

2006 GOC 52 Guns in 52 Weeks Raffle Update!

Here are the winning results for weeks 16 thru 24 of our raffle:

Wk #	Tkt #	Winner	City	Prize Gun
16	0179	Marti Oster	Rancho Cordova	Sako/Tikka T3 Hunter Rifle 270 WSM
17	1718	Jerry Zehnle	McArthur	Mossberg 935 Auto Waterfowler Shotgun 12 ga.
18	0776	Fred Hoot	Sunnyvale	Remington 1100 Sporting 12 Shotgun 12 ga.
19	1871	Walter Estes	Willows	Ruger M77-17 Rifle 17 HMR
20	0369	Paul J. Bianchi, Jr.	Roseville	S&W M41 Pistol 22 LR
21	0065	Paul Martinson	Orangevale	Sako/Tikka T3 Hunter Rifle 300 WSM
22	0573	Scott Friesen	Orangevale	Benelli R1 Standard Rifle 300 WSM
23	0296	Ron Bergstrom	Carmichael	Beretta A391 Shotgun 12 ga.
24	0412	Eric Leon	Folsom	Marlin 1895 Cowboy Rifle-.45 LC

Thank you to all who participated in this raffle. All of the proceeds go to fund GOC's lobbying operations at the State Capitol. We have a long way to go before it's all over so if your number has not yet been picked, you still have 28 more chances. Good luck.



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San Francisco Gun Ban Judged Illegal!

By C.D. Michel

San Francisco Superior Court Judge James Warren issued a 30 page decision in *Fiscal et al v. San Francisco*, a challenge to the San Francisco ordinance banning handgun possession and firearms and ammunition sales in the city. The Court held that the ordinance was preempted by state law and invalidated the ordinance in its entirety.

If the ordinance had survived, all San Francisco residents would have been jailed for a minimum of 90 days and up to six months if caught in possession of a handgun. All gun and ammunition sales and transfers would have been prohibited, and the one gun store and two antique firearm auction houses in San Francisco would have been forced out of business. Additionally, since action films involved the transfer of real "prop" firearms, no such films could have been made in the city.

The decision is posted at: <http://www.calgunlaws.com>. The case number is CPF-05-505960. Pleadings and briefs filed in the case can also be viewed at www.calgunlaws.com

The challenge to the ordinance was brought by the National

Rifle Association and several like-minded civil rights groups, including the Law Enforcement Alliance of America, San Francisco Police Officer's Association, San Francisco Veteran Police Officer's Association, the Second Amendment Foundation, the American Entertainment Armorer's Association, the Pink Pistols, and the California Association of Firearm Retailers. Several individual San Francisco residents including community leaders, police officers, and soldiers also joined the suit.

Gun Owners of California, Gun Owners of America and Gun Owners Foundation were joined by the California Rifle and Pistol Association and the Madison Society to file an Amicus Brief supporting the main challenge to the ordinance. Success would not have been possible if Gun Owner's founder and chairman Senator H.L. Richardson (ret.) had not authored the California statute which preempted any local jurisdiction from banning firearms while he was in the legislature.

Lead attorney Chuck Michel, of Trutanich-Michel, LLP in Long Beach, California litigated the case against the San Francisco City Attorney's office, which defended the ordinance. Attorneys Don Kates, Steven Halbrook, Don Kilmer, Bruce Colodny, Glenn McRoberts, Tom Maciejewski, Jason

Davis, Mark Barnes, and Michael S. Hebel contributed greatly to the effort on behalf of those who chose to own a gun to defend themselves and their families.

The Court recognized that law abiding gun owners who chose to own a firearm to defend themselves or their families are part of the solution, not part of the problem.

The City Attorney has announced its plans to appeal the decision.

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Legislative Report

By Gwen Friesen

GOC Opposition Spares Gun Owners and Retailers...

Ammunition has been the target the last couple of years by the California State Legislature. This year, Assemblyman Albert Torrico (D-Fremont) tried to kill mail-order sales of ammunition or on-line internet sales with his bill AB 2714.

Admittedly, it is a good strategy by the anti's to attack bullets. Minus its bullets, ones firearm is rendered useless. If you hold to the view that guns should be removed out of society, that no one should have a firearm of their own, that only the police should be free to have a method to protect themselves or others, then you would have approved of this once again extreme anti-gun measure.

