

Approved: 2/06/12  
Date

## MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Steven R. Brunk at 1:30 p.m. on January 24, 2012, in Room 346-S of the Capitol.

All members were present except:

Representative Huebert-Excused  
Representative Henderson-Excused  
Representative Peterson-Excused  
Representative Victors-Excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes  
Julian Efird, Kansas Legislative Research Department  
Dennis Hodgins, Kansas Legislative Research Department  
Stephen Bainum, Committee Assistant

Conferees appearing before the Committee:

Patricia A. Stoneking, President, Kansas State Rifle Association

Others attending: See attached

Chairman Brunk called for bill introductions. There were none.

Chairman Brunk opened the hearing on **HB 2421–Kansas firearms freedom act; violations, criminal penalty.**

Patricia Stoneking presented testimony as a proponent of **HB 2421** (Attachment 1). She said that states that enact the Firearms Freedom Act are saying that anything produced in their state, marked from their state, staying in their state cannot be regulated under the Commerce clause. Montana had the first challenge to the bill and it is currently in the 9<sup>th</sup> Circuit Court of Appeals.

Representative Brunk asked what the effect of Section 5 was. Patricia said that Section 5 did not change any of the definitions that we have today.

Representative Carlson said that **HB 2421** was passed overwhelmingly by the House in 2010 but it was too late in the session for the Senate to pass it. Patricia said that was what happened.

Representative Knox commented that it was against the law to remove the serial number from a gun.

Representative Goico asked why a law abiding citizen break this law. Patricia said they would not.

Representative Knox asked if this bill was modeled after the Montana law. Patricia said that yes, with

## CONTINUATION SHEET

The minutes of the House Federal and State Affairs Committee at 1:30 p.m. on January 24, 2012, in Room 346-S of the Capitol.

additions. There are 28 states working on this legislation. 12 states have already signed it into law.

Representative Brunk asked if there was any pushback against other states beside Montana. Patricia said that it was only being pushed back against Montana. All of the challenges are banded together. There is no expense to the state because private individuals pay for the appeal.

Chairman Brunk closed the hearing on **HB 2421**.

Chairman Brunk opened the hearing on **HB 2422–Personal and family protection act; corrections officers**.

Mike Heim explained the changes in **HB 2422**. They were about reduced fees for corrections officers. Representative Carlson asked if the requirements were the same as for a concealed carry license. Mike said that he understood that the Police departments conduct their own training.

Representative Jana Goodman introduced **HB 2422** (Attachment 2) She also presented a Balloon Amendment suggested by the senior counsel in the Department of Corrections (Attachment 3). The Balloon had the effect of adding parole officers to the bill.

Representative Rubin asked if this applied only to Kansas Corrections officers. Representative Goodman said that was true.

The Chairman closed the hearing on **HB 2422**.

Written testimony in support of **HB 2421** was submitted by:  
Representative Connie O'Brien (Attachment 4).

Written testimony in support of **HB 2422** was submitted by:  
Patricia Stoneking, President, Kansas State Rifle Association (Attachment 5)  
Charles W. Klebe, Assistant Attorney General (Attachment 6)

The next meeting is scheduled for January 25, 2012.

The meeting was adjourned at 2:34 p.m.