

HCR5006

02/05/25

Nick Reinecker

Opponent

House Federal and State Affairs

Chair: Rep. Tom Kessler



Mr. Chair and Committee

I am in opposition to House Concurrent Resolution No. 5006, due to the following:

1. Adding a strict scrutiny standard to a natural and fundamental constitutionally declared and ratified absolute right which was confirmed by the outcome of *New York State Rifle and Pistol Association v. Bruen* gives unwarranted and harmful discretionary judicial review that is not in defense, nor pursuance of the Constitution of the United States.
2. A strict scrutiny standard affords discretionary latitude to both constitutionally supreme laws and unconstitutional "laws" and "regulations" passed by the federal government or by the state. Your oath of office, under God, negates this possibility.
3. Any legislation ("law") passed, not in pursuance of the Constitution of the United States and in the spirit of the Declaration of Independence (whether made by an administrative state, state, Congress, etc.), is null and void.

I would support this resolution if it were amended to read:

Sec. 4 A person has a natural and fundamental right to keep and bear arms, including ammunition, components and accessories; for the defense of self, family, home, and state and for hunting, fishing, recreation, and any other constitutional pursuant purpose, which shall not be infringed; but standing armies, in time of peace, are dangerous to liberty, and shall not be tolerated, and the military shall be in strict subordination.

Thank You

Nick Reinecker

1. Kansas Constitution [KS_Constitution.pdf](#)
2. 1859 Kansas Constitution ["Annals of Kansas" and the Wyandotte Constitution - p. 264 - Kansas Memory](#)
3. Oath of office [54-106](#)
4. The word "pursuance" [pursuance | Etymology of pursuance by etymonline](#)
5. The word "jurisprudence" [jurisprudence | Etymology of jurisprudence by etymonline](#)
6. Dred Scott and Bruen [Supreme Court To Decide If Dred Scott Applies To Americans On Guns](#)
7. Fourteenth Amendment US Constitution [U.S. Constitution - Fourteenth Amendment | Resources | Constitution Annotated | Congress.gov | Library of Congress](#)
8. Scrutiny Uses [Are Firearms Fundamental? An Examination of Standard of Scrutiny in Firearm Litigation](#)
9. Strict Scrutiny unneeded and harmful [Does Bruen Herald the End of Constitutional Strict-Scrutiny Amendments? | Duke Center for Firearms Law](#)
10. Discretionary Judicial Review Using Strict Scrutiny [Iowa Supreme Court Upholds Gun Law Despite New 'Strict Scrutiny' Standard | The Reload](#)
11. [Iowa High Court Adds to Confusion Over New Right-to-Bear-Arms Amendment | Duke Center for Firearms Law](#)
12. [Null and Void from the Start | Tenth Amendment Center](#)
13. [Firearm Prohibition Laws in Kansas | Giffords](#)
14. History of 2010 Kansas Constitutional Amendment [Kansas Right to Bear Arms Question, Constitutional Amendment Question 1 \(2010\) - Ballotpedia](#)