.

The bill is straight to the point which is states rights.
-Colorado okayed marijuana which was an illegal scheduled drug with the federal government, but Colorado said in the state of Colorado it is OK, the federal government has not questioned the states authority to Break federal law.
I might add that if you partake of marijuana in Colorado though that is not against the law, now if you bring marijuana across the border into another state that now is against the law, and believe me all law-enforcement in other states are privy of this and keep their eye out for it.
-There are sanctuary cities all over America that allow illegal immigrants to be free and not harassed, although it is against federal law.
Same holds true, while these illegal immigrants are safe in the sanctuary cities, if they come out of those cities they are likely to be arrested.

North Dakota is simply stating by the passage of HB1272 that we are very pro gun and will not submit to any violations of the free people of North Dakota to own or manufacturer or sale of firearms accessory's and ammunition in the state of North Dakota.

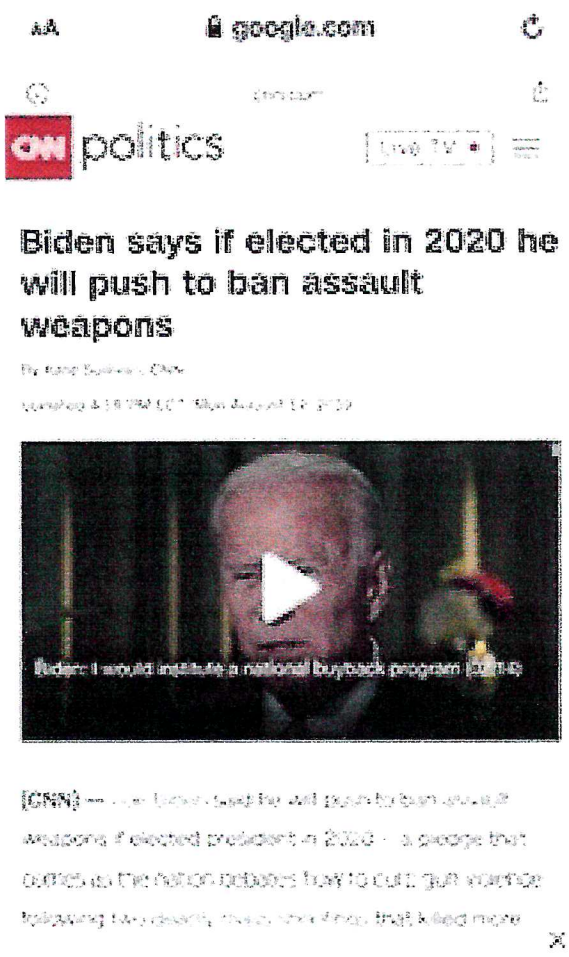
Our new President of the United States has said that he will outlaw A.R. 15 's, which most North Dakotans know and love as their favorite varmint rifle, but he is also coming after ammunition accessories to guns and not just A.R. 15's, but all semi automatic rifles, not to mention magazines. This bill would be securing our rights as North Dakotans in the second amendment of the bill of rights and North Dakota constitution section 5.

I will stand for all questions.

If you have any questions whatsoever please feel free to give me a call or just talk to me. North Dakota needs this bill.

Thank you Mr. Chairman and members of the committee.

