



APPROXIMATELY 3000 MEMBERS

The RANGEFINDER

vol. XXXIII no. 8, August 2024

THE NEWSLETTER OF THE OAK RIDGE SPORTSMEN'S ASSOCIATION

Please remember that when using any of the ORSA Ranges, safety should be your number one concern. Everyone must be diligent in observing and correcting unsafe actions by anyone on the ranges. Also remember that you should always wear proper EYE and EAR protection regardless of whether you are shooting or just watching.

ORSA Website: ORSAONLINE.ORG

ORSA Membership Info: JOINORSA.ORG



NEWS FROM SKEET, TRAP & SPORTING CLAYS



What a hot summer. I hope you have been careful in this severe weather.

For our members who shoot S&T we have made a change in how we sell targets. The minimum purchase is now 250 targets at \$40.00. There is always someone available to sell targets on Tuesdays and Saturdays from 9am to 1pm. Other times there may be someone available or not. We ask that you plan ahead and keep enough targets for two visits on your card. It will also reduce congestion at the Sporting Clays office if you buy more than one round at

a time. Most do.

ORSA has been well represented by our youth shooters this summer. They have participated in shoots in Tennessee, Georgia, and Ohio.

September 5th the third session of this year's Skeet League starts back at 4:00 pm. This is a great opportunity to experience organized skeet shooting. If you have any questions about how it works call Ron Raymond or Wayne Porter.

- Larry McNamee President of STSC

ORSA Elections

It's not only election year for our county, state and federal offices- it's also election year once again for ORSA board of directors.

Have you ever considered running for office on the ORSA board? If interested now is the time to think about it and get your biography in. Every 2 years we have elections for the at-large positions: President, Vice-President, Secretary, Roads & Grounds, Treasurer,

Training Officer and Membership Secretary. All positions are volunteer and the monthly board meetings are held the 1st Wednesday of every month.

To run for office you need to submit your biography to the club secretary **PRIOR** to September 1, 2024. You can email the biography to Patrick Hackett @ orsasec@gmail.com

Pull for Our Veterans™ 13th Annual Skeet and Trap Shoot and 8th Annual Sporting Clays



The past 13 years Pull For Our Veterans™ has raised over \$300,000 for a variety of veteran organizations to include The Wounded Warrior Project, The Fisher House Foundation, HonorAir Knoxville, and Smoky Mountain Service Dogs. This success has been possible because of the generosity from people like you that want to make a difference in the lives of veterans and their families.

On Saturday, 28 September, the 13th Annual Skeet and Trap shoot will accommodate 20 skeet and trap shooters and 52 sporting clays shooters at ORSA's exciting sporting clays range. Cost is \$105 per shooter. Each event

is 100 targets.

All registration is online ONLY. Just go to PFOV.org to register.

Thank you for your consideration in supporting this event and for supporting our well deserving veterans and their families.

**Richard Stouder, Col (R) U.S. Army
President
Pull For Our Veterans, Inc.**

Long Range Invitation

The Long Range Shooters invite you and your gun to shoot with us at 600/1000 yards.

Text or call 423-208-0442 or email ronaldfriesz@gmail.com for orientation.

Archery Announcement

If you enjoy the Archery Range, then don't miss this opportunity to give back to improve and maintain the facilities. There will be a Work Day on Saturday September 14, 2024 at 8 am. The White Course will be taken down for the season and important range maintenance completed. Please show your Volunteer Spirit.

• • • ACTION PISTOL NEWS • • •

- Access to the Action Pistol range for practice requires participants to attend an AP Orientation session. Classes are held monthly at the AP building.
- Due to limited seating and health restrictions Walk-ins are not allowed.
- Use the link below to register for the AP orientation class of your choice.

<https://practiscore.com/clubs/oak-ridge-sportsman-association>

Civilian Marksmanship Program (CMP) Highpower Rifle Clinic and CMP Games Match September 21, 2024, 8:00 AM – ORSA Ed T. Johnson Indoor Range Facility

We will meet at ORSA's Ed T. Johnson Indoor Range Facility on September 21, 2024. Attendance at a basic rifle clinic is required before attending a highpower rifle clinic, or prior marksmanship training and evidence of prior competitive experience. The purpose of the clinic is to refine basic marksmanship fundamentals learned in the basic clinic, particularly the use of the sling. ORSA will host an OPTIONAL CMP Games Match immediately afterwards.

ORSA will provide your choice of an AR-15 or M1 Garand, with ammo. With prior coordination, you may request to bring your own US Service Rifle (AR-15, M1-Garand, or M-1A and ammo) provided it meets current CMP rules. If you are permitted to bring your gear, cost is \$10.00. If you are using an ORSA rifle, ammo, and equipment; cost is \$40.00 for use of AR-15, \$50 for the use of M1 Garand.

