



# CHRONICLE

The Kentucky Coalition to Carry Concealed  
*Because your right to protect yourself shouldn't stop at your front door.*

February 2003

## KC3 Annual Membership Meeting

The Annual Membership Meeting of the Kentucky Coalition to Carry Concealed has been set for March 29, 2003. It will begin at 11:00 AM in the Salato Center at the Kentucky department of Fish and Wildlife Game Farm in Frankfort. This is a meeting for the entire membership of KC3 to do the business of the organization and elect the next class of officers and directors. Please plan on being there. Your participation and input is vitally important to the future of the organization and the struggle for our gun rights.

## City removes sign banning guns from Freeman Lake Park

By FORREST BERKSHIRE

Park goers can "pack heat" legally at Freeman Lake Park, a fact brought to Elizabethtown City Council's attention recently when an officer of the Kentucky Coalition to Carry Concealed wrote a letter questioning the city's authority to post "No Weapons" signs in public buildings and on public property.

"There seems to be no authority under law by which the city of Elizabethtown may ban weapons outright on any property, city owned or controlled," James Hall wrote. Hall apparently wrote the letter after attending an event at Freeman Lake Park, where he noticed the sign prohibiting weapons.

The council discussed the letter briefly at its work session Monday and came to the conclusion that since the city had no ordinances regarding carrying firearms, Hall's letter was correct.

According to city officials, it is legal to carry a concealed weapon into city hall, as long as the person has a state license to carry it. By state law, it is also legal for anybody who legally owns a handgun to strap it to his or her belt and carry it in the open.

Mayor David Willmoth said he did not see the point of passing an ordinance banning weapons from public property since it would only apply to buildings.

"You could still go to Freeman Lake and carry a weapon" even if the city passed the law barring concealed weapons from public buildings, he said.

Hall cited a Kentucky Appeals Court's decision, stating that "If the gun is worn outside the jacket or shirt in full view, no one may question the wearer's right to do so."

For now, city officials will not try to pass any ordinance limiting weapons. The signs banning the weapons from Freeman Lake Park have already been removed.

"I think this is something we should look at in depth," Councilman Ron Thomas said.

## The Sanity of Self-Defense

By R. Lee Wrights

I have been called numerous things in the many years I have spent embroiled in various causes; but, until a couple of weeks ago I had never been called a gun wacko. Oddly enough I was labeled as such because of something I wrote that advocated individuals taking responsibility for their own defense. Because I encourage people to educate themselves in the area of self-defense, to avoid finding themselves at the mercy of criminals and over-zealous bureaucrats, I was labeled a gun nut. So, that is how it is these days? If you encourage people to defend themselves,

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**Somewhere in America this gun keeps you safer.**



**Criminals don't know that you are not the one carrying it.**

# Daddy, You Can't Have Your Gun Here

By James R. Hall  
Director, KC3

Not all that long ago, after having collected my twelve-year-old daughter from school, we were in the car on the way home when she remarked "You can't have your gun here." I found this statement to be rather interesting considering I was not in any of the prohibited locations with regard to my concealed weapons license. Then I realized she hadn't mentioned *concealed*, she had stated I couldn't have it here, period! In response to my "Why is that?" she pointed back over her shoulder and said "That sign back there said so." I surmised that she must have misread the sign and assured her I could carry my gun while driving down that particular road.

My daughter, knowing she was right, was persistent and the next day she pointed to the sign while we were waiting for the light to change. "THAT sign says you can't have your gun here." Sure enough, here was a sign that had a red-slashed circle over a handgun just below the official seal of the Jefferson County Police Department. I explained to her that it was perfectly OK for me to have my gun there and that was not exactly what the sign meant. But my twelve-year-old understood the universal symbol for "NO", the dreaded red-slashed circle, and since it was augmented by that official police seal, it had to be true. So here I was, faced with something of a dilemma. I have taught my daughter that the police (especially Jefferson County Police) are to be respected and trusted. They are THE people to

turn to when you are in trouble or need assistance. Of course she is faced with a dilemma of her own: believe her daddy or believe the police. In this situation it's not possible for both to be right. I begin by trying very delicately to explain to her that the police have simply made a mistake and once I point it out to them they will correct the situation. I set out to write a letter to the Chief of Police, William Carcara.