Rep. Luke R Simons ND

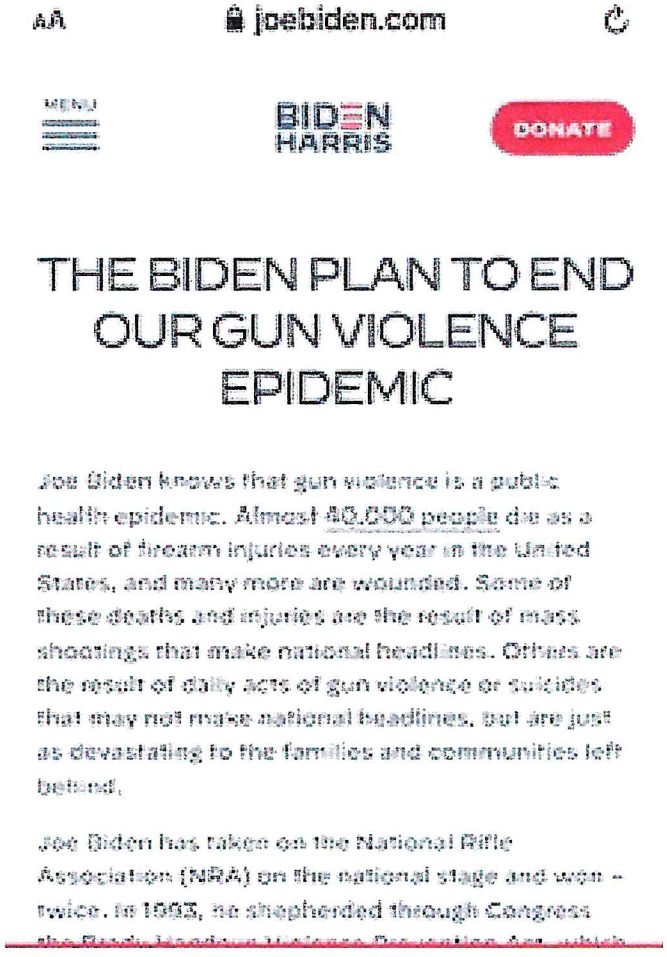


AA google.com

CNN politics

Biden says if elected in 2020 he will push to ban assault weapons

(CNN) --



AA joebiden.com

MENU BIDEN HARRIS DONATE

THE BIDEN PLAN TO END OUR GUN VIOLENCE EPIDEMIC

Joe Biden knows that gun violence is a public health epidemic. Almost 40,000 people die as a result of firearm injuries every year in the United States, and many more are wounded. Some of these deaths and injuries are the result of mass shootings that make national headlines. Others are the result of daily acts of gun violence or suicides that may not make national headlines, but are just as devastating to the families and communities left behind.

Joe Biden has taken on the National Rifle Association (NRA) on the national stage and won – twice. In 1993, he shepherded through Congress

"A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

North Dakota Article 1 Declaration of Rights Section 1

All individuals are by nature equally free and independent and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property and reputation; pursuing and obtaining safety and happiness; and to keep and bear arms for the defense of their person, family, property, and the state, and for lawful hunting, recreational, and other lawful purposes, which shall not be infringed.

Good Morning Representative Simons,

This email is in response to your request for information relating to other states that have enacted a bill similar to House Bill No. 1272 (2021), any problems associated with those statutes, and the statutes enacted in Idaho and Wyoming.

According to a June, 2016 article entitled *North to the Future of the Right to Bear Arms: Analyzing the Alaska Firearms Freedom Act and Applying Firearm Localism to Alaska*, from the Alaska Law Review, at least 9 states have enacted some type of firearm freedom act in an attempt to nullify the federal government's ability to regulate personal firearms, firearm accessories, and ammunition that are manufactured entirely in a state and remain in that state. (33 Alaska L.Rev. 125).

Although Alaska, Arizona, Idaho, Montana, Kansas, Tennessee, South Dakota, Utah, and Wyoming have enacted some version of a Firearms Protection Act, both Kansas and Montana have had the validity of their statutes challenged in federal court.

While the Kansas case was dismissed for lack of standing, the Ninth Circuit Court of Appeals upheld the dismissal of the case in Montana (*Montana Shooting Sports Association v. Holder*, 727 F.3d 975 (9th Cir. 2013)) finding that the action failed to state a claim because the Montana legislation was preempted by federal law and as such was invalid. *Montana Shooting Sports Association v. Holder* was appealed to the United States Supreme Court who denied additional review.

On March 12, 2010, the Governor of Wyoming passed the Firearms Freedom Act, which calls for disobedience to federal laws and regulations. Section 6-08-404 of the Wyoming Statutes Annotated provides "A personal firearm, a firearm accessory or ammunition that is manufactured commercially or privately in Wyoming and that remains exclusively within the borders of Wyoming is not subject to federal law, federal taxation or federal regulation, including registration, under the authority of the United States congress to regulate interstate commerce."

The Idaho statute is nearly identical to the language enacted in Alaska.

HOUSE BILL NO. HB0095

Wyoming Firearms Freedom Act-2.

