

*Monroe County
Clerk of the Legislature*

*Cheryl M. Rozzi
Clerk*



*Casey K. DiCaro
Deputy Clerk*

*David Grant
Assistant Deputy Clerk*

M E M O R A N D U M

TO: Legislators, Directors, Staff and Media

FROM: Cheryl M. Rozzi, Clerk of the Legislature

A handwritten signature in black ink, appearing to be "C. Rozzi", is written over the name in the "FROM:" field.

DATE: March 12, 2013

RE: Matter of Urgency – File No. 13-0083

13-0083 - Repealing the New York Secure Ammunition and Firearms Enforcement Act and Urging Governor Andrew M. Cuomo and the New York State Legislature to Pass the Webster Provision as Stand-Alone Legislation – As A Matter Of Urgency – Majority Leader Anthony J. Daniele, County Executive Maggie Brooks, President Jeffrey R. Adair, Vice President Michael G. Barker, Legislators Richard Yolevich, Mike Rockow, Mary A. Valerio, Steve Tucciarello, Karla F. Boyce, Fred Ancello, Rick Antelli, Carmen F. Gumina, Debbie Drawe, John J. Howland, E. Daniel Quatro, Dr. Joe Carbone, Ciaran T. Hanna, Jeffery L. McCann, Robert J. Colby, Tony Micciche

Per President Jeffrey R. Adair, the attached communication is declared to be a Matter of Urgency pursuant to Section 545-24 (A) (3) of the Rules of the Monroe County Legislature and will be considered at the Tuesday, March 12, 2013 meeting of the Monroe County Legislature.

Attachments



OFFICE OF THE COUNTY EXECUTIVE MONROE COUNTY LEGISLATURE

Maggie Brooks
County Executive

Anthony J. Danfele
Majority Leader

ORIGINAL FILE NO.
No. 130083
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
Memorializing Referral
URGENT

March 11, 2013

To The Honorable
Monroe County Legislature
39 West Main Street
Rochester, NY 14614

RE: Repealing the New York Secure Ammunition and Firearms Enforcement Act and Urging Governor Andrew M. Cuomo and the New York State Legislature to Pass the Webster Provision as Stand-Alone Legislation

On January 15, 2013, the New York State Legislature passed and Governor Andrew M. Cuomo signed into law the New York Secure Ammunition and Firearms Enforcement (NY SAFE) Act. Since then, over 75% of counties in New York State and many highly regarded organizations, including the New York State Sheriffs' Association, New York State Association of County Clerks, and New York State Association of Counties have approved or are working to approve resolutions opposing provisions of the NY SAFE Act. These resolutions have highlighted numerous substantive concerns with this law.


As we learn more about the NY SAFE Act, we find the unfunded mandates that will be levied on counties throughout New York State particularly alarming. While Monroe County is still trying to determine costs, it is apparent the NY SAFE Act will place additional budgetary strains on the Monroe County Clerk's Office, Office of Mental Health, and Sheriff's Office. Since we do not yet know the full impact of this legislation, we are left at the whim of New York State and how they choose to enforce the measures contained within the NY SAFE Act.

The NY SAFE Act puts additional restrictions on law abiding gun owners. We fail to recognize the efficacy of any legislation that alters the rights of gun owners and does little to nothing to address the real causes of gun violence in New York State. While law abiding gun owners will struggle to understand and conform to the NY SAFE Act, criminals in our community will continue to illegally obtain and own weapons. The fact remains that elements of this law restrict the rights of lawful gun owners, and do not make New York State residents any safer now than they were before its passage.

Our community knows all too well that our first responders put themselves in harm's way on a daily basis. Through public input, Monroe County residents have expressed their support for the Webster provision. We agree that this provision, which provides stiffer penalties for individuals who murder first responders while they are responding to an emergency, stands out in its uniqueness as a laudable element of this law.

The NY SAFE Act has clearly missed its mark and fails to offer real solutions to gun violence in New York State. Therefore, we urge Governor Andrew M. Cuomo and the New York Legislature to repeal the NY SAFE Act and pass the Webster provision as stand-alone legislation.

