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# Allegheny County Sportsmen's League Legislative Committee Report

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January 2004 • Issue 111

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ALLEGHENY COUNTY SPORTSMEN LEAGUE ON THE INTERNET <http://www.acslpa.org>

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## ACSL Lawsuit against Pennsylvania State Police

We are still awaiting a response from the PA Supreme Court on rendering a decision in our case.

## LEGISLATIVE ALERT! LEGISLATION ON THE MOVE IN HARRISBURG

It was reported last month that the following legislation may be considered by the full Pennsylvania House of Representatives, and that is still the case.

### HB 2046

We have just received information that HB 2046 has been referred to appropriation committee. This referring to the Appropriation committee usually precedes a full vote by the House of Representatives. This bill will delete the social security number from a license to carry. All members should contact his/her member of the Pennsylvania House of Representatives and ask them to vote yes on this bill.

### HB 234

This bill will give a tax credit to any person who takes a firearms training course. The ACSL has asked that our amendment be considered which would specify the types of courses that could be used for this training and be acceptable for the tax credit instead of the PSP developing the courses. Rep. Metcalfe has agreed to offer this amendment when the bill is considered by the fully House. If the Metcalfe amendment is not approved then the bill

would give the Pennsylvania State Police the authority to establish which training will be approved for the tax credit. This also means that the state police does not have to approve any training courses. All members should contact his/her member of the Pennsylvania House of Representatives and ask them to vote yes on the bill only if the Metcalfe amendment is approved.

## Ohio Passes CCW Legislation

### House, Senate Pass Concealed Weapons Bill

**COLUMBUS, Ohio** --Lawmakers passed a bill Wednesday to allow Ohioans to carry hidden guns, and Gov. Bob Taft has committed to signing the legislation.

The Senate vote was 25-8, and the House vote was 69-24. Taft will sign the bill, said Elise Spriggs, the governor's top legislative lobbyist.

The vote marked the first time the Legislature and the governor's office have agreed to a deal after a decade of debate on the highly contentious issue. Ohioans who apply for permits to carry concealed weapons would have to pay a fee, undergo background checks and be trained in the use of a weapon.

"The goal of concealed carry legislation is to allow law-abiding citizens to protect themselves and their families when they feel their lives may be in danger," Taft said in a statement. "I have strongly advocated for a bill that includes mandatory training, strict background checks and support from law enforcement groups; and recently, have demanded that the law allow public access to permit holder information so that we can ensure that the right people are getting permits, and that the wrong people aren't."

Some Senate democrats are angry at the bill's passage and said Taft finally caved in to gain

political acceptance from the National Rifle Association, **NewsChannel 4**'s Natalie Walston reported.

Ohioans who apply to carry a concealed weapon will have to give fingerprints, a background check, go through 12 hours of training and three hours of training on a firing range. They also will have to acquire special holsters for smaller guns -- the most popular of which conceal firearms in a belt.

The bill also makes the names of permit holders in each county available to reporters who ask a sheriff's department for the names. Taft's insistence on this provision derailed the bill late last year after House lawmakers balked. But House Speaker Larry Householder this week agreed to go along with the requirement, which the Ohio Senate had already informally agreed to.

## New Mexico Supreme Court Uphold CCW Law

Monday, January 05, 2004

### Supreme Court Lets Concealed Gun Law Stand

By DEBORAH BAKER | Associated Press

SANTA FE (AP) - The state Supreme Court on Monday let stand a new law that allows New Mexicans to be licensed to carry loaded, concealed handguns.

The court without comment rejected a challenge to the constitutionality of the law filed by a children's advocacy group and a physician.

"I think this will be a more dangerous place for children and other living beings," David Campbell, the lawyer representing New Mexico Voices for Children, said after the ruling.

The five-member issued its decision after hearing arguments in the case, then deliberating behind closed doors for about a half hour.

Chief Justice Petra Maes said a written opinion would be issued later.

"The court has spoken, and from this court, on this issue, there is no appeal," Campbell said.

Under the law, the Department of Public Safety is authorized to issue concealed-carry licenses as of

Jan. 1.

## Tax Credit for Firearms Training Passes House

In a surprising move the Pennsylvania House of Representatives, by a vote of 201-0, passed HB 1041. This bill will provide for tax credits for anyone who takes a firearms training course approved by the Pennsylvania State Police.

