



# DAVID CRAIG

STATE SENATOR

Senate Committee on Transportation, Veterans and Military Affairs  
Public Hearing, January 8, 2020  
Senate Bill 102  
Senator David Craig, 28<sup>th</sup> Senate District

Chairman Petrowski and Committee Members:

Thank you for taking testimony on Senate Bill 102 relating to local regulation of honorary firearm discharges.

To ensure our fallen military service members, police officers, and fire fighters are guaranteed their well-deserved honor of a ceremonial rifle salute, we have introduced SB 102. Rifle salutes are a long-held military tradition for honoring fallen service members at their funerals, recognizing the sacrifice of past generations at cemeteries on Memorial Day and Veterans Day, and dedicating veteran war memorials. The bill before you today also ensures that law enforcement officials and fire fighters are also properly recognized for the roles they play in protecting Wisconsin families.

Under current law, local units of government are prohibited from enforcing firearm regulations relating to the sale, purchase delay, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permitting, registration, or taxation. However, local municipalities can ban the discharge of firearms, even with the use with blank ammunition, at funerals and ceremonies.

To list just one example, Madison currently prohibits the discharge of any firearm within the city, unless the Chief of Police waives the prohibition. In an article printed earlier this year, after granting permission to discharge a firearm at a funeral for a local veteran, recently retired Madison Police Chief Mike Koval stated he would welcome some state pre-emption on this. I echo his statement and hope to see this bill move forward by removing red tape, and allowing these celebrations of life and selfless service to continue, without unnecessary government intervention. We must streamline this process and eliminate any potential holdups that could arise at future

ceremonies and funerals. The goal of this bill is not to undermine local control, but rather to ensure that the proper honors are bestowed upon those who deserve it.


To address this issue, SB 102 states that a municipal restriction on the discharge of a firearm may not be enforced if the discharge uses blank rounds and is used to provide military, firefighter, or law enforcement honors at:

- A funeral
- A cemetery on Memorial Day
- A cemetery on Veteran's Day
- A veteran's war memorial

Thank you for allowing me to testify today. I encourage you all to join us in supporting this important piece of legislation.

# Beloit's gun ordinance leads to confusion over legality of salutes

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 [channel3000.com/beloits-gun-ordinance-leads-to-confusion-over-legality-of-salutes](http://channel3000.com/beloits-gun-ordinance-leads-to-confusion-over-legality-of-salutes)

March 7, 2017 1:26 AM

Updated: December 26, 2019 5:51 AM

by Jenna Middaugh

BELOIT, Wis. — The Beloit City Council hoped to clear up some confusion at its Monday night meeting regarding the city's gun ordinance and how it pertains to honoring veterans with salutes at funerals.

Beloit Veterans of Foreign Wars Post 2306 honor guard commander Steve Mayfield said the confusion started when the Beloit Police Department asked the group not to fire the traditional rifle volleys at a recent funeral.

"We have fired at churches and funeral homes all across the city, and there's never been an issue," Mayfield said. "Honestly, we're just trying to figure out why is it all of a sudden now an issue?"

Beloit City Council President David Luebke said it was a matter of safety.

"The location would have been a highway, and we wanted them to move it across to a park, right across from the church, so it'd be a safer location," Luebke said. "If we're going to have guns going off, unannounced, it may cause some public concern or undue stress."

But Mayfield said the rifle fire is easy to recognize.

"Most people can distinguish between shots fired complain and the solemnness of military funeral honors with the firing of the rifles," he said.

City ordinance 15.07, regarding use of firearms and weapons, states, "No person shall fire or discharge any firearm or air gun within the City, except a police officer in the lawful discharge of his duty, provided this subsection shall not apply to the target practice of the regular club, or any shooting gallery conducted within the permission of the Police Department."

Police Chief David Zibolski said gun salutes are allowed and welcomed in cemeteries, but he must approve them at any other location.

Luebke said that information has been misunderstood.

"Some people interpreted it as a ban and put this on social media, and this is not true," Luebke said. "The right locations...apart from the cemeteries, can best be determined by our police chief."

Mayfield said he has no problem letting the police know when the honor guard will be firing.

"We're not here to cause conflict or anything like that," he said. "We're just asking that you (the City Council) allow us to perform this ceremony where the family may wish."

Mayfield said it's only right to honor the heroes who fought for this country.

"The veteran deserves a proper send-off," he said. "And the way you do that is with the firing of the rifle volleys, the playing of 'Taps' and the presentation of the American flag to the family."

Mayfield said he and other veterans planned to speak during the Beloit City Council's public comment portion of its meeting at 7 p.m. Zibolski said he would also be at the meeting to speak with veterans and funeral home directors and work to make sure everyone is on the same page.