In the last few years the legislature has attempted to win their anti-gun position through legislation that would ban all lead ammunition in certain areas of the state; require that ammunition be imprinted or micro-stamped, and, using the out of sight out of mind mentality, harassing store owners and gun owners by hiding ammunition in locked storage so customers have to ask and employees have to handle every box of ammunition sold.

Assemblyman Torrico enters the fray by targeting mail order and internet sales. Statements from the Assemblyman reveal his uneasiness that the state does not track these sales. He fears that Internet companies are not adhering to the law and checking the age of purchasers. He appears to believe that ammunition is being wildly shipped about with out

sensible guarantees that all qualifications are being met.

Hence, AB 2714. This measure required all ammunition sales and purchases to be done in person. That is, so that the buyer can show their identification and the seller can see with their own eyes the purchaser and their ID. Even law enforcement would have been impacted by this measure as they, too, must have identified an individual ahead of any purchase or transfer of ammunition as one authorized to transact for the agency.

As it stands today, California state, and federal law as well, makes it illegal for any person, business, or gun dealer, to sell ammunition to anyone under the age of 18, and when it comes to handgun ammunition, under the age of 21. This is adequate incentive for sellers to make sure of age and identity of the buyer. It behooves businesses to adhere to the law and those who defy it, just actions are expected and required

Making more laws such as AB 2714 just makes more burden for those citizens and companies who are lawful and mindful of doing right. The support for this bill, that is the anti's, explained that this bill would have curtailed illegal ammunition sales. Gun Owners of California knows that "illegal" is the key word and burdening honest retailers and gun owners never has before and will not in the future stop those who rely on "illegal" methods of operation

GOC encouraged enforcing the laws that exists.

Hoping to circumvent the opposition, Assemblyman Alberto Torrico amended his bill. The bill's intent did not change, nor did its requirements of personal presentation of identification, which was Gun Owners of California's main opposition. Mandating personal observation of ones identification obviously does not allow for sales over the phone or on the internet.

Assemblyman Torrico amended AB 2714 to address ammunition only "designed and intended to be used in a handgun". I guess the heat taken off of rifles was supposed to relieve our fears so that we don't notice that ammunition is still being utilized as a vehicle to disarm us and incrementally disband our freedom. Another amendment released .22 ammunition sales from the requirements of showing personal identification. So internet and mail order can still be accomplished for rimfire ammo. Were we pleased enough about that that we abandoned our voice of opposition on the rest? No, not so.

Because ammunition is off times interchangeable between handguns and rifles, this bill and its requirements continued to plague the gun owner and businesses, and its amendments did nothing to alleviate that. GOC continued its opposition.

Continued on page 5 . . .

Views on the Second Amendment

By Assemblyman Chuck DeVore's

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Supporters of gun control like to say that the Second Amendment is "obsolete," that it has no real meaning in modern America. Ignoring a portion of the Constitution has the same effect as amending the Constitution. However, since the Second Amendment remains, were these critics to have the courage of their convictions, they would try to rescind it.

Enemies of the Second Amendment have another common argument: it is really the "Militia Clause" that simply authorizes states to keep armed militias as a defense against a tyrannical central government. This is a kind of a super-state rights protection that only applies to group rights (states) and not individuals. This argument is historically wrong.

Perhaps the best way to prove the fallacy of this line of attack on the Second Amendment is to examine both similar passages from the existing state constitutions of the day, as well as some of the lines of argument among those who proposed the amendment in 1789.

James Madison was the author of the Bill of Rights. As any author, he looked to the world around him for ideas. The early states had bills of rights, and many of these had clauses outlining the rights of individuals to keep arms. The language dealing with arms often dealt with the

matter of standing armies, civilian control of the military, and the right of individuals to keep arms.

These documents, and the discussion surrounding them, make it clear that the Founders recognized both the right of the individual to keep arms and the need for a militia that could bear them and that these two matters were inseparable rights – two sides of the same coin.

Pennsylvania's bill of rights regarding arms and the militia read: "That the people have a right to bear arms for the defense of themselves and the state; and as standing armies in the time of peace are dangerous to liberty, they ought not to be kept up; And that the military should be kept under strict subordination to, and governed by, the civil power."

Virginia's contained similar themes: "That a well-regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free State; that standing armies, in time of peace, should be avoided, as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power."

