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Kansas State Rifle Association

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March 16, 2011

RE: House Committee on Agriculture and Natural Resources
Senate Bill No. 152 Hearing

Dear Chairman Powell and Honorable Members of the Committee:

Thank you for allowing me to submit testimony to you as a proponent of SB 152, An Act amending KSA 32-1002 concerning the ability for concealed carry licensee's to exercise their right to carry firearms while in the act of hunting, fishing and fur harvesting, without restriction as to caliber or type of firearm as well as the use of suppressed firearms.

I am the President and Registered Lobbyist for the Kansas State Rifle Association. I speak for our membership which now hedges on 6000 individual members and over 20,000 club members. Many of our members are licensed for concealed carry under the Personal and Family Protection Act as well as being avid hunters and sportsmen.

The issue before you has been of strong concern to our membership and we ask that you vote in support of SB 152 which will amend an area of Kansas Statute that makes no sense and is actually contrary to existing concealed carry law. The amending of this Statute will in no way affect the lawful compliance with KSA 75-7c01 et seq. The Senate has seen fit to pass this bill with a vote of 38-1 showing overwhelming support for its provisions.

Kansas law currently restricts the ability for hunters and fishermen to carry their regular concealed carry firearm by placing unreasonable restrictions on them. Currently they are prohibited from having any firearm on their person while hunting during archery or non-firearms related hunting seasons. They are also restricted to certain cartridge types and sizes during certain firearms seasons such as deer hunting. This is a clear violation of a licensee's right to carry concealed for their personal protection under the concealed carry law. The Personal and Family Protection Act is clear that no individual jurisdiction or municipality has the right to regulate concealed carry. We believe the prohibition to regulate concealed carry extends to agencies such as the Kansas Department of Wildlife and Parks. Also, by amending KSA 32-1002 it will bring Kansas State law into line with the intent of the Personal and Family Protection Act.

There are many reasons why this prohibition should be repealed in addition to it being a clear violation of rights to continue the restrictions. We have received many reports of hunters running into situations that made them feel that their personal safety was in peril.

There have been incidents where unlawfully armed trespassers on private land have confronted hunters in an aggressive manner. In one particular case, a female huntress was in a ground blind on her privately owned property deer hunting during archery season and a gang of older teenage boys came up on her. They were smoking marijuana and talking and behaving in a manner that made her fear for her personal safety. In another reported incident, two hunters were on their privately owned land deer hunting during archery season when a group of poachers approached them and began a confrontation that was only ended by the landowners vacating their own land. Additionally, hunters have reported finding marijuana crops on hunting land and have become fearful that the illegal farmer of this illegal drug would confront them as these drug dealers would no doubt use deadly force to protect their crops as it may appear to them the hunter is there to "steal" their crops or they fear it being exposed to law enforcement. We have received many reports regarding this type of behavior. I have to ask, why would we prohibit hunters to exercise their right to protect themselves? It does not make sense.

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 SB 152, recommend it for passage, and send it to the floor of the House for a vote.

Respectfully Submitted,

President
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Attachment 4