Kenosha County

Legislation Committee
Agenda
Kenosha County Administration Building
2nd Floor Committee Room
June 21, 2022, Tuesday, 6:00 p.m.

NOTE: UNDER THE KENOSHA COUNTY BOARD RULES OF PROCEDURE ANY REPORT, RESOLUTION, ORDINANCE OR MOTION APPEARING ON THIS AGENDA MAY BE AMENDED, WITHDRAWN, REMOVED FROM THE TABLE, RECONSIDERED OR RESCINDED IN WHOLE OR IN PART AT THIS OR AT FUTURE MEETINGS. NOTICE OF SUCH MOTIONS TO RECONSIDER OR RESCIND AT FUTURE MEETINGS SHALL BE GIVEN IN ACCORDANCE WITH SECTION 2 C OF THE COUNTY BOARD RULES. FURTHERMORE, ANY MATTER DEEMED BY A MAJORITY OF THE BOARD TO BE GERMANE TO AN AGENDA ITEM MAY BE DISCUSSED AND ACTED UPON DURING THE COURSE OF THIS MEETING AND ANY NEW MATTER NOT GERMANE TO AN AGENDA ITEM MAY BE REFERRED TO THE PROPER COMMITTEE. ANY PERSON WHO DESIRES THE PRIVILEGE OF THE FLOOR PRIOR TO AN AGENDA ITEM BEING DISCUSSED SHOULD REQUEST A COUNTY BOARD SUPERVISOR TO CALL SUCH REQUEST TO THE ATTENTION OF THE BOARD CHAIRMAN

1. Call To Order
2. Citizen Comments
3. Reports From Chairperson
4. Reports From Committee Members
5. Communications
6. Approval Of Minutes
7. Other Matters As May Be Appropriately Brought Before The Committee
   a. A Resolution Declaring Kenosha County A Second Amendment Sanctuary County

      Documents:

      A RESOLUTION DECLARING KENOSHA COUNTY A SECOND AMENDMENT SANCTUARY COUNTY.PDF

   b. A Resolution To Conduct Countywide Advisory Referendum No Making The State Of Wisconsin A 2nd Amendment Sanctuary

      Documents:

      A RESOLUTION TO CONDUCT COUNTYWIDE ADVISORY REFERENDUM ON MAKING THE STATE OF WISCONSIN A 2ND AMENDMENT SANCTUARY STATE.PDF
8. Other Matters As May Be Appropriately Brought Before The Committee
9. Adjourn

There may be a quorum of other Committees of the County Board.

KENOSHA COUNTY

BOARD OF SUPERVISORS

Resolution No. _____

Subject: **A resolution declaring Kenosha County a Second Amendment Sanctuary County**			
Original [x]	Corrected [ ]	2nd Correction [ ]	Resubmitted [ ]
Date Submitted: 5/9/2022		Date Resubmitted:	
Submitted by: Supervisors Decker and Poole			
Fiscal Note Attached [ ]		Legal Note Attached [ ] 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; 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 Kenosha County, Wisconsin, and;

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

WHEREAS, the Kenosha County Board, being elected to represent the People of Kenosha County and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Wisconsin, and;

WHEREAS, the Kenosha County Board of Supervisors is 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 wishes to express its deep commitment to the rights of all citizens of Kenosha County to keep and bear arms, and;

WHEREAS, the Kenosha County Board of Supervisors wishes to express opposition to any law that would unconstitutionally restrict the rights of the citizens of Kenosha County to keep and bear arms, and;

WHEREAS, the Wisconsin State Assembly and the Wisconsin State Senate, being elected by the People of the State of Wisconsin and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Wisconsin, and;

WHEREAS, any legislation considered by the Wisconsin State Legislature that would infringe upon the Right to Keep and Bear Arms and would ban the possession and/or use of any weapons including firearms, magazines, ammunition or body armor now employed by individual citizens of Kenosha County for their defense of Life, Liberty and Property, or for the purposes of hunting, recreation or other lawful purposes or would require a firearms owner I.D. card, or tax the possession of firearms or ammunition, or require the registration and/or confiscation of said weapons and ammunition within Kenosha County, Wisconsin; would be a violation of the Second Amendment of the United States Constitution and of Article 1, Section 25 of the Wisconsin Constitution;

NOW, THEREFORE, be it resolved that the Kenosha County Board of Supervisors hereby declares Kenosha County to be a Second Amendment Sanctuary County; and

BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors affirms its support of the sheriff to exercise sound discretion to not enforce against any citizen an unconstitutional firearms law; and

BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors will not appropriate any funds for any enforcement of unconstitutional laws against the People of Kenosha County, Wisconsin; and

BE IT FURTHER RESOLVED that the Kenosha County Board of Supervisors does hereby oppose the enactment of any legislation that would infringe upon the Right of the People to keep and bear arms and consider such laws to be unconstitutional and beyond lawful legislative authority and to be an act of tyranny.

Supervisor Erin Decker

Supervisor John Poole

KENOSHA COUNTY

BOARD OF SUPERVISORS

Resolution No. _____

Subject: **Resolution to Conduct Countywide Advisory Referendum on making the State of Wisconsin a 2nd Amendment Sanctuary State**	
Original [x] Corrected [ ] 2nd Correction [ ] Resubmitted [ ]	
Date Submitted: Date Submitted: 5/9/2022	Date Resubmitted:
Submitted by: Supervisors Decker and Poole	
Fiscal Note Attached [ ]	Legal Note Attached [ ] 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 2nd 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 8, 2022 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 8, 2022 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.

Supervisor Erin Decker

John Poole

Supervisor John Poole