This bill is almost identical to HB 234 which is still sitting in the House Appropriations Committee. House Bill 1041 has not seen any action since October 8, 2003 when it was referred to the Senate Finance committee.

We do not know at this time whether HB 234 will be release from the Appropriations committee because of the similarities between it and HB 1041.

The ACSL will begin working with members of the General Assembly to find out which bill is preferred.

## NRA-ILA Grassroots Alerts

Vol. 10, No. 50

12/12/2003

### "A SAD DAY FOR THE CONSTITUTION..."

So noted NRA Executive Vice President Wayne LaPierre when, on December 10, the U.S. Supreme Court ruled in a 5-4 decision to uphold the major provisions of the Bipartisan Campaign Reform Act (BCRA), also known as [McCain-Feingold](#). As we have often reported, the issue that has been of greatest concern to NRA is the law's prohibition on the running of broadcast ads (termed "electioneering communications") that mention candidates for federal office during the critical 30-day period before a primary election and 60-day period before a general election. This First Amendment "blackout" period is a direct attack on free speech.

The First Amendment declares, in part, that "Congress shall make no law...abridging the freedom of speech." Yet, the high Court's divided decision opens the door to precisely that?the abridgement of free speech. By allowing Congress to severely restrict issue ads in the crucial days before a primary or general election, the ruling contravenes the basic principle of our First Amendment rights, and grants

Congress inordinate authority to regulate the flow of money in politics and political races.

In a powerful dissent, Justice Antonin Scalia said, "Who could have imagined that the same court which, within the past four years, has sternly disapproved of restrictions upon such inconsequential forms of expression as virtual child pornography, tobacco advertising, dissemination of illegally intercepted communications, and sexually explicit cable programming would smile with favor upon a law that cuts to the heart of what the First Amendment is meant to protect: the right to criticize the government." Scalia went on to wryly note, "The first instinct of power is the retention of power, and, under a Constitution that requires periodic elections, that is best achieved by the suppression of election-time speech."

Justice Anthony Kennedy called the provision "a new and serious intrusion on speech."

Justice Clarence Thomas noted that, following the Court's reasoning to its logical conclusion, the next step will be "outright regulation of the press."

The egregious decision also means that the burden of fighting back against the full fury of the anti-gun lobby in the months and weeks leading up to elections will fall squarely on the shoulders of the [NRA Political Victory Fund](#) (NRA-PVF), NRA's Political Action Committee (PAC). NRA-PVF is funded by contributions from members and pro-gun supporters, and, unlike regular NRA membership dues and contributions to NRA-ILA, is used solely for the purpose of assisting the campaigns of pro-Second Amendment candidates. It is critical that we redouble our NRA-PVF fundraising efforts.

Commenting on the Court's decision, NRA Executive Vice President Wayne LaPierre said, "You're going to have to put an asterisk by the First Amendment, and a footnote, because for many months of the year it's no longer in effect." Wayne went on to say, in no uncertain terms, that NRA still has many ways to make its position known in federal elections. "They didn't say we couldn't mention the U.S. Congress, or the Senate. And we will run advertising directing the American public to information sources as to where they can find the truth, and the facts, and who's for them and who's against them. This is a sad day for the Constitution, but the 4 million members of the NRA will continue to be heard. That I can promise."

In addition to expanding NRA-PVF's fundraising activities, this, no doubt, will also mean an even greater reliance on the grassroots efforts of our

nation's 65 million gun owners who have answered the call time and again. One clear advantage NRA has over virtually every other group in America is a large, passionate, and active base of grassroots support that is willing to not only vote on Election Day, but actively work on the campaigns of pro-freedom candidates. The engine that drives the NRA machine is our grassroots, and you can rest assured in the months ahead, we will refine, improve, and expand our grassroots operations to meet the challenges that now lay before us. Please keep an eye out on future Grassroots Alerts to find out how you can take on an even more active role in our grassroots activities in this new day and age of campaign restrictions.

### OMNIBUS UPDATE

On December 8, the U.S. House of Representatives passed the fiscal year 2004 omnibus appropriations bill. The bill actually consists of seven unfinished spending bills grouped together, containing literally thousands of separate provisions.

