

Date: March 7, 2024
HB 2803, Hearing in the House Federal and State Affairs Committee
Daniel Chase, representing myself,
Proponent HB 2803, with written and oral testimony
Oxford, KS 67119

I am Daniel Chase, from Oxford. I am representing myself in this testimony.

Honorable Chairman Carpenter and members of the House Federal and State Affairs Committee, I support HB 2803.

“The true protective barriers of our liberty in this country are our state governments” – Thomas Jefferson

“The powers delegated by the proposed constitution to the federal government are few and defined... the (federal powers) will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will, for the most part be connected” – James Madison Federalist No 45

Nowhere in the Constitution has the US Congress been delegated the authority to regulate arms; To the contrary, the Second Amendment prohibits such an act. The purpose of arms possessed by the people is made clear, to execute laws, to suppress insurrection and repel invasions (Article 1, Section 7), furthermore, for defending against ambitious encroachments of the federal government (federalist no 46). There never existed in 1787, when the Constitution was ratified and the new federal government created by the states, any intention for the regulation of arms in the possession of the people by the federal government. There was intent for states to interpose if the federal government exercised powers not granted to it; This interposition could include plans of armed resistance if the severity of federal usurpations threatened state sovereignty and the right to Life, liberty, and property of it's citizens.

“In the case of deliberate, palpable, and dangerous exercise of other powers not granted... the states... have the right, and are in duty bound to interpose” - James Madison, Virginia Resolution 1798

Acts of the federal government proves its disdain towards our Constitutional system, towards the several states and their rightful jurisdictions, and the people of the states. The implementation of unjust, unconstitutional laws, the creation of unconstitutional agencies which operate under color of law to threaten the citizenry of the several states, using violence and intimidation to coerce them in furtherance of political aims, such as disarmament. The federal government proved their resolve when they entrapped Randy Weaver by urging him to commit a victimless crime by chopping shotgun barrels below eighteen inches, and then murdered his dog, fourteen year old son, wife, and wounded him and his friend Kevin Harris as a result, then later lied about the events in court. The federal

government was enforcing the Gun Control Act of 1934 when it decided to deploy four hundred agents on the ground armed with full autos and suppressors waging a war against the Weaver family who were peaceful people until they were forced to defend themselves. Recently, the federal government has attempted to criminalize the ownership of certain plastic pieces called bumpstocks, and pieces of rubber called pistol braces which would make millions of gun owners felons through bureaucratic fraud and in danger of prison, or worse, the Randy Weaver treatment.

The federal government has proven itself extreme, to murder citizens of the several states in its enforcement of usurped powers. The state of Kansas is supposed interpose between federal tyranny and its own citizens; Kansas is supposed to erect barriers at the Constitutional line. The first step is obvious, to give no aide to federal enforcement and their draconian measures, HB2803 does just this. HB2803 utilizes the anti commandeering doctrine which has long been established, and even recently upheld by the US Supreme Court in *Printz vs US* in 1997.

Every day, many Kansans unknowingly break the federal Gun Free Zones Act; The act declared it unlawful for individuals to carry a firearm within one thousand feet of a school unless they are on private property or licensed to carry in that particular state. The penalty prescribed by this federal law is a potential five thousand dollar fine and up to five years in prison; Individuals convicted are classified as prohibited persons under the Gun Control Act of 1968 and no longer able to exercise their Second Amendment right ever again, proving the federal government treats the Second Amendment as a privilege to be scrutinized and not a right. No Kansas law enforcement agency should be used in the enforcement of these laws, nor provide any assistance; HB2803 is imperative and necessary to protect Kansans and residents of other states who are not precluded under Kansas state law from possessing a firearm.

I'm urging this committee to pass HB2803 to keep Kansas resources from being commandeered for use in the enforcement of any past, present, or future unconstitutional federal gun control laws, in defense of lawful citizens of this state, and those lawful visitors from other states.

Respectfully submitted,

Daniel Chase