In my first correspondence to Chief Carcara I explained that The Kentucky Constitution guarantees the citizens of the Commonwealth "The right to bear arms in defense of themselves and of the State, subject to the power of the General Assembly to enact laws to prevent persons from carrying concealed weapons." I went on to point out that the "Pre-emption law" (KRS 65.870) plainly states "No city, county or urban-county government may occupy any part of the field of regulation of the transfer, ownership, possession, carrying or transportation of firearms, ammunition, or components of firearms or combination thereof" and even cited a Kentucky Court of Appeals opinion that stated "If the gun is [carried openly], no one may question the wearer's right so to do." This seemed a very good opportunity to supply some statistical evidence and otherwise supportive anecdotes to point out the fallacy of any type of gun ban.

Unfortunately, I prefaced my arguments by alleging that taxpayer funds were wasted to erect what turned out to be a total of ten of these signs. Other than a rather general statement regarding the intent of the signs, Chief Carcara's extremely brief response chose only to address this single assertion: "The sign indicates the Jefferson County Police Department's willingness to work with the community to put an end to violence and

drug abuse. A Jefferson County School student designed the sign and no tax money was used for the project." Sometime later I posted a second correspondence in which I informed him of certain documents then in my possession that proved the taxpayer had paid for the signs and asked him to again consider the more substantial conclusions, derived from the law of this Commonwealth that I had intended to impress upon him. He is apparently still considering my conclusions.

In the mean time, I forwarded my concerns to the Honorable Rebecca Jackson, County Judge/Executive, Police Chief's Boss and Servant of the People. I explained that I was looking forward to hearing from her "that the signs have been dismantled or an explanation as to why they will remain in place." I'm still looking forward to her reply.

My daughter, whom I'm confident will ultimately trust her daddy in this matter, is now getting her first, and likely, her most lasting impression of government. Is it proper to teach her at such a young age that the government can do something that is obviously contrary to the law and then go on to ignore a citizen's request for an explanation? What about the apparently false statement regarding the taxpayer funding, was this simply a mistake due to misinformation or a determined effort to end my legal scrutiny of the signs? Just exactly what is the opinion of these two public officials regarding how the law applies to these signs? My daughter would like to know, and so would I.



## States that Recognize Kentucky CDWL's:

Alabama  
Alaska  
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Indiana  
Georgia  
Louisiana  
Michigan  
Mississippi  
Montana  
New Hampshire  
North Dakota  
Pennsylvania  
South Dakota  
Tennessee  
Texas  
Utah  
West Virginia  
Wyoming

Please remember that when you carry a firearm in any other state that you must abide by their rules and not Kentucky's, so before you go to a state where you don't know the laws, look them up.

People who travel and take a gun along should have a copy of **The Traveler's Guide to the Firearms Laws of the 50 States** written by Scott Kappas available from Scott's web site at <http://www.gunlawguide.com>. Additional info can be obtained by checking out the excellent resource page on the web at <http://www.packing.org>.

**Please check your membership expiration date on the mailing label of this newsletter. If your membership is expiring, please use the membership form on Page 9 to **renew**.**

## Question of the Month: Answer by James R. Hall, Director KC3

*My question is which law takes precedence: my CCDW or the [Kentucky Department of] Fish & Wildlife's ban on carrying a firearm while bow hunting?*

There are relevant Kentucky Revised Statutes (KRS) and Kentucky Administrative Regulations (KAR) that apply to the situation of which you inquire. First of all, Chapter 150.021 provides for the Kentucky Department of Fish and Wildlife Resources (KDFWR) and grants the entity the power to enforce laws and regulations related to wildlife management. KRS 150.021 (1) *The Department of Fish and Wildlife Resources shall constitute a department of state government... The department shall enforce the laws and regulations adopted under this chapter relating to wildlife and shall exercise all powers necessarily incident thereto.* Chapter 150.025 (1)(d) provides that the KDFWR may regulate the many aspects of hunting including the use and possession of the "size or type of any device for taking" or the "method of taking" game. The same chapter in sub-paragraph (3) states: (3) *This section shall apply to KRS Chapter 150 and no other KRS chapter pertaining to this subject shall apply to KRS Chapter 150.* I believe that means no other chapter of the KRS will override the provisions of Chapter 150 but it seems there is nothing in Chapter 237 (the CCDWL law) that would apply here anyway.