Sponsored by: Representative(s) Jaggi, Brechtel, Childers, Davison, Illoway, Madden, McKim, Pedersen, Quarberg, Shepperson and Teeters and Senator(s) Burns, Case, Cooper, Dockstader and Jennings

A BILL

for

AN ACT relating to the Wyoming Firearms Freedom Act; establishing a Wyoming Firearms Freedom Act; providing that specified firearms that are manufactured, sold, purchased, possessed and used exclusively within Wyoming shall be exempt from federal regulation, including registration requirements; providing exceptions; creating offenses; providing penalties; authorizing the attorney general to defend specified actions; providing legislative findings and declarations of authority; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 6-8-402 through 6-8-406 are created to read:

6-8-402. Short title; applicability.

(a) This act shall be known and may be cited as the "Wyoming Firearms Freedom Act".

(b) This act shall apply to firearms, firearm accessories and ammunition that are manufactured in Wyoming.

6-8-403. Definitions.

(a) As used in this act:

(i) "Borders of Wyoming" means the boundaries of Wyoming as described in Section 2 of the Act of Admission of the state of Wyoming, 26 United States Statutes at Large, 222, chapter 664;

(ii) "Firearm" means any weapon which will or is designed to expel a projectile by the action of an explosive;

(iii) "Firearms accessories" means items that are used in conjunction with or mounted upon a firearm but are not essential to the basic function of a firearm, including, but not limited to, telescopic or laser sights, magazines, flash or sound suppressors, folding or aftermarket stocks and grips, speedloaders, ammunition carriers, optics for target identification and lights for target illumination;

(iv) "Generic and insignificant parts" includes, but is not limited to, springs, screws, nuts and pins;

(v) "Manufactured" means that a firearm, a firearm accessory or ammunition has been created from basic materials for functional usefulness, including, but not limited to forging, casting, machining, molding or other processes for working materials;

(vi) "This act" means W.S. 6-8-401 through 6-8-406.

6-8-404. Regulation by state of firearms, firearms accessories and ammunition manufactured in Wyoming; exceptions.

(a) A personal firearm, a firearm accessory or ammunition that is manufactured commercially or privately in Wyoming and that remains exclusively within the borders of Wyoming is not subject to federal law, federal taxation or federal regulation, including registration, under the authority of the United States congress to regulate interstate commerce. It is declared by the Wyoming legislature that those items have not traveled in interstate commerce. This section applies to a firearm, a firearm accessory or ammunition that is manufactured in Wyoming from basic materials and that can be manufactured without the inclusion of any significant parts imported from another state or foreign country. Generic and insignificant parts that have other manufacturing or consumer product applications are not firearms, firearms accessories or ammunition, and their importation into Wyoming and incorporation into a firearm, firearm accessory or ammunition manufactured in Wyoming does not subject the firearm, firearm accessory or ammunition to federal regulation. It is declared by the Wyoming legislature that basic industrial materials, such as, but not limited to, polymers, unmachined metal, ferrous or nonferrous, bar stock, ingots or forgings and unshaped wood, are not

firearms, firearms accessories or ammunition and are not subject to congressional authority to regulate firearms, firearms accessories and ammunition under interstate commerce as if they were actually firearms, firearms accessories or ammunition. The authority of the United States congress to regulate interstate commerce in basic materials does not include authority to regulate firearms, firearm accessories and ammunition made within Wyoming borders from those materials. Firearms accessories that are imported into Wyoming from another state and that are subject to federal regulation as being in interstate commerce do not subject a firearm to federal regulation under interstate commerce because the firearm accessory is attached to or used in conjunction with a firearm in Wyoming.

(b) A firearm manufactured or sold in Wyoming under this act shall have the words, "made in Wyoming" clearly stamped, inscribed or otherwise marked on a central part of the firearm, such as the receiver or frame.

6-8-405. Offenses and penalties; defense of Wyoming citizens.

(a) Any public servant of the state of Wyoming, as defined in W.S. 6-5-101, who enforces or attempts to enforce any act, order, law, statute, rule or regulation of the United States government relating to a personal firearm, firearm accessory or ammunition that is manufactured commercially or privately in Wyoming and that remains exclusively within the borders of Wyoming shall be guilty of a misdemeanor and, upon conviction, shall be subject to imprisonment for not more than one (1) year, a fine of not more than two thousand dollars ($2,000.00), or both.

