



MARY FELZKOWSKI

STATE SENATOR • 12TH SENATE DISTRICT

Testimony for SB 619

Senator Mary Felzkowski

Committee on Insurance, Licensing and Forestry

October 27, 2021

Good afternoon Vice-Chairman Stafsholt and Committee Members,

Thank you for the opportunity to testify on Senate Bill 619, which will allow constitutional carry in the state of Wisconsin.

The Constitution of the United States sets forth the rights that belong to every law-abiding citizen of our country, and one of the foremost amendments to this guiding document is that “the right of the people to keep and bear Arms shall not be infringed.” This basic right is echoed in the Wisconsin State Constitution, Section 25, where it is clearly stated that “The people have the right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose.” Wisconsin Act 35, signed into law in 2011, took a positive step towards recognizing these basic rights by allowing law-abiding individuals to conceal carry a firearm in public... with a license. SB 619 simply completes this progression by allowing these same individuals to conceal carry a firearm without having to be babysat by the government.

In Wisconsin we give law-abiding citizens the option to open carry a loaded firearm in public, with no license necessary if the firearm is visible. However, current law does not allow an individual to carry their defense firearm in a purse or under a winter coat unless they apply for and receive a concealed carry license. By removing the requirement for a concealed carry license, we align concealed and open carry laws and allow for a wide variety of options for those who wish to carry for self-defense. Law-abiding citizens will have the same right to carry discreetly that they currently have to carry openly. I would like to note though that this bill does not change current law relating to Wisconsin gun-free zones or concealed carry on college and university campuses.

In addition to easing the requirements for a law-abiding citizen to defend themselves, SB 619 provides protections for hunters and landowners from “gotcha” tactics used by the DNR and local law enforcement. For instance, many folks in Wisconsin have the natural reaction to shine their headlights on a deer when they see one in a field or on the side of the road. For this basic action, an individual could be cited if they are in possession of a firearm, even if they have absolutely no intention of hunting or shooting. This bill allows an individual to possess a firearm, bow, or crossbow while shining, but still maintains that it’s illegal to shine wildlife while hunting.

Wisconsin has a rich history of safe and responsible hunting and firearm ownership. SB 619 will go a long way towards reaffirming the basic rights of law-abiding citizens throughout urban and rural Wisconsin.

I am grateful to my Assembly author, Rep. Brooks, and his staff for their hard work on this legislation. Thank you for your time today, and thank you for your consideration of this bill.



ROBERT BROOKS

STATE REPRESENTATIVE • 60TH ASSEMBLY DISTRICT

Hearing Testimony

Senate Committee on Insurance, Licensing, and Forestry

Wednesday, October 27, 2021

Members of the Senate Committee on Insurance, Licensing, and Forestry, thank you for affording me with the opportunity to testify in favor of Senate Bill 619.

Did you know that 34 states allow open carry without a permit and 21 have passed constitutional carry? Wisconsin currently allows individuals to openly carry a firearm without a permit. Most Wisconsinites do not realize that once an individual carrying a firearm puts on his or her coat, he or she is in violation of state law.

America's founding charter, the Constitution of the United States enshrines the right to keep and bear arms. That right shall not be infringed. Wisconsinites who want to exercise their constitutional right to carry a firearm should be able to do so without the additional burden of a concealed carry permit.

After nine years and more than seven-hundred thousand concealed carry licenses issued, responsible and law-abiding gun owners are ready to move forward and revise state law to reflect the constitutional right to carry. As denoted at the outset, twenty states, including our neighbor to the southwest, Iowa, have passed constitutional carry laws.

Assembly bill 619 allows for the concealed carry of a firearm without a license anywhere in the state where an individual is legally allowed to carry a firearm and simplifies state law. What is more, Assembly Bill 619 reduces the cost to citizens who choose to exercise their constitutional right to defend themselves and their families.

Wisconsin's current license structure limits those who follow the law, and presents administrative and financial barriers to self-protection. This bill makes carrying more affordable and provides greater freedoms for those who obey the law, while simultaneously maintaining stiff penalties for criminals who commit firearms-related crimes.

Under current law, "open" or exposed carry of a firearm is legal without a concealed carry license. However, current law prohibits individuals from carrying their firearm in a purse or under a winter coat unless they apply for and receive a concealed carry permit. By removing the requirement for a concealed carry license, this bill aligns concealed and open carry laws. It also affords those who choose to carry for self-defense a wider array of options for doing so.



ROBERT BROOKS

STATE REPRESENTATIVE • 60TH ASSEMBLY DISTRICT

Law-abiding citizens will have the same right to carry discreetly they currently have to open carry.

Senate Bill 619 not only allows law-abiding citizens to carry firearms for self-defense, but provides sportsmen and women the ability to carry a firearm, bow, or crossbow while engaging in activities such as operating an all-terrain vehicle or shining wildlife. This change will help prevent “gotcha” tactics DNR wardens and local law enforcement sometimes use to cite hunters and landowners.

The right to keep and bear arms is guaranteed by our nation’s founding charter and is further enumerated in Wisconsin’s constitution to provide the “right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose.” It is with this constitutional provision in mind that Senator Felzkowski and I affirm the rights of law-abiding citizens to carry a concealed weapon without a license. Ted Nugent said it best in his book, *Ted, White, and Blue: The Nugent Manifesto*, “Guns enable freedom, they always have.”