Included in this massive bill is a provision that requires the destruction of approved federal gun purchase records within 24 hours, as opposed to the current retention period of 90 days. This provision applies only to the records of individuals who have already been cleared through the National Instant Check System (NICS), and does not include applicants whose background check indicates a disqualification.

The measure now moves on to the U.S. Senate for a vote next year. Rest assured that NRA-ILA will keep you apprised of any future developments.

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**12/19/2003**

### PRESIDENT BUSH MEETS WITH NRA TO DISCUSS SPORTSMEN'S ISSUES

On December 12, President George W. Bush invited the NRA, along with 20 other sportsmen's organizations, to the White House to discuss issues of concern to hunters and sportsmen. Also attending the meeting were Interior Secretary Gale Norton and Agriculture Secretary Ann Veneman. During this meeting, the President reaffirmed his personal commitment to hunting, fishing, and sportsmen's issues. Additionally, Secretaries Norton and Veneman, along with U.S. Fish and Wildlife Service Director Steve Williams, presented an overview of Bush Administration wildlife and conservation initiatives, including the opening of 50 additional National Wildlife Refuges to hunting and fishing. Also

discussed was the need for the Administration to work with folks in local communities, including local gun clubs, when formulating new policies that impact hunting lands, such as increased exploration of natural resources.

"We were pleased to hear President Bush express both his steadfast support for America's hunting traditions and his recognition of the economic contribution that sportsmen make to the economy," said David Lehman, NRA-ILA Deputy Executive Director and General Counsel. "It is refreshing to see a President and an Administration that supports America's sportsmen, and actively works to increase hunting opportunities and hunter access to federal lands. We look forward to continuing to work with President Bush and his Administration on these important issues."

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**12/24/2003**

### LOOKING AHEAD TO 2004

Next week's Grassroots Alert (which will be transmitted on Wednesday, December 31) will be the annual "Year In Review" issue, where we will recap some of the top stories we brought to you in these pages for the Year 2003.

Looking ahead to 2004, which, no doubt, will be the busiest election cycle in recent memory, here are some of the items you can expect to see in the Grassroots Alert to enhance your activities in defense of the Second Amendment.

#### Voter Registration

As we have done in past election years, we will provide you with the information you will need to register new pro-gun voters for the 2004 elections. This will include voter registration applications for your state, information on primary and general election dates and voter registration deadlines, and information on the various on-line voter registration features found at [www.NRAILA.org](http://www.NRAILA.org), including an on-line voter registration application.

#### Grassroots-Election Workshops

These Workshops are designed to train NRA members in political activism so they can take on an even more active role assisting pro-freedom candidates for office in their area. In addition to the currently-scheduled Workshops in January (please see accompanying article), scores of additional Workshops will be scheduled around the country. Keep an eye out for additional information on these events as they are scheduled.

#### NRA-ILA Election Volunteer Coordinator (EVC) Program

To ensure gun owners are actively engaged in the campaign efforts of pro-gun candidates in their area, NRA-ILA has identified an individual NRA member in practically every congressional district to serve as EVC. EVCs act as the liaisons between NRA members and gun owners and the campaigns of pro-gun candidates. EVCs work to provide assistance to these campaigns with: phone banks, literature drops, yard sign and bumper sticker distribution, Get Out The Vote and Election Day activities, and other volunteer campaign activities.

To identify your EVC so you can begin preparation for your volunteer activities, please go to [www.NRAILA.org](http://www.NRAILA.org) and click on the "[Get Involved Locally](#)" section. If your district currently has an EVC vacancy, and you are interested in serving in this leadership capacity, please contact the ILA Grassroots Division at (800) 392-8683 and ask to speak to your state's Grassroots Coordinator.

These are just some of the grassroots programs we will be covering in the Grassroots Alert next year. In the meantime, we wish you all a safe and happy new year. Rest up, as 2004 will require the full engagement of America's gun owners if we are to succeed on Election Day 2004!

