



**Resolution**  
**Board of Supervisors**  
**County of Columbia**  
**New York**

**RESOLUTION NO. 81-2013**

**DATE: March 13, 2013**

**BY SUPERVISOR \_\_\_\_\_**  
**COUNTY GOVERNMENT COMMITTEE**  
**CHAIRMAN: KEVIN MCDONALD**

**RESOLUTION OPPOSING THE PROCESS OF ENACTMENT OF AND CERTAIN  
PROVISIONS CONTAINED WITHIN THE NEW YORK SAFE ACT**

**UPON**, recommendation of the Public Safety Committee at a meeting held on the 21<sup>st</sup> day of February, 2013; of the County Government Committee at a meeting held on the 26<sup>th</sup> day of February 2013 and of the Finance Committee at a meeting held on the 5<sup>th</sup> day of March 2013;

**WHEREAS**, The Board of Supervisors has long advocated for protection of the rights afforded to citizens under the Constitution, which has for generations guided our Nation and served as a framework to our democracy and society; and

**WHEREAS**, The Second Amendment of the United States provides for the “right of the people to keep and bear arms” and further states that this right “shall not be infringed”, and that this right has been a bedrock of our nation for over two centuries; and

**WHEREAS**, The New York State Legislature has recently adopted legislation, the NY Safe Act, proposed by Governor Cuomo to curtail these rights through the enactment of various anti-gun measures that will significantly impact legal gun owners and various businesses and suppliers of guns and related supplies and equipment; and

**WHEREAS**, This legislation was approved with scant public notice, very little public debate or review by State Lawmakers, and in the days since the legislation was introduced and enacted, concerns have arisen regarding various matters of law and potential defects in the legislation; and

**WHEREAS**, the Board of Supervisors believes that portions of the Act are necessary and will in fact increase the safety of the citizens. However, other provisions of the Act appear to be unnecessary, arbitrary, ill-advised and contrary rights guaranteed by the United States Constitution and reaffirmed by the United States Supreme Court and the Courts of the State of New York; and

**WHEREAS**, the Board of Supervisors believes that an issue of this seriousness and effect should have been granted a respectful and appropriate period of debate, review and consideration; and

**WHEREAS**, As New York State already has some of the toughest gun legislation in the Country, including the Sullivan Act, and concerns have been voiced that this legislation will not improve public safety in the state, including concerns by Legislators who initially supported the legislation; and

**WHEREAS**, Additionally, Federal Lawmakers and the President are also considering legislation or executive orders that would further infringe on the Second Amendment; and

**WHEREAS**, This legislation will unfairly affect the rights of the many law-abiding gun owners in Columbia County and New York State who are granted the right to keep and bear arms under the Constitution; and

**WHEREAS**, This legislation also does not adequately address the many acts of violence committed by criminals who are likely to ignore this legislation, and does not address the concerns of many residents, particularly those in rural communities, to possess firearms for the purpose of home or self defense, in accordance with the provisions of the Second Amendment; and

**WHEREAS**, this Legislation imposes a number of unfunded mandates on County government and taxpayers; and

**WHEREAS**, as written, the Act increases the stigma on the mentally ill. It is the mission of the Columbia County Department of Human Services to increase access and decrease stigma; and

**WHEREAS**, the following Counties have enacted legislation opposing both the process of enactment of the Act as well as certain provisions contained therein: Putnam, Rockland, Orange, Ulster, Greene, Schoharie, Rensselaer, Warren, Washington, Hamilton, Fulton, Herkimer, Lewis, Oneida, Madison, Oswego, Tioga, Yates, Livingston, Wyoming, Orleans, Niagara, and Cattaraugus; and

**WHEREAS**, several of the remaining counties in the State have similar legislation currently pending; and

**WHEREAS**, The Board of Supervisors does hereby affirm support for the Second Amendment of the U.S. Constitution and the rights afforded to residents under the Constitution, and opposes attempts to infringe on those rights; now, therefore, be it

**RESOLVED**, That the Board of Supervisors affirms support for the Second Amendment, and states opposition to the legislation NY Safe Act adopted by the State Legislature restricting the rights of gun owners, and opposes attempts on the Federal level to implement new restrictions on these rights; and, be it further

**RESOLVED**, That this Legislative Body further requests that the NY Safe Act be repealed during the current state legislative session; and, be it further

**RESOLVED**, That the Clerk of this Legislative Body is hereby directed to transmit certified copies of this resolution to U.S. Senator Charles Schumer, U.S. Senator Kirsten Gillibrand, U.S. Representative Paul Tonko, U.S. Representative Chris Gibson, Governor Andrew Cuomo, State Senator Kathy Marchione, Assemblyman Steve McLaughlin and Assemblywoman Didi Barrett.

**Approved:**

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County Attorney

**Resolution  
Committee**

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