If you wish to participate, please read, and follow the instructions below.

RSVP to David Kiefer orsaclinic@gmail.com, Answer the following questions:

- What is your name, email address, and age?
- Are you furnishing your own rifle and ammo? If you are, provide details to ensure CMP compliance. (just google CMP Highpower Rules)
- Or, Will you need a club AR-15 (or M1)? (note, only club ammo may be fired in club rifles)
- Are you left-handed?
- Do you plan to attend the optional CMP Games Match Afterwards?
- You will then get a confirmation email which will have additional information.

Once we have received your conformation email you must notify us before Wednesday before the clinic if you cannot attend so others may take your spot. If you do not provide a cancellation notice, your participation in future clinics will not be guaranteed.

The Day of the Class:

- Schedule: Report to the ORSA Ed T. Johnson Indoor Range Facility at 8:00 AM Saturday.
- Firing will be complete by 4:00 PM.
- You will register, receive an introductory course of instruction and will be assigned a shooting relay and target number before being released to the high power range
- All firing will be conducted from the 200 Yard Line.
- Upon reporting to the firing line, you will be paired with a coach and fitted with a shooting jacket and glove.
- Upon reporting to the pits, you will learn target scoring procedures.

Fees (Cash or check made out to ORSA):

- \$40.00 for AR-15 or \$50 for M1 Garand club rifle, ammo, and equipment
- \$10.00 if participant brings their own rifle, equipment and ammo
- Fee for the CMP Games Match is \$10.00 plus ammo if needed for club rifles, \$20.00 for AR-15 or \$40.00 for M1 Garand

Range Requirements, Safety, and Comfort:

- Space is limited,
- Eye and Ear Protection are required on all ORSA ranges and must be furnished by participants.
- Dress for the weather predicted, include a hat and sunscreen. An inclement weather plan exists in the event of rain.
- **No Muzzle Brakes**, shooters and coaches are near each other on the firing line.
- **Bring plenty to drink, and a light lunch.**

RF CLASSIFIEDS

FOR PERSONAL SALE:

RANGEFINDER CLASSIFIED POLICY

Members-In-Good-Standing may submit ads for the sale of firearms, ammo, reloading supplies & equipment, legal firearms accessories and targetry. Ads are for private person-to-person sale. No business-related ads will be accepted. Submit your ad in MS Word if at all possible via email to orsasec@gmail.com. All ads are subject to approval by the ORSA Board of Directors.

Contact: Bob Hatcher bobmap@utk.edu /865-803-6278 (before 10 pm)

- Winchester Model 12 #1230840 Trap Model (12 ga) FC Mfg. 1949, exc. cond., orig., blue w/ little wear, spectacular walnut stock. \$1,600.

Contact: Mike Moseley at 662-866-0036 ; Call (no text messages)

- Dillon 650 press with case feeder, 45,9mm,38spl, 40 dies. 4 bullet conversion kits, electronic powder scale. tools for press. 3 tumblers, media separator, bullet case holders, case size checkers, Roll away tool box for reloading equipment, manuals. Repair kit for springs Ect. 2 reloading manuals, 4 buckets brass for 38, 9mm,40, 45. + 1500 pistol primers, everything must go, no piecing out. Everything in excellent condition. \$1,800.

Contact: Bill Ballou at cell 865-851-7944 or snuggles10427@gmail.com

- Have Square deal B with 9 in turret. Perfect condition.
38 special dies with tool head. Never used.
3+ lbs of Clean Shot powder.
1400 9mm brass cleaned and deprimed.
700 Precision Delta bullets, 9mm 115gr.
38 special brass and bullets.
Selling as lot. Willing to meet. \$800 OBO.

Contact: Rick Roth at 509-492-6456

- S&W .460 XVR 14" brl. Near New, Orig. Bi pod, muzzle brake and carry case. \$1,100.
- Savage Mod. 12, .300wsm. 1,000 yard bench gun. Excellent cond., little used, great shooter. 24" fluted SS barrel. Includes: Zeiss Conquest 4.5 x 14/44 scope and 140 rnds Fed & Fusion ammo factory new. Smooth action & light trigger. \$1,200 for full package or \$900 for rifle & ammo only.
- DPMS Panther LR308 AR-10. Excellent Condition. .308 cal., 16" barrel, collapsible stock, flip up sights, Sure Fire 2 chamber muzzle break, Hogue pistol grip. \$750.

Contact: James at 865-661-0726 (text/call)

- Custom build Borden Model TPE 6PPC MM107 with Leupold Competition Series 40x45mm. 1-in-14 twist barrel, jewel-trigger, synthetic bench rest stock. Shoots a 6 PPC competition round from 220 Russian brass. Custom Borden reloading equipment included. Will split the gun & scope. Will also consider trades on 12 gauge over/under. Like new condition. \$3,900.

