



**Federation of Dutchess County Fish & Game
Clubs, Inc.
Post Office Box 3201
Poughkeepsie, New York 12603**

Federation–January 2016- Board & General Membership Meetings (No general meeting this month)

Legislative Report (Read at regular meeting & placed on Internet site & sent to member clubs & interested parties)

Sidebars:

Contacted Assemblywoman E. Gunter (Sullivan County) regarding my introduction of our club's active bill #A06534 & S 04498-“ authorizes a shooting preserve to sell ammunition for exclusive use on the preserves; provides that such shooting preserve is not subject to requirement of seller of ammunition” for a status update. Senator Kathy Marchione was also contacted and I thanked her and Assembly woman Gunther for their sponsoring and pushing to get this draft bill passed this year.

The Dutchess County Federation of Fish and Game Club's annual dinner will be held on January 30 at 5:30 PM at the Villa Borghese; tickets are payable at the door and are \$45 each. I have made reservations for a table of 10 for club members. Any others interested in attending please contact me ASAP.

Joe Lorenz, Federation of Dutchess County's Fish and Gun Club's new president, and myself, representing the Federation of Dutchess County's Fish and Gun Club's Legislative VP, attended the Federation Sportsman Clubs of Ulster County forum in which area sportsmen/sportswomen were able to meet candidates from the 19th Congressional District, who not only presented their credentials but spoke about their positions on various sportsmen-related issues/questions. It was a good opportunity for networking with other sportsmen's groups from neighboring counties. We need to expand on this to form a “federation coalition” if possible.

State Information:

According to Outdoor News: “Current New York regulations – 6 NYCRR 180.12 – state that no person shall hunt, trap, take or engage in any activity, including use of dogs, that is likely to result in the taking of any free ranging Eurasian boar, as defined in Environmental Conservation Law section 11 – 0514. Free ranging shall mean any Eurasian boar that is not lawfully possessed within a completely enclosed or fenced facility from which the animal cannot escape to the wild..... Based on Bill's A3767 and S5733 – the DEC was authorized to adopt regulations to implement and administer these laws, which were signed into effect by Gov. Cuomo. The legislation also provided a definition of Eurasian boar that will exclude domestic pigs. Fines for violations of law are \$500 for the first two offenses and \$1000 or more for subsequent violations..... There was a loophole in the law regarding the definition of Eurasian boar which allowed some

preserves to offer hunts for domestic pigs, since they don't fall under definition of Eurasian boar. Eurasian boars are now defined in the enabling law (ECL 11-0514): for purposes of this section, Eurasian boar shall mean any sub species, breed or hybrid of swine recognize as Eurasian boar, Russian boar, wild boar, wild hog, razorback, or feral swine. Eurasian boar shall not include domestic pigs possessed for meat production or as pets or animals possessed or owned by a zoological park accredited by the Association of Zoos and Aquariums. It is that sentence that essentially exempts domestic pigs from the regulation that has created the current situation whereby domestic pigs can be legally hunted and shot at the preserves."

According to the New York Post: "Gov. Cuomo joined Sen. Charles Schumer to demand that the federal government closed the terror gap by stopping suspected terrorists from being able to legally buy guns..... The duo is part of a growing national movement calling for the federal government to begin using its classified terror watch and no-fly list as criteria when conducting background checks on potential gun buyers and refusing those who show up on either. Cuomo said the feds need to give states access to the lists so that they can cross-check them themselves if Washington can't find common ground on a common sense provision that would keep guns out of the hands of suspected terrorists. The governor further stated that it is a basic breach of national security. He further stated that the federal government should either figure out how to use that terrorist database as part of their background check or establish a protocol that allows the states to do it in and New York State will."

According to SCOPE: "Senate Bill S6279 is being proposed by Sen. Jeffrey Klein to strip an individual of their Second Amendment rights should their name appear on the "Federal No-fly List." This list is controversy over at best and has been reported by Sen. Lindsey Graham of South Carolina to contain a 40% false positive. The no-fly database will be reviewed and possible confiscations will be handled by the Superintendent of State Police, Joseph D' Amico. This bill is a clear violation of the 14th amendment to the Constitution's Due Process Clause:" no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." SCOPE highly recommends that you call Senate Majority Leader John Flanagan and tell him to block this bill. His Albany office is 518 – 455 – 2071. Also call your local Senators and tell them to vote no should this bill hit the Senate floor for vote."

