

Kansas House of Representatives

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Testimony for HB2199,
The Second Amendment Protection Act
February 19th, 2013

Dear Chairman Siegfried, Vice-Chairman Brunk, Minority Leader Ruiz, and members of the Federal & State Affairs Committee. My testimony is short and to the point.

The Constitution is my driving document. It brings clarity to controversy. Let me remind you that the Kansas Constitution was amended by Kansas citizens who voted on November 2, 2010 thereby adopting new crystal clear language. The Amendment passed by an amazing 88.2% of the voters. The Kansas Constitution now says: **A person has the right to keep and bear arms for the defense of self, family, home and state, for lawful hunting and recreational use, and for any other lawful purpose.**

I am very concerned about the federal government changing federal laws that will infringe on our constitutional right to bear arms. It seems the federal government devalues the **Tenth Amendment** to the point that this legislation is necessary. The **Second Amendment's** purpose was clearly to keep the government in check and ensure our government remain a servant of the people and not the other way around.

I believe law abiding gun owners feel threatened with not knowing if our constitutional rights will be trampled or if they will outlast the popular rhetoric happening in Washington DC.

Therefore, I believe Kansas should have the right to manufacture firearms and ammunition as the State of Kansas chooses. This is not a violation of the Commerce Clause.

Further, I believe Citizens have a right to privacy. It should be assumed that we are law abiding citizens rather than a dangerous people that must be controlled. Imagine, you're visiting a doctor because you have flu symptoms. After checking your heart, pulse and other vital signs, the doctor says, "By the way, the federal government wants me to ask you: What type and how many guns do you have in your home?" Sound like George Orwell's *1984*? So why do doctors ask an unrelated questions about whether I own

guns, how many I have and how I store them when I visit the doctor regarding a physical issue? If I am having a bad day, could their next action be to call a mental health agency who will investigate and confiscate the firearms because they assume I am a threat to myself and society? Where is this leading and who receives the information and for what purpose? How long will this information be retained? Is it privileged HIPPA restricted information? Why would Kansas participate with this directive with so much unknown about the purpose?

President Obama has stated he will address unnecessary legal barriers that may prevent states from making information available to the background-check system. He wants to offer incentives for states to share information with the background check system. This intrusion assumes we are all suspects and assumes we are all potentially dangerous (not-law abiding). It is probing for evidence in violation of the **Fourth Amendment** by searching for evidence when we have not done anything to deserve that sort of scrutiny. Finally, it causes us to incriminate ourselves without respect for the **Fifth Amendment**.

We need to be prepared and committed to our Constitution. It is our job to defend it. Our Constitution has cost untold sacrifice and blood. It is time we value our freedom and the rights God bestowed upon us. We should not be willing to downplay the **Tenth Amendment**, the **Fifth Amendment**, the **Fourth Amendment**, or the **First Amendment**. Why are we being asked today to give up major aspects of the **Second Amendment** in exchange for a little security? You know the saying....well, it is true. Being able to purchase, store, operate firearms as a law abiding citizen is a basic right we hold dear, just like the rest of the Constitution. Please pass HB 2199

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