Contact: Dirk Leach - DSLeach@yahoo.com / Call 704-574-9720

- NIB Caesar Guerini Summit Limited Sporting in 12 gauge with 32" barrels. The gun is NIB unfired with all 6 chokes, stock wrench, paperwork, manual, and fresh warranty card in the CG case. \$5,600.
- TT Olympia .22 cal Pistol in 100% condition with barrel weight and one mag. Both wood and metal finish are 100% though the pistol has been fired. \$450.
- Firearms International (FI) 380 ACP pistol with 2 mags. 1911 style similar to Kimber Micro 380. \$425.
- Beretta Choke Tubes. Two stainless Mobil (Beretta/Benelli) modified choke tubes, used but in very good condition. One Briley Skeet Choke tube that appears unused. \$10 each.
- Bowtech Carbon Knight, 60 lb, RH, 29" draw, all accessories except bow quiver, 12 Victory VForce 350 arrows, belt quiver, Scott dual caliper release, and hard case. Bow is tuned and ready to hunt/shoot. Excellent condition. \$500.
- One dozen NIB Victory 245 Vforce carbon shafts 350 spine at \$70. One used but still usable target bag at \$15. Six new fixed 3 blade 100 gr broadheads at \$10. Two fletching jigs, misc vanes, sight batteries, string wax, crimping pliers and other misc bow tuning and arrow building tools in a large plastic tool box at \$40.

Contact: Jim at 865-804-6239

- Savage model 12, 243 Cal with 26 inch SS fluted barrel and Boyd custom stock mint condition very accurate comes with 10 boxes of ammo. \$1,450.

Contact: Greg Bean at 865-607-5387 (Call or Text) or Gean7@yahoo.com

- Ruger M77 Mark II - 220 Swift Heavy Varmint SS Barrel - Low Round Count - Strap on Cheek Riser. Burris Veracity 4-20x50 30mm FFP Ballistic Plex ET Reticule, original box and Forever Warranty. Lee 220 Swift Full Length Pacesetter 3 Die Set, FL Sizing, Easy Adj Bullet Seating, Factory Crimp. 140 pcs 1x Brass - RP/Norma/WW.
150 Hornady V Max 50gr Bullets.
60 Rounds New Hornady Varmint Express 55gr Factory Ammo.
18 Rounds Rem HP 50 gr PSP.
28 Rounds Hand Load w 50 gr VMax on Accurate 4064].
Harris Ultralight - Series S BRM BiPod.
Sold as package deal only. \$2,800 OBO.

Contact: Jon at 303 408-4462 or Jonhunts2006@yahoo.com. Call or text is best. Will send photos.

Thank you.

- Colt Peacekeeper, .357 magnum, 4" vent rib barrel, matte black finish, black rubber colt grips, made from 1985 to 1987 only. Similar design to Colt Trooper but made during the Colt strike years with matte finish. This gun produced in 1985, excellent condition. Comes with original box and paperwork. \$1,300.
- Mossberg 500 Turkey. 20 gauge, 22-inch barrel with X-tra full choke, mossy oak camo pattern, as new in box. \$325.
- Ammunition - 308/7.62x51mm. 400 rounds total. 100 rounds Austrian Hirtenberger and 300 rounds FNM Portuguese. 147 grain, mil-spec, NATO stamped, 20 round boxes. \$350.
- Ammunition - .45 auto. 550 rounds total. 300 rounds CCI Brass Blazer and 250 rounds Remington UMC. All are 230 grain, metal case jacket, target loads. \$250.
- Muzzleloader accessories: 400 Remington 209 primers; 100-50 caliber, 50 grain 777 pellets; 1 pound container 777 powder, 1000 focchi percussion caps; 200-50 caliber hornady 250 grain SST sabots with sleeves. Items are mostly in unopened condition. \$325.

Contact: Lou Brown at 865-254-8410 or Louie_27@live.com

- Spolar Gold Premier shotgun shell reloader. It is set up for 28 gauge, lot of hulls and wads, even some powder and primers. I have lot of stuff that go with this, if interested please call me to discuss and figure a fair price.

Contact: Wally at 865.207.1313 (text/voice), or wally@submoashooting.com

- Perazzi TM1 single barrel trap gun. Excellent condition, tight action, great bluing, late production (1986) with tapered rib. 34" barrel Tom Wilkinson choked Full. 2 different combs (hard & soft) 4 way adjustable with both high & low posts. Neutral cast, Perazzi hard case, pull trigger with hook for release. \$2,950.
- Walther PPK Stainless Steel 380ACP, 2 magazines, factory papers, factory plastic case, S&W, excellent condition. 2 Don Hume leather holsters (IWB & pocket). \$675.
- Wanted: Blackhorn 209 muzzleloader powder, need for prep for an early season hunt this fall. Partial cans are fine if stored properly.