Now that we have established the KDFWR as having the power, we can look at what they have declared. From the *2002-2003 Kentucky Fall Hunting & Trapping Guide*, page 10 under the heading *BOW SEASON: During portions of the deer season when only bow equipment can be used, deer hunters must not carry firearms. No firearms of any type can be possessed or used while deer hunting during bow-only season.*

The hunting guide is a compendium of KRS and KAR that govern hunting. The specific KAR from which the previous statements derive is 301 KAR 2:172. Deer hunting seasons and requirements. Section 3 There are a number of restrictions listed here that one would do well to remember. One in particular is (3)(a), it is not uncommon for me to have a few of those in the pockets of my coveralls just by accident.

(3) A deer hunter shall not use or possess while deer hunting:

- (a) Rimfire ammunition;
- (b) A fully-automatic firearm;
- (c) A firearm with a magazine capacity greater than ten (10) rounds;
- (d) Steel-jacketed ammunition;
- (e) Tracer bullet ammunition;
- (f) A shotshell containing larger than number two (2) size shot;
- (g) A broadhead smaller than seven-eighths (7/8) inch wide;
- (h) A barbed broadhead;
- (i) A crossbow without a working safety device;
- (j) A chemically-treated arrow; or
- (k) An arrow with a chemical attachment.

(4) Persons hunting deer shall not carry a firearm, except when a firearms deer season is open.

*Continued on Page 6*

## Sponsorship Program

KC3 is now offering a Sponsors Program for businesses wanting to advertise to our members and allies and show their support for our efforts. Sponsors receive a quarter-page ad in the newsletter four times a year with a graphic ad on our web site as well as a link to their website. Sponsorships are pro-rated for anyone coming in later than January.

This is a great chance for your business to reach thousands of people in and around Kentucky who are looking for merchants that will welcome, rather than rebuff, those of us who choose to be armed. Our website at <http://www.kc3.com> is one of the best on the net, and our newsletter goes out to folks all over Kentucky, Ohio and Indiana.

Cost of a sponsorship is \$100 per year, or \$25 per quarter. We also put an electronic ad and link to your business on our web page. Sponsors are encouraged to provide us with clip art for the graphics in their ad.

A KC3 sponsorship is a great way to reach thousands of gun owners and sportsmen in the State of Kentucky and beyond. Our web site received thousands of visits per day and your visibility will be greatly enhanced by participating in this program.

For an application and more information, contact us by email, fax at (502) 451-4439, or by mail to: KC3, P.O. box 1269, Frankfort, Ky. 40602-1269. No telephone applications, please, although we'll be glad to talk to you about it if you want to call us at (502) 451-4439 and ask for Syd Weedon.

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## Something on your mind? We'd like to hear it.

If you have thoughts, rants, words of encouragement, reviews, legal or reflection pieces, please send them along and we'll publish them here.

*Snail Mail:*

Syd Weedon  
1605 Stevens Avenue  
Louisville, KY 40205

*e-mail:*

[kc3@sightm1911.com](mailto:kc3@sightm1911.com)

## THE SIGHT



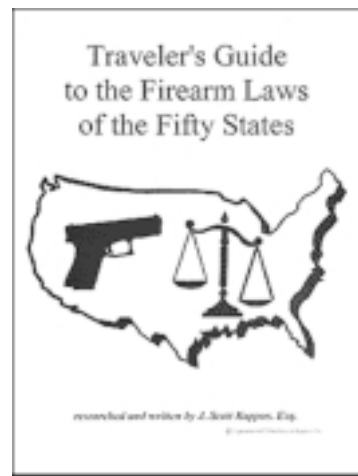
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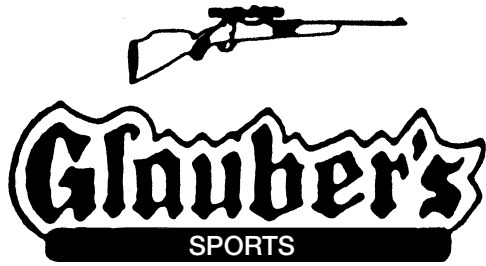
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## **Help Us Spread This Around**

If you'd like to place copies of the KC3 newsletter in your local doctor's offices, barber shops and beauty shops, restaurants, gun stores, sportsman's clubs or other places where the public can find and read them, please contact us for additional copies or make as many copies as you'd like to pass along to others who might enjoy reading them.

