



Whortlekill Rod and Gun Club, Inc.
P.O. Box 1371
540 Route 376
Hopewell Junction, N.Y. 12533

**Whortlekill Rod and Gun Club, Inc. –January 2019-
Property Management & Legislative Reports: Chairman
Paul Annetts & CO-Chairman Jay Rusnock**

Property Management Report:

**1-Board Approved Club to be a “Buck A Member” club
with the New York State Conservation Council (NYSCC)
which represents us in the legislature; due this month.**

NYSCC represents sportsmen/women in New York State at the legislative gatherings; it is important that we have a say in Albany, particularly as this is going to be a bad year because of political ramifications regarding the SAFE Act.

2-Braun Hill Cabin-Needs new roof, new slop sink & water pipes/faucets need to be tightened up, new toilet seat, rear door footing rotten & needs replacement.

3-Brandy Brook property needs bridge fenced in on sides & food plot.

4-Sullivan property-needs stone for road by cabin, structure to hang deer, and food plot. Discontinue cutting high grass by apple trees.

5-Commitment of Land to Continued Forest Crop Production form handled per procedure for Ulster property and Braun Hill application to DEC filed re-combined properties; CLCFCP to follow.

6-NYSR&PA contacted and Club's info in their Journal updated.

7-Need to announce bid procedure for two small parcels upstate.

8- "It is reported that recently the governor has ordered the New York State Police to again start enforcing the seven round limits stated in the SAFE Act. Erie County Dist. Atty. John Flynn recently announced that he is moving to dismiss over 20 charges currently filed in Erie County Court and will follow the guidelines of Federal Case Law, as found by the Federal Courts. The following lawsuit was announced by the 1791 Society in Lackawanna, New York; lawsuit filed in New York State Supreme Court against acting New York State Atty. Gen.

Barbara Underwood, the plaintiffs seek a **Declaratory Judgment** (*a binding adjudication that establishes the rights and other legal relations of the parties without providing for or ordering enforcement.*) that enforcement of the New York State Penal Law limiting eight, nine, and 10 round capacity magazines is unconstitutional and a violation of Federal Case Law. The Atty. Gen. is required to answer to this lawsuit on or about January 19, 2019. The law firm of Tresmond & Tresmond, LLC of Buffalo, New York is representing the plaintiffs in the action against New York State. This is the second lawsuit filed by the 1791 Society against the Governor and his administration in the past month. Another action previously filed seeks **Declaratory Judgment** against the Governor, the New York State Attorney General, and the Superintendent of the New York State Police *for failure to comply with the Heller and McDonald decisions of the US Supreme Court regarding the possession of common firearms by the people under the Individual Rights affirmed in the Second Amendment.*”

9-**Ammoland.com reports**, “An out-of-state concealed carry permit does not establish sufficient cause to warrant a car search for firearms, a New York judge’s decision and order decided, recently. Further, the opinion concludes the sworn testimony of the officers involved is not borne out by police video camera and

microphone evidence and recording from a defendant's cell phone. **The judge ruled**, *the court does not find that the search of the defendant's car was justified in any manner and accordingly grants the defendant's motion and suppresses any evidence obtained from the search of the defendant's car."*

10-Shooters Committee on Political Education (SCOPE), of which our club is a member, **is seeking donations** for their Legal Defense Fund. You can donate through their website using your credit card, WWW.SCOPENY.org or you can mail your contributions to SCOPE, PO Box 165, East Aurora, NY 14052. **Usually at the beginning of the year, the Club sends a donation for our Club's listing in their periodical.**

11-Target April or May, depending on weather, to re-build outdoor archery range.

You need to track and closely watch the following two bills which are our club's bills:

S1050/A878-Authorizes shooting preserves and shooting clubs to sell ammunition for exclusive use on the premises thereof without being deemed a seller of ammunition. – Supported by NYSCC-Note: this is a continuation of the Whortlekill Rod and Gun Club's bill submitted several years ago and is still ongoing. = In Codes Committee

A619-Eliminates the requirement that hunters wear back tags during hunting season in the state. – Supported by NYSCC. -NOTE: This is the same bill which Whortlekill Rod and Gun Club had previously initiated; New York State is the only state which requires hunters to wear a back tag and to add further confusion, the Adirondack area does not require a back tag to be worn by a hunter. = Passed Senate (S2923) & referred to Environmental Conservation

Legislative Report: (Posted in downstairs clubhouse & read at general meeting & Board meeting & posted on Club's Internet Site, and sent to members with emails registered with Club):

Tracking a State Bill: 518-455-7545 or Hotline=800-342-9860/Monday-Friday-9am-6pm.