Contact: Call or Text Roy at 865-414-3151

- Caldwell Premium Accumax Carbon Fiber Bipod. 6" - 9" extendable and swivel. Comes with attachments for M-Lok and Keymod. 106 at MidayUSA. Excellent condition. Make me a reasonable offer.
- Nikon 3-9x40mm BDC Rifle Scope with mounts for Pic rail. \$100 OBO.
- Pelican 1500 case. Like new. Never used, currently 169 retail. \$125.

Contact: Mark at 865-966-7550

- One case, 5000 rounds of RWS Rifle Match 22LR match grade ammo. \$900.

In their own words

"How many have heard this phrase, the blood of liberty washes those... gimme a break," President Biden said. "No, I mean it. Seriously. And by the way, if they want to think they want to take on government if we get out of line, which they're talking again about, guess what, they need F-15s. They don't need a rifle."

"It's time, once again, to do what I did when I was senator. Ban assault weapons," President Biden said. "I mean it. Who, in God's name, needs a magazine that can hold 200 shells. Nobody. That's right. Think about it. They're weapons of war."

"And by the way, this is the most important, the only industry in America that has immunity are gun dealers," he said. "We gotta end it. End it now. No, I mean it."

In response to the Supreme Court decision in New York State Rifle & Pistol Assn. v. Bruen *"Today's ruling is ... out of touch with the overwhelming majority of Americans ..."* Everytown USA

"This extreme ruling by the Supreme Court's conservative supermajority ... is thwarting the will of the people ..." Giffords

"The majority opinion has demonstrated that they do not care about what the majority of Americans want and support." Brady Gun Control

We are in an election year. As a voter one must look at our own lives to evaluate "are we better off than we were four years ago." I can't imagine one would think their lives are better now than four years ago. Thus, we must evaluate who is to blame for the state of our lives.

Biden has unleashed an all-out war on the Second Amendment by:

- Forming the so-called "Office of Gun violence Prevention", the first time a president has established an office for the sole purpose of destroying the Second Amendment.
- Weaponizing the Department of Justice to push Red Flag gun confiscation and using tax payer dollars to bribe states to implement their policies;
- Raiding gun manufacturers and gun shops with the ATF demanding customer lists.
- Doing nothing while Mexico is suing U.S., arms manufacturers in our own Federal Courts. Mexico is even demanding a list of American gun owners and that all "assault weapons" production in the U.S. be stopped.
- Issuing many Executive Orders including one that will effectively ban the private sale of firearms, so he can complete a National Gun Registry.

So with all this, the election in November is vitally important to each and every one of us and crucial to the future of America. Not only is the presidency in the balance but both houses of Congress is in the balance. Senator Chuck Schumer has already proven himself an enemy of the Second Amendment, the current House Minority Leader Hakeem Jeffries might be even a worse enemy of the Second Amendment. It is vitally important that we vote for freedom, individual liberty, our Constitutional rights, and future of America.

Tennessee Legislatures 2024 Failures on Second Amendment Bills

The Tennessee Legislature had over 200 bills in the 2023-2024 session that Tennessee Firearms Tracked. Recently, TFA reported on the bills that were enacted in 2024. This report is to examine some of the bills that were filed in 2024 that were strongly Second Amendment bills but which the Tennessee Legislature completely failed to pass.

First, let's start this review once again with the relevance of the United States' Supreme Court's decision in New York State Rifle and Pistol Association v. Bruen, No. 20-843 (as addressed more fully in the 2024 enacted legislation report). For purposes of this report, *Bruen* teaches us that any government infringement of the rights protected by the Second Amendment is unconstitutional as a matter of law. That applies equally to the infringements that exist as statutes, ordinances, regulations and executive orders at the state and local level based on the Supreme Court's 2010 decision in *McDonald v. City of Chicago*. *Bruen* further teaches that if an infringement violates the Second Amendment that the burden is on the state (or applicable government entity) to demonstrate that the infringement existed as part of the "nation's historical tradition" as of 1791.

Bruen also prohibits the government entity from relying on a two-part test that various Court of Appeals adopted after *Heller* that allowed many infringements to continue to exist under an "interesting balancing" test. That test, which often looked at whether the state had a "public safety" justification for the infringement, was entirely rejected by the *Bruen* court.

Thus, the burden on the state, the burden to justify an infringement, carries forward and pursuant to the oaths of office of elected and appointed officials, including those in Tennessee, further imposes a duty on those government officials to *repeal* infringements that are unconstitutional under *Bruen*. It is this duty, the duty to remove, eliminate and repeal existing infringements where the Tennessee Legislature has repeatedly and persistently failed Tennesseans and in so doing breached their sworn oaths of office.

