

1 **NYE COUNTY RESOLUTION 2019-12**

2 A RESOLUTION INFORMING THE 80<sup>th</sup> (2019) SESSION OF THE NEVADA STATE  
3 LEGISLATURE THAT NYE COUNTY OPPOSES THE PASSAGE OF ANY BILL THAT  
4 RESTRICTS THE INDIVIDUAL RIGHT OF U.S. CITIZENS AS PROTECTED BY SECTION 11 OF  
THE NEVADA CONSTITUTION AND THE SECOND AMENDMENT OF THE UNITED STATES  
CONSTITUTION

5 WHEREAS, Section 11 of the Nevada Constitution States:

6 Sec. 11. Right to keep and bear arms; civil power supreme.

- 7 1. Every citizen has the right to keep and bear arms for security and defense, for lawful hunting and  
8 recreational use and for other lawful purposes.
- 9 2. The military shall be subordinate to the civil power; No standing army shall be maintained by  
10 this State in time of peace, and in time of War, no appropriation for a standing army shall be for  
11 a longer time than two years.

12 WHEREAS, The Second Amendment of the United States Bill of Rights States:

13 A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep  
14 and bear Arms, shall not be infringed.

15 WHEREAS, Elected officials take an oath of office which states:

16 "NRS 282.020 Form of official oath. Members of the Legislature and all officers, executive, judicial  
17 and ministerial, shall, before they enter upon the duties of their respective offices, take and subscribe to  
18 the following oath:

19 I, ..... do solemnly swear (or affirm) that I will support, protect and defend the  
20 Constitution and Government of the United States, and the Constitution and government of the State of  
21 Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and  
22 loyalty to the same, any ordinance, resolution or law of any state notwithstanding, and that I will well  
23 and faithfully perform all the duties of the office of ..... on which I am about to enter; (if an oath)  
24 so help me God; (if an affirmation) under the pains and penalties of perjury.

25 WHEREAS, We the Nye County Board of County Commissioners have a duty to uphold the

1 rights of residents of Nye County who are entitled to all the rights and protections for the Constitutions  
2 of Nevada and the United States.

3 WHEREAS, the People of Nye County derive economic benefit from all safe forms of firearms  
4 recreation, hunting, and shooting conducted within Nye County using all types of firearms allowable  
5 under the United States Constitution;

6 NOW THEREFORE BE RESOLVED by the Nye County Board of County Commissioners as  
7 follows:

8 1. That the People of Nye County, Nevada do hereby oppose the enactment of any legislation that  
9 would infringe upon the Right of the People to keep and bear arms and consider such laws to be  
10 unconstitutional and beyond lawful legislative authority.

11 2. The Nye County Board of County Commissioners supports the statements expressed in the  
12 recent letter from the Nye County Sheriff to the Governor regarding SB143.

13 3. The Nye County Board of County Commissioners demands that the Nevada State Legislature  
14 cease any action restricting the Right of the People to keep and bear arms, and hereby demand  
15 that the Governor of Nevada veto any legislation which infringes on the right of the people to  
16 keep and bear arms.

17 4. Infringements include, but are not limited to, the following:

18 • Any laws that deny due process for the civil forfeiture, seizure, confiscation, destruction or other  
19 regulation of privately owned and possessed firearms by persons who have not been adjudicated  
20 as prohibited possessors per Nevada and/or federal statutes, unless said adjudication is not  
21 specifically required by statute.

22 • Any laws that order the surrender, civil forfeiture, seizure, confiscation or destruction of personal  
23 property that was not illegal prior to 2019, and is in violation of constitutionally protected  
24 property rights.

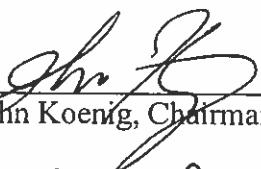
25 • The establishment of a centralized data base for firearms ownership.

1     • Firearms laws that are not applied equally across all jurisdictions, cities, towns, and counties  
2         within the State of Nevada.

3     5. Notwithstanding the above, this Resolution is not intended to and does not negate provisions any  
4         law that would (a) prohibit the sale to or possession of firearms by felons; or (b) prohibit the sale  
5         or possession of firearms by individuals with a history of dangerous mental illness or who have  
6         been adjudicated mentally ill.

7 ADOPTED this 11th day of March, 2019.

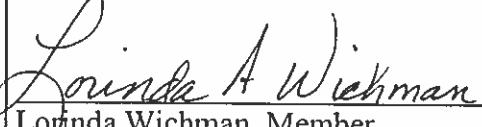
8 NYE COUNTY  
9 BOARD OF COUNTY COMMISSIONERS:

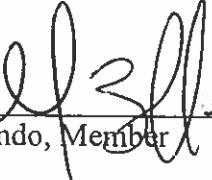
10   
11 John Koenig, Chairman

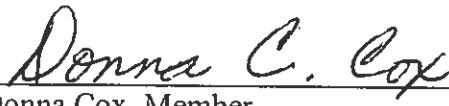
ATTEST:

12   
13 Sandra Merlino, Nye County Clerk  
14 And Ex-Officio Clerk of the Board

15   
16 Debra Strickland, Vice Chair

17   
18 Lorinda Wichman, Member

19   
20 Leo Blundo, Member

21   
22 Donna Cox, Member