



**Kansas State Rifle Association**  
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February 19, 2013

RE: House Committee on Federal and State Affairs  
House Bill No. 2055 Hearing

Dear Chairman Siegfried and Honorable Members of the Committee:

My name is Patricia Stoneking and I am the President and Registered Lobbyist for The Kansas State Rifle Association. I am a proponent of House Bill Number 2055.

As I'm sure you are aware, concealed carry permit holders are law abiding citizens who have passed and complied with stringent criteria, including a thorough national criminal background check for obtaining a permit and gone to great expense to obtain proper training and pay permit fees. As an instructor for concealed carry I can assure you that students are taught the serious responsibility of carrying firearms. I have trained several thousand people and they take their training very seriously and understand the grave consequences of making a decision to use their firearm.

A provision was made in the concealed carry law requiring any business or property owner to post a state approved sign if they do not want to allow concealed carry in their buildings. The same provision applies to all State, County and City buildings as well as schools. This provision specifically prohibits the posting of parking lots, hiking trails, parks or public greenways. Only buildings may be posted.

We need to understand that criminals will not abide by the law or the signs. Those signs are disarming only law abiding permit licensees. In fact, we need to recognize that posting such a sign only indicates to the criminal that they have an easy location to perpetrate their crimes and that no one will have the ability to challenge them or protect themselves at that location. That posted location becomes the first choice of a criminal when selecting where to commit a crime. If we look at the history of violent criminals and spree shootings we see that all of those violent crimes have taken place in locations that have been deemed "gun free" zones. Posting the no carry sign is paramount to placing a bullseye on that facility. It only provides a risk free victim rich environment for criminals. Laws that disarm honest citizens and provide risk-free environments for criminals and lunatics are at fault, not guns, and it begs the question that if someone is attacked by a criminal in that posted building, who is liable for preventing us from using lawful force to protect ourselves. Isn't the ability to defend ourselves an inalienable right, a God given or natural right? I believe it is.

Restrictive gun laws do not prevent determined perpetrators from getting their hands on guns and those signs prohibiting concealed carry do not prevent criminals from entering the premises, but they do prevent law-abiding citizens from having the tools to defend themselves.

I have great respect for our law enforcement officials. Some of my best friends are police officers. For many years they have encouraged me to be able to protect myself. They have told me that they cannot be there to save me. Consider that a typical response time when calling 911 can be several minutes depending on the location. I think we can all agree that only a few seconds is all it takes for a criminal to take our life or do great bodily harm to us.

We can choose not to do business with merchants who post those signs. However, we cannot always choose not to enter a State, County or City building. When I must enter a posted facility I am forced to leave my gun behind in my car. I ask you, is leaving my gun unattended in my car the best option? I don't think it is. If you feel you must post buildings such as this one, then you are putting me at risk for having my gun stolen and removing my security while I walk through the parking lot to the entrance and while I am in the facility with no means of defense. Can you guarantee my safety? I don't think you can. In my opinion, I am the only one who can guarantee my best defense. If you must disarm me, then at least provide adequate security from the point I must be disarmed. Is it not your responsibility to assure me that a criminal with a gun will not be on these premises while I am here if you are going to post those signs? I believe it is.

An additional provision in this package of bills (originally HB 2111) is statewide preemption regarding firearms laws. Firearms are a constitutional matter protected by the Second Amendment. Constitutional matters should not be left up to individual municipalities such as the city or county to regulate. The Second Amendment is on the same playing field as the

First Amendment right to freedom of speech or freedom of religion. We do not allow those things to be regulated by local jurisdictions and believe that Second Amendment issues should not be regulated at the local level either.

What we have at this time is a patchwork quilt of laws across the state making it impossible for law abiding gun owners to know what they can and cannot do in regard to transporting and carrying firearms with the exception of concealed carry. In regards to transportation of firearms, we passed a pre-emptive law in 2005 but many jurisdictions have failed to abide by that law. Open carry has been left to home rule and has created a patchwork quilt of laws that have easily ensnared law abiding citizens. Just recently lawsuits were filed against Kansas City, Leawood and Prairie Village as a result of the fact that they have disregarded State law and two Attorney General's opinions regarding Open Carry. Those AG Opinions are clear that open carry cannot be prohibited yet there are jurisdictions with ordinances knowingly prohibiting it regardless. This must be stopped! We believe that NO firearms law should be within the control of local jurisdictions.

The third provision in this package of bills (originally HB 2098) gives Corrections Officers and Parole Officers the same exemption from training classes as are given to Law Enforcement. We believe this is simply a fair and equitable measure because they have already received similar training in the course of their employment.

Mr. Chairman and members of the Committee, thank you for considering our position in this most important matter. We respectfully urge that you vote in support of HB 2055, recommend it for passage, and send it to the floor of the House for a vote.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "David B. Downing".

President

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