Finally, those in the Tennessee Legislature who have violated these oaths cannot rely on a claim of "we did not have the votes" because the Tennessee Legislature has been under the complete and overwhelming control of Republicans since 2010. It has a Republican Lt. Governor – Randy McNally. It has a Republican Speaker – Cameron Sexton. Every relevant committee and subcommittee chair in the Legislature are Republicans. Every member of the "majority" party's leadership team identifies as Republicans. So, the Tennessee Legislature's Republicans, as a party, have no excuse for failed to fulfill their oaths and no justification for violating their constitutional duties.

That is not to say all individual members of the Legislature who are Republicans have violated their oaths and taken actions (or failed to take actions) that violated our constitutionally protected civil rights. To the contrary, there are several Legislators who carried legislation and tried to pass that legislation that would have moved Tennessee at least closer to constitutional compliance. However, even with Republican super majorities in control of both houses, there were not enough oath-honoring Republican legislators to achieve those objectives.

Here are some of the opportunities that existed but failed at the feet of the Tennessee Legislature but, more specifically, the Republican super majority of the Tennessee Legislature. Note, however, that this is not a list of all the bills that TFA tracked that failed, it is a list of only a sufficient number of specific examples to demonstrate clearly the Legislature's failures.

SB2180/HB1904 by Sen. Joey Hensley and Rep. Monty Fritts. This bill would have created an exception under Tennessee's "posting" statute for those individuals who have either the enhanced or concealed only permits and who carrying concealed. If so, the individual would be exempt from Tennessee's "strict liability" posting statute under Tenn. Code Ann. § 39-17-1359. However, the property owner / manager would still have the option to instruct the individual to remove the firearm from the property and, upon a refusal by the individual to do so, the individual could be charged with criminal trespass. This bill failed in the Senate Judiciary on a vote of 4 Ayes (Roberts, Stevens, Taylor and White), 3 Noes (Kyle, Lamar and Rose) and two Senators who were present but failed to vote – Todd Gardenhire and Jon Lundberg. Thus, had any of the



three Republicans (Rose, Gardenhire or Lundberg) voted “yes”, the bill would have at least moved forward. All three of these Republicans who are responsible for killing this bill in the Senate are up for re-election in 2024.

SB2502/HB2082 by Sen. Joey Hensley and Rep. Month Fritts. This bill as amended would have removed Tennessee’s blatantly unconstitutional statutory presumption that anyone carrying a “firearm or a club” with the intent to go armed is committing a crime. Tenn. Code Ann. § 39-17-1307(a). This criminal offense has only 2 elements, carrying of such a weapon with the “intent to go armed” (which is undefined in the current law). Anyone carrying any firearm with the “intent to go armed” – even in their own home, on their own property, at their place of business, with a handgun permit, while hunting, etc., is chargeable with a crime. Tennessee law presently makes things like having a handgun permit or being on your own property an affirmative defense to the crime. Tenn. Code Ann. § 39-17-1308. Some of the problems with this structure is that neither an officer nor a district attorney is required to consider someone’s defenses to a criminal charge in deciding whether to stop, detain, question, charge, arrest or criminally prosecute the individual. The government officials “can” consider those issues in their discretion, but they are not **required** to do so. Thus, some in law enforcement may want to keep this criminal presumption since it gives them “probable cause” upon seeing an armed individual to believe a crime is being committed and to stop, detain and question the individual.

The bill, as amended, would have deleted the statutory presumption of criminal activity. It would have allowed citizens to carry both handguns and longarms. It would have changed, by statute, the threshold age for carrying a firearm to 18 rather than 21 (which is already the law in Tennessee because of a Federal Court civil rights act settlement in 2023). In sum, this bill would have removed several different infringements on the rights that are protected by the Second Amendment.

SB2516/HB2689 by Sen. Kerry Roberts and Rep. Clay Doggett. This bill would have supplemented claims under the federal Civil Rights Act by authorizing similar civil rights claims to be brought in state court against state and local government officials who violate those civil rights within the scope of the Second Amendment or the state constitutional provision. The Senate bill was initially carried by Sen. Frank Niceley but the bill failed in Senate Judiciary on March 20, 2024, because no senator made a “second” to have a vote on the bill itself. When that occurred, Senator Roberts made arrangements to have the bill assigned to him and it was reset for a hearing on Senate Judiciary on April 2 (TFA’s lobby day). When it was called on April 2, Senator Roberts made statements in support of the bill but did not move forward with it. As a result, although the bill had passed in the House Civil Justice Subcommittee Committee on April 2 with only a voice vote, the failure to move it forward in the Senate Judiciary committee effectively killed the bill.