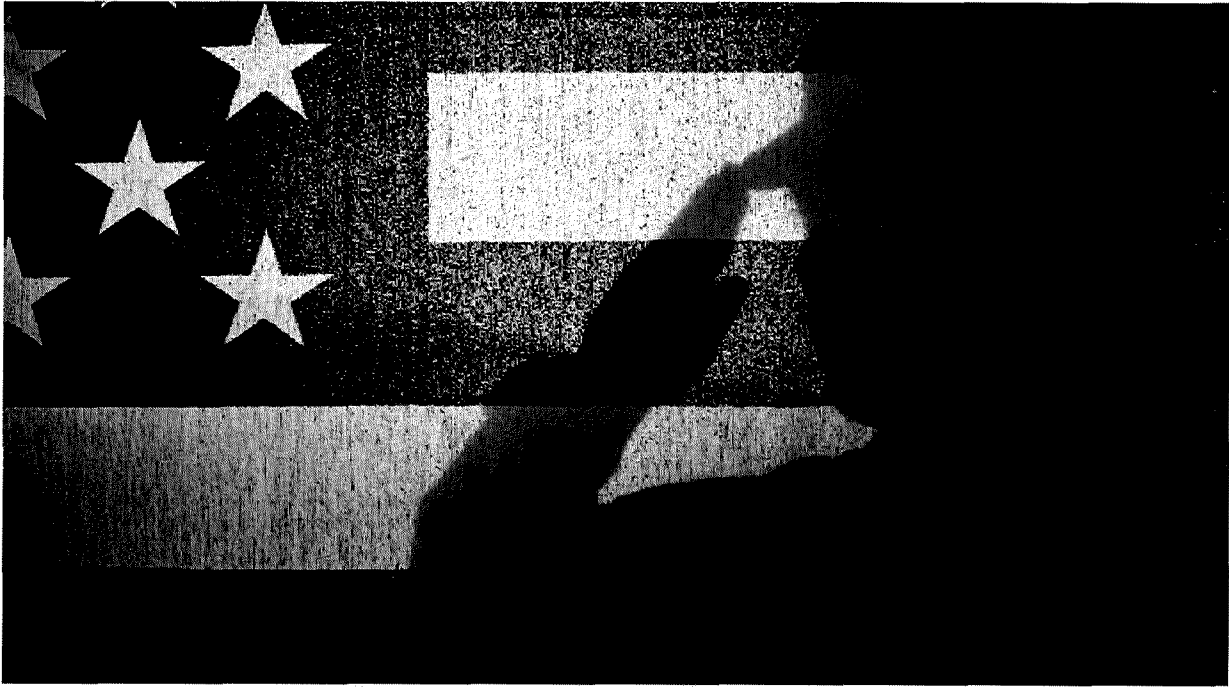
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# MPD Chief to approve rifle salutes despite city policy preventing them

[nbc15.com/content/news/Koval--481317591.html](https://www.nbc15.com/content/news/Koval--481317591.html)

By Piper Shaw

**MADISON, Wis. (WMTV)** - A City of Madison policy prevents the discharge of all weapons, including those used in rifle salutes honoring a fallen veteran, even if blanks are fired.



People who live near cemeteries have expressed concern to the City about the sound of gun shots from rifle salutes.

The ordinance does not exempt rifle salutes, but it does allow the Chief of Police to grant permission to discharge firearms. As a result, Chief Koval said he is "committed to maintaining this proud tradition." He released a statement April 27 announcing that those who wish to honor a fallen hero with a rifle salute can request permission to fire the weapon without fear of violating the ordinance and facing penalty.

Koval explained, "They will email my offices within 48 hours of the ceremony. We will log it. I will authorize its use, then I will send it to the various alders and the district captains a notification that if they hear in fact what sounds like gun fire... It is a military funeral or a military honor that requires a rifle salute."


The communication issue relating to rifle salutes is not an issue unique to Madison, Koval said. He explained that many communities in Wisconsin have debated how best to approach the controversy.

"Frankly, I think that this issue is important enough to communities from around the State that I would welcome some State pre-emption on this and basically override what local communities have crafted as ordinances," Koval said. "I think that its nice to have a universal tradition which acknowledges the bravery and the sacrifice of those who have served and donned a uniform."

Koval's decision in Madison comes in time for Memorial Day. He said residents should anticipate hearing rifle salutes around that time.

## Wisconsin school district cancels Veterans Day program over 21-gun salute

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 [washingtonexaminer.com/red-alert-politics/wisconsin-school-district-cancels-veterans-day-program-21-gun-salute](http://www.washingtonexaminer.com/red-alert-politics/wisconsin-school-district-cancels-veterans-day-program-21-gun-salute)

by Ashley Dobson

November 11, 2014

A Wisconsin school district cancelled its annual Veterans Day program after parents complained about the 21-gun salute traditionally a part of the festivities.

The Eau Claire Patriotic Council has put on the program in conjunction with the Eau Claire Area School District every year since the early 1930s. But this year they couldn't come to an agreement.

School district official Tim Liebham told local TV news station WQOW after the decision was made in October, "The shooting of guns [on school premises], even with blanks, is something we don't feel is appropriate given society."

He continued, "the needs of our children in our schools to be able to participate in those school activities would outweigh the 21 gun salute."

Kaye Olsen, vice president of the Eau Claire Patriotic Council, told news station WEAU that she hoped to reach a compromise with the school district, but that none could be reached because of the presence of weapons.

"It's really hard to tell the veterans they're not allowed to bring those rifles in," she said, especially because "the only purpose is to honor our flag and our country and teach the kids."

The Patriotic Council's program, including the 21-gun salute, was moved to a nearby Burger King parking lot and took place Tuesday morning.