

**2009 DRAFTING REQUEST**

**Assembly Resolution**

Received: **09/17/2009**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Ann Hraychuck (608) 267-2365**

By/Representing: **Stephanie**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Legislature - miscellaneous res.**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Hraychuck@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Request for Amicus Curiae Participation in NRA v. City of Chicago

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**Instructions:**

See attached.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rchampag 09/17/2009	bkraft 09/18/2009	jfrantze 09/21/2009	_____	mbarman 09/21/2009	lparisi 10/13/2009	

FE Sent For: **NONE**

<END>

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/?	rchampag	1/bjk 9/18	9/21	NDJF 9/21			

FE Sent For:

<END>

## Champagne, Rick

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**From:** Miller, Steve  
**Sent:** Thursday, September 17, 2009 3:21 PM  
**To:** Champagne, Rick  
**Subject:** FW: Assembly resolution

**Attachments:** WI Resolution AC Brief in NRA v Chicago.doc

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**From:** Hilton, Stephanie  
**Sent:** Thursday, September 17, 2009 3:11 PM  
**To:** Miller, Steve  
**Subject:** Assembly resolution



WI Resolution AC  
Brief in NRA ...

Stephanie Hilton  
Legislative Assistant  
Office of Rep. Ann Hraychuck  
608-267-2365 or 1-888-529-0028  
Room 6 North State Capitol

**Relating to:** A request for the participation of the attorney general as *amicus curiae* in cases before the United States Supreme Court.

Whereas the United States Supreme Court is considering petitions for certiorari in *National Rifle Association of America, Inc., et al. v. City of Chicago, Illinois, et al.*, No. 08-1497, and *Otis McDonald, et al. v. City of Chicago, Illinois*, No. 08-1521, that raise the questions of whether the right of the people to keep and bear arms guaranteed by the Second Amendment to the United States Constitution is incorporated as against the States by either or both of the Due Process Clause and the Privileges or Immunities Clause of the Fourteenth Amendment; and

Whereas, Wisconsin citizens, through Article I, Section 25, of the Wisconsin Constitution, have unambiguously expressed their support for 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 protect from state encroachment the right of individuals 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 of Wisconsin citizens' interest in having the Supreme Court clarify the degree of protection that these citizens enjoy from state infringement of their right to keep and bear arms; and

Whereas, the attorney general of Wisconsin is prepared to file or join an *amicus curiae* brief advising the United States Supreme Court of Wisconsin citizens' concerns and interests regarding the issues raised by *NRA v. Chicago* and *McDonald v. Chicago*; 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, in the event the Supreme Courts grants certiorari in either or both of *National Rifle Association of America, Inc. et al. v. City of Chicago, Illinois, et al.*, No. 08-1497, and *Otis McDonald, et al. v. City of Chicago, Illinois*, No. 08-1521, to file or join a brief or briefs in the Supreme Court as *amicus curiae* in support of the petitioners.

**(END)**



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-3478/1

RAC:.....

Lbjk

JOHN

2009 ASSEMBLY RESOLUTION

1 **Relating to:** requesting the participation of the attorney general as *amicus curiae*  
2 in certain cases before the United States Supreme Court.

3 Whereas, the United States Supreme Court is considering petitions for  
4 certiorari in *National Rifle Association of America, Inc., et al. v. City of Chicago,*  
5 *Illinois, et al.*, No. 08-1497, and *Otis McDonald, et al. v. City of Chicago, Illinois,* No.  
6 08-1521, that raise the questions of whether the right of the people to keep and bear  
7 arms guaranteed by the Second Amendment to the United States Constitution is  
8 incorporated as against the States by either or both of the Due Process Clause and  
9 the Privileges and Immunities Clause of the Fourteenth Amendment; and

10 Whereas, Wisconsin citizens, through Article I, Section 25, of the Wisconsin  
11 Constitution, have unambiguously expressed their support for an individual's right  
12 to keep and bear arms for security, defense, hunting, recreation or any other lawful  
13 purpose and

14 Whereas, the Wisconsin Assembly desires that the Supreme Court be advised  
15 of Wisconsin citizens' interest in having the Supreme Court protect from state

United States X2

1 encroachment the right of individuals to keep and bear arms for purposes unrelated  
2 to service in a militia or other military organization; and

United States

3 Whereas, the Wisconsin Assembly desires that the Supreme Court be advised  
4 of Wisconsin citizens' interest in having the United States Supreme Court clarify the  
5 degree of protection that these citizens enjoy from state infringement of their right  
6 to keep and bear arms; and

7 Whereas, the attorney general of Wisconsin is prepared to file or join an *amicus*  
8 *curiae* brief advising the United States Supreme Court of Wisconsin citizens'  
9 concerns and interests regarding the issues raised by *National Rifle Association of*  
10 *America, Inc. et al. v. City of Chicago, Illinois, et al.* and *Otis McDonald, et al. v. City*  
11 *of Chicago, Illinois*; now, therefore, be it

12 **Resolved by the assembly, That** pursuant to Section 165.25 (1m) of the  
13 Wisconsin Statutes, the assembly authorizes the attorney general, in the event the  
14 United States Supreme Court grants certiorari in either or both of *National Rifle*  
15 *Association of America, Inc. et al. v. City of Chicago, Illinois, et al.*, No. 08-1497, and  
16 *Otis McDonald, et al. v. City of Chicago, Illinois*, No. 08-1521, to file or join a brief  
17 or briefs in the United States Supreme Court as **amicus curiae** in support of the  
18 petitioners.

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(END)

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**Parisi, Lori**

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**From:** Rep.Hraychuck  
**Sent:** Tuesday, October 13, 2009 2:39 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-3478/1 Topic: Request for Amicus Curiae Participation in NRA v. City of Chicago

Please Jacket LRB 09-3478/1 for the ASSEMBLY.