

RESOLUTION NO. 03-09-2021

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
CUMMINGS TOWNSHIP, LYCOMING COUNTY,
PENNSYLVANIA DECLARING CUMMINGS TOWNSHIP
A SECOND AMENDMENT TOWNSHIP**

WHEREAS, the Constitution of the United States is the supreme law of our nation; and

WHEREAS, the Second Amendment to the Constitution states, "a well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed;" and

WHEREAS, the U.S. Supreme Court in the *District of Columbia v. Heller*, 554 U.S. 570 (2008), affirmed that the Second Amendment right to keep and bear arms is not connected in any way to service in a militia; and

WHEREAS, the U.S. Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939), stated that firearms that are part of ordinary military equipment with use that could contribute to the common defense are protected by the Second Amendment; and

WHEREAS, the Fourteenth Amendment to the United States Constitution states, "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws;" and

WHEREAS, Article I, Section 21, of the Pennsylvania State Constitution states that, "The right of the citizens to bear arms in defense of themselves and the State shall not be questioned" and

WHEREAS, Article I, Section 25, of the Pennsylvania State Constitution states that, "To guard against the transgressions of the high powers which we have delegated, we declare that everything in this article is excepted out of the general powers of government and shall forever remain inviolate." and

WHEREAS, the Cummings Township Board of Supervisors wishes to express opposition to any law or regulation, be it federal, state or county, that unconstitutionally restricts the individual citizen rights under the Second Amendment of the US Constitution or Article I, Section 21 of the Pennsylvania Constitution to keep and bear arms, and

WHEREAS, the Cummings Township Board of Supervisors wishes to express its intent to stand for individual citizens' Second Amendment Rights and to oppose any effort to unconstitutionally restrict such rights of its citizens to keep and bear arms.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cummings Township, as follows:

Section 1. The above recitals are true and correct and incorporated in this Resolution.

Section 2. The Cummings Township Board of Supervisors hereby declares Cummings Township is a Second Amendment Township and as such shall celebrate, promote and preserve for the People of, on, and in Cummings Township, their right to bear arms as guaranteed by the Constitution of the United States of America and the Constitution of the Commonwealth of Pennsylvania.

Section 3 We the People of Cummings Township, Lycoming County, Pennsylvania, through this resolution hereby declare our rights, our freedom and our liberty as guaranteed by the Constitution of the United States of America and the Constitution of the Commonwealth of Pennsylvania.

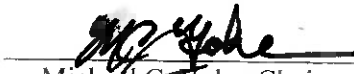
Section 4. This Resolution shall become effective upon adoption.

RESOLVED, ENACTED AND ADOPTED at a meeting held on the 9th day of March, 2021.

ATTEST:


Darlene S. Macklem, Secretary

CUMMINGS TOWNSHIP


Michael C. Yohe, Chairman


Walter S. Braddock


Richard G. Bierly

Supervisors