**Kentucky Coalition to  
Carry Concealed  
PO Box 1269  
Frankfort, Ky. 40602  
Phone - (502) 451-4439  
FAX (502) 451-4439**

(Bowhunting with CDWL, continued from page 3)

Now for what might happen to you if caught with any of the restricted items.

150.120 Seizure and sale of contraband. (1) *The commissioner, all conservation officers, persons appointed by the commissioner, and all peace officers and their deputies shall seize and take possession of any and all furs, wildlife, guns, dogs, instruments, boats or devices which have been taken, used, transported or possessed contrary to any law or regulation adopted under this chapter... Any wildlife, furs, guns, dogs, instruments, or devices seized in accordance with this section shall be impounded by the arresting officer and shall be taken before the court trying the person arrested.* (2) *Upon conviction, ... any device used or possessed contrary to the provisions of this chapter, or any regulations adopted hereunder, is subject to being declared contraband.* (3) *The commissioner may sell ...all contraband which comes to his possession under the order of any court, or which has been seized under this chapter and declared to be contraband under any law relating to fish or wildlife.* (4)

*Any device or contrivance, the use of which is not expressly recognized and sanctioned by the provisions of this chapter for the taking of wildlife, is hereby declared to be an illegal device. No person shall have in his possession any illegal device or other thing prohibited by law or by any regulation adopted under*

*this chapter for the taking of wildlife.*

The information provided heretofore should be sufficient to answer the question. It doesn't seem that a CCDWL will trump the hunting regulations in this instance. There may be some debate as to whether the KAR carries the force of law since it was not directly promulgated by the legislature, but judicial precedent is probably going to be in favor of the KAR. If you wish to check with the KDFWR directly on this or any other matter pertaining to hunting or fishing, you may contact them at #1 Game Farm Road, Frankfort, Kentucky 40601 or call them at 1-800-858-1549. You can also send e-mail to [info.center@mail.state.ky.us](mailto:info.center@mail.state.ky.us) Of course, if you want valid legal advice, you need to consult an

attorney that is familiar with firearm law and hunting regulation.

**The following is my own personal viewpoint.**

This regulation has been lightly discussed in my presence on more than one occasion by pro-firearms/CCDWL activists and hunters but no consensus has ever been reached on

whether it would be good or bad to seek legislation to override the prohibition. The Commonwealth's Constitution seems rather plain on the matter of recognizing the "inherent and inalienable right" of all men "to bear arms in defense of themselves and of the State" but hunting is also a right and I fail to

understand why one must give up one right to exercise another. As an avid hunter using both the bow and muzzleloader, I am in favor of allowing CCDW licensees to carry a defensive weapon anywhere and anytime, including while hunting during seasons restricting modern firearms. For that matter, anyone wishing to carry a defensive weapon legally, either openly or concealed, should be allowed to do so in the same situation. To me, the current restriction is just another example of government regulating the possession of arms because of what someone *might do* with one. Isn't this the entire premise of gun control? I prefer to think the best of people until they prove themselves otherwise, then we should hang 'em high with the finest quality rope (though not necessarily for poaching).

In all fairness to the KDFWR, they do a fantastic job of wildlife management and have been instrumental in providing Kentuckians with what is most likely some of the best hunting in the nation. Besides their ability to get the job done, they do it with very little hassle or scandal and pay for it without reliance on appropriations from the General Assembly. Because of their impeccable record, they usually get what they want so it will take a well-tuned argument to change their mind on this prohibition. Unfortunately, their concurrence will be essential to get any such legislation through the General Assembly.



Special thanks to Oleg Volk for the use of his images. Visit Oleg's web site at <http://www.a-human-right.com>

*The Sanity of Self Defense,*  
*continued from page 1*

you are some sort of mentally-challenged individual best suited for a private, padded room? My how times have changed.

