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2007 ASSEMBLY RESOLUTION 13

February 21, 2008 - Introduced by Representative Huebsch, by request of Attorney General Van Hollen. Referred to Committee on Rules.

Relating to: requesting the filing of an *amicus curiae* brief by the attorney general in the United States Supreme Court.

Whereas, during its current term, the United States Supreme Court will consider in *District of Columbia v. Dick Anthony Heller*, No. 07–290, the question of whether the Second Amendment to the United States Constitution embraces an individual's right "to keep and bear arms" for purposes unrelated to service in a militia or other military organization; and

Whereas, the Supreme Court has not yet held that the Second Amendment protects against federal encroachment of an individual's right "to keep and bear arms" for purposes unrelated to service in a militia or other military organization; and

Whereas, Wisconsin citizens, through article I, section 25, of the Wisconsin Constitution, have unequivocally protected in Wisconsin an individual's "right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose"; and

Whereas, the Wisconsin assembly desires that the Supreme Court be advised of Wisconsin citizens' interest in having the Supreme Court's decision in *District of Columbia v. Dick Anthony Heller*, No. 07–290, protect from federal encroachment the right of individuals under the Wisconsin Constitution to keep and bear arms for purposes unrelated to service in a militia or other military organization; and Whereas, the Wisconsin assembly desires that the Supreme Court be advised

Whereas, the Wisconsin assembly desires that the Supreme Court be advised of Wisconsin citizens' interest in having the Supreme Court's decision in *District of Columbia v. Dick Anthony Heller*, No. 07–290, preserve Wisconsin citizens' right to decide the scope of this protection under the Wisconsin Constitution; and

Whereas, the attorney general of Wisconsin has prepared an *amicus curiae* brief that will advise the United States Supreme Court of Wisconsin citizens' concerns and interests regarding the Supreme Court's decision in *District of Columbia v. Dick Anthony Heller*, No. 07–290; now, therefore, be it

Resolved by the assembly, That pursuant to section 165.25 (1m) of the Wisconsin statutes, the assembly authorizes the attorney general to file in the Supreme Court a brief as *amicus curiae* in support of the respondent in *District of Columbia v. Dick Anthony Heller*, No. 07–290.

18 (END)