

I urge all of you to read this brief article and take stock of it in light of the issues you are considering.

Thank you,

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## Our new gun law: Rushed and wrong

When will we fix its many flaws?

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**Gov. Cuomo speaks during a news conference announcing an agreement with legislative leaders on New York's Secure Ammunition and Firearms Enforcement Act earlier this year.**

New York's new gun control law, celebrated far and wide as the first major piece of state legislation enacted in the wake of the Newtown massacre, is deeply misguided. It is bad policy made possible by a seriously flawed process.

For starters, [Gov. Cuomo](#) circumvented the state Constitution's requirement that bills age for at least three days before being voted on.

Yes, the Constitution allows for the governor to issue a "Message of Necessity" letter in emergency situations. But there was no such emergency here, and doing an end run around this state mandate is no mere technicality.

When you rush a bill through, you can't have committee hearings in which you learn from experts. You don't allow for proper debate. You don't allow for possible amendments that would refine and strengthen a bill.

And so, predictably, in his haste to win political headlines, the governor has delivered a mess to New Yorkers.

The law contains such basic flaws that it technically makes it illegal for police officers to carry their weapons into public schools. Cuomo might wave this off as something easily fixed, but the error is of a piece with a law riddled with bad ideas and faulty logic.

Magazines with more than seven rounds are now banned statewide. Although existing magazines that hold up to 10 rounds will be grandfathered in, they are no longer allowed to be loaded with more than seven rounds.

But no criminal is going to pause when loading his weapon to ask himself how many rounds state law has set as the limit.

Then there's the logistical lift. Beginning in less than three months, certain weapons and ammunition — an estimated 1 million guns — will have to be registered with the state police within a year. That means the authorities will have to process more than 2,500 registrations every day for a 365-day period.

But the state police don't even have a system in place to process these registrations.

This will be a colossal effort — one focused on people who, by virtue of the fact they are complying with the new law, are law-abiding. Even with the governor's budget including more than \$30 million to help implement the provisions, critical resources will undoubtedly be pulled away from efforts to prevent crime and catch criminals.

It is also fair to say that this law turns lawful citizens into criminals, because failure to register in a year is a crime and results in confiscation of a weapon. Can you think of any other constitutionally protected right that can be stripped upon failure to file proper paperwork?

Also problematic: New Yorkers want Albany to make our schools safer, but this law does little to secure our classrooms. In fact, the topic has been passed off to a blue-ribbon panel meeting sometime in the future.

That could wait, apparently. Banning guns and ammunition could not.

One of the bill's sponsors was asked on the Assembly floor whether this law would have prevented the horrible murders of students and staff at Sandy Hook Elementary School. He answered, "No." When some of his colleagues gasped at his honesty, he changed his answer to "Maybe."

It is clear from the brief floor debate that, if certain lawmakers have their way, New York's assault on the Second Amendment is only beginning. Some openly supported confiscating weapons and only agreed to the current law as a compromise. One assemblyman said he thought one round of ammunition was all a citizen needed. He suggested that victims of home invasions hide, call 911 and hope that the one round does the job.

There's a better way. While Cuomo and others rammed a deeply flawed bill through, Connecticut has formed a legislative task force that will deliver recommendations next month. That state's speaker of the House, Brendan Sharkey, a Democrat, said wisely, "I think taking quick action is important, but taking smart action is more important."

If only Cuomo and his allies agreed.

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