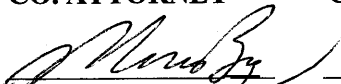


NIAGARA COUNTY LEGISLATURE

FROM: Legislator John D. Ceretto      DATE: 03/16/10      RESOLUTION # IL-015-10

<b>APPROVED</b>	<b>REVIEWED</b>	<b>COMMITTEE ACTION</b>	<b>LEGISLATIVE ACTION</b>
<b>CO. ATTORNEY</b>	<b>CO. MANAGER</b>	_____	Approved: Ayes _____ Abs. _____ Noes <u>0</u>
	_____	_____	Rejected: Ayes _____ Abs. _____ Noes _____
			Referred: _____

**RESOLUTION CALLING ON THE NEW YORK STATE LEGISLATURE TO REJECT A.1275/S.1712, A LAW THAT WOULD REDEFINE THE RULES FOR TRANSFER OF FIREARMS WITHIN NEW YORK STATE TO EFFECTIVELY BAR THE PRIVATE SALE AND TRANSFER OF LONG GUNS**

WHEREAS, the Second Amendment to the Constitution of the United States clearly states that “the right of the people to keep and bear arms, shall not be infringed,” and

WHEREAS, Article XII of the Constitution of the State of New York clearly states, “The defense and protection of the state and of the United States is an obligation of all persons within the state,” and

WHEREAS, Member of the Assembly Amy Paulin of Scarsdale, Westchester County, has proposed legislation that would abridge the right of law-abiding citizens to keep and bear arms by redefining the transfer of firearms among private citizens as a “gun show” and subject to state oversight, and

WHEREAS, per the provisions of this bill, the previously legal sale of long guns among private law-abiding citizens would henceforth be effectively outlawed in New York State, and

WHEREAS, the right to keep and bear arms as detailed in the first WHEREAS clause, above, is a right, and not a privilege to be modified at the whims of the federal, state, or local governments, and

WHEREAS, on June 26, 2008, the United States Supreme Court did, in the decision issued in the matter of *District of Columbia v. Heller*, find an individual right to keep and bear arms inherent in the language of the Second Amendment and of the U.S. Constitution, and

WHEREAS, A.1275/S.1712 would undermine the private citizen’s rights, as well as the ability of small private organizations, such as fire halls, veterans organizations, and others to raise funds through such activities as shotgun raffles, and

WHEREAS, A.1275/S.1712 would require that gun shows be held at venues often absent in the most rural portions of New York State, thereby denying the full participation of residents of rural areas of Upstate New York in the exercise of their Constitutional rights while ensuring the rights of residents of large cities, and

WHEREAS, the County of Niagara is home to a thriving sporting industry, as evidenced by the presence of the Fin-Feather-Fur Conservation Society, the Hartland Conservation Club, the Iroquois Arms Collectors Association, the Lake Ontario Trout & Salmon Association, the LaSalle Sportsman’s Club, the Lockport Conservation Club, the Middleport Rod & Gun Club, the N.Y.S. Crossbow Hunter’s Association, the Niagara County Chapter of SCOPE, the Niagara County Gobblers Chapter NWTf, the Niagara County Sportsmen’s Association, the Niagara County Trappers Association, the Niagara Musky Association, the Niagara Frontier Friends of the NRA, the Niagara River Anglers Association, the North American Bear Foundation, the North Forest Rod & Gun Club, the Pheasants Forever of WNY #29 - Pioneer Conservation Sportsmen’s of Niagara County, the Rapids Rod & Gun Club, the Somerset Conservation Club, the Tonawanda Sportsmen’s Club, the

Wheatfield Firearms Safety & Education Committee, the Wilson Conservation Club Auxiliary, the Wilson Conservation Club, and the Wolcottsville Rod & Gun Club, among others, and

WHEREAS, it is the right of the citizens of Niagara County to take any measures necessary to be secure in their homes against criminals and other dangerous trespassers, now, therefore, be it

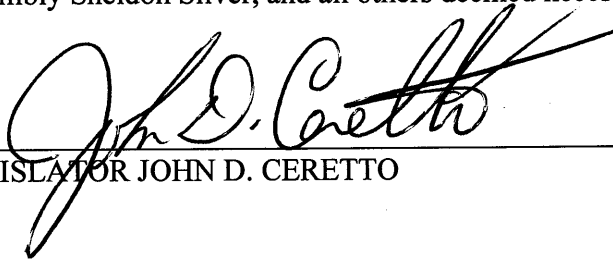
RESOLVED, that the Legislature of the County of Niagara does hereby oppose the enactment of A.1275/S.1712, and be it further

RESOLVED, that the Legislature of the County of Niagara does hereby call upon the Honorable Sheldon Silver, Speaker of the Assembly, and the Honorable Pedro Espada Jr., Senate Majority Leader, to remove from consideration by members of their respective houses of the New York State Legislature A.1275 and S.1712, and be it further

RESOLVED, that the Legislature of the County of Niagara calls upon the entire Western New York delegation to vote in the negative on A.1275 and S.1712 in their respective houses of the Legislature and those committees they shall sit on that may have the power to advance or block such legislation, and be it further

RESOLVED, that, should the New York State Legislature defy the wishes of this government and pass said legislation, the Legislature of the County of Niagara does hereby call upon Governor David A. Paterson to veto such legislation as currently identified by the numbers A.1275 and S.1712, and be it further

RESOLVED, that the County of Niagara shall forward copies of this Resolution to Governor Paterson, Senator George D. Maziarz, Senator Antoine D. Thompson, Senate Majority Leader Pedro Espada Jr., Member of the Assembly Jane L. Corwin, Member of the Assembly Stephen Hawley, Member of the Assembly Jim Hayes, Member of the Assembly Robin Schimminger, Member of the Assembly Francine DelMonte, Speaker of the Assembly Sheldon Silver, and all others deemed necessary and proper.



LEGISLATOR JOHN D. CERETTO