Mr. Madison and his committee tasked with creating a bill of rights had to sort through a large body of suggestions from Americans concerned that their natural rights might be usurped by a tyrannical government. As with any political process, this involved placing some suggestions in the "to be considered" box and some in the trash can. To keep the number of amendments manageable, many of the good ideas were rewritten or consolidated.

The Second Amendment resulted from consolidation as Madison 's committee took two separate but related rights and created a single amendment.

During the floor discussion on the Second Amendment, the intent of the authors to protect two separate rights becomes clear: the individual's right to possess arms and the right of the states to form their own militia. As with the militia bill under consideration at the time, the Congressmen clearly understood the distinction between the militia and an individual's right to own arms (a passive right) as well as to bear arms (an active right of use).

The Second Amendment is a vital part of our U.S. Constitution – a document in which every word has meaning – for to ignore a word or phrase as if it is meaningless is to amend the Constitution without the consent of the people.

(Chuck DeVore is the Republican Assemblyman in Orange County 's 70th Assembly District. He served as a Reagan White House appointee in the Pentagon from 1986 to 1988 and was Senior Assistant to Cong. Chris Cox. He is a Major in the Army National Guard.)



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2006 California Primary Election Results

The races we featured in our Pre-Primary Election newsletter were a mixture of important contested campaigns, informational races amongst notable anti-gunners, and non-contested primary candidates who will be very important to gun owners in the general election. The good news is 17 "A" rated and one "B" rated candidates won in their primary elections not including uncontested "A" rated incumbents. The bad news is that this crop of pro-gun winners will not be enough to get a majority of good guys in the legislature.

Although GOC will work hard to elect all of these good folks in November, we are even now making plans for the future. Our goal is a pro-gun majority in the legislature and a pro-gun Governor in the Capitol. We are taking it one step at a time.

Candidate	Party	Rating
LT GOVERNOR		
Tom McClintock	REP	A+
ATTORNEY GENERAL		
Chuck Poochigian	REP	A+
CONTROLLER		
Tony Strickland	REP	A+
BOE DIST. 2		
Bill Leonard	REP	A
STATE SENATE		
SD # 32		
Gloria McLeod	DEM	B

STATE ASSEMBLY

AD # 04			
Ted Gaines	REP	A	
AD # 17			
Gerard "Gerry" Machado	REP	A	
AD # 25			
Tom Berryhill	REP	A	
AD # 34			
Bill Maze	REP	A+	
AD # 36			
Sharon Runner	REP	A	
AD # 37			
Audra Strickland	REP	A	
AD # 38			
Cameron Smyth	REP	A	
AD # 59			
Anthony Adams	REP	A	
AD # 66			
Kevin Jeffries	REP	A	
AD # 67			
Jim Silva	REP	A	
AD # 68			
Van Tran	REP	A	
AD # 72			
Mike Duvall	REP	A	
AD # 77			
Joel Anderson	REP	A	

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Legislative Report continued . . .

AB 2714 was taken up in the late hours of session and passed out of the Assembly.

Late at night, the Assemblyman agreed to again amend his bill when it gets to the Senate. This time the amendments will accomplish the author's goals and satisfy the opposition to the bill as it is now.

With the new amendments the bill will approach ammunition sales in the same way as wine and tobacco sales, and that is to check identification upon delivery of the items. Packages of ammunition will not be dropped at the doorstep, but will require a signature and identification as it is delivered to the buyer.

The amendments will change the language of the bill and the direction of the bill as well, from being a harassment to both mail order and internet sales businesses and will place the focus on the purchaser solely. We believe that this is not a compromise but a good idea that makes sense and would actually be of benefit to law-abiding gun owners adding security to their deliveries. The amendments would delete the requirement for additional ID checks by retail dealers.

GOC will continue to watch this bill closely as it enters the Senate, to make sure the author is good to his word. When the language of AB 2714 is changed, GOC will cease its opposition.

(The combined efforts of pro-gun organizations and legislators deserve recognition for their work and input, which brought about the commitment of the author to re-word his bill.)