When I was a youngster, growing up in the turbulent '60's, I learned quickly that self-defense was the most basic instinct instilled in mankind. I discovered, mostly out of necessity, that there is nothing stronger in human nature than the drive for self-preservation. I also learned that defense of self cannot be trusted to the hands of others that share the same natural disposition of self first. I learned that rarely was anyone in a position of authority around when I really needed them. In other words, those who were charged with my safety proved incapable of rendering the service. I was often forced to take matters into my own hands.

As I grew older and embarked upon my personal voyage on the boisterous Sea of Life, I further realized that the lessons I had learned in my youth applied equally in adult life. Once again I discovered that those charged with my personal safety, i.e., the police and politicians, were not likely to be in the vicinity when I actually needed protection. The older I got the more apparent it became that the real insanity in the area of self-defense was relinquishing the responsibility of self-preservation to groups or governments that could not possibly protect me. The only sane alternative remaining to individuals that desire to live unmolested is arming themselves in order to insure Life and Liberty and further perpetuate their ability to pursue happiness. Remember the old saying, "If you want a job done right, do it yourself."

Now, while I was busy learning life's lessons the hard way about everything from facing down bullies intent on relieving me of my

milk money to dealing with thugs that were determined to do me harm, my father was teaching me something else. Dad was tutoring me in the means by which I could protect myself. He taught me the importance of the ability to meet force with force while avoiding force whenever humanly possible.

He taught me to use my wits instead of weapons when it was appropriate, but made sure I knew how to use a weapon when left with no other alternative. Dad also taught me that an unmo-lested firearm, even fully loaded, is harmless. Ah, there's the rub.

It is this simple fact that trumpets the safety of firearms. Guns do not kill people! They are not animate with the ability to remove themselves from their hiding places and discharging without external manipulation. The truth is people kill people. Sometimes they use guns; sometimes they use blades; sometimes they use baseball bats; and sometimes they use their hands. The fact remains that more gun legislation, leading to stricter gun registration, does not and will not stop the killing. People were killing each other long before the first black-powder device was invented (remember, Cain killed Abel with a rock); and, they will continue to kill each other even if you were able to remove every firearm from the face of the planet. It is insane to disarm ourselves only to be left at the mercy of criminals who are no more troubled by the State's new laws than they were with the old ones.

So, given the generally accepted facts that police and government cannot protect us, coupled with the reality that more laws just

give criminals more to ignore, why is it considered, by some, an unstable stance to champion the right of every individual to defend themselves, by any means at their disposal, should the need arise? Why would anyone try to turn the sanity of self-defense into apparent fanatical advocacy for the return of

"old West shoot-outs?" Fear is a very effective tool, that's why.

The gun-grabbers have already succeeded, at least to some degree, in making a significant number of voters afraid of

the guns themselves. The decades of campaigns declaring, "Guns kill," have been effective in fostering mistrust of anyone possessing a firearm other than State-sanctioned officials. Instead of teaching children a proper respect for weapons so they may become adequate stewards of their own safety, they are taught to fear the weapon and cautioned to simply surrender to aggression. Talk about insanity! If the founding fathers of this country had taken this approach, there would be no America to speak of today. The right of self-defense is the very foundation of Freedom, so much so, that one cannot exist without the other.

All this being said, it is no wonder that I found being called a gun wacko more than a little amusing. Even the implications of the term are hilarious when applied to me personally, and anyone that knows me would hardly characterize me as a gun nut. However, I do believe in experience. And what forty-three years of experience has taught me is that surrendering the responsibility for our own personal security, in exchange for a mere

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# So long, Smokey Joe

In memoriam, Gen. Joe Foss

It was one of those creepy moments of synchronicity that didn't really mean anything but felt like it should. I had just finished flying Joe Foss's mission of October 23, 1942 in Combat Flight Simulator 2. Having gotten my turn and burn fix, I closed the game and checked the news wire. General Joe Foss had died. Foss had been one of the primary consultants in the development of the game and he had designed that particular mission, and while computer games are just computer games, playing the mission gives you an idea of the difficulty and lop-sided odds these guys faced.