(b) Any official, agent or employee of the United States government who enforces or attempts to enforce any act, order, law, statute, rule or regulation of the United States government upon a personal firearm, a firearm accessory or ammunition that is manufactured commercially or privately in Wyoming and that remains exclusively within the borders of Wyoming shall be guilty of a felony and, upon conviction, shall be subject to imprisonment for not more than two (2) years, a fine of not more than ten thousand dollars ($10,000.00), or both.

(c) The attorney general may defend a citizen of Wyoming who is prosecuted by the United States government for violation of a federal law relating to the manufacture, sale, transfer or possession of a firearm, a firearm accessory or ammunition manufactured and retained exclusively within the borders of Wyoming.

6-8-406. Legislative findings and declaration of authority.

(a) The legislature declares that the authority for W.S. 6-8-402 through 6-8-406 is the following:

(i) The tenth amendment to the United States constitution guarantees to the states and their people all powers not granted to the federal government elsewhere in the constitution and reserves to the state and the people of Wyoming certain powers as they were understood at the time that Wyoming was admitted to statehood in 1890. The guaranty of those powers is a matter of contract between the state and people of Wyoming and the several states comprising the United States as of the time the Act of Admission was agreed upon and adopted by Wyoming and the several states comprising the United States in 1889;

(ii) The ninth amendment to the United States constitution guarantees to the people rights not granted in the constitution and reserves to the people of Wyoming certain rights, as they were understood at the time Wyoming was admitted to statehood in 1890. The guaranty of those rights is a matter of contract between the state and people of Wyoming and the several states comprising the United States as of the time the Act of Admission was agreed upon and adopted by Wyoming and the United States in 1889;

(iii) The regulation of intrastate commerce is vested in the states under the ninth and tenth amendments to the United States constitution, particularly if not expressly preempted by federal law pursuant to article 1, section 8 of the United States constitution. The United States congress has not expressly preempted state regulation of intrastate commerce pertaining to the manufacture on an intrastate basis of firearms, firearms accessories and ammunition;

(iv) The second amendment to the United States constitution reserves to the people the right to keep and bear arms as that right was understood at the time the

original states ratified the bill of rights to the United States constitution, and the guaranty of the right is a matter of contract between the state and people of Wyoming and the United States as of the time the Act of Admission was agreed upon and adopted by Wyoming and the United States in 1889;

(v) Article 1, section 24, of the Wyoming constitution secures the right of citizens the right to keep and bear arms and this right shall not be denied. This right predates the United States constitution and the Wyoming constitution and is unchanged from the 1890 Wyoming constitution, which was approved by congress and the people of Wyoming, and the right exists, as it was agreed upon and adopted by Wyoming and the United States in the Act of Admission;

(vi) Article 1, section 1, of the Wyoming constitution provides that all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety and happiness; for all the advancement of these ends they have at all times an inalienable and indefeasible right to

alter, reform or abolish the government in such manner as they may think proper;

(vii) Article 1, section 7, of the Wyoming constitution provides that absolute, arbitrary power over the lives, liberty and property of freemen exists nowhere in a republic, not even in the largest majority;

(viii) Article 1, sections 1 and 7, of the Wyoming constitution clearly provide that the people of the state have the sole and exclusive right of governing themselves as a free, sovereign and independent state, and do so and forever hereafter shall exercise and enjoy every power, jurisdiction and right, pertaining thereto, which is not, or may not hereafter be, by them expressly delegated to the United States of America;

(ix) The declaration of independence clearly provides that government derives its power directly from the consent of the governed and Wyoming affirms the language of the second paragraph of the declaration of independence which states "We hold these truths to be self-evident, that all men are created equal, that they are endowed by the Creator with certain inalienable Rights,

that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed...".

Section 2. W.S. 6-8-401 by creating a new subsection (a) and by amending and renumbering (a) as (c) is amended to read:

6-8-401. Firearm, weapon and ammunition regulation and prohibition by state.

(a) The Wyoming legislature finds that the right to keep and bear arms is a fundamental right that predates the United States constitution and the Wyoming constitution. The Wyoming legislature affirms this right as a constitutionally protected right in every part of Wyoming.

