

Approved 3/21/89
Date

MINUTES OF THE Senate COMMITTEE ON Federal & State Affairs

The meeting was called to order by Senator Edward F. Reilly at
Chairperson

11:13 a.m./~~p.m.~~ on March 16, 1989 in room 254-E of the Capitol.

All members were present except:

Senators Morris and Yost who were excused.

Committee staff present:

Mary Ann Torrence, Revisor of Statutes Office
Mary Galligan, Legislative Research Department
Emalene Correll, Legislative Research Department
Marty Robison, Secretary

Conferees appearing before the committee:

George Schureman, Kansas Peace Officers Association
Lieutenant Wm. Jacobs, Kansas Highway Patrol

Chairman Reilly called the meeting to order.

Staff presented a request from Senator Martin to introduce a bill for the creation of watershed districts and concerning the payment of the costs of special elections. Senator Anderson moved the introduction and Senator Bond seconded. The motion passed.

Senator Bond moved the introduction of a bill which would move the effective date of the exemption of taxes on convents back to December 31, 1986. Senator Strick seconded and the motion carried.

A hearing was held on HB 2018 which deals with the sale to or possession of firearms by felons.

George Schureman spoke in support of the bill and told members that this bill addresses the problem or gap concerning other types of firearms for convicted felons. With more convicted felons on the streets, this bill would prevent them from bearing arms (Attachment 1).

Staff was directed to inform the committee of the crimes that are referenced in this bill.

Lt. William Jacobs supports this bill because of the safety which it would provide for law enforcement officers. He said length of the firearm needs to be clarified also (Attachment 2). In answer to a concern of members regarding reformed felons, he said an amendment could be added which would say "except those pardoned or those whose record has been expunged".

The meeting was adjourned at 11:47.

GUEST LIST

COMMITTEE: Senate Federal & State Affairs

DATE: 3/16/89

NAME (PLEASE PRINT) ADDRESS COMPANY/ORGANIZATION

Didn't get around
passed around
the room

HOUSE BILL 2018

SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

Testimony given by George J. Schureman on March 16, 1969
on behalf of the Kansas Peace Officers Association

Under the current law in Kansas, it is illegal for a convicted felon to possess a handgun for 5 years after the offense. House Bill 2018 addresses the problem or gap concerning other types of firearms, specifically, rifles and shotguns, creating a permanent ban on all firearms for those felons convicted of violent and dangerous felonies.

House Bill 2018 would make it unlawful for a person convicted of a violent crime against another person, or convicted of a drug violation, to possess any type of firearm. Those crimes which are considered violent crimes are 1st and 2nd Degree Murder and Voluntary and Involuntary Manslaughter; Aggravated Assault, Aggravated Assault to a Law Enforcement Officer, and Aggravated Battery, Terroristic Threat, Kidnapping and Aggravated Kidnapping; Aggravated Robbery; Rape, Aggravated Sexual Battery and Aggravated Criminal Sodomy; Aggravated Juvenile Delinquency; Aggravated Burglary; and Possession or Sale of Controlled Substances.

It should be noted that a first conviction for the Possession of Marijuana is a misdemeanor and not a felony crime.

The concern of the Kansas Peace Officers Association is that currently, as a result of Court mandates, the prison population is being reduced. This mandate is putting more convicted felons on the street. Approximately 30% of the parolees on the street at this time are Class A, B, and C felony violators. This would indicate that these persons have probably committed violent crimes, crimes against other persons, or are serious drug offenders. One concern of the Kansas Peace Officers Association, is that many of the convicted felons are involved in drug usage and trafficking. These people may again become involved with drugs upon their release from prison or parole. Persons involved in serious drug violations are a threat to the police as well as to the citizens of the State and to themselves. When a police officer serves either an Arrest Warrant or a Search Warrant in drug investigations, more often than not, firearms are found on the premises, in the vehicle, or on the person of those arrested. Whether the weapon is an assault rifle or handgun, makes little difference to the Officer who has been shot.

House Bill 2018 could save the life of a police officer.

SFSA
16
3-16-89

Attachment 1

03/16/89

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I think it is important to remember that this bill does not restrict in any way, the right to bear arms by the law abiding citizens of the State of Kansas.

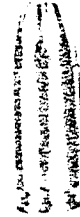
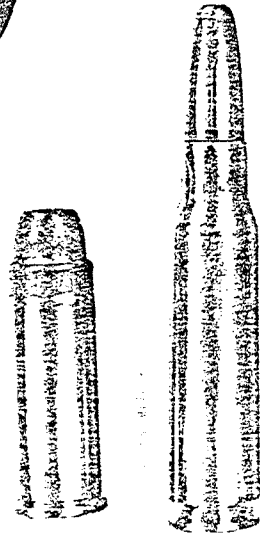
Thank you.

GJS:mfc
3-16-89 #631-W

308

9mm

44 cal



Felon

Agent

SUMMARY OF TESTIMONY

Before the Senate Federal and State Affairs Committee

March 16, 1989

House Bill 2018

Presented by the Kansas Highway Patrol

(Lieutenant William Jacobs)

Appeared in Support of House Bill 2018

The Kansas Highway Patrol supports House Bill 2018 which would make it illegal to sell or transfer any firearm to any person convicted of certain felonies; or for a person so convicted to possess any firearm after conviction or release from imprisonment for such conviction. Our support is based upon providing safety for law enforcement officers that encounter those individuals and also the safety of the public at large.

The present language in K.S.A. 21-4203 and 21-4204 provides those prohibitions on firearms with a barrel less than twelve (12) inches long, but we contend that crimes can be committed with firearms that have a barrel in excess of that length and legally owned by such individuals.

We also realize that not all persons convicted of a felony are violent persons, but we are very concerned about those who are convicted of crimes that involve the use of firearms and those that are convicted of drug related crimes where firearms are often used in their illegal business transactions.

For the reasons stated above, the Kansas Highway Patrol would ask this committee for their favorable consideration to House Bill 2018.

SFOSA
3-16-89
Attachment 2.