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Legislative Office Building, Room 913

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According to Outdoor News: “Word out of Albany is the DEC’s is crafting regulations that would prohibit the use of deer urine-based scents and other such attractants by hunters in the Empire State.... It’s all a product of the DEC’s concern that deer urine can carry prions that could potentially spread chronic wasting disease, the fatal neurological disease that propped up in central New York 10 years ago but, almost incredibly, has not been found since despite widespread testing..... Pennsylvania game commissioners, at a recent meeting there, signaled they intend to go forward with the ban on the use of deer urine by hunters. After hearing a presentation from the agency’s wildlife veterinarian about the possible role deer urine may play in the spread of chronic wasting disease, Commissioner David Putnam asked commission staff to draft regulations to outlaw its use. The prohibition would include the use or field possession by hunters of natural, urine based deer attractants because of the possibility prions, that carries CWD, could be present in natural, urine based deer attractants. They further stated that they will soon be meeting with members of the deer urine industry – Bureau of Wildlife Management director Wayne Laroche has a meeting schedule with them to look at some of their operations, trying to ensure that CWD prions are not being spread around the Commonwealth by deer urine. They further stated that they have heard that deer lure makers have made progress in trying to prove that their products are CWD prion free. They further stated the deer urine industry is now looking at a way to certify that the animals they use for urine collection are CWD free.” It is further reported that there are only a few research laboratories which have the expensive equipment that is sensitive enough to detect CWD prions in deer urine. The only test currently available to determine whether a deer has chronic wasting disease is to examine a portion of a dead animal’s brain. Because of the rapid spreading of wasting disease among free ranging deer, the stakes are high for the banning of deer urine products used by the hunters, according to Putnam.” **Sidebar:** I spoke with owner William Moore of Hot Trails, of Texas, and he stated that he was aware of the New York and Pa. concern but his products do not fall into this category.

According to the Poughkeepsie Journal: A survey was conducted on the following question: Is hunting good for the economy? The answer was 321 yes and 158 no.

According to DEC:

New York State Department of Environmental Conservation (DEC) acting Commissioner Basil Seggos today announced the availability of a draft Environmental Assessment (EA) entitled “Whitetail Deer Damage Management in New York.” The EA, prepared by the US Department of Agriculture Wildlife Services’ (WS) New York office, describe the need to manage Whitetail deer to reduce and prevent damage associated with these

animals in New York; discusses potential issues associated with managing damage caused by deer; and the environmental consequences of alternatives for WS involvement in deer damage management throughout New York State. The proposed action (preferred alternative) is to implement an integrated approach using a variety of methods to reduce deer damage. DEC issues permits to landowners, municipalities and resource management agencies to address deer damage and as a cooperating agency on this EA, DEC is encouraging the public to review and provide comments on it by January 15, 2016.

NYSR&PA reports:

State lawmakers from Brooklyn announced new legislation aimed at tightly restricting the sale of ammunition in New York. The Senate and assembly bills were drafted in an attempt to keep potential terrorists from stocking up on ammo, according to sponsors State Sen. Roxanne Persaud and Assembly member Jo Anne Simon. The twin bills are backed by Brooklyn Borough Pres. Eric Adams, who worked with Persaud and Simon to craft them. The legislation would place a strict limit on the number of bullets a gun owner could purchase over a 90 day period, and prevent dealers from selling ammunition for a firearm to anyone unauthorized that has such a weapon.....” Limiting the quantity and duration between purchases of ammunition is one step in preventing someone with criminal intent from easily assessing large quantities of ammunition, “Persaud said. Well the measure is aimed at owners of assault rifles, the language contained in the draft legislation would also affect owners of handguns with much smaller capacities, such as six shooters. Since the measure would cap the amount of ammunition to no more than twice the amount of the capacity of the weapon every 90 days, these gunowners would be limited to buying a dozen bullets every month and a half..... Under the proposal, section 270.00 of the New York State Penal Law would be amended to prevent gun dealers from selling ammunition for a firearm to anyone unauthorized to have such a weapon, regardless of the weapon type. Under the current code, only pistols and revolvers are specifically regulated. The bill sponsors say this creates a loophole for those seeking to purchase ammunition for assault weapons. Penalty for the violation of this law would also be increased from a Class B misdemeanor, or not more than three months in jail and not more than \$500 in fines, to a Class E felony, or up to four years in prison with a minimum of one year.

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Assemblywoman JoAnneSimon-518-455-5426

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DEC Announces:

The New York State Department of Environmental Conservation (DEC) is now accepting public comment on proposed regulation changes that would allow the use of big bore air rifles as a legal implement for taking big game at certain times and places in New York, beginning in the fall of 2016 hunting seasons..... DEC will accept written public comment on the proposed rule changes through February 8, 2016.

According to New York Crossbow Coalition (NYCC):

President Rick McDermott informed me that "NYCC has been working to get the crossbow reclassified as archery equipment and giving authority for its use, including setting seasons, to the DEC." Crossbow users need to be monitoring bills relating to crossbows.

Sidebar:

Assemblyman Kieran Lalor reported that he continues to fight for the Second Amendment. He states, he is a "co-sponsor of A .3350 and A.3943 which would repeal the SAFE Act. He is also a cosponsor of A .3719 which would allow individuals, duly licensed out of state to carry a pistol or firearm, authority to carry such weapon within New York State for a limited duration with proper documentation. Lalor also successfully fought with a bipartisan coalition against anti-Second Amendment legislation in the city of Poughkeepsie."

According to the Times-Herald Record: "More and more people are coming in for guns for self-protection and for home protection", as reported by local gun dealers representing Sullivan, Orange, and Ulster County's. "Two things seem to spark an upswing in applications for gun permits, officials say: high profile shootings and talk of stricter gun control."

