IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 3

BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES
IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION
REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED
STATES.

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that members of the United States Congress cease and desist attempting to enact federal legislation impinging on the individual right of every American to keep and bear arms in any manner. Specifically, that members of Congress oppose the passage of the Firearm Licensing and Record of Sale Act of 2009, and any similar legislation.
BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.