

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS

The meeting was called to order by REPRESENTATIVE ROBERT H. MILLER at  
Chairperson

1:30 a.m./p.m. on March 5, 1986 in room 526S of the Capitol.

All members were present except:

Rep. Hensley  
Rep. Miller-E  
Rep. Roe-E

Committee staff present:

Lynda Hutfles, Secretary  
Raney Gilliland, Research  
Mary Torrance, Revisor's Office

Conferees appearing before the committee:

Representative Peterson  
Nick Tomasic, District Attorney, Johnson County  
Sheriff John Quinn, Wyandotte County  
Jack Snavely, Alliance of Concerned Christian Homes  
Tom Kelly, KBI  
Jim Dobbins, Kansas Fur Harvesters

The meeting was called to order by Vice-Chairman Vancrum.

Representative Long made a motion, seconded by Representative Sughrue, to approve the minutes of the February 26 meeting. The motion carried.

HB2947 - Crime of causing injury while driving under the influence of drugs or alcohol

Representative Peterson, sponsor of the bill, explained the bill and told the committee this bill creates a new crime - an injury caused by someone driving under the influence of alcohol or drugs where injury results, but not a death.

Nick Tomasic, District Attorney for Johnson County, explained the reasons for introduction of this bill. The problem is that without a felony option for wantonly causing great bodily harm, if you kill someone you can be prosecuted, but if you seriously injure them you can go free or be charged only with DUI. This bill is needed because it provides for prosecution of unintentional injury due to a DUI.

Hearings were concluded on HB2947.

HB2966 - Licensure to carry concealed firearms

Representative Peterson explained that the bill was requested by the Wyandotte County Sheriff. The bill sets up a procedure whereby the sheriff can control those who can carry a concealed weapon.

Sheriff John Quinn, Wyandotte County, gave testimony in support of the bill. He has a reserve force of about 70 people and has received heat about those people carrying guns when off duty. He told the committee if a man or woman comes to you with a valid reason for carrying a gun, they should be allowed to carry a gun.

There was discussion about striking on line 23 "good moral character". Mr. Quinn had no objection to this.

There was discussion about how many people this bill would allow to carry a gun. Mr. Quinn thought only about 20 people in his area would be effected.

When asked if he had objections to having lines 109-119 put back in the bill, Representative Peterson said he had no objection and didn't know why it had been stricken.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS  
room 526S, Statehouse, at 1:30 a.m./p.m. on March 6, 1986

Jack Snavely, Alliance of Concerned Christian Homes, gave testimony in support of the bill explaining that the people have the right to bear arms for their defense and security. See attachment A.

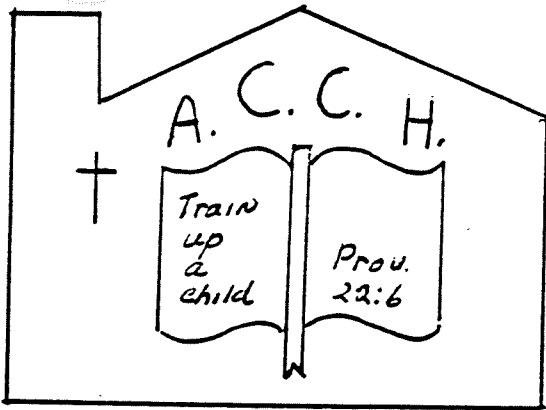
Tom Kelly, Kansas Bureau of Investigation, submitted a fiscal note and told the committee that the bill was vaguely written. A name check costs the Bureau \$3.00, \$12.00 for a fingerprint check, and an additional \$12.00 for FBI print check with a minimum cost of \$27.00 for each name submitted to them by sheriff officials of persons applying for a gun permit.

The Vice-Chairman called attention to the letter from Brenda Braden of the Attorney General's Office in opposition to the bill. See attachment B.

