

STATE AFFAIRS COMMITTEE  
January 29, 1968

The meeting was called to order by the Chairman and Mr. Euler was introduced to discuss H.B. 1741. He stated the bill would have general, statewide application and pertains to the registration of hand guns only; that it incorporates part of the New Jersey law with the Kansas needs, and that two or three other states have a firearms act. He explained the various sections-- keeping of records, legal number of guns owned, procedure for purchase and registration; that the permit for purchase is not transferable and is valid for only 30 days after issue. He stated that law enforcement officers have testified to the need of this kind of legislation; and he quoted from the 1966 Harvard law review, which tended to indicate that this kind of a law reduced the homicides and murders.

Mr. Jelinek stated that there are so many guns now that it would be impossible to get them registered and Mr. Euler stated that the law would be effective from now on and would not affect present owners. Mr. Fribley inquired about the estimated cost of enforcing and Mr. Euler didn't know. Mr. Andrews advised that the fiscal note is \$15,700. He went on to say he did not believe this would get to the root of the problem; that criminals are always going to be able to get guns illegally and it would just serve to harass the good citizens. Mr. Euler stated that he could only point to the experience in areas where such an act was in force, and that he believed the bill was a step in the right direction. Mr. Ford inquired what he proposed to do about thugs and criminals who have guns, and Mr. Euler stated that if they have had a conviction, that it is against the law to have a gun in their possession.

Mr. VanCleave proceeded to discuss H.B. 1729, stating that the proposal is permissive, but would permit the county to require registration of firearms; that Wyandotte County or rather Kansas City, Kansas which covers 3/4 of the county already has an ordinance that requires such registration and the county would like to come under it too; that now a person living in the city could go to the county and buy firearms if they didn't want to register them. He stated that the Garcia case has prompted this bill. Mr. Turner pointed out that there is a federal law now that covers sale of firearms to addicts, alcoholics, etc. Mr. VanCleave explained that it is against the law for them to have guns but no prohibition against selling to them. Mr. Turner inquired if it would prohibit him from letting his son accompany him on target practice and Mr. VanCleave stated it was not the intent. Mr. Andrews stated that we are led to believe that this

law is going to stop the sale of guns to hoodlums and criminals, but he knows that such people are going to get what they want by some means; that no criminal is going to make application to purchase a gun--that this will just harass private citizens who use guns in a good and proper manner. Mr. Euler read statistics which indicated that 2/3 of the homicides and murders in America were among families and friends; that the FBI concurs in this and that if there was a waiting period while the permit was being issued that the people would cool off and the moment of action would pass. Mr. Andrews suggested that the people who issued the permits would need to be psychologists. Mr. Brown and the Chairman inquired about statistics on thefts of firearms from homes and retailers and Mr. VanCleave stated that his experts would be able to furnish this.

Opponents to this bill were then heard, and Mr. Lowell Heney of Muncie spoke in opposition to this bill. He stated that 75% of the crimes committed are by second and third offenders and that they are going to get guns without registration; that it would just serve to harass private citizens; that he believes such legislation is against the individual's rights. Mr. Merlin Schwartz appeared, stating that he represents a large delegation in Marshall County, and opposes this proposal; that the fiscal note of \$15,700 to finance this bill in his county could be used for an extra man to help enforce the laws already on the books and that would take care of their problems. Mr. Maurice Martin appeared on behalf of himself and his family, and stated that he believed most of these things are already covered in the Federal Firearms Act; and stated to Mr. Turner that indeed H.B. 1741 would make it a crime for him to permit his son to use his gun; and further stated that he opposes this legislation. Mr. Albert Cowen, a police officer from Merriam, Kansas, stated that a trooper was killed in his town last week and three officers hit; that the weapons were a carbine, a shotgun and dynamite; that most people who lose guns through theft already have serial numbers, etc. and can report their loss; that the people with whom he has talked are private individuals who are interested in the safe and proper use of firearms and oppose this legislation. Mr. Woodside expressed displeasure with the bill and with the sponsors and the Chairman admonished him to speak to the bill and not make reference to the individuals.

Mr. Paul Buchanan stated that in 124 BC in China, that individuals petitioned the Emperor for control of bows and crossbows; and the decision was that law abiding citizens didn't need it and criminals would just have to be watched. He opposed the bill. Mr. Ted Cunningham stated that he was speaking for the Riley County Fish and Game Commission of 250 members, and was speaking in opposition to the proposal; that a great many people believe guns are evil but it is not guns--it is people who are evil. He stated that he hoped for legislation against the criminal who has always managed to get weapons and who will continue to do so illegally. He stated that there are plenty of laws on the books for control and urged enforcement and the money to do it.

Mr. W. B. Kirkpatrick opposed the proposals on behalf of the Capitol City Gun club of 400 members. He displayed a form (see exhibits) that dealers have been required to keep on sales of firearms since 1938; that the present laws are adequate and urged defeat of the measures.

Donald L. Jesse, representing the Galaxie Gun Club of 17 members, spoke in opposition to the proposals, stating that automobile registration does not deter auto theft and neither would gun registration; that he believed this legislation is not needed.

Mr. Verne Dow stated that there are now on the books some 20,000 laws dealing with firearms and that most are not being enforced; that he believed enforcement and not more laws is what is needed.

Bob Scrinopskie, a dealer in Topeka, opposed the bills, stating that most of the dealers are very careful about the sale of firearms; that they are not going to sell to someone who is obviously agitated, drunk, drugged or to a juvenile, and urged that the bills not be passed.

Mr. Cunningham called attention to the fact that the NRA is presently sponsoring a federal law in Congress amending the national firearms act, strengthening the regulations, increasing penalties and banning handgun sales to minors and doing away with mail order business.

Mr. David Chamberlain of Merriam stated that sponsors would have one believe that anti-gun laws will do away with homicides and murders, but in fact this is not true; that in Dallas with a liberal gun law vs. New York with a strict one, the rate of murder, assault and robbery is still 244.2 offenses per 144,000 in population in both cities.

The meeting was adjourned.