Federal Information:

According to the Washington Post: "Pres. Obama has vowed that he will press ahead with a set of executive actions on guns in the near future to try and control gun violence..... In the meantime there is growing concerns over terrorism that has dampened some Americans enthusiasm for tighter firearms restrictions."

According to the NYSRPA:

“..... The Obama administration finalized a rule that enables healthcare providers to report the names of mentally ill patients to an FBI firearms background check system..... While the 1993 Brady law prohibits gun ownership by individuals who have been involuntarily committed, found incompetent to stand trial or otherwise deemed by a court to be a danger to themselves or others, federal healthcare privacy rules prohibited doctors and other providers from sharing information without the consent of their patients. Under the rule, which takes effect next month, for the first time healthcare providers can disclose the information to the background check system without legal repercussions. The disclosure is restricted to a limited demographic and certain other information needed for NICS purposes, ... disclosure of diagnostic or clinical information is prohibited.”

According to NYSRPA:

“..... Pres. Obama released details of his planned executive order relating to tighten restrictions on firearms..... The provisions are:

Closes ‘gun- show’ loophole

Requires gun dealers, whether they sell in a store, at gun shows or over the Internet, to conduct background checks on those wanting to purchase a firearm. The administration is not setting a limit on the number of transactions someone can make before they are considered a gun dealer but notes that even a few transactions can be enough to require a license and a background check. Failure to obtain a license can result in up to five years in prison and a fine up to \$250,000.

Close loophole related to trust and corporate purchases

The National Firearms Act restricts sales of weapons such as machine guns and sawed-off shotguns. In recent years, individuals have been able to avoid background checks by purchasing these weapons through trusts, corporations or other legal entities. The number of these types of applications grew from fewer than 900 in 2000 to more than 90,000 in 2014, the White House said. The order will require people purchasing these weapons through trusts or other legal entities to undergo a background check.

State participation

Obama said Atty. Gen. Loretta Lynch has written a letter to states urging them to provide complete information, such as criminal history, to the federal database that’s used for background checks. The AG’s office is also asking states to increase communications with anti-domestic violence agencies.

Streamline background check system

In 2015, the National Instant Criminal Background Check System (NICS) receive more than 22.2 million background checks, an average of about 63,000 per day. Under current law, if a background check isn’t returned within three days, a dealer can move ahead with the sale. To speed up and modernize NICS, the order directs the FBI to hire more than 230 staffers-a move that would double staff size-and complete technical updates to the database. The goal is for background checks to be processed 24 hours a day, seven days a week.

Lost or stolen guns

The order also stipulates requirements related to what happens if a gun is lost or stolen while in transit to a firearms dealer. Dealers are required to report lost or stolen weapons from their inventory but the laws related to guns that go missing during transit aren't as clear. Under the new order, the licensee shipping the gun will be responsible for reporting it missing or stolen.

Mental health services

The White House is proposing to spend \$500 million for increased mental health care services. Other provisions include reporting of Social Security information to the background check system, a move designated to keep those with mental health issues or who received disability payments due to mental impairment from purchasing firearms.

Gun technology

The president is issuing a memorandum to the Department of Justice and Department of Homeland Security to increase research into gun safety technology. The memo also directs the agencies to promote the use and acquisition of new firearm technology.

Increase personnel, other measures

The White House said the president's 2017 budget will include funding for 200 new Bureau of Alcohol, Tobacco and Firearms agents to enforce gun laws. Another \$4 million will go towards enhancements to the National Integrated Ballistic Information network, which tracks evidence that can be used to link gun-related crimes."

Bill Tracking:

Tracking a State Bill: 518-455-7545

Note:

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, with the exception of 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.)

Key impact bills (Hotline=800-342-9860/Monday-Friday-9am-6pm.)

Legislative resources:

New York Senate: www.nysenate.gov

New York State Assembly: www.assembly.state.ny.us/mem/

New York Senator=Sue Serino-41st. District

Serino@nysenate.gov

LOB Room 617, Albany, N.Y. 12247

Assemblyman Kieran Lalor-105th. District-LaLork@assembly.state.ny.us

US Congressman Chris Gibson – 19th District – Gibson.house.gov

Assembly woman Didi Barrett – 106th. District – Barrett D@assembly.state.ny.us

New York Senator – 40th District – Terrance Murphy – Murphy@NYSenate.gov-LOB Room 817, Albany,N.Y. 12247 – 518-455 – 3111

US Congressman Sean Patrick Maloney – 18th District – Seanmaloney.house.gov

US Senator Kristen Gillibrand– www.gillibrand.senate.gov/contact/

US Senator Charles Schumer – www.Schumer.senate.gov/contact Chuck.CFM

Gov. A. Cuomo – www.governor.NY.gov

Important Contact Groups:

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

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

**For Dutchess County Federation of Fish and Game Clubs monthly report go to:
www.dutchessfishandgame.org**

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 Rifle and Pistol Association (NRA Affiliate): www.nysrpa.org

Note: NYSR&PA Legislative Report is available at this website which follows all important bills.

New York State Conservation Council – look up bills –www.nyscc.com

Submitted by:

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Cc: Secretary