

## **Resolution in support of the Second Amendment**

**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 under the Constitution of the State of New York, and;

**WHEREAS**, the Right of the People to Keep and Bear Arms for defense of Life, Liberty, and Property is regarded as an inalienable Right by the People of the Town of Cuba, Allegany County, New York, and;

**WHEREAS**, the Cuba Town Board derive economic benefit from all safe forms of firearm recreation, hunting, and shooting conducted within the Town of Cuba using all types of firearms allowable under the United States Constitution and the Constitution of the State of New York, and;

**WHEREAS**, the Cuba Town Board being elected to represent the People of Cuba and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and;

**WHEREAS**, the New York State Assembly and New York State Senate along with the Governor of the State of New York, being elected by the People of the State of New York and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and;

**WHEREAS**, legislation presented by the Governor of the State of New York and passed by the New York State Assembly and the New York State Senate infringes on the Right to Keep and Bear Arms and would ban the possession and use of firearms now employed by individual citizens of the Town of Cuba, for defense of Life, Liberty, and Property, would ban the possession and use of firearms now employed for safe forms of firearm recreation, hunting and shooting conducted within the Town of Cuba, Allegany County, New York, and;

**WHEREAS**, legislation presented by the Governor of the State of New York and forced to a vote by an unconstitutional "message of necessity" was passed by the New York State Assembly and the New York State Senate in January of 2013 and is referred to as the "SAFE Act" in direct violation of our Constitutional Right to due process as no eminent emergency was presented or proven, and;

**WHEREAS**, the Code of Ethics for the Town of Cuba allows for the removal of any or all elected persons not honoring their Oath of Office which includes upholding the Constitution of the United States and the New York State Constitution, and;

**NOW, THEREFORE, IT BE AND IS HEREBY RESOLVED** that the Cuba Town Board 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 unnecessary and beyond lawful legislative authority granted to our State Representatives as there is no documented correlation between gun control measures and crime reduction coupled with the unlawful passage of the "SAFE Act" by violating the mandate of due process, and;

**BE IT FUTHER RESOLVED** that the Cuba Town Board insists that by supporting legislation that infringes on its citizens Second Amendment Rights will violate the Oath of Office made by every elected official representing the citizens of our Township, and;

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to President Barack Obama, Vice President Joseph Biden, Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Tom Reed, Governor Andrew Cuomo, Senator Cathy Young, and Assemblyman Joseph Giglio.

Move by: Councilman Lynn Sweet and seconded by  
Rob Carney;

Signed and Sealed this 12<sup>th</sup> Day of March, 2013.

  
Barbara Deming  
Robert Carney  
Lynn Sweet

  
Jeffrey Danil