



2014 - End of Year Report

This year has proven to be one tumultuous year that has tested the very fabric of our patience and decorum. Between creating a brand-new website for FOAC and ironing out those wrinkles and at the same time FOAC coming under a specifically targeted international hacker assault from the nation of the Ukraine to the political and election challenges it has been difficult at times to catch a breath!

We have had some major victories, legislatively speaking, with the final passage of a preemption bill that at last has some teeth in it-HB 80, which has been a long six-year trek for us! Politically speaking we managed to maintain our pro-gun majority's in the House and Senate and defeated every Cease-Fire PA candidate that ran head-to-head with one of our candidates. That is not to say there were not disappointing losses in very close races that could've turned out differently if gun owners had been more diligent in voting! This will be the focus and one of our challenges for the upcoming off year elections and early preparations for 2016.

We have some interesting and exciting ideas for the upcoming year regarding opportunities for FOAC members. From firearms training at very reduced prices to activist training on how to be a more effective and efficient activist in challenging the anti-gun nitwits.

We are also planning a very proactive agenda, legislatively speaking and will be working on that for the next several weeks to prepare for the new legislative session that will begin shortly.

It is important to point out the challenges that we have ahead of us begin with the new governor who will be taking his seat at the helm of Pennsylvania and is the most anti-gun Gov. to ever hold that position! His tendrils are already being felt as the Pennsylvania Coroner's Association is being pushed by the anti-gun groups, Cease-Fire PA and Mom's Demand Action, to turn an effort to improve the reporting of death statistics into a crusade against the private ownership of firearms. There is no doubt that the transition team for the Gov. and the current Atty. Gen. are sympathetic to these issues of gun control and, in all likelihood, quietly behind this effort!

It is interesting to note that the backdrop of this is that national polls are showing that Americans are dramatically rejecting gun control and accepting common sense truthfulness of private ownership of firearms is important component of our everyday safety! Articles and links to these issues can be found on the website for your perusal.

We should not forget that even the anti-gun groups rate Pennsylvania as the 10th most restrictive state in our nation! Yet with that being said, the anti-gun groups have over 100 gun control initiatives ready to be filed against the private ownership of firearms that would greatly expand the already impressive list of 148 pages of gun laws we now have on the books!

It has always been my mission to try and encourage average individuals to get involved because in my experience I find that many people feel lost and that they are alone in the wilderness of political philosophy! The answer to restoring our freedom is in all of us working together at the very basic individual level and not in mega organizations, that is why FOAC has (ever since our inception) maintain the concept of altruism and volunteerism without compensation except for expenses. Every penny that we raise and that you contribute goes directly to the fight as does your most generous contributions of time whenever the need arises!

We know times are tough but if you have the capacity please consider contributing or donating or extending your membership. It will be greatly appreciated! If you are financially limited at this complicated time of the year please consider offering a few hours to help us work a gun show or in some other grassroots capacity!

Yours in freedom!

Kim Stolfer, Pres.

Firearms Owners Against Crime

Dear Beaver County Commissioners,

On October 28th of this year, Governor Tom Corbett signed HB 80, Preemption of Firearms Law, into law.

The language in this legislation is a restatement of the rule of law and the importance of one statewide standard for citizens under the equal protections clause of the Constitution regarding the exercise of a constitutional right! This legislation further provides for standing for individuals and organizations to sue these communities who violate statewide preemption law as well as the recovery of legal expenses. These penalties will not be invoked as long as these local municipalities comply with statewide preemption law and do not enact local ordinances, or continue to maintain them, in violation of PA Title 18 §6120 Limitation on the regulation of firearms and ammunition. Please find HB 80 attached, as well as the Pennsylvania Supreme Court Ortiz Decision from 1996 that supports the state's Preemption law.