Jim Dobbins, Kansas Fur Harvesters, gave testimony with objections to the deletion of lines 111-112 which does not allow hunters to carry concealed firearms. He said he would have no objection to the bill if this provision were left in statute.

Hearings were concluded.

The meeting was adjourned.



ALLIANCE OF CONCERNED CHRISTIAN HOMES  
ROUTE # 1  
PERRY, KANSAS 66073

OUR CHILDREN - THE FUTURE OF TOMORROW

Jack Snavely, President  
Phone 913-597-5235

Testimony Concerning House Bill 2966  
House Federal and State Affairs Committee  
March 4, 1986

Mr. Chairman, and Members of the Committee,

I am Jack Snavely, President of the Alliance of Concerned Christian Homes.

We are for House Bill 2966 concerning the right of this state's citizens to use, keep and carry a fire arm if the need arises.

Our Bill of Rights, Article 4, says, as I am sure you already know, the people have the right to bear arms for their defense and security. Right now it is only possible to carry a revolver concealed if you are a law enforcement officer or a detective, which eliminates most of the population of Kansas.

The last time I inquired for permission to carry a concealed revolver, I was refered to the K.B.I., who gave me a lot of forms to fill out. I would have to pay to have my fingerprints taken, buy a security bond, and take an open book test to become a detective to be able to carry a weapon.

I am a minister and missionary in Kansas. At times I carry large sums of money. I have an average of nine children under my care and I am responsible for their care and welfare. I have enough to do without having to become a detective to carry protection for myself and family and try to keep up with all of the paperwork that would entail.

It would probably surprise us all to know how many people now carry, on their person, some kind of protection, whether to protect their family, or the day's receipts going to the bank as I do.

Mr. Chairman, we ask that this Bill 2966 would be passed favorably.

Respectively Submitted

*Jack L. Snavely*  
Jack L. Snavely, President  
Perry, Kansas 66073  
Phone 913-597-5235

H. FLSA  
ATTACHMENT A 3/5/86



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

ROBERT T. STEPHAN  
ATTORNEY GENERAL

MAIN PHONE: (913) 296-2215  
CONSUMER PROTECTION: 296-3751

March 5, 1986

The Honorable Robert H. Miller  
Chairperson  
House Federal & State Affairs Committee  
Statehouse  
Room 526-S

Chairperson Miller and Members of the Committee:

On behalf of the Attorney General, I am writing to oppose passage of HB 2966. This bill would create a mechanism whereby a person could obtain a permit to carry a concealed weapon from the county sheriff. Such legislation would be a step backward for Kansas.

Under current law, a person may carry a pistol, revolver or other firearm on his person so long as the firearm is not concealed. A person may conceal a firearm in his automobile, so long as the firearm is not concealed on his person. A person may carry a concealed firearm on his own land or in his abode or at his fixed place of business. Certified law enforcement officers may carry a concealed weapon whether or not on duty. K.S.A. 1985 Supp. 21-4201. In addition, a person may be licensed as a private detective which will permit the person to carry a concealed weapon.

We believe it is unnecessary and unwise to permit other persons to carry concealed weapons. The State requires all law enforcement officers to receive training, not only in how to use a firearm but also as to when such weapon should be used. Private detectives are required by law to receive firearm training. Persons who might be issued gun permits under the proposed legislation would not receive such training. In our opinion, the lives of law enforcement officers and others may be placed in greater jeopardy if they approach a person, unaware that the person is armed.

ATTACHMENT B

H. FISA  
3/5/86

We would note that all law enforcement officers and all private detectives are licensed by single sources, i.e., the Law Enforcement Training Center and the Attorney General. With this bill, there would be 105 licensing entities with no central list in existence. This would make it far more difficult to verify that all persons with gun permits were properly licensed.

We strongly urge you to reject HB 2966.

Respectfully submitted,

ROBERT T. STEPHAN  
ATTORNEY GENERAL

A handwritten signature in cursive script that reads "Brenda L. Braden".

Brenda L. Braden  
Deputy Attorney General

BLB:may