

## GUN-CONTROL MOVES ARE RESUMED

Guest Editorial

Every time a new set of crime statistics show an increase — which seems to be pretty regularly — they are followed by a spate of gun-control proposals, at the state or federal level — or both. We have never been able to understand the rationale behind this for it seems obvious that people who are going out to break the law anyway wouldn't hold an antigun law as sacrosanct.

But the proposals come; some of them are enacted, and the rate of crime climbs just as it did before. Now President Ford has joined the ranks of the gun controllers, adding an administration bill to the 50 other gun-control measures already pending in the Congress. Ford's bill may not be as bad as some, such as the repressive law proposed by Sen. Jacob K. Javits, but it should not be passed.

There is no need for any more gun-control legislation, particularly since the laws we have now are not enforced, or are enforced sporadically. The tough New York City law against possession of handguns has not stopped the possession of such weapons by criminals. And it certainly hasn't reduced the crime rate in "Fun City".

The ban against the "Saturday Night Specials" — cheap, short-barrelled handguns, mostly foreign imports — has had little effect since its passage in 1972. We favor outlawing such guns, but experience has proved that the mere passage of a law is not enough. There must be active and constant enforcement. That is what we have lacked in the past and passage of one more gun-control measure is not going to help there.

What another gun-control law would do, in all likelihood, is make compliance more difficult for those law-abiding people who own weapons legally, while having little or no effect on the criminal at whom such laws are aimed.

A law which could be effective and which we have advocated for some time is one which would impose a mandatory five-year jail term with no probation or parole on anyone convicted of use of a gun in the commission of a crime. The gun sentence would be imposed as an addition to the sentence handed out for commission of the crime. Such a law would get at the criminal who used guns without penalizing the law-abiding gun owners.

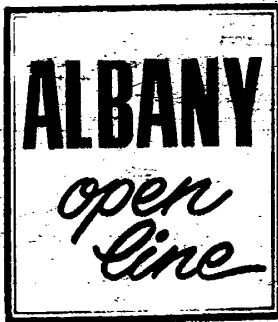
The above Editorial came from the Saturday, July 26, 1975 Edition of the Buffalo Courier Express and certainly expresses the entire situation "in a nutshell".

We feel exactly the same way about the Gun Control problem and have said so in an Editorial at least once every year. However, when you see it in print in a large City "Daily" — you suddenly realize that: "Hey, those Fellers in the City have the same feelings — and we aren't all alone in our fight".

Elsewhere in this week's Edition of The Andover News, Senator Buckley has expressed very much the same sentiments regarding "Gun Control".

However, it is certainly a tragic situation when our other Senator from New York State, Senator Jacob K. Javits, has proposed such a repressive Gun Control Law and even introduced it into Congress.

And, of course, the only way that this type of thinking can be countered is by every citizen and voter opposed to Gun Control writing a letter stating their beliefs to every one of our Congressmen who have the power to vote down the short-sighted and narrow-minded proposals of Senator Javits and his retinue!



by Alex Rankin

Law makers are supposed to set examples.

When they passed legislation allowing some school districts and cities in the state to break the law, that was an example.

For years the courts, and as recently as a month ago, have held that the state constitution means what it says when it says that pension costs are not "capital" but "operating" expenditures.

Calling such costs anything but operating costs allow these local governments to raise taxes higher than they would normally be allowed.

Despite the fact that its illegal the Legislature allowed the local governments to do it. The whole question will be on the ballot in November, where it ought to be soundly defeated.

More legislation the lawmakers dealt with before they adjourned for the year:

Passed a bill that will allow persons who have waived immunity from prosecution to bring their lawyers into the grand jury room. Some have argued this is a piece of self-interest legislation for politicians and government officials because they are the ones normally faced with this situation.

Passed legislation that would require the destruction of all records of persons who have been acquitted of a crime, or against whom the charges have been dropped.

They failed to pass a bill that would have tightened the state's gun control laws, as well as a package of bills that would have prescribed fire safety standards for high rise buildings, and another that would have returned to the state Liquor Authority the power to set the markup on liquor.

The Legislature also killed the proposal to set up a state bank with \$51 million in state funds to compete with private banks. The plan was proposed after Democratic Assembly Speaker Stanley Steingut became upset over the refusal of private banks to bail out the ailing Urban Development Corp.

Gov. Carey has also signed into law already legislation that will change the way the bureaucracy deals with the public in terms of public hearings and deal with the public in general.

In January the then-new Speaker of the Assembly, Stanley Steingut, promised an orderly ending to the 1975 session of the Legislature.

In the first place the session almost didn't end. It was the longest session since 1911.

And the ending of this one was no different than in past years, legislators voting on mimeographed bills for calendars that listed numbers but no explanation as to what they were. The last minute shovelling of legislation that in saner times would never have passed, the consummation of months of deals.

Some of that they did, and didn't do:

In January Gov. Carey produced a \$10.6 billion budget, including more than \$800 million in tax hikes. Republicans, who control the Senate, claimed no tax hikes were needed to balance the budget and that Carey was merely trying to pile up a cushion for 1976 — when the legislators run for election again.

The tax hikes were killed and \$297 million was trimmed from the budget.

As part of the effort to bail New York City out of its fiscal mess — after garbagemen went on strike — the Legislature did give the city the power to raise taxes by more than \$300 million on its residents.

In the area of education, some school district got more state aid

## "Inside The State Capital"

By James L. Emery

## HEALTH MEASURES SCORE HIGH IN '75

All of the acrimony which has accompanied the recently-completed 1975 legislative session has tended to overshadow the fact that there were areas in which I feel the Legislature performed outstanding public service in the passage of measures which will benefit large numbers of citizens. In the next few summer-sultry weeks, I intend to turn my attention to these more positive aspects of this legislative year.

