



# KENOSHA COUNTY

## BOARD OF SUPERVISORS

Resolution No. \_\_\_\_\_

Subject:		<b>Resolution to Conduct Countywide Advisory Referendum on making the State of Wisconsin a 2nd Amendment Sanctuary State</b>	
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: Date Submitted: 2/28/2020		Date Resubmitted:	
Submitted by: Supervisors Decker, Maurer, Nordigian, Nudo, Rodriguez			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/> Agreement	
Prepared by: Supervisor Erin Decker		Signature:	

**WHEREAS**, the Constitution of the United States is the Supreme Law of our nation, and;

**WHEREAS**, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to the United States Constitution, and reads “A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed,” and;

**WHEREAS**, the Constitution of the State of Wisconsin, Article 1, Section 25, reads “The people have the right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose,” and;

**WHEREAS**, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S. 570 (2008), affirmed an individual’s right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home, and;

**WHEREAS**, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010), affirmed that the right of an individual to “keep and bear arms,” as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states, and;

**WHEREAS**, the United States Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment, and;

**WHEREAS**, the Right of the People to Keep and Bear Arms for the defense of Life, Liberty, and Property is regarded as an Inalienable Right by the People of the Kenosha County, and;

**WHEREAS**, the People of Kenosha County derive an economic benefit from all safe forms of firearms recreation, hunting, and shooting conducted within Wisconsin using all types of firearms allowable under the United States Constitution and the Constitution of the State of Wisconsin, and;

**WHEREAS**, the Citizens of Kenosha County are concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Kenosha County to keep and bear arms, and;

**WHEREAS**, The Kenosha County Board of Supervisors desires to hear the views of the public on this important matter; and subsection 59.52 (25) of the Wisconsin Statutes permits the County Board of Supervisors to conduct a countywide referendum for advisory purposes, and;

**WHEREAS**, The following advisory referendum question provides a way for the public to express its views on making Wisconsin a 2<sup>nd</sup> Amendment Sanctuary State:

Question: Should the Wisconsin State Legislature declare the State of Wisconsin be a Second Amendment Sanctuary State?

**NOW, THEREFORE, BE IT RESOLVED**, that the Kenosha County Board of Supervisors, in legal session assembled will place the following question on the November 3, 2020 ballot as an advisory referendum question. Question: Should the Wisconsin State Legislature declare the State of Wisconsin be a Second Amendment Sanctuary State? YES \_\_\_\_\_ NO \_\_\_\_\_, and;

**BE IT FURTHER RESOLVED**, that the Kenosha County Board of Supervisors directs Corporation Counsel to prepare a Notice of Referendum to be published by the Kenosha County Clerk in accordance with statutory requirement, and;

**BE IT FURTHER RESOLVED**, that this resolution and the referendum shall be filed with Kenosha County Clerk no later than 70 days prior to the November 3, 2020 election at which the question will appear on the ballot, and;

**BE IT FURTHER RESOLVED**, that a copy of this ballot referendum shall be forwarded to Kenosha County's legislative delegation, all other Wisconsin counties, the Wisconsin Counties Association and Governor Evers.

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Supervisor Erin Decker

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Supervisor Gabe Nudo

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Supervisor Amy Maurer

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Supervisor Zach Rodriguez

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Supervisor Mark Nordigian

**LEGISLATIVE COMMITTEE:**

Aye   Nay   Abstain   Excused

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Andy Berg, Chair              

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Boyd Frederick, Vice Chair              

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Ed Kubicki              

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Lon Wienke              

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Mark Nordigian              

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Sandra Beth              

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Amy Maurer