Bills are tracked when Legislature is in session from January through June of each year. In the second year of the two-year session, New York State legislators are elected to a two-year term. On the first day of the new session, most of the previous year's bills, which remain active at the end of the year, will automatically be carried into the new session, with some exceptions: bills not carried over will include (but are not limited to) those that were Chaptered, vetoed, had the enacting clause stricken, or the sponsor is no longer in the Legislature. A bill will retain its bill number assigned to it in the first year of the two-year session. If a bill only passed its own house last year, it must repass that house again in the new session, before it can advance to the other house. In general, all active bills will be referred to the original committee, except for Assembly bills which passed only the Assembly last year; these bills will be reported to the Assembly's third reading calendar*. *Exception: if an Assembly bill had a "Home Rule Request", that bill will be recommitted, even if it passed the Assembly. (Legislative Rules.) Bill must pass Senate-then Assembly-then Gov.; while the Legislature is in session, the governor has 10 days, not counting Sundays, to sign or veto bills passed by both houses. Sign bills become law; vetoed bills do not however, the governor's failure to sign or veto a bill within the 10-day period means that it becomes law automatically. Vetoed bills are returned to the house that first pass them together with a statement of the reason for their disapproval. A vetoed bill can become law if two thirds of the members of each house vote to override the governor's veto.

The following Bills are being monitored by the New York State Conservation Council/SCOPE/New York State Rifle & Pistol Association):

S2857-Requiring firearm owners to obtain liability insurance:

This bill would require firearm owners to obtain a minimum of not less than \$1 million in liability insurance. It reads in part,

failure to maintain such insurance shall result in the immediate revocation of such owner's registration, license and any other privilege to own such firearm. Under state penal law, firearms are defined as revolvers and pistols so apparently, this requirement pertains to concealed carry license holders. The term registration isn't defined but they may be referring to semi-automatic firearms registered under the SAFE Act.

S9191: Social media and search engine history: Introduced in the Senate by **Democrat Sen. Parker from New York City,** which is an act to "amend the penal law, in relation to requiring social media and search engine reviews prior to the approval of application or renewal of license to carry or possess a pistol or revolver..... The applicant must consent to have his or her social media accounts and search engine history reviewed and investigated In order to ascertain whether any social media account or search engine history of an applicant presents any good cause for the denial of a license, the investigating officer shall, after obtaining the applicant's consent Applicant must submit his or her login name, password or other means for accessing a personal account, service, or electronic communications device necessary to review such applicant social media accounts and search engine history, review an applicant's social media accounts for the previous three years and search engine history for the previous year and investigate an applicant's posts or searches related to: (1) commonly known profane slurs or biased language used to describe the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person; (2)

threatening the health or safety of another person; (3) an act of terrorism; or (4) other issue deemed necessary by the investigating officer. ...Social media accounts shall only include Facebook, Snapchat, Twitter and Instagram, and search engine shall only include Google, Yahoo, and Bing.... Upon completion of the investigation, the police authority shall report the results to the licensing officer without unnecessary delay. All licenses shall be recertified to the division of state police every five years thereafter.” “Also, recently introduced is **S9197**, similar to S9191, except this proposal pertains to rifles and shotguns purchase through a licensed dealer. Since all sales must be completed through an FFL with the NICS check, I would assume all sales, including private sales, would come under this legislation.” (SCOPE)

The president of the New York Shooters Committee on Political Education (SCOPE), Tim Andrews, further stated, “The Bill of Rights is totally under assault with this particular bill. It’s an invasion of privacy. Some would see it as Fourth Amendment violation, and a violation of the First Amendment, freedom of speech.”

Brooklyn Borough Pres. Eric Adams, joining with Sen. Parker, stated, “hate speech that includes violence, or indicates the intent to commit violence, is not part of our constitutional tradition, our primary goal must always be to and gun violence.” Tim Andrews, from SCOPE, replied, “What might seem offensive to you may not be to me, and vice versa. And unfortunately, even bigoted, tasteless speech is protected

under the Bill of Rights. Your right to bear arms under the Second Amendment should not be subject to potentially limiting your First Amendment rights.” Rochester social media lawyer Scott Malouf saw privacy pitfalls in the bill, but also a potentially slippery slope where a social media or search audit for guns today could become something much more pervasive tomorrow. He further stated, “so you can imagine if this went through, five years from now, people saying, well maybe, license professionals, teachers, nurses, attorneys, we should look at their social media before we renew their licenses.” There is no companion bill in the state assembly. According to Ammoland, “the senator certainly doesn’t qualify for a pistol permit as he has an extensive negative history.” **Note: I have contacted NYSR&PA, SCOPE, NYSCC and Senator Sue Serino, as well as Ulster-Sullivan-Orange-Putnam Federations of Fish & Game Clubs regarding this bill.**

