



New York State Conservation Council Inc.
8 East Main Street, Ilion, New York 13357-1899

MEMORANDUM IN OPPOSITION

Bill # A 2659 Paulin

Same as **S 432** Peralta

Title: Provides for the imposition of restrictive business practices and additional record keeping on firearms and ammunition dealers.

These proposals would impose costly and burdensome restrictions on retail dealers in firearms and ammunition while providing no compensatory benefit to the public. These legal businesses are simply not the source of illegally owned and used firearms.

Justification:

There is no justification for the imposition of the mandates, restrictions and duplication contained in these proposals. There is absolutely no evidence that any of these changes would have any impact on the ability of ineligible individuals to acquire firearms or on the trafficking in illegal weapons. With the level of regulation currently in effect in this state, the term "rogue dealer" is not applicable.

This legislation would impose a particular burden on hunters and landowners in the rural areas of the state. The cost of compliance would force small rural retailers who sell small quantities of ammunition to local farmers and hunters to stop stocking ammunition – an inconvenience to local residents and no crimes prevented. The overhead and regulatory labyrinth imposed would drive the small and part-time dealers currently serving the needs of their communities out of business.

This is clearly a situation where the sponsors of the legislation have no real understanding of the firearms business or of the regulatory practices already in place at both the state and federal levels. If the objective of this legislation is to reduce trafficking in illegal weapons and to make it more difficult for criminals to obtain firearms and ammunition, these bills are focused on the wrong part of the supply chain.

The result is pointless imposition of costs, the fabrication of "annoyance mandates," and the establishment of bureaucratic overhead with no coherent relationship to achieving a legitimate state objective. This legislation has the potential to impose huge costs on dealers, and ultimately consumers, while providing no perceptible benefit. It appears to be designed for the sole purpose of driving gun dealers out of business.

Many of the "new" mandates are redundant, duplicating existing state and federal procedural and record-keeping requirements. They would impose additional restrictions with no demonstrable potential for precluding any injury that would substantiate a need for such draconian state action.

Dealers would be required to obtain insurance coverage that does not exist. Insurance products are designed under certain elemental principles, one of which is that it is intended to cover losses due to unexpected events, not damage due to intentional behavior. Thus, no insurance underwriter is going to provide coverage for willful or illegal acts. Nor will they provide coverage for the down-stream actions of unrelated third parties.

This proposal would set up a completely new licensing system in the Division of Criminal Justice Services for licensing dealers in handguns and/or ammunition. This is on top of the existing licensing system administered by the counties, which would not be repealed and would therefor presumably remain in effect. We do not see any purpose to this system, since it is completely redundant and thus satisfies no currently unmet regulatory requirement.

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