~~(a)~~ (c) The sale, transfer, purchase, delivery, taxation, manufacture, ownership, transportation, storage, use and possession of firearms, weapons and ammunition shall be authorized, regulated and prohibited by the state, and regulation thereof is preempted by the state. Except as authorized by W.S. 15-1-103(a)(xviii), no city, town, ~~or~~

county, political subdivision or any other entity shall authorize, regulate or prohibit the sale, transfer, purchase, delivery, taxation, manufacture, ownership, transportation, storage, use, carrying or possession of firearms, weapons, ~~and~~ accessories, components or ammunition except as specifically provided by this chapter. This section shall not affect zoning or other ordinances which encompass firearms businesses along with other businesses. Zoning and other ordinances which are designed for the purpose of restricting or prohibiting the sale, purchase, transfer or manufacture of firearms or ammunition as a method of regulating firearms or ammunition are in conflict with this section and are prohibited.

Section 3. W.S. 6-8-401(b) is repealed.

Section 4. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

HB 1272

The Biden administration has expressed the desire to expand the registration of firearms and accessories to include firearms his administration defines as “assault weapons” and “high-capacity magazines”. We should not have our rights change depending on who is in the presidency nor a policy memo of a federal agency like the ATF which consists of no one elected by the people. Too often gun owners need to modify, destroy, sell, or otherwise dispose of accessories to not become felons. The possession of items today, should not make you a criminal tomorrow.

The expansion of National Firearms Act will be the banning of items through the over taxation of them. It will create a tiered system with on set of items alright for the rich and elite, and another for the poor and middle class. A $200 tax per magazine and weapon is using a tax to make items unaffordable for the majority of citizens without expressly banning them.

HB 1272 uses similar language of laws already passed in other states (Alaska, Arizona, Idaho, Montana, Kansas, Tennessee, South Dakota, Utah, and Wyoming). As such North Dakota can stand with our neighbors in determining what is appropriate for our citizens. We can preserve our freedoms, our culture, and our recreation from large population centers that do not share our views.

We have seen recently the federal agencies already do this with bump stocks successfully, as well as, unsuccessfully with pistol braces. These are things that should be reserved to our elected officials in our state legislator to determine. The successful passage of HB 1272 would help restore the powers of the states rights.

HB 1396

The Protection of Lawful Commerce in Arms Act is being targeted for repeal and HB 1396 would enact a state protection for manufacturers within North Dakota.

3009

I support HB1272. The more free we are when it comes to the 2nd amendment the better. May God guide you and bless you all!

2021 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee
Room JW327C, State Capitol

HB 1272
2/9/2021

Manufactured firearms, accessories & ammunition

(3:51) Chairman Lefor opened the committee work session.

Representatives	Attendance
Chairman Lefor	P
Vice Chairman Keiser	P
Rep Hagert	P
Rep Jim Kasper	P
Rep Scott Louser	P
Rep Nehring	P
Rep O'Brien	P
Rep Ostlie	P
Rep Ruby	P
Rep Schauer	P
Rep Stemen	P
Rep Thomas	P
Rep Adams	P
Rep P Anderson	P

Discussion Topics:

- Committee work.

Committee discussion & decided not to reconsider.

(3:58) End time.

Ellen LeTang, Committee Clerk

2021 SENATE JUDICIARY

HB 1272

2021 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

HB 1272
3/24/2021

A BILL for an Act to create and enact a new section to chapter 62.1-01 of the North Dakota Century Code, relating to manufactured firearms, accessories, and ammunition.

Hearing called to order all Senators Present: **Myrdal, Luick, Dwyer, Bakke, Fors, Heitkamp, Larson.** [9:33]

Discussion Topics:

- Interstate Commerce supreme court rulings
- Intrastate commerce supreme court rulings

Rep. Rick Becker, Bismarck, ND testified in favor #10637 [9:33]

Rep. Jeffrey Magrum, testified in favor [9:43]

Andrew Kordonowy, Dickinson, ND testified in favor [9:44]

Jaci Hall, ND Association for Justice testified in opposition #10644 [9:49]

David Schweigert, Bismarck, ND testified in opposition [9:56]

Stephanie Dassinger, Chiefs of Police Association of ND, testified in opposition [10:00]

Blaire Thorson, ND Peace Officers Association, testified in opposition [10:05]

Nephi Cole, National Shooting Sports Foundation, gave neutral testimony [10:06]