This bill, quite simply, protects the freedom, liberty, and right of law-abiding citizens on put on a coat while carrying a firearm. Our Second Amendment rights are sacred and shall not be infringed by government intrusion.

I am happy to answer any questions you might have.



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My name is Thomas Leager, and I represent the members of Wisconsin Gun Owners Inc.

I want to thank the committee chairs for allowing us the time to speak on this issue, as it is one that WGO has been working towards for a long time, and we are forever grateful to the senators who introduced this bill. Especially Sen. Felzkowski, who has been a true champion for the right to bear arms in Wisconsin.

Quickly, let me state some facts.

1. Millennials and Gen Z are far more Pro-Second Amendment than their Gen X and Baby Boomer counterparts. (<https://www.politico.com/magazine/story/2017/10/12/are-millennials-moving-right-on-guns-215703/>)
2. The largest increase in private gun ownership in America's recent history began in 2020 and is still going strong. <https://www.nssf.org/articles/first-time-gun-buyers-grow-to-nearly-5-million-in-2020>
3. The two largest demographics of new gun owners are African Americans and women, followed by moderate, center-left, and far-left voters, who have historically been Democrat voters. <https://www.washingtonexaminer.com/washington-secrets/boom-five-million-new-gun-owners-58-black-40-women>

Here is another fact,

The Second Amendment is a natural right outlined in the U.S. Constitution. These rights are not to be made into privileges, excise taxes, nor be barred, regulated, or infringed in any way by the government, state, federal, or otherwise. However, the opinions of a corrupted judiciary—one that has abdicated its responsibilities in deference to the federal administrative state—have allowed factions adverse to the rights of others to promote and enact infringements of just this kind on both the state and federal levels.

"Factions that are adverse to the rights of others" are covered by Federalist Papers #9-10—those Federalists were very much in favor of a robust federal government and still supported strong state's rights. Yet, they opposed any government having the ability to restrict natural rights in any way. They also opposed party politics, as it is rife to devolve the country and remove rights from other citizens.

Our Founders knew firsthand what party politics do, and they saw how Episcopalians, Independents, Presbyterians, Cavalier and Roundhead, Court and Country, Whig and Tory had tyrannized each other.

Those same Federalists guaranteed every Anti-Federalist at the Constitutional Convention of 1787 that this very thing would never happen; that our rights would never be taken arbitrarily or turned into permitted activities allowed to only those few who could afford them. Those states that were apprehensive about signing were assured that their state's rights and the rights of their citizens were guaranteed them in this new Constitution. Yet, both have proved untrue.

Fast forward to 2021, we live in a country and a state that is becoming increasingly more dangerous, whether we admit it or not; Milwaukee alone has a 95% increase in homicide. We share a border with Illinois, and Chicago is not too far away, and we need not elaborate on the fact that some 3rd world countries are safer than Chicago.

Chicago has some of the most restrictive gun laws in the country. Yet, they haven't saved anyone, not even "one life..." Yet, we see many stats proving that anywhere from tens to hundreds of thousands of lives are saved every year by a firearm. Sometimes the mere presentation of such leads to the diffusing of the situation.

Still, we are fed the same line, "if we can only save one person."

How many lives and how many rights are we willing to lose for that one person? Also, who is the one person that always benefits? Who is the beneficiary?

Or, are we just seeing another clever incarnation of party politics and citizens adverse to the rights of others?

When will it be enough? Because I think the appetite to take rights is insatiable, and once it starts, it has never in the history of the world been stopped.

But, let us make this the day. Let us make this a watershed moment. The day Wisconsinites began to turn back the hands of tyranny and reclaim our right to bear arms without government intrusion.

We want our rights back because the promised safety never materialized into anything more than calls to give up more rights.

You may ask what this seemingly long-winded speech has to do with this bill or permitless carry?

I say it has everything to do with them.

Every promise guaranteeing our rights has been infringed. Still, we are no safer; the only thing accomplished by the need to get a permit to carry your firearm the way you want is to create a source of revenue out of our rights.

The fundamental reason we are here is to reclaim our rights and take responsibility for our safety. Those who argue that this is unpopular must only look at the growing number of private gun owners, proving that gun control has utterly failed. The increase in gun owners is a direct response to the government's inability to provide the safety they promise when they request we give them our rights.

Wisconsinites overwhelmingly want their gun rights returned. AG Kaul and Tony Evers can trot out any number of skewed, misleading, or intellectually dishonest polls that they want. The truth remains the same. Wisconsinites deserve their right to carry, and they overwhelmingly agree with fewer gun laws... They want their rights back—they want less gun control. They deserve to be able to protect themselves without asking permission or paying a fee.

Wisconsin was guaranteed our right to bear arms when we joined the union, and we solidified it further in the Wisconsin Constitution, section 25.

There is no argument here. You are either pro-liberty or pro-tyranny. There are no nuisances, nor is there any room for interpretation. Shall Not Be Infringed is pretty darn clear. So, let us get off our duffs and pass this bill post haste.

Thank You.