

Resolution # 12-2020
GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
ORDINANCE AMENDMENT # 5-2020

Ordinance amendment to amend the County Board meeting agenda to include an invocation/prayer.

Ordinance Amendment offered by Supervisor Jim Winkler, District 10.

WHEREAS, the Constitution of the United States of America guarantee's free speech; and

WHEREAS, our nation has relied on a tradition of prayer before conducting its business at national, state and local levels of government; and

WHEREAS, the United States Supreme Court Case of *Town of Greece, N.Y. v. Galloway*, 134 S.Ct. 1811 (2014) has found that prayer before a government meeting does not violate the Establishment Clause of the United States Constitution; and

WHEREAS, that same case found that prayer before a government meeting "comports with our tradition and does not coerce participation by non-adherents"; and

WHEREAS, in conformity with the constitutionally permitted practice from *Town of Greece, N.Y.*, a prayer/invocation should be offered by local clergy (volunteers that would be secured by the County Clerk for each meeting) for our troops and for guidance over business to be performed at that meeting, prior to the pledge of allegiance to the flag at each County Board meeting.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 2.02 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

2.02 RULE 2: ORDER OF BUSINESS. (Am. #51-94; #72-94; #20-2008)

The order of business shall be as follows:

- (1) **CALL TO ORDER.** At the appointed hour for the meeting, the Chair shall call the Board to order requesting that the members rise for a brief moment of silence followed by a prayer/invocation and the Pledge of Allegiance.

[The remainder of Section 2.02 is to remain unchanged.]

Approved by the Supervisor Jim Winkler, District 10, this 8th day of January, 2020.

Consent Agenda Item: YES ☒ NO

Vote Required: Majority = X 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes X No _____ as reviewed by the Corporation Counsel, [Signature], Date: 1/8/2020

Offered and passage moved by: _____

[Signature]
Supervisor

Seconded by: _____

Bill Liebert
Supervisor

_____ Ayes

_____ Nays

_____ Absent

_____ Abstain

_____ Enacted

by the County Board of Supervisors this _____ day of _____, 2020.

X Defeated

Tracy Hartman, County Clerk

David Hintz, County Board Chair

Resolution #12-2020

Supervisors	AYE	NAY	ABS	ABSTAIN
Mott		X		
Ives		X		
Sorensen	X			
Holewinski		X		
Pence		X		
Krolczyk		X		
Almekinder		X		
Paszak		X		
Timmons		X		
Winkler	X			
Fried		X		
Fisher		X		
Vacant				
Oettinger	X			
Kelly			X	
Cushing		X		
Schreier		X		
VanRaalte		X		
Liebert	X			
Jensen		X		
Hintz		X		
TOTALS	4	15	2	
TAGS				

Resolution #12 – 2020/Ordinance Amendment #2-2020:

Offered by Supervisor Jim Winkler amending Oneida County Code – Section 2.02 Rule 2: Order of Business.

Seconded by Liebert