**Vol. 10, No. 53**

**12/31/2003**

### 2003?THE YEAR IN REVIEW

Here are some of the top stories we brought you in the NRA-ILA Grassroots Alert in 2003. No doubt 2004 will be one of the busiest election seasons in our Association's history, and we hope to provide you with information in future Alerts that will enhance your effectiveness as a grassroots activist. As always, we strongly encourage you to receive the Grassroots Alert via e-mail, as opposed to fax, as this will save ILA money and allow you more flexibility in forwarding the Alert's contents to other pro-Second Amendment activists. To receive our Alert via e-mail, simply go to [www.NRAILA.org](http://www.NRAILA.org), click on the "[Sign Up For Email](#)" link, and follow the instructions. Please call (800) 392-8683 once you begin receiving the Alerts via e-mail, and let us know we can remove you from the fax system.

#### JANUARY

The year started off on a sad note with the passing of former NRA President and American hero, Joe Foss. The Brady Bunch, as they are wont to do, held a press conference and used the D.C.-area sniper

shooters to promote their opposition to federal legislation to end the reckless lawsuit campaign against the lawful gun industry. And George Clooney took a swipe at another NRA legend and former NRA President?Charlton Heston?when he "joked" about Mr. Heston's courageous battle against Alzheimer's disease.

## FEBRUARY

California Attorney General Bill Lockyer (D) acknowledged what NRA has been saying for some time?any ballistic "fingerprinting" scheme implemented today would be flawed and unworkable. Lockyer's report found, "(O)ur analysis concludes that today's technology is not yet adequate to handle the volume associated with adding all new guns to the database and still provide useful information for investigators." Staying in the "Golden State, Los Angeles County was ordered to pay the organizers of the Great Western Gun Show \$1.6 million to compensate plaintiffs for litigation costs. Organizers sued the county claiming that a prohibition of the show on county's fairgrounds violated their First Amendment rights. The U.S. Supreme Court vacated a ruling by the U.S. Court of Appeals for the 7th Circuit that would have allowed the city of Chicago access to information regarding gun manufacturers, dealers, and purchasers as part of the city's reckless lawsuit against the firearms industry. City attorneys, as part of Chicago's nuisance lawsuit, had demanded the BATFE turn over information through a Freedom of Information Act request.

## MARCH

NRA-ILA Executive Director Chris Cox excoriated Michael Moore's Bowling for Columbine?highlighting the Academy for Motion Picture Arts and Science's own "Special Rules for the Documentary Award" that define a documentary film "as a non-fiction motion picture," with the emphasis "on factual content." Bowling for Columbine, of course, miserably failed this practical test, as it was a work of propaganda, riddled not only with slovenly conducted research, but with calculated dishonesty and creative editing to promote Moore's virulent hatred for the Second Amendment.

## APRIL

The U.S. House of Representatives passed H.R. 1036, its reckless lawsuit preemption bill, on an overwhelming, bipartisan vote of 285-140. The first group of pilots to have undergone extensive background checks and rigorous training prepared to equip themselves with firearms as a last line of

defense against terrorist hijackers. NRA continued its work to ensure that those pilots who wish to be armed and satisfy the training requirement aren't needlessly delayed in carrying firearms in the cockpit. NRA celebrated its enormously successful Annual Meetings & Exhibits in Orlando, Fla.

## MAY

The push got underway to further expand the '94 Clinton gun ban, as Reps. John Conyers (D-Mich.) and Carolyn McCarthy (D-N.Y.) drafted legislation to ban millions more guns! Senator Charles Schumer's (D-N.Y.) campaign was fined by the Federal Election Commission for violating campaign finance laws, and was ordered to pay \$130,000 in civil penalties and return \$120,455 in illegal contributions. CNN, which bills itself as "the most trusted name in news," was caught lying on so-called "assault weapons," when it aired two stories that deliberately misled its viewers into believing that the semi-automatic firearms banned by the '94 Clinton gun ban are somehow more powerful than other guns that weren't banned. NRA Executive Vice President Wayne LaPierre called CNN on the carpet, forthrightly stating, "We caught them red handed in the act. Now they're backpedaling. Either it was a deliberate attempt to fake the story, or the reporter had a complete ignorance of the story he's covering."

