

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Arlen Siegfroid at 1:30 P.M. on March 5, 2008, in Room 313-S of the Capitol.

All members were present except:

Representative Judy Morrison - excused
Representative Owen Donohoe - excused

Committee staff present:

Dennis Hodgins, Kansas Legislative Research Department
Mike Heim, Revisor of Statutes Office
Jason Long, Revisor of Statutes Office
Jeannie Dillon, Committee Assistant

Conferees: Jordan Austin, National Rifle Association
Ed Klumpp, Kansas Society of Chiefs of Police
John Gilmore, Business owner
Representative Dennis McKinney
Jeff Brandau, Kansas Bureau of Investigation

Others attending:
See attached list.

The meeting was called to order by Chairman Siegfroid at 1:30 pm on March 5, 2008. The Chair asked for bill introductions. Hearing no requests for bill introductions, The Chairman opened the public hearing on: **HB 2742 - Sale of automatic weapons, silencers to law enforcement.**

The Chairman welcomed Jordan Austin, National Rifle Association, who spoke as a proponent to the bill. He explained that **HB 2742** entitles a class 3 firearms dealer to deal in machine guns, silencers and short barreled shot guns. The dealer has paid a special occupational federal tax to be allowed to deal in these weapons. Their possession, sale and even their movement must all be carefully documented by the federal government. The federal government already allowed for this possession by Class 3 dealers. In December of 2007, Attorney General Morrison basically reversed the previous two Attorney Generals' opinions on the matter of possession of NFA firearms. Mr. Morrison's opinion indicated that Kansas law preempts Federal law. Kansas Class 3 dealers have been shut down and their trade restricted. The passing of this bill will allow Class 3 dealers to possess and sell these weapons to law enforcement and transfer them to ordinary citizens who have gone through the necessary registration and background checks. Mr. Austin stated that it was a step in the right direction in authorizing people to possess these weapons in Kansas. Written testimony on behalf of Aaron Einsel was presented by Jordan Austin. (Attachment 1)

A Committee member asked Mr. Austin why do we need to put automatic weapons in the hands of people.

Mr. Jordan answered by saying that the first reason would be economic reasons. Currently law enforcement needs to go out of state to buy these weapons, therefore taking the sales of these weapons from Kansas firearms dealers. All states around Kansas can sell these weapons to law enforcement. Also, individuals who make a hobby of collecting these weapons would be allowed to buy them in Kansas. He stated that there are only 2 felonies on the books concerning these weapons since the 1930's.

A Committee member asked staff to examine the conceal carry law to see if that law covers machine guns. (On file in Research Department)

John Gilmore, licensed federal firearms and class 3 firearms dealer, spoke as a proponent of **HB 2742**. He recommended amending the less restrictive language of **HB 2819** into **HB 2742**. The reason is because as the bill is currently written, it excludes two specific licensed classes of class 3, manufacturing and importers. (Attachment 2)

Ed Klumpp, representing the Kansas Association of Chiefs of Police, stood in opposition to **HB 2742**. Mr. Klumpp opposes the bill in its current form. He does not oppose allowing federally licensed firearms

CONTINUATION SHEET

MINUTES OF THE House Federal and State Affairs Committee at 1:30 P.M. on March 5, 2008, in Room 313-S of the Capitol.

dealers to conduct business with law enforcement and others authorized under current statutes to possess machine guns and silencers, but the proposed language opens the door more than necessary to conduct such business. He stated that in the opinion of the Attorney General, federally licensed firearms dealers can already sell machine guns, without any change to the law, to those in the state who can legally possess them. He attached a balloon showing two possible options that he would recommend to the Committee. In summary, Mr. Klumpp stated that he would support changes that allow the federally licensed firearms dealers to conduct business with persons who are currently authorized by statute to possess machine guns and silencers in Kansas, but he will not support any changes that go beyond that. (Attachment 3)

Representative McKinney spoke briefly in support of HB 2742. He stated that it makes no sense to leave the purchasing of these weapons by law enforcement to out of state dealers. He commented that HB 2819 may have better language. (No testimony submitted)

Jeff Brandau, Kansas Bureau of Investigation, stated the department would support what Mr. Klumpp has stated in his opposition to the bill. He received a note from the Bureau's lab that said section (g) makes specific exemptions to labs for testing. He recommended exempting law enforcement forensic laboratories that would hold these weapons for testing. (No written testimony submitted)

After the Committee members asked questions of the conferees, the Chairman closed the public hearing on HB 2742 and adjourned the meeting.

