



Written by [Joe Wolverton, II, J.D.](#) on June 15, 2023

Alaska Gun Stores Protected From Closure During Future “Emergencies”

Throughout history, emergencies — or the threat of of them — have served as opportunities for ambitious individuals to seize power from the people, allowing them to impose their own despotic will on a believing populace. This pattern can be traced back to ancient Athens, where emergency powers paved the way for a succession of tyrants, usurpers, and demagogues to rise to prominence. Notable figures such as Pisistratus, Draco, Sulla, and Julius Caesar are just a few examples from antiquity of those men in positions of power who capitalized on the apparent imminent onset of emergencies to assert autocratic authority over the people of their respective societies.



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Contemporary Americans are all too familiar with the lingering of extraordinary political power long after the threat (if there ever was one) has past. The government’s handling of the Covid-19 “pandemic” in early 2020 resulted in a significant expansion of state power, rivaling even the unprecedented and unconstitutional swelling of government witnessed after September 11, 2001 through the enactment of the grossly misnamed Patriot Act. Governments across both red and blue states, with few exceptions, issued unheard-of mandates arguably aimed at curbing the rapid spread of the coronavirus. Governors, influenced by key figures in the Donald Trump administration, particularly Drs. Anthony Fauci and Deborah Birx, forced the shuttering of businesses deemed “nonessential,” with any resistance to such decrees threatened with prosecution. Almost without exception, these actions were carried out without consideration for constitutional implications or the individual rights of citizens.

In the face of voters’ apparent inability to hold these tyrannical politicians accountable through elections — bureaucrats such as Fauci were beyond the reach the ballot box — certain state lawmakers are now striving to safeguard the constitutionally protected rights of their constituents going forward. Recognizing that the right to keep and bear arms serves as a crucial check on government’s encroachment upon other inherent rights, it is understandable that officials who prioritize individual liberties are placing emphasis on protecting the Second Amendment.

A bill that recently gained approval in both chambers of the Alaska Legislature prevents the government from shutting down gun stores, even during times of an officially declared state of emergency. The legislation, [HB 61](#), titled “An Act relating to restrictions on firearms and other weapons,” received bipartisan support, passing the Alaska House of Representatives by a vote of 28-12 and sailing through the state Senate with an even more lopsided vote of 17-3. To become law, the bill lacks only the signature of Republican Governor Mike Dunleavy, who is expected to sign it immediately. The essence of the forthcoming statute, which can be found in its entirety [here](#), is to prohibit any



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governor, state agency, or municipality from issuing or adopting orders or regulations that would restrict the possession, use, or transfer of firearms, ammunition, parts, or accessories for personal use. Additionally, the bill explicitly forbids the seizure or confiscation of these items.

During the Covid-19 lockdowns, the forced closure of gun shops and shooting ranges in California counties sparked a legal battle. However, the Ninth Circuit Court of Appeals, in the case of *McDougall v. County of Ventura*, declared such closures to be unconstitutional. Building upon this court decision, Alaska House Speaker Cathy Tilton, a Republican from Wasilla, aimed to solidify this protection in state law. As quoted on [Catalyst](#), Tilton expressed her intentions, stating, “Even with *McDougall v. County of Ventura*’s ruling, I felt it important to expressly codify this in statutes because there actually had been a gun store closure in Alaska’s largest city during the pandemic. It was a personal priority to prevent that from happening again.”

Senator Scott Kawasaki, another proponent of the bill, stood on the Senate floor and reminded his colleagues and fellow Alaskans of the principles that have long been priorities of that unique state. Again, as reported by [Catalyst](#), Kawasaki said, “In Alaska we have a strong belief in individualism and the right to bear arms, both cannabis shops and alcohol dispensing stores were deemed essential—therefore allowed to open—gun shops, for a brief time, were not.”

Another of the bill’s supporters, Senator Mike Shower, raised the importance of safeguarding the fundamental rights of citizens, particularly during times of crisis. He cautioned against a mindset that may inadvertently harm individuals when they most need the protection of their natural right of self-defense, a right protected by the Second Amendment. Shower highlighted the historical precedent of similar infringements occurring in the past, underscoring the need for a vigilant and valiant citizenry in the protection and preservation of fundamental freedom.

“We have to guard against this mentality of doing what we think is best, but we’re actually hurting people at the wrong time. Preventing the ability of a government to take away people’s fundamental right—which actually is in the constitution—but at a time when they most desperately need it is something we need to be really cognizant of Mr. President, because it has happened before in this country,” Shower explained.

With the passage of HB 61, Alaska now joins several states, namely Ohio, Idaho, Louisiana, Kansas, and Montana, that have successfully enacted comparable legislation since the end of the Covid-19 “emergency.”



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