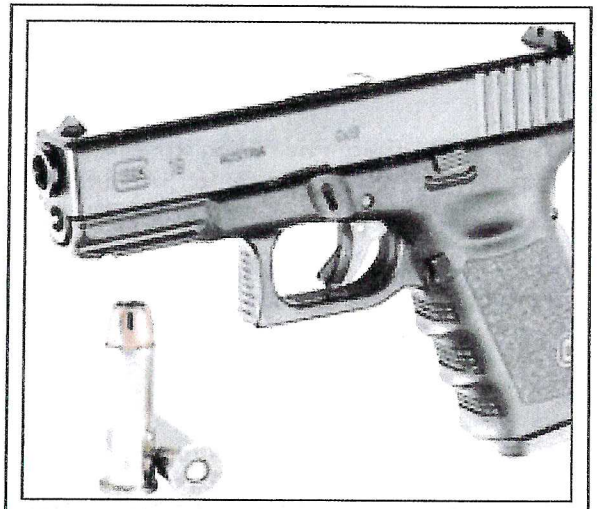
Additional written testimony:

#10191, #10442, #10587

Hearing Adjourned [10:08]

Jamal Omar, Committee Clerk

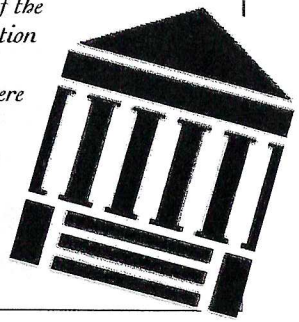
#10637



UNITED STATES V. SPRAGUE

282 U.S. 716, 733 (1931)

"The Tenth Amendment was intended to confirm the understanding of the people at the time the Constitution was adopted, that powers not granted to the United States were reserved to the States or to the people. It added nothing to the instrument as originally ratified."



Firearms Freedom Act Facts

COMMERCE CLAUSE

The FFA is primarily a 10th Amendment challenge to the power of Washington to regulate everything under the guise of regulating commerce "among the several states."

ORIGINAL MEANING

The power to regulate interstate commerce was delegated to the federal government in the Constitution. As understood at the time of the founding, the regulation of commerce was meant to empower Congress to regulate the buying and selling of products made by others (and sometimes land), associated finance and financial instruments, and navigation and other carriage, across state jurisdictional lines. This interstate regulation of "commerce" did not include agriculture, manufacturing, mining, malum in se crime, or land use. Nor did it include activities that merely "substantially affected" commerce.

WIDER APPLICATION

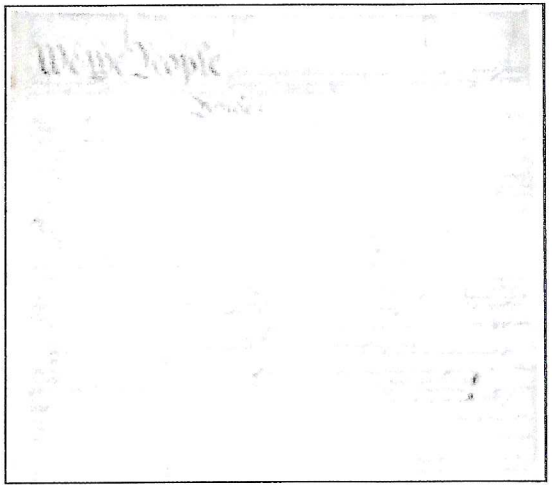
Firearms are the vehicle for this challenge, but it has much wider potential implications. Should a state be allowed to build and maintain business and industry within its borders without intrusive interference from the federal government? Should a state be allowed to

make its own construction materials to build schools and homes? Should a state be able to grow and transport food to feed its citizens without permission from Washington? The founders said YES!

THE CONSTITUTION

If, like any legal document, the words of the Constitution have the same meaning today as they did at the time of the founding, then it is essential to understand the original meaning of the words in the Constitution.