Finally, perhaps the most significant legislation that demonstrates the lack of true Second Amendment support from House leadership is House Joint Resolution 38 (“HJR 38”) by Rep. Jay Reedy. HJR 38 was an attempt by some Legislators in the House to remove a Jim Crow 1870 infringement on the right to keep and bear arms. That effort was to amend the current Tennessee Constitution by amending the existing provision in Article 1 Section 26 of our Declaration of Rights. The process to amend the state’s Constitution (without a convention) is at least a two year process that requires the passage of matching resolutions by both chambers in the first year via a simple majority then a second time in a subsequent session by a two-third’s majority vote. The passage of those resolutions then merely places the proposed amendment before the citizens on the ballot but only in those years that coincide with a election for governor. Thus, constitutional amendments by ballot can only occur every four years. The failure to pass HJR38 in 2024 in the House now mandates that it cannot be offered to citizens in 2026 and now cannot come to a vote by the people until at least 2030.

The historical significance from a Second Amendment perspective of the failure of the House Republicans to pass HJR 38 in 2024 must be considered. History teaches that the Democrat party that controlled the state in 1870 (including the citizens who voted then

for the amendment) wanted to be sure that the freed slaves would be defenseless in the face of attempts to disarm them. So, in 1870 they voted to amend the state’s Constitution to state *“That the citizens of this State have a right to keep and to bear arms for their common defense; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime.”*

The provision of Tennessee’s 1870 constitution that violated the Second Amendment in 1870 and that violates it today (as discussed below) is the phrase “the Legislature shall have the power, by law, to regulate the wearing of arms with a view to prevent crime.”

House Joint Resolution 38 would have fixed the State’s constitution by amended the language of Article I, Section 26 to read: ***“That the citizens of this State have a right to keep, bear, and wear arms.”***

Once 2024 arrived Rep. Reedy placed HJR 38 was placed on notice to be heard in the Finance Ways and Means Subcommittee on January 17, 2024. However, it was soon suggested that the Resolution might now be considered because if it was approved in the House that it might place too many constitutional amendments on the ballot in 2026 since there were already three other proposed constitutional amendments that also were being proposed.

As a result, Richard Archie, a TFA Board member, contacted the Secretary of State, Tre Hargett, on February 11, 2024, to ask the Secretary of State how many approved proposed constitutional amendments were scheduled at that time. It was also determined that there is NO constitutional nor statutory limit on the number of proposed constitutional amendments that can be placed on the ballot. Indeed, it was also determined that in 2014, 2018 and 2022 there were four (4) constitutional amendments on the ballot before the voters in each election.

While the House was in the process of considering HRJ 38, it was necessary to introduce and to move it in the Senate as well. Sen. John Stevens introduced SJR 904 on January 30, 2024. Sen. Stevens placed it on notice for Senate Judiciary Committee February 28, 2024. SJR 904 was finally heard in Senate Judiciary on March 20, 2024, where it received “Aye” votes from every Republican member of the committee and passed through the Senate Calendar Committee soon thereafter. The full Senate heard SJR 904 on April 9, 2024, where it received the vote of every Republican Senator. It was thereupon “engrossed” and sent to the House for its concurrence.

However, the House Finance Ways and Means Subcommittee took HRJ 38 “off notice” on April 10, 2024. At the time, it had 58 sponsors, including at least one Democrat, which was at least 8 more sponsors that would have been required to pass the Resolution on the House Floor and send it to the next year for final consideration in both Chambers. There was no vote by the committee as to which of the proffered amendments were of higher priority or more desired by the citizens of Tennessee. Only 1 proposed amendment was considered, HJR 859 by Speaker Sexton, and that amendment dealt with bond for alleged criminals and that was an issue that should and could have been dealt with entirely by statutory amendment as opposed to a constitutional amendment to repeal a clearly unconstitutional provision of the existing state constitution (which is what HJR 38 would so).

Indeed, HJR 38 was the ONLY resolution that dealt with a true constitutional issue because it sought to correct an existing unconstitutional defect in the State’s constitution. HJR 38 would have repealed and revised Article 1, Section 26 which contains a clause that that purports to allow to the Legislature a regulatory power that violates the Second Amendment’s “shall not be infringed” mandate. However, since the United States Supreme Court “incorporated” the Second Amendment against the states pursuant to the Fourteenth Amendment in its 2010 McDonald decision, that provision of the State’s constitution is now unconstitutional since it purports to grant regulatory authority that the “shall not be infringed” clause of the Second Amendment expressly prohibits.

In response to the inquiry by Richard Archie as to the number of allowable constitutional amendment, the Secretary of State admitted that there was no limits on the number of amendments that could be on the ballot but the Secretary of State then offered the excuse that there was a desire of some of those in Tennessee's government to eliminate "voter confusion and fatigue" and that there have been complaints "since 2014 about the length of the ballot and the length of the constitutional amendments." There is, however, no risk that the operative portion of HJR 38 – which is only once sentence containing 15 words – would have led to any voter confusion or fatigue particularly since the proposed amendment mirrors entirely the existing language of the Second Amendment. One must question whether the excuse about "confusion and fatigue" was the true justification by the Secretary of State (or the Legislators) for blocking HJR 38 and our rights to amend our constitution. Indeed, this excuse – if that is what it was – demonstrates nothing but that the Secretary of State's office has so little faith in the cognitive ability of Tennessee's citizens.

