



Minutes - Final

Public Safety Committee

Wednesday, August 17, 2016

5:30 PM

Council Chambers

Call to Order: Chairperson Hendricks, Councilpersons Affa and MacLean

[15-1004](#)

Bill 45

Amending Article 734, Weapons, by adding Section 734.05, Failure to Report Lost or Stolen Firearms, requiring the reporting of lost or stolen guns and establishing penalties for such violation under section 734.99.

Sponsors: Administration

Attachments: [Bill 3 Reporting Lost/Stolen Firearms](#)

[Gun Ordinance Memo](#)

[PA Senate Bill 1330- Stand Alone Law- Prohibits Ordinances on Firearms and Grants Standing to Sue \(Introduced on 6 24 16\)](#)

Mr. Daryl Hendricks asked any comments from his colleagues or the public. He asked if there are a number of people from one group, please have one spokesperson.

Mr. Tom Campione, 33 Water Street - Hellertown, Chairman of the Lehigh Valley Tea Party and Director of Legislative Affairs with Pennsylvanians for Self Protection, he asked the committee and the full Council to stop bullying lawful gun owners and to oppose Bill 45. This Bill has no purpose, only to advance an extreme agenda, and the Bill has nothing to do to deter thief. This Bill criminalizes lawful gun owners. He stated that this Council's prior appeal of this same Ordinance in response to the enactment of Act 192 is in fact acknowledgement that this Bill violates subsection 6120. He asked the committee to vote no to Bill 45.

Mr. Daryl Hendricks thanked Mr. Campione and asked anyone else that wishes to address Council at this time.

Mr. Roger MacLean stated that some of us were not on Council when some of the things that you brought up. We have an opinion from an Assistant City Solicitor stating that we should not do this ordinance. We have a very detailed opinion from the District Attorney. He made a recommendation that this Bill be tabled.

Ms. Candida Affa stated that she is going to ask to keep the Bill. She

believes this country is going downhill and a lot of it has to do with arms. I own a gun and if someone comes and steals my gun and commits a robbery with my gun or kills someone with my gun, and it was reported, they may be able to find the person after I reported. I don't see anything in here that jeopardizing anyone. I do believe that you should report it and I think as long as we keep bringing this Bill up, eventually the state of Pennsylvania will turn it over and we will be able to without this law. She is voting to keep the Bill.

Mr. Roger MacLean stated that he owns some guns also, not a whole lot. If one of my guns were lost or stolen I wouldn't know it. I don't look at it on a daily basis. I would be in violation if I didn't report it.

Mr. Daryl Hendricks stated that he read the comments that they have from their Solicitor as well as our District Attorney that indicated that even if this Bill were to pass that he would not prosecute any officer that charged someone under this section. I was also intimately involved in the previous Bill involving cell phone usage by motorists in the state of Pennsylvania and sat through hearings of which they were declared to be illegal. Again, because we cannot pass laws that exceeds which the state passes. For that reason, I too feel that this Bill should not move forward.

A motion was made by Roger J. MacLean, seconded by Daryl Hendricks, that this Ordinance be tabled. The motion carried by the following vote:

Yes: 2 - Daryl Hendricks and Roger MacLean

No: 1 - Candida Affa

Adjourned: 5:40 PM