Update on Non-Banned AR Type Frames/Receivers Issue

AB 2728 (Assemblyman Johan Klehs-D) At the request of the California Dept. of Justice, Assemblyman Klehs amended his bill, which had nothing to do with so-called "assault weapons", to deal with the non-named AR Receivers/Frames that have been legally purchased by thousands (and maybe 10's of thousands) of law-abiding Californians. Gun owners did so in hopes of being able to some day build them into full featured rifles if the DOJ ever decided to add them to the banned list. This, of course, would have opened up a 90-day period allowing receiver owners to register them as legal "assault weapons".

GOC believes that present law does not allow the DOJ to differentiate between a legally registered receiver and a full featured firearm. DOJ disagreed but obviously was doubtful of their position or they would not have sponsored this language to deal with the issue to meet their anti-gun philosophy.

The following is the Legislative Counsel's Digest of the amended language for AB 2728:

An act to amend Sections 12001 and 12276.5 of, and to add Section 12282 to, the Penal Code, relating to firearms.

Existing law establishes a list of certain firearms by make and model as assault weapons and otherwise describes or defines certain firearms as firearms. This bill would provide that the term "assault weapon" for those purposes includes the frame or receiver of the weapon.

Existing law provides a judicial

procedure for declaring a firearm an assault weapon, as specified. This bill would repeal those provisions.

Existing law authorizes the Attorney General to declare a firearm an assault weapon. This bill would provide that authorization ends January 1, 2007.

Existing law generally regulates the possession of assault weapons and .50 BMG rifles. This bill would provide that possession of any assault weapon or of any .50 BMG rifle in violation of specified provisions of law would be a public nuisance. The bill would authorize the Attorney General, any district attorney, or any city attorney to bring an action in superior court to enjoin the possession of the assault weapon or .50 BMG rifle. The bill would further provide that any assault weapon or .50 BMG rifle possessed in violation of specified provisions of law would, subject to exception, be destroyed, as specified. The bill would also provide that upon conviction of any misdemeanor or felony involving an assault weapon, the assault weapon would be deemed a nuisance and disposed of as specified.

The DOJ is so knee-jerk-anti-gun that they must "take action" when "no action" would accomplish the same thing. It just irks them to no end that there are thousands of legally owned receivers out there in the public and they have no control over them. Under present law, all the DOJ had to do was NOTHING and those receivers would never become firearms.

(Check our website, www.gunownersca.com, for the latest info on all legislation affecting your gun rights.)

Dueling Just Ain't What It Used To Be!

By Sam Paredes

In times past dueling was an acceptable act that was conducted to uphold one's honor. Duels were carried out by mutual agreement both on the weapons to be used and a set of rules of procedure and conduct. They were moderated by an impartial third party to insure fairness. The outcome was always final.

A modern day challenge to a duel was issued by Assemblyman Paul Koretz, an ardent anti-gun liberal, to Assemblyman Jay La Suer, a conservative. "...I'm willing to put this bill(AB 352) to a challenge if it passes off the Floor today – I'm willing to challenge Mr. La Suer to take a gun with this technology and a file – if he is able to remove the print on it and then still fire the gun, I will withdraw this bill..."

The weapons were firing pins and files. The impartial third parties were the gunsmiths at the California Highway Patrol Academy. Of course, the duel was accepted.

The time and date was agreed upon for the showdown at the CHP Corral. Oh, but wait! It seems that when the sponsors of AB 352 were informed of the challenge, they freaked out. First, they refused to provide a firing pin for the test, so La Suer informed Koretz that he would personally purchase a brand new handgun with a pristine firing pin for the test, which he did to show good faith. In the mean time, La Suer forwarded a newly published study conducted by nationally renowned firearms forensics specialists who were able to acquire micro stamped firing pins to conduct honest to goodness scientific third party testing on the reliability and feasibility of the technology. Their conclusions were that the technology was easily defeated

and at best highly unreliable.

Not good enough for the sponsors. They convinced Koretz to alter the rules of engagement. Koretz forwarded a written communication to La Suer informing him that he would be given a handgun and would be given 30 minutes to disassemble the gun, file the firing pin, reassemble the gun and turn it over to the CHP for firing. Koretz stated that this would be fair because the average criminal would not be a qualified and trained gunsmith with the instrumentation to defeat the technology. La Suer would have to do it like a common criminal.

There were more rules, La Suer was never told what type, make and model of handgun was to be used for the test and he would only be allowed certain types of household files to alter the firing pin. Apparently, the sponsors have attempted to improve the technology of the firing pins in order to make them file proof, either through hardening, or using titanium, or by plating the pins with titanium nitride.