The Supreme Court of the United States ruled in *McDonald v. City of Chicago* in 2010 that the Second Amendment was incorporated against the states through the due process clause of the Fourteenth Amendment. That ruling, although not directly specifically at Tennessee's constitution, rendered the 1870 bastardized Tennessee Article 1 Section 26 moot and unenforceable. Yet, in the 14 years since the *McDonald* decision, Tennesseans have not seen any movement by the Tennessee Legislature to remove that unconstitutional infringement from the state's constitution.

Indeed, in the Supreme Court said in 2022 in its *Bruen* decision that, when conduct implicates the rights protected by Second Amendment, the burden shifts instantly to government to prove that the infringements are aligned with historical tradition of firearms regulations. Yet, in the two years following that Supreme Court mandate the Tennessee Legislature has not only failed to repeal existing infringements in Tennessee but it has, as noted in the 2024 Legislature review, **passed more!**

While it might seem that certain segments of the government of Tennessee are blind to the rulings of the United States Supreme Court, that is not an illusion, it is now a proven fact. Tennessee's Court of Appeals seems to have gotten the message though, as is evidenced by their analysis in a recent case in which the Court said:

"Most recently, in Bruen, the United States Supreme Court noted that the Second Amendment protects the right of lawabiding citizens to carry and possess handguns both inside and outside the home for the purpose of self-defense. 142 S. Ct. at 2156. "...The unconstitutional conditions doctrine provides that a governmental entity "may not deny a benefit to a person on a basis that infringes his constitutionally protected interests."... "The constitutionally protected interest or right at issue here arises under the Second Amendment to the United States Constitution, which protects "the right of the people to keep and bear Arms." U.S. CONST. amend. II.5 Self-defense is the "central component of th[at] right." Heller, 554 U.S. at 599 (emphasis omitted). Thus, "law-abiding, responsible citizens" have the right "to use arms in defense of hearth and home." Id. at 635.

Columbia Housing & Redevelopment Corp. v. Kinsley Braden, Court of Appeals of Tennessee, No. M2021-00329-COA-R3-CV (2022).

If our Court of Appeals recognizes the *Heller* and *Bruen* rulings as limitations on what state government can do, why is it that the Republican leadership and super majority in the Tennessee Legislature refused to do so?

The United States Supreme Court has already – 14 years ago – taken steps that yield the conclusion that the "power to regulate the wearing

of arms" that the Legislature believes it has is in fact unconstitutional and in violation of the Second and Fourteenth Amendments. There is no excuse, none, for the Legislature's rejection of HJR 38 particularly when that resolution had 58 sponsors but only needed 50 votes (at most) to pass.

The conduct of the Legislative Republicans, primarily the leadership, on all these examples demonstrates the need to change the composition of the Legislative Republican caucuses. It also demonstrates the lack of support that Second Amendment issues truly have in the ranks of the House and Senate Republican leadership – at least when they are not out asking for our votes to be re-elected. That needs to and can change through political pressure on these legislators and by replacing some, if not many of them, in the 2024 election cycle. John Harris, TN Firearms Assoc.