Additionally, the following have been identified as priorities for the coming legislative session as cited in the Poughkeepsie Journal:

The Red Flag Bill: (extreme risk protection order) “In short, it would work like this: School officials, family members and police officers would be able to seek a court order blocking someone from purchasing or possessing firearms in New York if he or she poses an extreme risk to themselves or others. It would then be up to a judge to decide whether to issue an extreme risk protection order, which would force a gun owner to surrender his or her firearms and prevent him or her from

trying to purchase new ones. To issue an order, a judge would have to weigh whether the person had used or threatened violence against themselves or others, have violated a restraining order, had any pending charges involving weapons, had recklessly brandished a firearm or had any history of alcohol or substance abuse problems.”

Bump Stock ban: “The federal government has imposed a ban on bump stocks. The Justice Department, said owners of the cheap plastic accessories that can make off-the-shelf semi-automatic rifles fire almost as rapidly as a machine-gun will have 90 days to either turn them over to federal agents or to melt, shred or crush them. Those who don’t face the threat of criminal penalties. The Gun Owners of America and Firearms Policy Coalition have file lawsuits to challenge the ban in court.”

Extended Waiting Period: “When you buy a gun in New York, your name is run through the National Instant Criminal Background Check System (NICS). The system gives one of three responses: proceed, denied or delayed. When the response is delayed, it triggers a three-day waiting period before the gun seeker can buy the firearm. Under bills proposed by Cuomo and Democratic lawmakers, that waiting period would be extended to 10 days to give investigators more time to look into possible criminal issues in a person’s background. Expanding the time that NICS officials have to perform an investigation to 10 days would assist in ensuring that firearm sales will not be made to persons prohibited from possessing a firearm without unduly burdening legitimate sales.”

Federal Bills for monitoring: (www.congress.gov)

The Citizens Committee for the Right to Keep and Bear Arms reports; “It’s important that we must generate support for the Knife Owners Protection Act (KOPA) that’s making its way through Congress. We must also encourage opposition to an alternative bill, known as the Interstate Transportation Act (ITA), that with effectively support the continued persecution of law-abiding knife owners. The KOPA would remove the archaic and irrational restrictions on interstate trade of switchblade (automatic) knives that are already legal to 1 degree or another in 44 states. It would also protect the right of individuals to travel with their knives throughout the U.S. without fear of prosecution under the myriad of state and local knife laws. The Firearms Owners’ Protection Act (FOPA) that was signed 32 years ago attempted to address the latter of those issues in regard to guns but was unsuccessful for a number of reasons. Even though the FOPA has proven to be fatally flawed, a similar bill is being floated in Congress, the Interstate Transportation Act (ITA), that would expose knife owners to the same vulnerabilities that FOPA did to gun owners. Additionally, ITA does not repeal the Federal Switchblade Act, which only adds insult to injury. The ITA puts knife owners at risk and sets a bad precedent for gun owners, which is why we must generate support for KOPA instead.”

HR 2591:

This bill, which passed the US House of Representatives, would increase flexibility for state wildlife agencies by allowing the use of Pittman Robinson funds for the recruitment of hunters and recreational shooters. This added flexibility is critical to ensuring the long-term viability of revenue sources that fund state-based fish and wildlife conservation across the country.

S 446 (Concealed Carry Bill): addresses national concealed carry reciprocity-being able to legally carry a registered, concealed carry, weapon from state to state within the USA.**UPDATE:** “In a resounding show of support for the Second Amendment, the US House of Representatives passed a legislative package that included HR 38, the Concealed Carry Reciprocity Act of 2017 and HR 4477, the Fix NICS Act of 2017. The bipartisan vote of 231 to 198 advanced a measure that would allow law-abiding Americans who are eligible to carry a concealed handgun under the law of a state to do so in all other US states and territories that recognized the right of their own residents to carry concealed.... It would also help shore up the National Instant Criminal Background Check System used for licensing and retail firearm purchases by adding additional layers of transparency and accountability to the system. =**referred to the Senate Judiciary Committee/passed House.**

S 59 & HR 367 (Hearing Protection Act.): being allowed to own a firearm suppressor. = **Referred to subcommittees on crime, terrorism, home security and investigation/Senate referred to finance committee.**

HR 2380 (Smart Gun): this bill would require handgun manufacturers to fit handguns with “smart gun” technology that doesn’t even exist yet. = **Referred to subcommittees on crime, terrorism, home security and investigation**