La Suer smelled a rat and decided that the duel was being rigged. He informed Koretz that he would not be attending. That's not the end on the story though.

Koretz decided that the duel must go through so he sauntered down with his gaggle of cronies to the CHP Corral and conducted the duel all by himself. He then issued a statement announcing that HE WON! Surprise, surprise.

(Assemblyman Koretz has announced that he will be removing AB 352 from the inactive file on the Senate Floor and plans

to amend it to resolve one of the major criticisms to the bill. GOC will continue to work to defeat this dumb piece of legislation.)

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Good Guys - Bad Guys

By Assemblyman Ray Haynes

Quill Pens, Guns, Ink and Bullets

When the Founding Fathers took the initiative to permanently inscribe our natural rights on paper, one can imagine it being done so with a quill pen. The first copies enshrined our liberties in the constitution as the Bill of Rights to include the freedom of religion, freedom of the press and the right to keep and bear arms and were printed with a manual printing press.

This freedom of speech includes our right to express ourselves with every available medium. At no point have we considered that the freedom of speech is limited to expressing oneself with hand presses and quill pens. We freely debate on the internet, television, telephones and other forms of communication.

So why is it that our Second Amendment is not treated the same as the First? The majority party in California, and their anti-civil rights allies, views our natural right to self defense to be limited to the musket and the flintlock.

Since I have been in office, the majority party has found cause to attack small guns, cheap guns, expensive guns, big guns, guns with too many accessories, guns by brand name, ugly guns, and pretty guns. We have a strange testing requirement to purchase a gun reminiscent of poll taxes and literacy tests that were designed to keep oppressed people from voting. We have limited the number of guns someone can purchase in a month. Can you imagine being told how many times you are allowed to attend church in a month?

As you can imagine, this has little impact

on true crime or any of the other bogus arguments used to suppress your rights. The majority party claims to believe in several of your rights, and has seen fit to make themselves the arbiters of which ones you are allowed to exercise, how often, and with as many hoops to jump through as possible.

This session in the Legislature, we have defeated bills that would have required anti-gun rhetoric on material distributed with new firearms, a bill that would have required guns and ammunition to have microscopic serial numbers imprinted in them, as if inspired by a late night of watching TV shows like CSI, and a bill that would have banned dogs from chasing rabbits! These bills are sold as crime fighting tools. After a half century of these types of laws, we are no safer. In truth, the criminal element is safer every time we disarm the law abiding population.

Not able to totally ban firearms, the majority party has found a new vehicle to disarm you, banning ammunition.

AB 2714 (Torrico) passed the Assembly last week, and is now in the Senate. This bill will require that all transactions in ammunition require the consumer to meet with the retailer face to face and present ID. With tens of millions of shooters in America, untold millions of rounds of ammunition are sold directly to the public through catalog and internet sales. Hard to find, bulk items, specialty items, discounted rates and convenience are all to be had for the consumer by purchasing on-line. AB 2714 seeks to regulate interstate commerce, ammunition, gun rights, and the internet in one fell swoop by a rabid and illogical anti-

gun owner agenda.

To get the bill out of the lower house, the author promised to amend it later. He promised that he wouldn't seek to ban purchasing ammo anymore. He would instead amend the bill to require you to present identification to the UPS delivery truck that is bringing you your product. I suppose if law enforcement won't support your unnecessary legislation, you can just deputize the entire UPS and FedEx fleets to do your dirty work. The goal is to make it so uncomfortable to be a gun owner that your kids won't even bother. The outcome of this bill remains to be seen, but I know that when one right is stolen away the others will follow.

If this oppressive behavior continues, I just may have to send out my weekly opinion pieces on parchment, handwritten with a quill pen.

(Unfortunately, Assemblyman Ray Haynes is "termed out" after serving in both the Assembly and the Senate. Always a true statesman and an articulate voice for freedom, we will miss his principled oratory during debate in the legislature. Ray has been one of the few steady warriors who have worked hard to elect other like-minded candidates to office in order to run the joint. He has been a strong voice in coordinating conservative organizations to work together for progress. In politics it is rare to be able to call someone a friend - you will have many good acquaintances but few friends. Ray Haynes has always been and will always be a true friend.)