Richard Stouder
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August 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
ID-Indoor Range HP=High Power LR=Long Range SB=Small Bore RF=Rim Fire	S&T-Skeet & Trap SC-Sporting Clays CR-Competition Range AP-Action Pistol CH-Club House Rev.			1 LR Practice 9-12 HP Practice 12-dusk Black Powder 3 pm CR Archery League 5:30 pm ID 1-3	2 HP Practice Skeet 10-1, SC 1-4	3 S&T 10-4, SC 9-3 NRL22 9 am CR IDPA 9 am AP Indoor Air League 10-12 ID ID 12-4
4 S&T 12-4, SC 1-4 ID 2-4	5 LR Practice Small Bore 7-9 ID	6 HP Practice Trap 10-1 Cowboys 9 am AP Pistol League 4pm ID ID 1-3	7 HP Practice Skeet 10-1 ORSA Brd Mtg 6:30 pm CH SB Practice 4pm ID	8 LR Practice 9-12 HP Practice 12-dusk Archery League 5:30 pm ID 1-3	9 HP Practice Skeet 10-1, SC 1-4	10 S&T 10-4, SC 9-3 Cowboys 9:am AP ID 12-4
11 S&T 12-4, SC 1-4 ID 2-4	12 LR Practice Small Bore 7-9 ID	13 HP Practice Trap 10-1 Pistol League 4pm ID ID 1-3	14 HP Practice Skeet 10-1 SB Practice 4pm ID	15 LR Practice 9-12 HP Practice 12-dusk Archery League 5:30 pm ID 1-3	16 HP Practice Skeet 10-1, SC 1-4	17 S&T 10-4, SC 9-3 USPSA 10 am AP Indoor Air League 10-12 ID ID 12-4
18 S&T 12-4, SC 1-4 ID 2-4	19 LR Practice Small Bore 7-9 ID	20 HP Practice Trap 10-1 Pistol League 4 pm ID ID 1-3	21 HP Practice Skeet 10-1 ORSA Orient. 5-9 CH SB Practice 4pm ID	22 LR Practice 9-12 HP Practice 12-dusk Archery League 5:30 pm ID 1-3	23 HP Practice Skeet 10-1, SC 1-4	24 S&T 10-4, SC 9-3 MultiGun/3-Gun 10 am AP Steel Chall. 9 am AP ID 12-4
25 S&T 12-4, SC 1-4 Steel Chall. 9 am AP ID 2-4	26 LR Practice AP Brd. Mtg. 6:30 pm AP Small Bore 7-9 ID	27 HP Practice Trap 10-1 Pistol League 4 pm ID ID 1-3	28 HP Practice Skeet 10-1 SB Practice 4pm ID	29 LR Practice 9-12 HP Practice 12-dusk Archery League 5:30 pm ID 1-3	30 HP Practice Skeet 10-1, SC 1-4	31 S&T 10-4, SC 9-3 CMP Basic Rifle Clinic 8 ID RF Sporter Match after clinic ID 12-4

September 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1 S&T 12-4, SC 1-4 ID 2-4	2 LR Practice Small Bore 7-9 ID	3 HP Practice Trap 10-1 Pistol League 4 pm ID ID 1-3	4 HP Practice Skeet 10-1 ORSA Brd. Mtg. 6:30pm CH SB Practice 4pm ID	5 ID 1-3 LR Practice 9-12 HP Practice 12-dusk Skeet League 4 pm Archery League 5:30 pm Black Powder 3 pm CR	6 HP Practice Skeet 10-1, SC 1-4	7 ID 12-4 S&T 10-4, SC 9-3 NRL22 9 am CR IDPA 9 am AP Indoor Air League 10-12 ID CMP XTC 50 shot HP
8 S&T 12-4, SC 1-4 3X600 9 am ID 2-4	9 LR Practice Small Bore 7-9 ID	10 HP Practice Trap 10-1 Cowboys 9 am AP Pistol League 4 pm ID ID 1-3	11 HP Practice Skeet 10-1 SB Practice 4pm ID	12 LR Practice 9-12 HP Practice 12-dusk Skeet League 4 pm Archery League 5:30 pm ID 1-3	13 HP Practice LR NRA TN State 1000 yd. Skeet 10-1, SC 1-4	14 S&T 10-4, SC 9-3 Cowboys 9 am AP LR NRA TN State 1000 yd. SB 1600 Prone CR ID 12-4
15 S&T 12-4, SC 1-4 LR NRA TN State 1000 yd. ID 2-4	16 LR Practice Small Bore 7-9 ID	17 HP Practice Trap 10-1 Pistol League 4 pm ID ID 1-3	18 HP Practice Skeet 10-1 ORSA Orient. 5-9 CH SB Practice 4pm ID	19 LR Practice 9-12 HP Practice 12-dusk Skeet League 4 pm Archery League 5:30 pm ID 1-3	20 HP Practice Skeet 10-1, SC 1-4	21 ID 12-4 S&T 10-4, SC 9-3 USPSA 10 am AP ORSA Bullseye CR HP Clinic/Garand ID/HP Indoor Air League 10:30-12 ID
22 S&T 12-4, SC 1-4 CMP VST HP ID 2-4	23 LR Practice Small Bore 7-9 ID	24 HP Practice Trap 10-1 Pistol League 4 pm ID ID 1-3	25 HP Practice Skeet 10-1 SB Practice 4pm ID	26 LR Practice 9-12 HP Practice 12-dusk Skeet League 4 pm Archery League 5:30 pm ID 1-3	27 HP Practice Skeet 10-1, SC 1-4	28 S&T 10-4, SC 9-3 MultiGun/3-Gun 10 am AP Steel Chall.9 am AP ID 12-4
29 S&T 12-4, SC 1-4 Steel Chall.9 am AP ID 2-4	30 LR Practice AP Brd, Mtg 6:30pm AP Small Bore 7-9 ID	Notes: ID-Indoor Range HP-High Power LR-Long Range SB-Small Bore RF-Rim Fire	S&T-Skeet&Trap SC-Sporting Clays CR-Competition Range AP-Action Pistol CH-Club House			



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