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Senate Chamber

State of Tennessee

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17th District

Chairman
Judiciary Committee

Commerce, Labor and Agriculture
Committee

Transportation
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Senator Mae Beavers and Senate Pass TN Firearms Freedom Act: Tells Federal Government to “Get Out of Our Business”

NASHVILLE, TN – The State Senate approved legislation today that seeks to combat the destruction of the 10th Amendment of the Constitution by the Federal government in their attempt to infringe upon states’ rights. Senate Bill 1610, known as the “Tennessee Firearms Freedom Act,” sponsored by Senator Beavers, takes a step in the right direction to restore to the states control of intra-state commerce and the regulation of firearms manufactured and sold within Tennessee.

“Be it the federal government mandating changes in order for states to receive federal funds or the federal government telling us how to regulate commerce contained completely within this state – enough is enough,” urged Judiciary Chairman Mae Beavers. “Our founders fought too hard to ensure states’ sovereignty and I am sick and tired of activist federal officials and judges sticking their noses where they don’t belong.”

The Tennessee Firearms Freedom Act asserts that if a firearm and/or ammunition is made totally within the state of Tennessee, and stamped “Made in Tennessee”, then the federal government has no jurisdiction over that item in any fashion so long as it remains in state and outside of interstate commerce. All state regulations applying to the possession of firearms in Tennessee would still be applicable and must be complied with. This legislation is being proposed to prevent a federal attempt to legislate beyond the Constitutional limits of Congress.

The Tenth Amendment defines the total scope of federal power as being that which has been delegated by the people to the federal government, and also that which is absolutely necessary to advancing those powers specifically enumerated in the Constitution of the United States. The amendment was adopted after the Constitutional ratification process to emphasize the fact that the states remained individual and unique sovereignties. Unfortunately, some courts’

interpretation of Congress' power implied by the commerce clause has been misconstrued to suggest it's unlimited application to state regulation. An effort by the federal government to regulate *intrastate* commerce under the guise of powers implied by the interstate commerce clause could only result in an encroachment of the state's power to regulate commerce within its borders. This bill is similar to one signed into law in Montana, and is currently pending passage in at least 30 other states.

The State House of Representatives passed the companion bill (HB 1796 by Ben West and Henry Fincher) last week and the bill will now head to the governor's office where he will have to choose whether to side with the 87 Representatives and 21 Senators who voted in favor of the bill.

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