Gen. Foss was a true American hero. He was the first Marine aviator to receive the Congressional Medal of Honor with 26 kills over Guadalcanal in those dark early days of the war in the Pacific. He had a particular fondness for cigars, hence the nickname, "Smokey Joe." Unlike many war heroes who have trouble adjusting to peacetime, Gen. Foss didn't miss a beat. Stateside, he formed his own flying service, established a Packard dealership, organized the South Dakota Air National Guard, was elected to Congress and then governor of South Dakota, and became president of the fledgling American Football League and the NRA. The last time Gen. Foss was in the news was last year when he was prevented from getting on an airplane with his Congressional Medal of Honor because some dimwitted security person at an airport decided that the sharp edges of the medal might be used as a weapon by the 86-year-old man to hijack the airplane. That, to me, was one of the most bitter ironies of the post-9/11 hysteria.

Upon learning of Gen. Foss's death, South Dakota Gov. Bill Janklow said that the aviator "spurred an entire nation into a resolve that we would win the Second World War and make the world a safer place." He added, "All the things that he accomplished pale in comparison to the fact that back in the deep, dark days of the early 1940s, when America needed a hero, Joe Foss was there."

The Battle for Guadalcanal was a legend maker like no other in the Pacific theater. It was as pivotal as Midway and far more desperate. By all rights, the American forces should have been crushed, but guys like Joe Foss just weren't going to let that happen, and when we're singing the praises of the celebrity warriors like Foss, Edson, Basilone and Boyington, we need to remember that there were many more who strapped themselves into Wildcats or shouldered a Garand and gave as much or more but didn't get the recognition lavished upon the stars. They were the vertebrae in America's backbone, and we owe them a tremendous debt whether or not our politically correct history books choose to remember them.

I think I'll find an empty runway someplace and smoke a good cigar.



*The Sanity of Self Defense,*  
continued from page 7

promise of safety, is anything but sane. In every instance of my life when I needed protection I have taken the initiative of self-defense because without it there would have been no defense at all. It has been from necessity, not desire, that I have had to defend my person and property.

Where were the police when my weekend sports shop was robbed? Where was my resident elected official when my neighbor's apartment was being ransacked? And wasn't that a government official holding a gun in my face just because I happened to be in the wrong place at the wrong time? There would be no sanity without self-defense, and there would be no freedom. Surrender your security to no one. Take that responsibility upon yourself because you're the only one you can trust with your life.

I am not a nut and I am certainly not a wacko, I am just a realist. I do not buy the propaganda that strict gun registration or stiffer penalties imposed by a myriad of new laws will put a stop to violence in our society. I do not believe the lie that government can protect my family and I from that portion of society that chooses to live outside the limits of the law. As long as human beings inhabit the earth, some will always seek to do each other some amount of harm. The only sane reaction to this stark reality is to prepare a proper self-defense. As I have said before many times, "Enough is enough! Buy a gun, the life you save will probably be your own or that of someone you love."



# Kentucky Coalition to Carry Concealed (KC3) Membership Application

(Please print clearly - all information confidential and for KC3 use only)

Is this a RENEWAL? If so, what is your current membership number? \_\_\_\_\_

Name \_\_\_\_\_ Male/Female \_\_\_\_\_

Address \_\_\_\_\_

Apt. # \_\_\_\_\_ City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

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Date of Birth \_\_\_\_\_ In which Congressional district do you live? \_\_\_\_\_

Are you a CDWL Instructor? \_\_\_\_\_ If so, do you wish to be listed on our web page? \_\_\_\_\_

Do you want to be on our email broadcast list for timely information and alerts Y/N? \_\_\_\_\_

Are you a member of the Kentucky State Rifle and Pistol Association? Y/N? \_\_\_\_\_

Name of the person who referred you to us? \_\_\_\_\_

Single membership dues, \$10 one year \_\_\_\_\_ or \$25 three years \_\_\_\_\_ (Check one)

Household Dues, (2 voting members per household) \$15 per year \_\_\_\_\_ or \$40 three years \_\_\_\_\_ (Check one)

List additional member's name for Household \_\_\_\_\_

Can you help us at gun shows or in other ways? Please describe: \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

(The following information is optional and is not required for membership)

What is your party affiliation? \_\_\_\_\_

Occupation \_\_\_\_\_

Do you have a current CDWL Permit from another state? Y/N \_\_\_\_\_ If so, which state(s) \_\_\_\_\_

Send application with check or money order to:

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