

### **Officials Urge Missouri Legislators To Reject Bill To Nullify Federal Gun Laws** **News**

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Posted on : 2014/4/29 4:16:05

JEFFERSON CITY, Mo.(AP) — A legislative push to nullify federal gun laws in Missouri ran into opposition Monday from the mayors and police chiefs of the state's two largest cities.



Kansas City Mayor Sly James, St. Louis Mayor Francis Slay and Kansas City Police Chief Darryl Fortson traveled to the state Capitol, hoping to convince lawmakers to abandon a proposal aimed at preventing the enforcement of federal laws deemed infringements of gun rights.

They were joined by Richard Callahan, the U.S. attorney for the Eastern District of Missouri. The two Democratic mayors made their plea to a General Assembly controlled by Republicans.

James said that thanks to lax gun laws, urban neighborhoods have seen a flood of cheap weapons and violence. Efforts to nullify federal laws would only make the situation worse, he said.

—State law already impedes our ability to keep handguns out of the hands of idiots and felons, James said. —This legislation simply takes that to an unreasonable extreme. The concept that nullifying federal gun laws somehow makes our cities safer is absolutely absurd.—

A similar bill passed last year but vetoed by Gov. Jay Nixon, a Democrat, could have resulted in law enforcement agents facing jail time if they enforced certain gun-control laws. Republicans fell just one vote short of overriding that veto after Senate President Pro Tem Tom Dempsey and Majority Leader Ron Richard split from the rest of the GOP caucus.

This year, instead of law enforcement agents facing criminal prosecution, the bill would allow Missourians to sue agents who they believe infringed on their gun rights. Another version of the bill would bar those agents from future service in any state or local law enforcement agency. Each version has cleared one chamber, with legislators expected to move them to the governor's desk.

Fortson said the legislation would make it difficult or impossible for local police and prosecutors to partner with federal authorities to fight violent crime.

—Look at our career criminal task force,— Fortson said. —We have more than 10 federal agents on that task force, working with our people to get violent criminals off the street on a daily basis. What this legislation would do is hurt our ability to reduce violent crime in Kansas City.—

Under federal law, someone convicted of domestic violence can be prohibited from owning a firearm, James said. Missouri has no such law.

—So under this legislation, an officer with the Kansas City Police Department who arrested a domestic abuser and took away their guns may run the risk of being sued by the domestic abuser for violating his rights to own and operate a gun,— he said.

Rep. Doug Funderburk, a St. Charles County Republican who sponsored the nullification bill, said the legislation would —absolutely not— obstruct joint operations with federal authorities. In order for the law to even kick in there would have to be —blatant and willful violations of people's

rights," he said.

"I don't want criminals, or even someone with devious intent, to use this law to manipulate the process," Funderburk said. "I want to protect the rights of the law-abiding citizens of this state."

And if someone convicted of domestic violence is barred from owning a gun, the bill wouldn't change that, Funderburk said.

"That federal law isn't unconstitutional, so it wouldn't be impacted by this bill," he said.

Missouri Republicans began pushing for a comprehensive gun rights bill in 2012, after President Barack Obama called "ultimately unsuccessfully" for expanded background checks and a ban on assault weapons.

Besides the provisions aimed at nullifying federal gun laws, the bill also would lower the minimum age required to get a concealed-weapons permit from 21 to 19 and allow those permit holders to carry those firearms openly, even in municipalities with ordinances that prohibit open carry.

But it is the talk of nullification that has gotten the most attention.

Historically used by civil-rights opponents, the notion that a state can unilaterally void a federal law it doesn't agree with has grown in popularity with Obama's election and re-election. Liberals cite nullification when pushing for marijuana legalization, while conservatives use it as justification for opposition to the federal health care law.

Proponents point to the 10th Amendment of the U.S. Constitution, which says any powers not delegated to the federal government "are reserved to the states respectively, or to the people."

But legal experts point out that the U.S. Constitution deems federal statutes the supreme law of the land, an idea that was tested and confirmed by the Civil War. Attempts to invoke state supremacy have been shot down over the years by generations of U.S. Supreme Court decisions.

James said lawmakers take an oath to uphold the U.S. Constitution. By passing this bill, he said, they would be violating that oath.

"We may be fighting a losing battle" against this bill," James said, "but we intend to do everything we can to uphold our oaths."