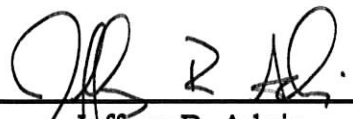
Respectfully Submitted,



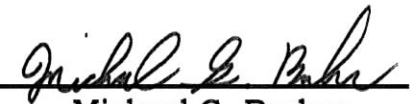
Maggie Brooks
County Executive



Anthony J. Daniele
Majority Leader



Jeffrey R. Adair
President



Michael G. Barker
Vice-President



Richard Yolevich
District-1



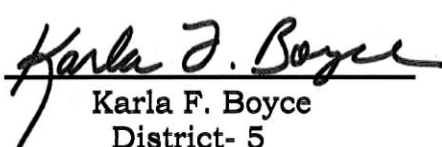
Mike Rockow
District- 2



Mary A. Valerio
District- 3



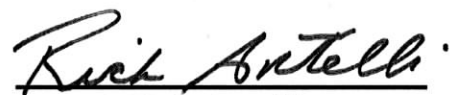
Steve Tucciarello
District- 4



Karla F. Boyce
District- 5



Fred Ancello
District- 6



Rick Antelli
District- 7



Carmen F. Gumina
District- 8



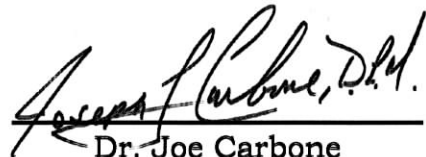
Debbie Drawe
District- 9



John J. Howland
District- 13



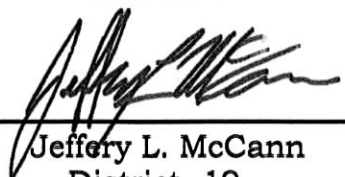
E. Daniel Quatro
District- 15



Dr. Joe Carbone
District- 16



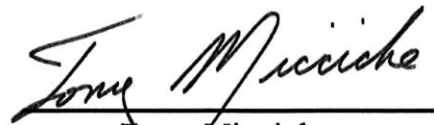
Ciaran T. Hanna
District- 18



Jeffery L. McCann
District- 19



Robert J. Colby
District - 20



Tony Micciche
District- 26

By Legislators Daniele and Adair

Referral No. _____ of 2013

Repealing the New York Secure Ammunition and Firearms Enforcement Act and Urging Governor Andrew M. Cuomo and the New York State Legislature to and Pass the Webster Provision as Stand-Alone Legislation

WHEREAS, On January 15, 2013, the New York State Legislature passed and Governor Andrew M. Cuomo signed into law the New York Secure Ammunition and Firearms Enforcement (NY SAFE) Act; and

WHEREAS, Since then, over 75% of counties in New York State and many highly regarded organizations, including the New York State Sheriffs' Association, New York State Association of County Clerks, and New York State Association of Counties have approved or are working to approve resolutions opposing provisions of the NY SAFE Act; and

WHEREAS, As we learn more about the NY SAFE Act, we find the unfunded mandates that will be levied on counties throughout New York State particularly alarming; and

WHEREAS, While Monroe County is still trying to determine costs, it is apparent the NY SAFE Act will place additional budgetary strains on the Monroe County Clerk's Office, Office of Mental Health, and Sheriff's Office. Since we do not yet know the full impact of this legislation, we are left at the whim of New York State and how they choose to enforce the measures contained within the NY SAFE Act; and

WHEREAS, The NY SAFE Act puts additional restrictions on law abiding gun owners. We fail to recognize the efficacy of any legislation that alters the rights of gun owners and does little to nothing to address the real causes of gun violence in New York State. While law abiding gun owners will struggle to understand and conform to the NY SAFE Act, criminals in our community will continue to illegally obtain and own weapons. The fact remains that elements of this law that restrict rights of lawful gun owners, and do not make New York State residents any safer now than they were before its passage; and

WHEREAS, Our community knows all too well that our first responders put themselves in harm's way on a daily basis; and

WHEREAS, Through public input, Monroe County residents have expressed their support for the Webster provision. We agree that this provision, which provides stiffer penalties for individuals who murder first responders while they are responding to an emergency, stands out in its uniqueness as a laudable element of this law. The NY SAFE Act has clearly missed its mark and fails to offer real solutions to gun violence in New York State; and

NOW, THEREFORE, BE IT RESOLVED, that we, the undersigned, urge Governor Andrew M. Cuomo and the New York Legislature to repeal the NY SAFE Act and pass as stand-alone legislation the Webster provision; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Hon. Andrew M. Cuomo, Governor of the State of New York, and the members of the New York State Senate and Assembly representing Monroe County.