The next meeting will be March 6, 2008.

Written testimony:

Michael Desmarteau, retired Wichita police officer (Attachment 4)

Darin Reiss, law enforcement officer and firearms dealer (Attachment 5)

Fed & State : Committee

Date 3/5/08 Guest List

| Name | Representing |
|----------------|------------------------------|
| Isaac Ferguson | Kansas Chamber of Commerce |
| Ed Kump | Ks Assoc of Chiefs of Police |
| C.W. Klebe | A.G. office |
| MARK BORANYAK | CAPITOR STRATEGIES |
| Kristen HANSON | |
| TRISHA ROBERTS | |
| Jeff Bo Henley | KSA |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Testimony to the House Federal & State Affairs Committee

HB 2742 & 2819

March 5, 2008

Class 3 Dealer overview.

The term "Class 3" refers to a federally licensed firearms dealer, or FFL, who has paid an additional federal tax called the "Special Occupational Tax". The term "SOT" is a commonly used name for this tax and for the dealers who possess it. The SOT allows the holder to deal in machineguns and suppressors which are commonly called National Firearms Act or "NFA" weapons.

At this point I want to mention that there are three classes of SOT holders:

A Class 3 SOT dealer is a dealer of NFA firearms

A Class 2 SOT manufacturer is a manufacturer of NFA firearms who can also deal in them

A Class 1 SOT importer is an importer of NFA firearms who can also deal in them

All three classifications of SOT's must first undergo the rigorous federal background checks required to obtain a Federal Firearms License. At that time the FFL dealer can apply for the SOT status allowing him to deal in NFA firearms. State and local laws must also be followed.

All NFA firearms are under the very close scrutiny of the Federal Government and are monitored by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the "ATF."

Their possession, sale, and even their movement must all be carefully documented by the SOT working in conjunction with the ATF.

In July of 1992 Kansas Attorney General Robert Stephan wrote an opinion stating that with regard to suppressors (NFA firearms), Federal law will preempt State law. He further stated that Class 3 FFL dealer/business owners who have paid the Special Occupational Tax could possess those items.

In September of 2001 Kansas Attorney General Carla Stovall was questioned about the legality of suppressors (NFA firearms), she cited the previous Attorney General Stephan's opinion and further stated that the State would continue to follow that policy and practice. The opinions of Stephan and Stovall were the basis upon which Kansas resident FFL-SOT dealers had formed and operated their Kansas businesses for 16 years.

In December of 2007 Kansas Attorney General Paul Morrison wrote opinion 2007-41, basically reversing the previous two Attorney General's opinions on the matter of possession of NFA firearms. Mr. Morrison's opinion states that Kansas law does

House Fed and State Committee
March 5, 2008

preempt Federal law. In effect with that opinion, Kansas FFL-SOT dealer/business owner's trade has been restricted.

We now find ourselves in a situation where the ATF is denying transfer of NFA firearms to qualified Kansas businesses. We are no longer able to work with law enforcement to meet their needs. Furthermore, out of state SOT's are also restricted from doing business with federally licensed Kansas dealers and Kansas law enforcement agencies.

The majority of States in our country abide by the Federal Gun Control Act of 1968. Kansas resident FFL-SOT dealers were able to follow those Federal laws until December of 2007. With approval of House Bill 2819 our Kansas businesses will again be able to operate and move forward.

Under this Bill HB2742 it would not allow Manufactures or Importers to sell to law enforcement, only Dealers, if HB2819 was used it would allow Dealers, Manufactures and Importers to continue in business.

Thank you for your time,

Aaron Einsel
R. R. 1
Greensburg, Kansas

House Bill 2742 and House Bill 2819

My name is John Gilmore. I reside at 9010 High Drive, Leawood, Kansas. Thank you for the opportunity to speak here today. (I am a licensed Federal Firearms Dealer as well as a Class 3 firearms dealer.) The term "Class 3" refers to a Federal Firearms Dealer who has paid an additional Federal tax called the "Special Occupational Tax". This would normally allow the Class 3 firearms dealer to demonstrate and sell machineguns and suppressors commonly called National Firearms Act or "NFA" firearms to law enforcement special response teams. Currently in Kansas however, this is not the case.

