

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman William Mason at 1:30 p.m. on February 19, 2004 in Room 313-S of the Capitol.

All members were present except:

Representative John Edmonds- excused  
Representative Steve Brunk- excused

Committee staff present:

Russell Mills, Legislative Research Department  
Mary Torrence, Revisor of Statutes Office  
Dennis Hodgins, Legislative Research Department  
Rose Marie Glatt, Secretary

Conferees appearing before the committee:

**PROPONENTS:**

Representative Candy Ruff  
Senator Phillip Journey  
Representative Peggy Long-Mast  
Victim from Kansas (anonymous)  
Linda Morgan, Department of Public Safety, Garden City Community College  
Paula Radcliff, Dexter, Kansas  
Scott Hattrup, Attorney, Lenexa, Kansas  
Bob Curtiss, President of Kansas Sportsmen's Alliance, Lenexa, Kansas  
Kevin Cavanaugh, Chief of Police, Fairway, Kansas  
Joseph T. Gimar, Kansas Fraternal Order of Police  
Paul Degener, Shawnee County  
Bob Prewitt, Director, EMS-Kansas  
Jamie Cheatum, Syracuse, Kansas  
Gene Wahl, Wichita  
\*(Written testimony only)  
\*Ray Morgan, Law Enforcement Officer-Kearney County Sheriff Office  
\*Amy Curtis, Student, University of Kansas

Without objection, Representative Dahl introduced a bill regarding the representation of older Kansas workers on workforce and employment act and decision making boards.

The Chairman continued the hearing on:

**HB 2798 - Personal and family protection act: licensing to carry concealed firearms.**

Representative Ruff, presented testimony regarding the experiences of women that had been raped and purchased guns for their personal safety (Attachment 1). She concluded by showing a short video on the importance of guns to self-defense.

Senator Phillip Journey rose in support of the bill, stating that 46 States have already enacted this type of legislation in one form or another (Attachment 2). There are over 2,000,000 permits issued at this time in the United States. The deterrent effect of the armed citizen is well documented and statistics were given from a survey developed from in-depth interviews with imprisoned felons in 10 states. He concluded that **HB 2798** is good legislation and he urged them to pass the bill out of committee. Discussion followed regarding exemptions in the bill for concealed carry on school properties.

Representative Peggy Long-Mast reviewed the story of a women that was raped when she was in her twenties (Attachment 3). That women had seen the perpetrator and felt helpless to defend herself. She wants to buy a gun , take the training, learn how to be responsible in handling a firearm in order to be prepared to protect herself if there ever is a next time.

## CONTINUATION SHEET

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE at 1:30 p.m. on February 19, 2004 in Room 313-S of the Capitol.

Representative Ruff introduced the next conferee, who requested anonymity for security reasons. She spoke of the process that she and her family had endured since being raped in her home. She described the numerous courses on gun safety she had taken, and urged the committee to give citizens the right to carry a gun on their person, or concealed in their vehicle for protection. No written testimony was given.

Linda Morgan, stated that as a 23 year veteran Criminal Justice instructor at the Garden City Community College, a certified NRA Police Firearm Instructor for 22 years, a Kearney County Sheriff's Department Reserve Deputy for 21 years and a woman she testified in full support of **HB 2798** ([Attachment 4](#)). While not everyone would choose to carry a concealed firearm, the critical point is the right to choose.

Paula Radcliff, a co-owner of a ranching operation in Cowley County appeared in support of the bill. She testified on behalf on women from across the State that are willing and ready to meet the requirements for their right to carry a personal protection firearm ([Attachment 5](#)).

Scott G. Hattrup, a co-author of *A Tale of Three Cities: The Right to Bear Arms in State Supreme Courts*, stated that he had testified before this committee every year since the 1995 session on firearm issues ([Attachment 6](#)). The bill provides a means by which law-abiding Kansans can obtain training in the safe, responsible use of a firearm and he gave statistics on the drop in crime rates of other states when similar legislation was enacted.

Bob Curtis, President of Kansas Sportsmen's Alliance, gave testimony that included two spreadsheets and a map that provided data on violent crime comparisons for Oklahoma and Kansas. He spoke about the resulting drop in crimes in the states that had passed concealed carry laws ([Attachment 7](#)).

Kevin Cavanaugh, Chief of Police, testified in support of the legislation that would permit Kansas citizens and retired Kansas law enforcement officers to carry concealed weapons ([Attachment 8](#)). He stated that Kansas citizens are by and large, the most reasonable, rational and responsible people and those who would apply for a concealed carry permit probably would have reached that decision thoughtfully. He also spoke of his wife who travels extensively by herself and would choose to carry a weapon for protection, if it were legal.

Joseph T. Gimar, Kansas Fraternal Order of Police, testified that their membership of nearly 3,000 rank and file members of the lodge support **HB 2798** ([Attachment 9](#)). While many law enforcement administrators voice opposition and concern, their members believe that the good citizens of Kansas should have the right to protect themselves and their loved ones.

W. Paul Degener, private citizen, rose in support of the bill stating that it was his unalienable right as guaranteed by the 2<sup>nd</sup> Amendment and is protected by Article 4 of the Kansas Bill of Rights. He and his wife are seniors and believed that they fit the criteria of likely targets for criminals. They would like to have the ability to legally defend themselves in a warranted situation ([Attachment 10](#)).

Bob Prewitt, a firearm instructor for NRA for handguns, rifles, shotguns and home safety for over 10 years to appeared in support of **HB 2798** ([Attachment 11](#)). Because of the training component of the bill he believes that Kansas, like the other 40 states before us would benefit a great deal from the passage of this legislation.

Jamie K. Cheatum, Hamilton County, stated that people in public service can at times become victims of crimes ([Attachment 12](#)). The issue of preemption needs to remain in the bill as it would be extremely difficult to be aware if each county had their own set of laws. He told of an experience in which his daughter had been able to outrun a perpetrator. If it were legal today she would carry a gun.

Gene Wahl, Wichita Police Department retiree, spoke of the potential problems faced by retired law enforcement officers that have worked to put criminals behind bars ([Attachment 13](#)). The passage of **HB 2798** would give retired law enforcement officers and all Kansans the tools necessary to protect themselves and their families.

It was noted that written testimonies in support of **HB 2798** had been distributed from Ray Morgan,

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Lakin, Kansas ([Attachment 14](#)) and Amy Curtis, student, University of Kansas ([Attachment 15](#)).

Committee discussions centered around support of the bill from “rank and file” police officers verses opposition expressed by administration, alternative methods of self-protection and safety issues around concealed carry for police officers.

The Chairman closed the hearing on **HB 2798**.

The meeting adjourned at 3:15 p.m. Next meeting is February 23, 2004.