

To: House Federal and State Affairs Committee  
From: Eric B. Smith, Deputy General Counsel  
Date: March 15, 2016  
RE: Opposition to Substitute for SB 65

I want to thank the Chair and Committee members for allowing the League of Kansas Municipalities to testify in opposition to Substitute for SB 65.

There are portions of this substitute bill that the League does not oppose but we cannot ignore the major assault on the ability of public employers to regulate their employees. Municipalities, as employers, are no different than employers in the private sector and employee policies are established for many reasons. Municipal employers should retain the ability to create policies concerning what is or is not permitted by employees while performing duties on behalf of the employer. There is no logical basis for municipalities to be treated differently than private employers when it comes to regulating the carrying of weapons by employees. The League strongly opposes the State interfering in the employment policies of local governments.

We understand that the right to bear arms is a constitutional right. At the same time, as an employer, a city has certain duties and obligations. Many personnel policies are established to reduce liability for the employer as well as protecting the rights of all employees. Employees are made aware of the conditions of work when they are offered a job, and should give consideration at that point as to whether they wish to join an employer.

Many League member cities may choose to allow their employees to conceal carry weapons while performing job duties others will not. Some cities may allow their employees to live outside of their city limits while others require city residence. The decision concerning public employee personnel policies should be made by the employer, just as a private employer sets the policies for their employees.

The League submits that it is reasonable for municipal employers to have the same latitude as private employers and set the employment policies necessary to meet their communities' needs. We respectfully request that the Committee **not** pass out Substitute for SB 65.