While the majority of States in our country choose to base their Class 3 NFA firearms restrictions on the Federal Gun Control Act, Kansas has chosen not to do so. Furthermore, existing Kansas law K.S.A. 21-4201 does not specifically address Class 3 licensed individuals.

House Bill 2742 is a much needed step in the right direction, yet it has several insufficiencies. The purpose of my appearance here today is to urge you to recommend amending the less restrictive language of House Bill 2819 into House Bill 2742. The reason being, "as currently written HB2742 excludes two specific licensed classes of Class 3 dealers, namely manufacturers and importers". All three classes of dealers are included in HB2819's language.

My Kansas small business has only recently been established, but other Class 3 dealers in our state have dealt in these Class 3 firearms for over 20 years. Past Attorney General Robert Stephan and later Attorney General Carla Stovall had written opinions in 1992 and 2001 allowing us to continue operating our businesses. ^{Suppressors}

In December of 2007 Kansas Attorney General Paul Morrison wrote opinion 2007-41, basically reversing the previous two Attorney General's opinions on the matter of possession of NFA firearms. Mr. Morrison's opinion indicated that Kansas law preempts Federal law. In effect with that interpretation, Kansas Class 3 dealer's businesses have been shut down and our trade restricted. We now find ourselves in a situation where the ATF is denying transfer of NFA firearms to previously qualified Kansas businesses based on opinion 2007-41.

House Fed and State Committee
March 5, 2008

Attachment

2

(We are no longer able to possess, demonstrate, and sell these weapons to police tactical teams. When a police chief and his firearm instructor see the need to insure officer safety by utilizing these special tools, departments are forced to look outside our state. Often times, out of state dealers go directly to Kansas law enforcement bypassing Kansas business owners. Other Class 3 dealers being adversely affected include Tim McGill of Cine Specialists in Wichita, Kansas. Mr. McGill is a Class 3 manufacturer who provides special effects automatic firearms for the motion picture industry. Currently his business is unable to serve the needs of the motion picture industry thus somewhat undermining the ability of the Kansas Film Commission to attract the large influx of money that the film industry could bring to our state.

The majority of States in our country choose to abide by the Federal Gun Control Act. Kansas resident FFL-SOT Class 3 dealers were able to follow those Federal laws until December of 2007. By amending the less restrictive language of House Bill 2819 into House Bill 2742 and then approving that bill our Kansas businesses will again be able to operate and grow, providing additional services and tax revenue.



OFFICERS

Bob Sage
President
Rose Hill Police Dept.

Jay Reyes
Vice President
Derby Police Dept.

Todd Ackerman
Sergeant at Arms
Marysville Police Dept.

Mike Keller
Treasurer
Andover Police Dept.

Janet Thiessen
Recording Secretary
Olathe Police Dept.

James Hill
SACOP Representative
Salina Police Dept.

William "Mike" Watson
Immediate Past President
Riley County Police Dept.-Ret

Doyle King
Executive Director
KACP

REGIONAL REPRESENTATIVES

Gus Ramirez
Region I
Johnson Co Comm. College

Sam Budreau
Region II
Chanute Police Dept.

Ronnie Grice
Region III
KSU Public Safety Dept.

Jim Daily
Region IV
Newton Police Dept.

Frank Gent
Region V
Beloit Police Dept.

Vernon Ralston
Region VI

WRITTEN TESTIMONY TO THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE IN OPPOSITION TO HB 2742

Presented by Ed Klumpp

March 5, 2008

This testimony is in opposition to HB 2742 in its current form. We are not opposed to allowing federally licensed firearms dealers to conduct business with law enforcement and others authorized under current statutes to possess machine guns and silencers. But the proposed language, in our opinion, opens the door far more than necessary to conduct such business by the licensees.

