

HOUSE CONCURRENT RESOLUTION NO. 15
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES HARRIS, Stoltze, Hawker, Chenault, Gatto, Ramras, Dahlstrom, Samuels

Introduced: 1/15/08
Referred: Judiciary

A RESOLUTION

1 **Urging the governor to direct the attorney general to file an amicus curiae brief with the**
2 **United States Supreme Court in the case of Parker v. District of Columbia, supporting**
3 **the individual right to keep and bear arms under the Second Amendment to the United**
4 **States Constitution.**

5 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 **WHEREAS** the United States Supreme Court has agreed to rule in the case of Parker
7 v. District of Columbia, which challenges the enforcement of local laws that restrict the
8 possession of firearms by private individuals; and

9 **WHEREAS** the decision of the United States Supreme Court will have a significant
10 effect on the right to keep and bear arms, a fundamental right of American citizens; and

11 **WHEREAS** the decision of the United States Supreme Court should determine that
12 the right to keep and bear arms is an individual right, and not a collective right that can be
13 regulated or restricted by state and local governments; and

14 **WHEREAS** the right to keep and bear arms is so dear to the people of Alaska that the
15 Constitution of the State of Alaska was amended at the general election in 1994 to specify that

1 it is an individual right, and not a collective one; and

2 **WHEREAS** the rights protected in the Bill of Rights of the United States Constitution
3 are the God-given rights of individual citizens, and their descriptions were derived from the
4 English Bill of Rights of 1689 and the Virginia Declaration of Rights; and

5 **WHEREAS** historical analysis of social structure at the time of the enactment and
6 ratification of the Bill of Rights of the United States Constitution clearly shows that our nation
7 was a frontier, where firearms were an important part of nearly every household and the use
8 of firearms were a part of everyday life, and the colonists who fought the Revolutionary War
9 did so with their own guns; and

10 **WHEREAS** the right of individuals in the United States to keep and bear arms is
11 fundamental to the protection and enjoyment of the remainder of the rights enumerated in the
12 Bill of Rights; and

13 **WHEREAS** history has shown that in nations where individuals were forced to give
14 up their firearms to government, such as in Nazi Germany and Soviet Russia, the result has
15 been repression, tyranny, and genocide; and

16 **WHEREAS** statistics have shown that in local jurisdictions, such as Washington,
17 D.C., where gun ownership has been restricted or prohibited, in violation of the Second
18 Amendment, the goal of reducing violent crimes such as murder has had the opposite effect,
19 and violent crime rates are higher than when private individuals could protect themselves with
20 personal firearms; and

21 **WHEREAS** in Alaska's largest metropolitan community, where the violent crime rate
22 continues to rise and the mayor has joined with the mayor of New York City in harassing gun
23 dealers, law-abiding residents and visitors who choose to rely on the personal protection of a
24 firearm should not be denied access to such protection; and

25 **WHEREAS** the safeguard of the Second Amendment to the United States
26 Constitution as an individual right to keep and bear arms is fundamental to the people of
27 Alaska;

28 **BE IT RESOLVED** that the Alaska State Legislature urges Governor Sarah Palin to
29 instruct the attorney general to timely file, on behalf of the State of Alaska and its citizens, an
30 amicus curiae or friend of the court brief supporting the plaintiffs in Parker v. District of
31 Columbia, or to join with other states' attorneys general in such a brief.

1 **COPIES** of this resolution shall be sent to the Honorable Sarah Palin, Governor of
2 Alaska and the Honorable Talis J. Colberg, Alaska Attorney General.