

Resolution No\_\_

RESOLUTION SUPPORTING LEGISLATION TO REPEAL THE NEW YORK SECURE AMMUNITION AND FIREARMS ENFORCEMENT (SAFE) ACT OF 2013

By ? Name , ? Location

WHEREAS, Senate bills S511-2015 and S1193-2015 have been introduced to the New York State Senate by Senators Michael Nozzolio and Katherine Marchione respectively, which would repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013,

WHEREAS, this Legislative Body has long advocated for the protection of the rights afforded our citizens under the United States Constitution which has, since inception, guided our Nation and served as a framework for our republic and society,

WHEREAS, the Second Amendment of the United States has been affirmed by the Supreme Court of the United States as an Individual right,

WHEREAS, said Second Amendment clearly states that this individual right "... shall not be infringed."

WHEREAS, members of the Ontario County Board of Supervisors, being elected to represent the people of Ontario County, are duly sworn by their oath of office to uphold the Constitution of the United States,

WHEREAS, members of the New York State Assembly and the New York State Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States,

WHEREAS, the Civil Rights Law of the State of New York states in Article 2 Section 4 the Right to keep and bear arms as it is written in the Second Amendment to the United States Constitution,

WHEREAS, the lawful ownership of firearms is a recreational, economic, social and environmental benefit to our residents and region through hunting and target shooting, with myriad locally owned and operated firearms/sporting businesses and organized clubs,

Whereas, additional economic benefit accrues to NY State through its share of Pittman Robertson funds that originate from an 11% excise tax on the sale of firearms, ammunition and related accessories amounting to \$14.2 M in 2012,

WHEREAS, the New York State Secure Ammunition and Firearms Enforcement (NY SAFE Act) of 2013 which was rushed to passage by the New York State Senate, Assembly and Governor, is having a detrimental effect on hunters, sportsmen and legal gun owners by infringing upon their Second Amendment Rights and creating a hostile environment both for them and for the sale, use and manufacture of legal firearms and ammunition,

WHEREAS, the legislation prohibits the sale of firearm magazines with a capacity larger than seven (7) rounds and those firearm magazines with a capacity larger than seven (7) rounds which are authorized to be retained by existing owners, may only be loaded with seven (7) rounds and eventually must be permanently altered to only accept seven (7) rounds or be disposed of,

WHEREAS, few or no low capacity (seven (7) rounds or less) magazines currently exist for many of the firearms commonly possessed by law-abiding residents of New York State,

WHEREAS, the legislation severely impacts the possession and use of firearms now commonly employed by the residents of Ontario County for the defense of life, liberty and property,

WHEREAS, the legislation severely impacts the possession and use of firearms now commonly employed for safe forms of recreation including, but not limited to hunting and target shooting,

WHEREAS, while there are some areas of the SAFE Act that the Ontario County Board of Supervisors finds encouraging, such as the strengthening of Kendra's Law and Marks's Law, as well as privacy protections for lawful permit holders, the SAFE Act fails to offer meaningful solutions to gun violence and places undue burdens solely on the backs of law abiding citizens without any substantive or similar burden on criminals,

WHEREAS, there are significant parts of this legislation that place an unfunded mandate on the local Sheriff Departments, County Clerk's Office and County Judges,

WHEREAS, there will be significant financial impact to the **? NUMBER** Ontario County pistol permit holders that will have to be renewed requiring additional manpower and computer systems,

WHEREAS, requiring law-abiding gun owners to re certify their lifetime pistol permits every five years, is administratively burdensome to the law abiding, does not increase the safety of the public, will not be complied with by criminals and serves no substantive law enforcement purpose,

WHEREAS, the SAFE Act places expensive and extensive burdens upon the law abiding business community to record and initiate background checks for the sale of all ammunition which will preclude many businesses from continuing that product line,

Whereas, the SAFE Act places extensive and expensive burdens upon the NY State Police to track, record and approve all ammunition transactions of law abiding citizens without any burden or enforcement protocols for the criminals community,

Whereas the SAFE Act places extensive and expensive burdens upon the law abiding firearms community by constructively limiting the availability and cost of ammunition which is a back door infringement on the Second Amendment,

WHEREAS, this legislation effectively treats New York State law abiding gun owners as criminals by creating a new class of criminals out of the law abiding on an ex post facto basis,

WHEREAS, the manner in which this legislation was brought forward for vote in the State Legislature is deeply disturbing to the Ontario County Board of Supervisors,

WHEREAS, this legislative body voted to oppose the New York Secure Ammunition and Firearms Enforcement Act of 2013 for all reasons stated above in RESOLUTION NO. 55-2013 of the Ontario County Legislative proceedings of **? Date**

NOW, THEREFORE, BE IT RESOLVED, that the Ontario County Board of Supervisors does hereby support Senators Michael Nozzolio's and Katherine Marchione's bills S511-2015 and S1193-2015 to repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013, and BE IT FURTHER RESOLVED, that this Legislature supports the introduction of an Assembly bill which calls for the full repeal of the New York Secure Ammunition and Firearms Act of 2013, and BE IT FURTHER RESOLVED, that this legislature supports efforts by the New York State Legislature to remove funds for enforcement of the New York Secure Ammunition and Firearms Act of 2013 from the New York State Budget, and BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator Patty Ritchie, Senator Joseph Griffo, Senator Mike Nozzolio, senator Rich Funke, Assemblyman Brian Kolb, Ontario County Sheriff Phippip Povero, NYS Sheriffs' Association president Sheriff Christopher Moss, Superintendent of the NY State police Joseph A. D'Amico, Congressman Chris Collins and the New York State Association of Counties.