Learn more about the Firearms Freedom Act and other State Legislation to Support the Constitution at: **TenthAmendmentCenter.com**

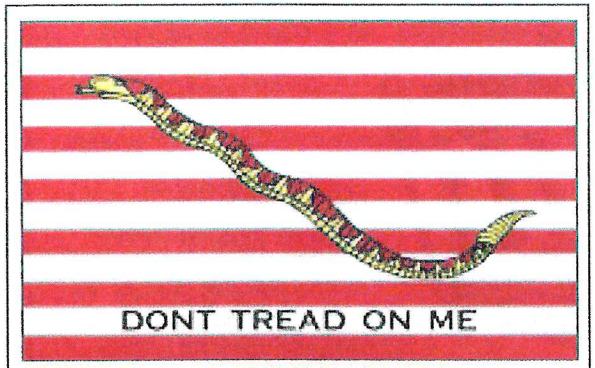


FIREARMS FREEDOM ACT IS ALSO ENDORSED BY

SECOND AMENDMENT FOUNDATION

MONTANA SHOOTING SPORTS ASSOCIATION

GUN OWNERS OF AMERICA

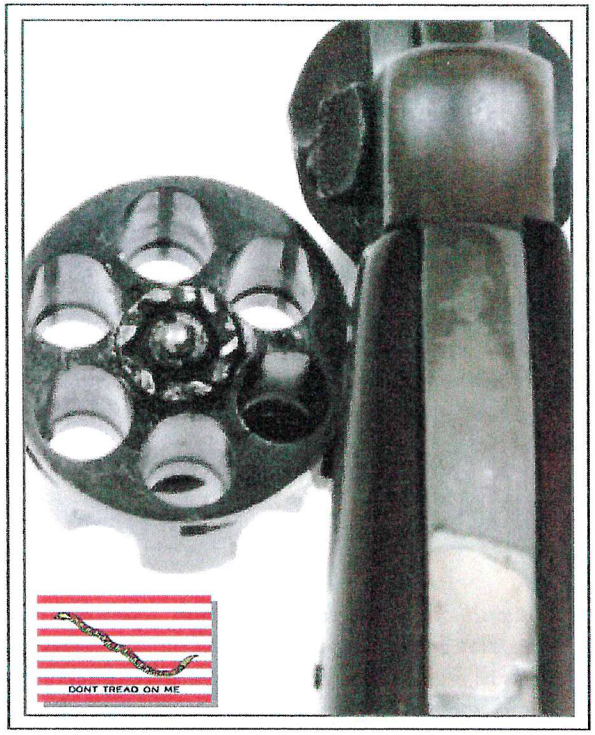


The Right to Keep and Bear Arms

The right to keep and bear arms is clearly a fundamental right the people have reserved to themselves. That right is compromised if access to firearms is only via a federally-controlled supply chain. The founders recognized this and prohibited the federal government from such restrictions in both the Commerce Clause and the 2nd Amendment.

The Tenth Amendment to the United States Constitution

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."



About Tenth Amendment Center

Thank you for your interest in Tenth Amendment Center, featuring comprehensive research coverage of key sovereignty issues and topics, and daily Tenth Amendment news and analysis.

The Tenth Amendment Center works to preserve and protect Tenth Amendment freedoms through information and education. The center serves as a forum for the study and exploration of state and individual sovereignty issues, focusing primarily on the decentralization of Federal government power.

To learn more about the Firearms Freedom Act or to contact us with questions or comments, please visit:

www.TenthAmendmentCenter.com

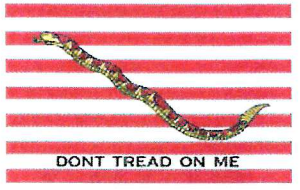
INFO@TENTHAMENDMENTCENTER.COM
LOS ANGELES, CA
(213) 935 0553

FIREARMS

FREEDOM ACT

10TH AMENDMENT CTR

The Firearms Freedom Act (FFA) is a state law which declares that any firearms made and retained in-state are beyond the authority of Congress under its constitutional power to regulate commerce among the states.



#10644

North Dakota Association for Justice
"The Trial Lawyers of North Dakota
PO Box 365
Mandan, ND 58554
www.ndaj.org

Jaclyn Hall, Executive Director
(701) 663-3916
jaclyn@ndaj.org

OPPOSE HB1272

Good morning Chairman Larson and members of the Senate Judiciary Committee, my name is Jaci Hall and I am the Executive Director of the North Dakota Association for Justice. I am here today to urge a DO NOT PASS on HB1272.

HB1272 allows citizens of North Dakota to supersede federal interstate commerce laws when producing firearms. This legislation, if enacted, will provide a pathway for firearms built in the state not be subject to federal laws or regulation.

