



Resolution 29-2020

Date: March 4, 2020

GRAND TRAVERSE COUNTY BOARD OF COMMISSIONERS RESOLUTION TO DECLARE ITS SUPPORT FOR THE "SECOND AMENDMENT IN GRAND TRAVERSE COUNTY, MICHIGAN"

THE COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF GRAND TRAVERSE, STATE OF MICHIGAN, STATES:

WHEREAS, the County Board of Commissioners of the County of Grand Traverse, State of Michigan, pursuant to Michigan statute, is vested with the authority of administering the affairs of the County government of Grand Traverse County, Michigan, and is organized as a body corporate with powers and immunities provided by law; and

WHEREAS, the Second Amendment to the United States Constitution, ratified in 1791 as part of the Bill of Rights, states "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 United States Supreme Court in *District of Columbia v Heller*, 554 U.S. 570 (2008), affirmed an individual's right to possess a firearm, unconnected with service in a militia, and to use that firearm 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 to the States by the Due Process Clause of the Fourteenth Amendment; and

WHEREAS, Article I, Section 6 of the Michigan Constitution (1963) provides that "Every person has a right to keep and bear arms for the defense of himself and the state"; and

WHEREAS, it is the desire of this Board to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Michigan Constitution which protect Grand Traverse County citizens' individual rights to keep and bear arms; and

WHEREAS, each Grand Traverse County Commissioner, as provided by Article XI, Section 1, of the Michigan Constitution (1963), took an oath to support the United States Constitution and the Michigan Constitution; and

WHEREAS, Article III, Section 2, of the United States Constitution, states that 'The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution', and it is acknowledged that constitutionality of laws is determined by this judicial Power,

NOW THEREFORE, IT IS HEREBY RESOLVED, by the Grand Traverse County Board of Commissioners, the Board of Commissioners declares, through the adoption of this Resolution, their support for the Second Amendment of the U.S. Constitution and for Section 6 of Article I of the Michigan Constitution, relating to the right of Grand Traverse County citizens to keep and bear arms.

IT IS FURTHER RESOLVED, that the Grand Traverse County Board of Commissioners, hereby, declares its intent that public funds of the county not be used directly or indirectly, to restrict the Second Amendment rights of the citizens of Grand Traverse County to keep and bear arms; nor shall this Board appropriate any funds to aid in the unnecessary and unconstitutional restriction of rights under the Second Amendment; nor shall this Board appropriate any funds for enforcement of unconstitutional laws against the people of Grand Traverse County; and

IT IS FURTHER RESOLVED, that the Grand Traverse County Board of Commissioners, hereby, declares its intent to oppose unconstitutional* restrictions on the right to keep and bear arms through such lawful means as may be expedient; and

IT IS FURTHER RESOLVED, that the Board of Commissioners directs its staff to forward a copy of this Resolution to every Michigan Board of County Commissioners, the Michigan State Legislature (House of Representatives and State Senate), the Governor of Michigan, and all Michigan U.S. Congressional Representatives. This Resolution was adopted by the Grand Traverse County Board of Commissioners at a regular meeting held at the Grand Traverse County Board Chambers, Grand Traverse County, Michigan, by an affirmative vote of no less than four of the members of the County Board of Commissioners who are elected and serving, on this 4th day of March, 2020.

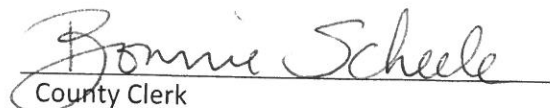
* The Board of Commissioners recognizes that the determination of constitutionality is to be made by a court. Further, the Board recognizes that laws enacted by the Legislature are presumed to be constitutional until determined otherwise by a court.

This resolution was offered by Commissioner Jewett and supported by Commissioner Clous.
A roll call vote was taken and this Resolution was passed by a vote of: 4 YES, 2 NO, 1 EXCUSED.
Those Commissioners voting in favor: Jewett, Clous, LaPointe and Hentschel.
Those Commissioners voting against: Wheelock and Hundley.
Those Commissioners abstaining: None.

The Resolution was declared ADOPTED.



Chairman



County Clerk

I, the undersigned, the duly qualified and acting Clerk of the County of Mecosta, Michigan (the County) do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County Board of Commissioners at a regular meeting on the 6th day of March, 2020.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this 6th day of March, 2020, A.D.



Marcee M. Purcell
Mecosta County Clerk