HR 3962 (Ammo Ban): this bill would not only ban all online sales of ammunition, it would also force gun dealers to report anyone who purchases over 1000 rounds in a single week. = **Referred to subcommittees on crime, terrorism, home security and investigation**

Senate S2252/HR 4454 (Chronic Wasting Disease): ...” These bills are designed to support state and tribal efforts to develop and implement management strategies to address chronic wasting disease among deer, elk, and moose populations, to support applied research regarding the causes of chronic wasting disease and methods to control the further spread of the disease, and for other purposes. Essentially, the bills provide \$35 million to the Sec. of Agriculture to appropriate to the states and tribal agencies for the management of CWD both long-term and in rapid response to threats of spreading.” An additional \$10 million will be available to fund grants that support research regarding the chronic wasting disease. = **Referred to subcommittee on livestock and foreign agriculture.**

HR 5087: To regulate the importation, manufacture, possession, sale, or transfer of assault weapons, and for other purposes. This is a catch all bill that is 67 pages long and covers every gun; this bill will eliminate every auto and semi-automatic rifle, pistol and shotgun henceforth and provides a grand-father clause with restrictions and also has a clause for a grant to purchase guns which do not meet bill’s requirements which is pretty much everything which is semi or fully automatic. = Referred to subcommittees on crime, terrorism, homeland security and investigation.

Legislators:

New York Senator Sue Serino-41st. District
4254 Albany Post Road, Hyde Park, NY 12538 (845-229-0106)

Assemblyman Kieran Lalor-105th. [District-](#) 1075 NY-82, Hopewell Junction, NY 12533 (845-221-2202)

US Congressman Antonio Delgado – 19th District – 721 Broadway, Kingston, NY 12401 (845-514-2322)

Assembly woman Didi Barrett – 106th. District –12 Raymond Avenue, Suite 105,
Poughkeepsie, NY 12603 (845-454-1703)

Senator – 40th District – Peter Harckham – 40 Gleneida Avenue, Putnam County Office Building, 3rd. Floor, Carmel, NY 10512 (845-225-3025)

US Congressman Sean Patrick Maloney – 18th District – 123 Grand Street, Newburgh, NY 12550 (845-561-1259)

US Senator Kristen Gillibrand– Hudson Valley Office, P.O. Box 893, Mahopac, NY 10541 (845-875-4585)

US Senator Charles Schumer –One Park Place, Suite 100, Peekskill, NY 10566 (914-734-1532)

Gov. A. Cuomo – The Honorable Andrew M. Cuomo, Governor of New York, New York State Capitol Building, Albany, NY 12224 (518-474-8390)

Organizational Contacts:

Shooters Committee on Political Action(SCOPE): www.scopeny.org
SCOPE legislative reports are available at this website
SCOPE INC, Attention Legal Defense Fund Project (for donations)
P.O. Box 12711
Rochester, N.Y.14612

New York Firearms: www.nyfirearms.com

Second Amendment Foundation: www.saf.org

National Rifle Association: www.homenra.org and New York State Rifle and Pistol Association (NRA Affiliate): www.nysrpa.org

National Shooting Sports Foundation: www.nssf.org

National Association for Gun Rights: www.nationalgunrights.org

Firearms Policy Coalition: www.firearmspolicy.org

Gun Owners of America: www.gunownersofamerica.org

New York Crossbow Coalition: www.nycrossbowcoalition.com- 491 Albion Cross Road, Pulaski, NY 13142 (315-882-1540)

New York Bowhunters, Inc.-P.O. Box 1157, Canandaigua, NY 14424 (518-229-7468)

New York Safe Act: www.governor.ny.gov/nysafeact/gun-reform

New York State Police Field Guide to the New York State SAFE Act:
www.nypdcea.org/pdfs/nysp_safe_act_field_guide

New York State Conservation Council –www.nyscc.com

Dutchess County Federation of Fish and Game Clubs: www.dutchessfishandgame.org

Submitted by:

Paul W. Annetts-M.J.A. (marineactual@gmail.com) Club's Legislative & Property Management Chairman and Co-Chairman Jay Rusnock/file

Cc: Co-Chairman Jay Rusnock

Secretary-Robin Moore

Posted on Club's Bulletin Board

Posted on Club's Internet Site & Distributed/Webmaster-Frank Kovacs

Putnam County-Federation President Ray Merlotto-bills

Federation of Sportsmen's Clubs of Sullivan County-President Jack Danchak-bills

Orange County Federation President-Jim Torcivia-bills

Ulster County Federation President-Dave Davis-bills