One of the little-noticed measures which will become law September 1st, will allow New York State driver's licenses to contain a space to accommodate information on anatomical (or human organ) donor gifts. This is one of several measures in the area of health which was a product of the 1975 Legislature.

The drivers' licenses will permit people to record their desire to bequeath anatomical organs so that rapid and easier identification of human organ gifts can be provided to help ease suffering and enable some patients to lead more productive lives. One of the major benefits of this new law is that it will help to make kidneys available to the more than 2,000 New York State patients who are currently undergoing dialysis for kidney disease in order to keep them alive.

An even more impressive figure is that 50,000 patients could benefit from the transplanting of such organs as heart, liver, pancreas and other vital organs of the body.

Gift donor identification on drivers' licenses will increase the timely use of organ transplants to save lives and to substantially reduce health care costs for many others. Kidney dialysis, for instance, costs thousands each week and is often an impossible strain on finances of the patient of the family. I should note that this legislation was sponsored by Assembly Minority Leader Perry B. Duryea, and was one of the very positive actions taken in 1975.

There are several other health-related measures which passed the Legislature. Effective since July 1 is a law which now bans the smoking of any form of tobacco in certain specified public places including indoor theater, libraries, art museums, concert halls, and all public transportation vehicles such as buses, planes, and trains. In planes and trains, certain areas can be designated for smokers.

Awaiting action by the Governor is another measure which would implement a study of sudden infant death syndrome (SIDS) to define and determine the incidence of the disease. This is more commonly known to the public as "Infant Crib Death" and there are periodic tragic reports in the press of parents who discover their infants have died while apparently sleeping in their cribs for no apparent reason.

Under the legislation passed this

than last year, but all will receive at least as much as they got, which means that local real estate taxes are likely to rise in many upstate school districts.

Killed were bills that would have allowed parents to take their children out of sex education classes and revive the Office of Education Inspector General.

The Legislature attempted to get out of the medical malpractice crisis by allowing physicians to set up their own insurance pool.

Carey vetoed a bill that would have separated mentally ill and handicapped services into separate agencies.

The Legislature failed to establish a legal definition of death, or provide for the mandatory fluoridation of all water in the state.

The equal rights amendment will be on the November ballot, and the Legislature limited testimony by rape victims to experience with her attacker.

The lawmakers killed a bill that would have prevented the previewing of X-rated movies at theaters where such movies are not normally shown, but passed legislation that will allow persons to use their credit cards to pay for parking meter tickets.

year, reports of such fatalities would be required on certificates of death and a public education drive would be initiated to effectively control SIDS through prevention, early diagnosis and treatment.

I cannot leave the area of health-related legislation for 1975 without mentioning the action taken concerning the very serious matter of medical malpractice in this State. In a session which was riddled with so-called "crises", this was one of the few legitimate "crises" which we faced and which after weeks of arduous work and compromise, was solved to the satisfaction of some but not to others. This was done, I might add, in a bi-partisan manner in the final analysis.

Here is the background. A California-based insurance underwriting firm threatened to pull out of the medical malpractice market unless it received a 187 percent increase in premium costs. However, the Governor first sent legislation to the Assembly and Senate which raised serious objections from a large number of members of both houses. Finally, after weeks of negotiating by legislative leaders from both parties, a compromise medical malpractice bill was passed averting an impending emergency on July 1.

This measure established an Insurance Underwriting Association comprised of all insurers who currently write personal liability insurance policies in New York State. A second medical liability insurance company which is now being organized by the medical profession itself will also be allowed to write medical malpractice policies. The State Insurance Fund was also authorized to provide coverage if private companies eventually prove unable to do so.

The new law provides for changes in the tort law and court procedure involving medical malpractice and creates a State Board for Professional Medical Conduct within the Department of Health leaving the final determination with the State Board of Regents.

The office of Assemblyman James L. Emery (R-Geneseo) announces his schedule for the week beginning July 31, 1975.

Monday and Tuesday, August 4 and 5 — Assemblyman Emery will be in Albany on Legislative Business.

Wednesday, August 6th — Mr. Emery will be attending the Dedication Ceremonies of the Witcox Lane Senior Citizens Apartment Building at 11:30 a.m., at that site.



## 50 YEARS AGO

July 31, 1925

J. H. Mackus, Publisher

At a meeting of the congregation of the Andover Presbyterian Church, Thursday evening, it was unanimously voted to hold their 49th Annual Harvest Home Picnic on the Church grounds, August 13. Mrs. A. R. Baker and Mrs. G. H. Beebe were chosen as General Chairmen. So don't forget the Chicken Pie. Dinner will be served.

Louis Clark Livermore died at his home in Independence July 30. He was born April 24, 1868 a son of Briggs and Selucia Clark Livermore. On August 15, 1906 he married Edna Brown of Leonardsville, N. Y., to them were born two children, Wayland and Margaret who survive with one brother Devillo and one niece, Mrs. Bertha Hardy. Burial was in Independence.

Mrs. Minnie Swarthout Holmes of West Clarksville, N. Y., died at the Cuba Hospital, July 27 at the age of 65. She is survived by her husband, George; two sons, Frank of Andover and Floyd of Hornell; two daughters, Mrs. Arthur Johnson of Nile and Mrs. Theodore Holly of West Clarksville. Burial was in West Clarksville.

Eighty-four people gathered at the home of Mr. and Mrs. Forrest Gee, Sunday to celebrate the 50th wedding anniversary of her parents, Mr. and Mrs. George Cal

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