City Council Stated Meeting - January 5, 2005

by Gotham Gazette Staff
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Every two weeks the New York City Council meets for its Stated Meeting to introduce and pass legislation. As a regular feature, Searchlight covers these meetings and posts a summary of the bills passed.

Quote of the Day:

"The saying goes 'guns don't kill people, people kill people,' and I buy into that. Guns just make it a whole hell of a lot easier. But frankly I am compelled by the argument... that there are a certain few gun manufacturers and dealers who continue to do the same thing knowing that their guns lead to crime, violence, and death. I represent an area with a lot of gun owners who expect me to protect their rights. But I also represent a lot of police officers. So if I am making a mistake on this bill, I am going to err on [the police officers'] side." - Republican Councilmember James Oddo voting in favor a bill that allows lawsuits against irresponsible gun makers.

Meeting Summary:

At the first Stated Meeting of 2005, the New York City Council approved a package of legislation to strengthen the city's gun regulations.

New York already has some of the toughest gun laws in the nation, and in 2004 had the fewest murders since 1963. But in absolute numbers, New York - with its 570 murders last year - remains the murder capital of the United States. According to officials, 85 percent of the guns used in the city's 2,000 annual gun-related crimes come from other states with more lenient laws.

One bill (Intro 365-A) creates a "code of conduct" for gun manufacturers and dealers which requires that they perform background checks at gun shows, limit buyers to one gun a month, and maintain inventories of all guns and records of all sales. Any company that does not voluntarily adopt these practices is subject to civil lawsuits from victims or families affected by gun violence.

A second bill (Intro 144-A) prohibits the sale of a rifle or shotgun to anyone under the age of 21.

A third bill (Intro 490-A) limits the sale of rifles and shotguns to one per 90-day period.

And the last bill (Intro 469-A) increases civil penalties for those who violate the city's existing assault weapons laws.

"The dirty secret of the gun industry is that gun manufacturers know exactly what to do to stop the flow of guns to the underground market and they refuse to do it," said Councilmember David Yassky, who drafted the legislation.

Since the city can only regulate rifles and shotguns (the state has authority over handguns) the council also passed a series of resolutions that call on the governor and the State Legislature to enact similar legislation.

The gun control legislation passed overwhelmingly; only the three Republican members â€“ James Oddo, Dennis Gallagher, and Andrew Lanza â€“ voted against various measures. Mayor Michael Bloomberg is expected to sign the legislation into law. Gun manufacturers have said they may challenge the laws in court.

The council also overrode two vetoes from Mayor Michael Bloomberg with more than the required two-thirds majority votes.

Against the mayor's wishes, the council enacted legislation (Intro 266-A) that requires the Department of Education to make more information about school crimes available to the public. The city must create a specific listing of each serious, minor, and criminal instance and put the data online. The council also enacted a bill (Intro 322-A), which requires the city to give the council a quarterly report on the number of school safety agents assigned to each school.

But the council also helped Mayor Bloomberg by granting his request for an 11-day extension for submitting a new budget, which was January 16.

The mayor reportedly wants to wait until December revenue can be counted. The city is expected to have a deficit of between $2.2 and $2.9 billion. Waiting until after Governor George Pataki releases his budget on January 20 would also allow the mayor to take state funding plans into consideration.

The next Stated Meeting is scheduled for January 19, 2005.

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