I bring this to your attention because Beaver County is in direct violation and could be sued once HB 80 takes affect 60 days after signing. County Park signage posted on access roads into and out of the parks as well as on the walking trails list "No Firearms." Under preemption, the county does not have the authority to prohibit firearms in its parks or anywhere else for that matter.

I have worked with Sheriff David for the past few years on this matter. He recognizes this limitation on county authority and has applied tape to cover up the "No Firearms" portion of the signs. This tape is only temporary and has to be reapplied periodically. But in light of HB 80 becoming law and enhancing the already existing State Preemption law, I am asking for a more permanent solution. Please replace all park signs and omit the "No Firearms" portion. Also, if any county ordinances remain on the books concerning the regulation of firearms, please have them removed.

Sincerely,

Robert Oles

Regional Coordinator, Firearms Owners Against Crime
Secretary and Legislative Liaison to, Beaver County Sportsmen's Conservation League
Treasurer and Legislative Liaison to Beaver Valley Rifle & Pistol Club

Kane won't defend controversial gun law

http://www.philly.com/philly/news/20141205_AG_Kane_won_t_defend_controversial_gun_law.html

HARRISBURG - Pennsylvania Attorney General Kathleen G. Kane will not defend a new law that effectively stripped municipalities of the right to enact their own gun measures, raising the prospect that the controversial statute might not take hold.

A spokeswoman on Thursday said Kane had exercised her authority to decline representing the state in a challenge to the law filed by Philadelphia, Pittsburgh, and Lancaster, and area lawmakers.

Instead, she is deferring to lawyers working under Gov. Corbett - who in six weeks will relinquish their offices to a new Democratic administration.

"The attorney general determined it would be more efficient and in the best interest of the commonwealth for the Office of General Counsel to handle this matter," said Kane's spokeswoman, Renee Martin.

Corbett spokesman Jay Pagni said the counsel's office would take on the case, but he also assailed Kane for what he called "another example of the attorney general refusing to fulfill her constitutional duty to defend the commonwealth and the people who elected her."

The law, which takes effect this month, granted out-of-state groups such as the National Rifle Association the right to sue municipalities that enact gun-related ordinances stricter than state law.

Critics said it was a backhanded way to cripple municipalities' efforts to enact their own measures by subjecting them to costly and time-consuming litigation.

Since its passage, four townships or boroughs in the state's southeastern corner have repealed ordinances that require residents to report lost or stolen firearms - measures they hoped would cut down on the flood of illegal gun sales.

Others are considering similar repeals, local officials say.

The challenge to the law, filed by State Sen. Daylin Leach (D., Montgomery) along with other lawmakers and the cities, argues that the firearms language in the law had no relation to the underlying bill it was amended to - one that increased penalties for stealing copper and other metals. The plaintiffs contend that violates the so-called "single-subject" rule for legislation stipulated by the state constitution.

The decision by Kane, a Democrat, comes 18 months after she declined to defend the commonwealth in another controversial lawsuit - that one over its ban on same-sex marriage. Corbett, a Republican and her predecessor as attorney general, then hired outside counsel to defend the law.

A federal judge eventually struck it down.

On Thursday, Leach praised Kane as "doing the right thing" in the gun case.

"She defends the state all the time, and the vast number of cases have credibility," he said. "But she is under no obligation to take an untenable position."

Although Corbett's lawyers can act on the case, a decision on how to proceed will likely end up before the counsel that Gov.-elect Tom Wolf installs after he takes office next month. A spokesman, Jeffrey Sheridan, said the Wolf administration would review all existing litigation upon taking office.

In Montgomery County, attorney Sean Kilkenny said three municipalities he represents - Whitemarsh, Jenkintown, and Norristown - have repealed their gun laws. Hatfield Township also repealed its law, and at least three others are considering it or are doing so.

Despite Kane's stance, Kilkenny said he would not advise them to delay or backtrack.

"The [state] law's still on the books, and the NRA could use it," he said. "Until the Supreme Court or someone else tells us otherwise, we're left with the law on the books."