

**OPPOSING INFRINGEMENTS ON THE INALIENABLE RIGHTS OF THE PEOPLE AND
DECLARING CATTARAUGUS COUNTY A CONSTITUTIONAL COUNTY AND AMENDING THE MISSION
STATEMENT OF THE COUNTY TO CONFORM THEREWITH**

Pursuant to Section 153 of the County Law.

I. WHEREAS, members of the Cattaraugus County Legislature, being elected to represent the people of Cattaraugus County, are duly sworn by their oath of office to uphold the Constitution of the United States and the New York State Constitution and Laws, including the New York State Civil Rights Law, and

II. WHEREAS, the Cattaraugus County Legislature is determined to stand as a Constitutional County to protect the rights provided to its citizens under the U.S. Constitution and its amendments, and

III. WHEREAS, such protections will extend to rights specifically enumerated in the Constitution and its amendments, including, but not limited to, rights to freedom of expression, speech, association, religion, press and petition, the right to keep and bear arms, the right to protection of person and property from government overreach and the right not to be deprived of life, liberty or property without due process of law, and

IV. WHEREAS, such protections will also extend to all other rights neither enumerated in the Constitution nor its amendments, but which exist alongside the same as inalienable, basic, fundamental rights that are so deep rooted in our society that they are deserving of protection from governmental infringement and are thus protected by the Ninth Amendment, including, but not limited to, the right to equality, liberty and the pursuit of livelihood and happiness, and

V. WHEREAS, the Cattaraugus County Legislature wishes to express its profound commitment to the rights of all citizens of Cattaraugus County to keep and bear arms and proclaim that it is determined to stand as a Constitutional County that recognizes, respects and upholds Second Amendment rights, and states that it will use all legal means at its disposal to oppose, within the limits of the Constitution of the United States and the Civil Rights Law of the State of New York, any efforts to unconstitutionally restrict such rights in order to assure that its citizens will be able to keep and bear arms and use the same in defense of life, liberty and property, whether in a well-regulated militia, or individually, and

VI. WHEREAS, the Cattaraugus County Legislature stands and will continue to stand in strong opposition to any law that would unconstitutionally restrict, or infringe upon, the above recognized rights, and

VII. WHEREAS, the goal statement on the Cattaraugus County webpage (www.cattco.org/government) currently states: “The goal of County government and the County Legislature is to provide the traditional role as an arm of State government, while also taking a more non-traditional role which seeks to establish the County as an agency that analyzes service needs, sorts them in an orderly manner, and realigns and consolidates services so they may be performed most effectively and financed most economically”, and

XII. WHEREAS, this current mission (goal) statement fails to recognize the Constitutional, historical, and rightful role of the Legislature to act as a check and balance upon not only local executive and judicial branches, but upon the State government itself, and

XIII. WHEREAS, this current mission (goal) statement fails to recognize the Constitutional, historical, and rightful role of the legislature as a voice of the People of Cattaraugus County and a guarantor of their liberties, now, therefore, be it

I. RESOLVED, that the mission (goal) statement shall be revised to state: “The goal of the Cattaraugus County Government is to support and respect the Constitution of the United States of America and its amendments, and to provide essential services financed most economically to its citizens. Also, it is to establish an environment in which the citizens of Cattaraugus County can pursue life, liberty, and happiness unencumbered by excessive and oppressive governmental mandates and intrusions into their day-to-day lives. The goal of the government of this County is to uphold the freedoms enshrined in the Bill of Rights. The County Legislature recognizes that governments in the United States of America - at all levels - are to be restrained and limited and that the power of government resides in the people. The Legislators of this County, accept with humility and gratitude the reality that they serve at the consent of the governed and at the will of the people. The Legislators believe in the rule of law, equality before the law, due process, private property protections, and the rights of citizens to pursue their livelihoods without excessive governmental oversight. Wherever possible, the Legislature will encourage local solutions, local funding, and creative approaches to the problems our community encounters. The Legislature stands as a protector between the citizens of this County and the tendency of governments at state and federal levels to advance into territory not their own and consume, rather than secure, the liberties endowed to the people by the Constitution and the Bill of Rights. The County’s guide and standard will be the Constitution of the United States and the Founding Documents upon which our Nation, our State, and the local communities of Cattaraugus County are built”, and be it further

II. RESOLVED, that the Cattaraugus County Legislature hereby expresses its intent to uphold all such rights of the citizens of Cattaraugus County and that public funds, resources, employees, buildings

or offices not be used to restrict such rights or to aid or assist in the enforcement of any unconstitutional restriction of the rights granted under the Constitution or its Bill of Rights, and be it further

III. RESOLVED, that the Cattaraugus County Legislature recognizes that Government must be limited and that the people must be free from unnecessary and arbitrary Governmental overreach and intrusions, and be it further

IV. RESOLVED, that the Cattaraugus County Legislature hereby declares Cattaraugus County, New York, a Constitutional County, unwavering in their commitment to protect the constitutional rights of its citizens.