

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Steve Brunk at 10:35am on Friday, March 13, 2015, 346-S of the Capitol.

All members were present except:

Representative James Todd – Excused

Committee staff present:

Natalie Nelson, Legislative Research Department

Joanna Wochner, Legislative Research Department

Stephen Bainum, Kansas Legislative Committee Assistant

Jason Long, Office of Revisor of Statutes

Conferees appearing before the Committee:

Senator Terry Bruce

Senator Forrest Knox

John Commerford, National Rifle Association of America

Patricia A. Stoneking, Kansas State Rifle Association

Representative Travis Couture-Lovelady

Chris Brown

John Athon

Judson Jones

Loren Stanton, Brady Campaign to Prevent Gun Violence

Richard Martinez

David A. Nichols

Brad Engelbert

Randy Henderson, Sheriff Reno County

Michell Reed

Terilyn Barnett

Patrick Stevenson

Eric B. Smith, League of Kansas Municipalities

Others in attendance:

[See Attached List](#)

**Hearing on: SB45 — Authorizing the carrying of concealed handguns without a license under the personal and family protection act.**

Chairman Brunk called the meeting to order at 10:35 a.m. He then introduced a bill about ABC permits for art studios.

Chairman Brunk opened the hearing on **SB45**. Jason Long, Revisor of Statutes gave the Committee a briefing on the bill. ([Attachment 1](#))

Written testimony in support of **SB45** was presented by:

Senator Terry Bruce who said that the bill is a common sense measure that builds upon the good work

## CONTINUATION SHEET

MINUTES of the Committee on Federal and State Affairs at 10:35am on Friday, March 13, 2015, 346-S of the Capitol.

the legislature accomplished in past years. Currently, in the state of Kansas, it is lawful for a law abiding citizen to carry a firearm, without a permit, in the open or unconcealed anywhere except for areas that have been exempted via statute. Therefore, it makes sense that a law abiding citizen should have the freedom to carry a firearm under their clothing or in their purse if they so choose without undergoing the permitting process. ([Attachment 2](#))

Senator Forrest Knox said that this bill allows any person who can legally possess a handgun to carry it concealed. We have always been able to carry openly in Kansas. But, I believe it is wiser to be able to carry concealed, rather than openly. Our citizens, statistically, virtually always choose to do the right thing, the responsible thing. We should only criminalize actions, not guns. We must be allowed the tools to defend ourselves. ([Attachment 3](#))

John Commerford said that in Kansas, it is already legal to carry a firearm openly. However, under current law, if a firearm becomes covered by a coat or if an individual prefers to carry a firearm for self-protection in a purse or handbag, one would need to obtain a concealed pistol permit. This bill would allow law abiding citizens to exercise their right to carry a concealed firearm without a permit. Under this bill citizens would be able to apply for a concealed carry license. ([Attachment 4](#))

Patricia Stoneking said that this bill simply allows for law abiding citizens aged 21 and over to carry a concealed handgun without having to pay the government for permission. Some citizens don't have the money to pay the permit fees. Money should never be a reason to prevent someone from exercising their right to self defense. ([Attachment 5](#))

Representative Travis Couture-Lovelady strongly supported the bill saying that the bill is for freedom and liberty. It allows Kansans the ability to exercise a constitutionally protected right without having to ask permission of the state government. Open carry is already legal with no permit and no training mandate. Americans have a long history of exercising their constitutional protected right to keep and bear arms and now is the time to remove the barrier of the government permission slip. Kansas will be a safer place. ([Attachment 6](#))

Chris Brown said that our Federal and State Constitutions clearly state "the right to keep and bear arms shall not be infringed". We need to recognize our constitutional right and prevent any chance of creating criminals out of law abiding citizens. The entire population of this state may purchase a firearm if they are over 21 (pistols), 18 (long guns). You do not have to have training to own a gun. Thousands of people hunt and shoot competitively but are not required to have "state mandated training". Benjamin Franklin said, "Never trust a government that doesn't trust its own citizens with guns." ([Attachment 7](#))

John Athon said that the right to conceal carry was taken away to be licensed back to the citizens, as a ransom of sort that interferes with ones ability to defend themselves. Getting our right to conceal carry back is a great step toward freedom. ([Attachment 8](#))

## CONTINUATION SHEET

MINUTES of the Committee on Federal and State Affairs at 10:35am on Friday, March 13, 2015, 346-S of the Capitol.