We are a little uncertain of the ultimate goal of this bill. We are told by some the intent is to allow federally licensed firearms dealers to sell machine guns and silencers to law enforcement. The Attorney General's opinion 2007-41 issued last December is also mentioned as an impetus for this bill. However, on page 2 of the opinion, it is stated "Based upon these exceptions, we conclude that Kansas law allows a federally licensed firearms dealer to sell *serviceable* automatic firearms only to (1) law enforcement officers, certain prison and jail personnel, members of the federal and state armed forces, and (2) a laboratory certified by the United States Department of Justice." (This is located on page 3 of the opinion in the last paragraph of the section titled, "Kansas Law.") So in the opinion of the Attorney General, federally licensed firearms dealers can already sell machine guns, without any change to the law, to those in the state who can legally possess them.

In regards to silencers, the opinion states, "Under the Kansas statute, any person, including a federal firearms dealer, is *prohibited* from possessing or selling silencers unless an exception applies. Kansas law does not have an exception for sales to other federal firearms licensees or persons authorized under the Gun Control Act. Rather, Kansas law allows sales of serviceable silencers only to laboratories certified by the United States Department of Justice. Because Kansas law is more restrictive than federal law, the Gun Control Act does not preempt the Kansas statute. Thus, in Kansas, a federal firearms dealer cannot sell silencers to other federal firearms licensees or persons authorized under the Gun Control Act." (This is found in the next to the last paragraph of the opinion.) So it appears this is the only provision that needs a change in the law to allow the federally licensed dealers to conduct sale of silencers to law enforcement agencies authorized in the current law to possess silencers.

House Fed and State Committee
March 5, 2008

Attachment

3

The proposed language will not only allow the federally licensed dealers to conduct sales, but it exempts them from all aspects of sections (a)(6), silencers, and (a)(7), machine guns. So if this bill passes as is, federally

licensed dealers will not only be able to conduct the sales, but they will be able to possess and own machine guns and silencers in any manner they choose. While not many would, if they also possess a concealed carry permit, they could put a silencer on a handgun they choose to carry concealed. They could carry machine guns and silencers around with them in their vehicles, go out shooting such weapons with their friends, or anything else they desire so long as it didn't violate some other statute. We feel this is unwise and not necessary.

We have attached a balloon showing two options. Option A, which we think is the preferred option, simply uses the language in the existing statute found in sections (b) and (g) which the Attorney General's opinion states currently provides the authorization for the federally licensed firearms dealers to conduct business in regards to machine guns and in regards to silencers sold to laboratories. If inserted in section (f), as shown, it will allow the federally licensed firearms dealers to sell silencers to law enforcement agencies. In our opinion this option accomplishes what needs to be changed to allow the business transactions allowed by the current statute without adding additional opportunities for licensed dealers to be totally exempt from sections (a)(6) and (a)(7). This option also utilizes current language from the statute instead of inserting an entirely different approach to the authorization for the federally licensed firearms dealer to conduct business. If this option is used, the new language on page 3, lines 23-28 can be stricken.

The other option, Option B, leaves the new language on page 3, lines 23-28 but limits the exemption to only that necessary to conduct the business and not any other personal possession or use of machine guns or silencers by the licensed dealers.

In summary, we support changes that allow the federally licensed firearms dealers to conduct business with persons who are currently authorized by statute to possess machine guns and silencers in Kansas. We do not support any changes that go beyond that. We oppose any additional authorizations for persons to possess machine guns or silencers beyond current law except for clarification of sales by the licensees. We oppose this bill as is. But we will support it with either option from our balloon or a similar option without expanding possession of such devices in Kansas.



Ed Klumpp

Chief of Police-Retired, Topeka Police Department

Legislative Committee Chair, Kansas Association of Chiefs of Police

E-mail: eklumpp@cox.net; Phone: (785) 235-5619; Cell: (785) 640-1102

OPTION A

3-18

1 (e) Subsection (a)(8) shall not apply to a governmental laboratory or
2 solid plastic bullets.

3 (f) Subsection (a)(6) shall not apply to a law enforcement officer who
4 is:

5 (1) Assigned by the head of such officer's law enforcement agency to
6 a tactical unit which receives specialized, regular training;

7 (2) designated by the head of such officer's law enforcement agency
8 to possess devices described in subsection (a)(6); and

9 (3) in possession of commercially manufactured devices which are:
10 (A) Owned by the law enforcement agency; (B) in such officer's posses-
11 sion only during specific operations; and (C) approved by the bureau of
12 alcohol, tobacco, firearms and explosives of the United States department
13 of justice.

