

## WISCONSIN SECOND AMENDMENT SANCTUARY RESOLUTION

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 under 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 Township of Baldwin, St. Croix County, Wisconsin, and;

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

WHEREAS, the Township of Baldwin Board of Supervisors, being elected to represent the People of the Township of Baldwin 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 Township of Baldwin 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 the Township of Baldwin to keep and bear arms, and;

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

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WHEREAS, the Township of Baldwin Board of Supervisors wishes to express opposition to any law that would unconstitutionally restrict the rights of the citizens of the Township of Baldwin 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 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 the Township of Baldwin 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 the Township of Baldwin, St. Croix 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, therefore;

Be it resolved the People of the Township of Baldwin, Wisconsin hereby declare it to be a Second Amendment Sanctuary Township.

Be it further resolved the People of the Township of Baldwin, Wisconsin affirms its support of the Sheriff to exercise sound discretion to not enforce against any citizen an unconstitutional law.

Be it further resolved that the Township of Baldwin Board of Supervisors will not appropriate any funds for any enforcement of unconstitutional laws against the People of the Township of Baldwin, Wisconsin.

NOW, THEREFORE, IT BE AND IS HEREBY RESOLVED that the People of the Township of Baldwin, Wisconsin, do 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 be and act of tyranny.

Offered by the Township of Baldwin Board of Supervisors this 3<sup>rd</sup> Day of June, 2021  
Motion by: Joseph Kusilek Seconded by: Don L. Johnson

Affirm: *Don L. Johnson* Opposed: \_\_\_\_\_  
*Joseph Kusilek* \_\_\_\_\_  
*Joseph Kusilek* \_\_\_\_\_

Attested: *James Harer*, James Harer, Clerk