Judson Jones said that the patriots understood that people would need a means of protecting themselves against those who would prey upon the weak. They made it clear that the citizens of this new country had a God given right to "life, liberty, and the pursuit of happiness". The right of self defense is guaranteed by the 2nd Amendment with these words: "the right to keep and bear arms, shall not be infringed". ([Attachment 9](#))

Written testimony in opposition to **SB45** was presented by:

Loren Stanton said that people who carry guns in public also carry great responsibilities, and we believe the law should reassure Kansans that these individuals are up to that responsibility. ([Attachment 10](#))

Richard Martinez said that the bill would dismantle the Kansas concealed carry licensing system, making it legal for dangerous people, and those who have never handled a gun, to carry one hidden and loaded throughout the state. ([Attachment 11](#))

David Nichols said that he believes that the 2nd Amendment denotes a requirement for training. No matter how you try to apply the term, "well regulated," it comes out with the same unequivocal meaning , it means training. ([Attachment 12](#))

Brad Engelbert believes that the bill discourages responsible and safe firearm handling. Concealed carry training made me safer and made those around me safer. ([Attachment 13](#))

Randy Henderson said that he supports the concealed carry laws as they are currently written. Proper training builds proficiency and is the key to proper firearms safety. Training on when the weapon can be used and the liability of pulling the trigger. ([Attachment 14](#))

Michelle Reed said that there is a reason that a concealed permit is required in Kansas. The system makes sure that people carrying concealed handguns in public have clean recent criminal histories and have completed basic safety training. ([Attachment 15](#))

TeriLynn Barnett said that a key argument for concealed carry was that they would be required to pass background checks and complete 8 hours of training before being eligible for concealed carry permits. What was true then is true now. Kansans who are carrying concealed weapons should be required to pass background checks and complete significant safety training. ([Attachment 16](#))

Patrick Stevenson said that the current training and permit to carry a concealed handgun in public that is required by Kansas law needs to remain intact. This training is desperately needed to make all potential permit holders aware of the enormous responsibilities they are assuming by carrying a concealed handgun on their person. ([Attachment 17](#))

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Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

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Written testimon as neutral on **SB45** was presented by:

Eric Smith who said that they are neutral on the bill but one of their concerns is how a law enforcement officer would know that an individual he finds carrying a concealed handgun has been subject to an involuntary commitment or if there has been a finding of mental illness or addiction. That is one of the reasons for the background investigation for a concealed carry license. ([Attachment 18](#))

Written Only testimony as a proponent of **SB45** was presented by:

Alan Korwin, Author, Gun Laws of America ([Attachment 19](#))

Nick Sowers, Kansas Law Enforcement ([Attachment 20](#))

Earl McIntosh, Property & Casualty Agent ([Attachment 21](#))

Written Only testimony as an opponent of **SB45** was presented by:

Susan G. Fowler ([Attachment 22](#))

Sheriff Kenneth M. McGovern ([Attachment 23](#))

Jack A Robinson ([Attachment 24](#))

Will Hoerl ([Attachment 25](#))

Carolyn Zimmerman ([Attachment 26](#))

Written only testimony as neutral on **SB45** was presented by:

Ed Klumpp, Kansas Association of Chiefs of Police ([Attachment 27](#))

C. W. Klebe, Kansas Assistant Attorney General ([Attachment 28](#))

Chairman Brunk closed the hearing on **SB45**.

The meeting was adjourned at 12:55 p.m.