Proponents of this legislation say this is a 2nd Amendment right, that the right to bear arms is under attack. However, this bill will have undue consequences.

For example, it is unlawful for an individual convicted of domestic violence to possess a firearm. If that firearm can be proven to be put together in the state of North Dakota and remained in the state until the time of criminal charge, would HB1272 supersede the unlawful act? Would that individual be able to carry a firearm?

The United States Supreme Court has always interpreted interstate commerce very broadly. HB1272 seems to conflict with established case law and could create undue consequences.

HB1272 is unnecessary legislation created out of undue fear and concern for the what if? Our 2nd Amendment is not under attack. Please vote Do Not Pass on HB1272.

If you have any questions or would like additional information, I will be happy to answer any questions.

Thank you,

Jaclyn Hall
North Dakota Association for Justice

To the Senate Judiciary Committee:

Want to sell that 12 gauge to your hunting buddy? Pelosi and Biden want to hit you with a felony charge unless you first run a background check, adding both of you to a growing federal database of gun owners.

HB 1272 seeks to protect us from just such federal infringement!

North Dakotan's right to bear arms, guaranteed to us in the 2nd Amendment, is under a greater attack by the political left and faux conservatives than it ever has been.

The Biden, Pelosi, and Schumer control federal government are advancing H.R. 8, the "Universal Background Check" bill. It has passed the US House. A more honest name for this bill would be "Surveillance on Gun Owners".

North Dakotans who appreciate and understand that the words "*the right of the people to keep and bear Arms shall not be infringed*.", means that every rule from Washington regarding so-called gun control is an infringement.

States are fighting back, which is where HB 1272 comes in.

We North Dakotans understand that the federal government has the most strength (albeit questionable) when firearm-related commerce is conducted across state lines. We appreciate that our state legislature would stand up in this way for us, following the example set already set by other states that have implemented similar legislation.

We will be very happy to purchase firearms and ammunition made in North Dakota!

Please DO PASS HB 1272

Senate Judiciary Committee

HB 1272

Chairman Larson and Committee Members, I urge a strong YES vote on HB 1272,

Gun Control Nullification

House Bill No. 1272 (HB 1272) is sponsored by nine representatives. The House passed the bill, 69-23, on February 17.

If passed, HB 1272 would exempt – from all federal laws or regulations – any "personal firearm, firearm accessory, or ammunition" that is "manufactured commercially or privately in the state and which remains within the state."

This is important because the U.S. Constitution's Commerce Clause (Article I, Section 8, Clause 3) does not apply to commerce that remains inside a single state. HB 1272, if passed, would go a long way toward nullifying the federal government's overreach via its blatant disregard of this constitutional provision.

Thank You

Gordon Greenstein

US Navy (Veteran)

US Army (Retired)

#10587

Dear NDCA Member,

Want to sell that 12 gauge to your hunting buddy? Using H.R. 8, Pelosi and Biden want to hit you with a felony charge unless you first run a background check, adding both of you to a growing federal database of gun owners.

North Dakotans who appreciate and understand that the words the right of the people to keep and bear Arms shall not be infringed., means that every rule from Washington regarding so-called gun control is an infringement.
Many states are fighting back. One important way is to assert the lack of federal power over intrastate commerce.
HB 1272 tells the federal government "you have no jurisdiction over firearms and ammunition made in North Dakota!

2021 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

HB 1272
3/29/2021

A BILL for an Act to create and enact a new section to chapter 62.1-01 of the North Dakota Century Code, relating to manufactured firearms, accessories, and ammunition.

Hearing called to order all Senators Present: **Myrdal, Luick, Dwyer, Bakke, Fors, Heitkamp, Larson. [8:40]**

Discussion Topics:

- Interstate Commerce Clause
- Firearm Reciprocity

Senator Myrdal Moved a DO NOT PASS [8:45]
Senator Fors Seconded the Motion
Vote Passed 7-0-0
Senator Fors Carried the Bill

DO NOT PASS On HB 1272	Vote
Senator Diane Larson	Y
Senator Michael Dwyer	Y
Senator JoNell A. Bakke	Y
Senator Robert O. Fors	Y
Senator Jason G. Heitkamp	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Hearing Adjourned [8:46]

Jamal Omar, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1272: Judiciary Committee (Sen. Larson, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1272 was placed on the Fourteenth order on the calendar.