

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 3

BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

1 TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES  
2 IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION  
3 REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED  
4 STATES.  
5

6 We, your Memorialists, the House of Representatives and the Senate of the State of Idaho  
7 assembled in the First Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully  
8 represent that:

9 WHEREAS, the Second Amendment of the United States Constitution does not simply  
10 provide for a collective right or a right for the states to establish militias; rather it provides for  
11 the right of the people to keep and bear arms; and

12 WHEREAS, the primary purpose of the right to keep and bear arms is to protect one's  
13 self, family and possessions from either the private lawlessness of other persons or the tyranny  
14 of government; and

15 WHEREAS, the right to keep and bear arms is also meant to protect the general private  
16 uses of firearms in activities such as hunting and other sporting activities; and

17 WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, 128  
18 S.Ct. 2783 (2008), recently struck down a firearms ban in the District of Columbia, explicitly  
19 ruling that the Second Amendment protects the right of the people to possess firearms for pri-  
20 vate use; and

21 WHEREAS, despite this ruling, legislation has been introduced in the United States  
22 House of Representatives calling for a system of mandatory federal licensing of all firearm  
23 owners; and

24 WHEREAS, the legislation introduced would require all firearm owners to apply for and  
25 carry a federally issued picture identification in order to keep any firearm in their homes; and

26 WHEREAS, the legislation introduced would make it a federal crime to keep a loaded  
27 firearm or an unloaded firearm and ammunition within any premises including, under certain  
28 circumstances, American homes where a child may be present; and

29 WHEREAS, the legislation introduced specifically purports to preempt any state or local  
30 law inconsistent with it; and

31 WHEREAS, the introduced legislation, Blair Holt's Firearm Licensing and Record of Sale  
32 Act of 2009, is a direct imposition on each American's individual right to keep and bear arms  
33 in their homes and for their protection.

34 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of  
35 the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein,  
36 that members of the United States Congress cease and desist attempting to enact federal leg-  
37 islation impinging on the individual right of every American to keep and bear arms in any  
38 manner. Specifically, that members of Congress oppose the passage of the Firearm Licensing  
39 and Record of Sale Act of 2009, and any similar legislation.

1           BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be,  
2 and she is hereby authorized and directed to forward a copy of this Memorial to the President  
3 of the Senate and the Speaker of the House of Representatives of Congress, and the congres-  
4 sional delegation representing the State of Idaho in the Congress of the United States.