## JUNE

The National Association of Manufacturers (NAM) noted in no uncertain terms, its support for [S. 659](#)?the Senate reckless lawsuit preemption bill. Michael Baroody, NAM's Executive Vice President, wrote, "On behalf of the 14,000 member companies of the National Association of Manufacturers, I ask you to cosponsor S. 659...(which) will help to forestall lawsuits that are brought with the intent of shutting down a legitimate and legal industry, as opposed to those that are brought to right a genuine wrong." Washington, D.C., reclaimed the notorious title of "murder capital" of the United States?despite its 25+ year old gun ban. Yet another significant legal victory was won in the ongoing battle over reckless lawsuits, as the Appellate Division of the New York State Supreme Court affirmed a trial court's dismissal of a lawsuit brought by State Attorney General Eliot Spitzer (D). The appellate court found that it was "legally inappropriate, impractical and unrealistic" to force gun manufacturers to take steps to decrease the availability and illegal use of firearms.

## JULY

Another group lent its support to reckless lawsuit preemption when the President of the National Association of Wholesalers (NAW), Dirk Van Dongen, wrote U.S. Senators noting, "We believe that it is a true miscarriage of justice for the manufacturers, wholesaler-distributors and/or retailers of products to be held liable for the misuse of those products by end-users over whose conduct they have no control." Sen. Orrin Hatch (R-Utah) introduced S. 1414, the "District of Columbia Personal Protection Act," which seeks to restore the constitutionally guaranteed Second Amendment rights of the residents of our nation's capital. New York Federal Judge Jack B. Weinstein ruled that the NAACP's reckless lawsuit against the gun industry had failed to make its case against law-abiding firearm manufacturers and distributors.

## AUGUST

David B. Kopel's, Dr. Stephen P. Halbrook's, and Alan Korwin's, book "Supreme Court Gun Cases" found conclusively that, "the Supreme Court has recognized an individual right to arms for most of the past two centuries," noting how "three dozen of the cases quote or mention the Second Amendment directly." Sen. Jon Corzine (D-N.J.) and Rep. Patrick J. Kennedy (D-R.I.) introduced "consumer protection" bills?S. 1224 and H.R. 2403. The legislation is, in reality, a poor smokescreen for back-door gun prohibition, proposing to "expand the powers of the Attorney General to regulate the manufacture, distribution, and sale of firearms and ammunition." Or, in other words, to empower a president, through the BATFE, to bypass Congress and unilaterally prohibit the manufacture of firearms.

## SEPTEMBER

Anti-gun U.S. Senator and presidential candidate John Kerry (D-Mass.) stated, "Our party will never be the choice of the NRA, and I am not looking to be the candidate of the NRA." The Missouri Senate joined the House in overriding Governor Bob Holden's (D) veto of Right-to-Carry legislation, marking only the seventh time in Missouri history that legislators had successfully overturned a governor's veto.

## OCTOBER

The Centers for Disease Control and Prevention (CDC) released the results of a broad-ranging federal review of 51 studies to determine whether gun laws do, in fact, prevent violent crimes, firearm-related accidents, or suicides. CDC's conclusion: there is "insufficient evidence to determine the

effectiveness of any of the firearms laws." Sens. John McCain (R-Ariz.) and Jack Reed (D-R.I.) introduced their latest gun show bill that would effectively shut down gun shows, invade the privacy rights of American citizens, and implement gun owner registration.

## NOVEMBER

Voters in Kentucky, Mississippi, New Jersey, and Virginia went to the polls and elected 82% of the 188 NRA-PVF-endorsed candidates (both Democrats and Republicans). NRA-ILA rolled out its newly-designed website?www.NRAILA.org. Knowing it would pass if it came to a final vote, anti-gun Senators used parliamentary maneuvering to stymie S. 659/ S. 1806?legislation to end reckless lawsuits against the firearm industry?postponing final action on the legislation until 2004. Governor Jim Doyle (D-Wisc.) vetoed Right-to-Carry legislation setting up a showdown to override his veto.

## DECEMBER

The U.S. Supreme Court dealt the First Amendment a blow, when they upheld the so-called campaign finance "reform" law that calls for a First Amendment "blackout" period in the weeks leading up to Election Day. NRA's Wayne LaPierre called the decision a "sad day for the Constitution" and vowed that the voices of NRA's four million members would continue to be heard.

## Bill Limits Gun-Buyer Database - *The*

*Washington Times*

House Republicans have included language in the omnibus appropriations bill to prevent federal law enforcement from maintaining a 90-day database on gun buyers, angering gun control advocates but moving closer to the original intent of the law.