14 (g) Subsections (a)(6), (7) and (8) shall not apply to any person em-
15 ployed by a laboratory which is certified by the United States department
16 of justice, national institute of justice, while actually engaged in the duties
17 of their employment and on the premises of such certified laboratory.
18 Subsections (a)(6), (7) and (8) shall not affect the manufacture of, trans-
19 portation to or sale of weapons to such certified laboratory.

20 (h) Subsection (a)(4) shall not apply to any person carrying a con-
21 cealed weapon as authorized by K.S.A. 2007 Supp. 75-7c01 through 75-
22 7c17, and amendments thereto.

23 ~~(i) Subsections (a)(6) and (7) shall not apply to any person who meets~~
24 ~~both the following requirements:~~

25 ~~(1) Holds a current license to engage in the business of dealing in~~
26 ~~firearms pursuant to 18 U.S.C. § 923 and amendments thereto; and~~

27 ~~(2) is currently registered as a dealer in firearms pursuant to 26~~
28 ~~U.S.C. § 5802 and amendments thereto.~~

29 (i) (j) It shall be a defense that the defendant is within an exemption.

30 (j) (k) Violation of subsections (a)(1) through (a)(5) is a class A non-
31 person misdemeanor. Violation of subsection (a)(6), (a)(7) or (a)(8) is a
32 severity level 9, nonperson felony.

33 (k) (l) As used in this section, "throwing star" means any instrument,
34 without handles, consisting of a metal plate having three or more radiating
35 points with one or more sharp edges and designed in the shape of a
36 polygon, trefoil, cross, star, diamond or other geometric shape, manufac-
37 tured for use as a weapon for throwing.

38 Sec. 2. K.S.A. 21-4201 is hereby repealed.

39 Sec. 3. This act shall take effect and be in force from and after its
40 publication in the statute book.

Subsection (a)(6) shall not affect the manufacture of, transportation to, or sale of those devices to law enforcement agencies.

Delete (i) and renumber remaining.

2

OPTION B

4
3-8

1 (e) Subsection (a)(8) shall not apply to a governmental laboratory or
2 solid plastic bullets.

3 (f) Subsection (a)(6) shall not apply to a law enforcement officer who
4 is:

5 (1) Assigned by the head of such officer's law enforcement agency to
6 a tactical unit which receives specialized, regular training;

7 (2) designated by the head of such officer's law enforcement agency
8 to possess devices described in subsection (a)(6); and

9 (3) in possession of commercially manufactured devices which are:
10 (A) Owned by the law enforcement agency; (B) in such officer's posses-
11 sion only during specific operations; and (C) approved by the bureau of
12 alcohol, tobacco, firearms and explosives of the United States department
13 of justice.

14 (g) Subsections (a)(6), (7) and (8) shall not apply to any person em-
15 ployed by a laboratory which is certified by the United States department
16 of justice, national institute of justice, while actually engaged in the duties
17 of their employment and on the premises of such certified laboratory.
18 Subsections (a)(6), (7) and (8) shall not affect the manufacture of, trans-
19 portation to or sale of weapons to such certified laboratory.

20 (h) Subsection (a)(4) shall not apply to any person carrying a con-
21 cealed weapon as authorized by K.S.A. 2007 Supp. 75-7c01 through 75-
22 7c17, and amendments thereto.

23 (i) *Subsections (a)(6) and (7) shall not apply to any person who meets*
24 *both the following requirements:*

25 (1) *Holds a current license to engage in the business of dealing in*
26 *firearms pursuant to 18 U.S.C. § 923 and amendments thereto; and*

27 (2) *is currently registered as a dealer in firearms pursuant to 26*
28 *U.S.C. § 5802 and amendments thereto.*

29 ~~(j)~~ (j) It shall be a defense that the defendant is within an exemption.

30 ~~(k)~~ (k) Violation of subsections (a)(1) through (a)(5) is a class A non-
31 person misdemeanor. Violation of subsection (a)(6), (a)(7) or (a)(8) is a
32 severity level 9, nonperson felony.

33 ~~(l)~~ (l) As used in this section, "throwing star" means any instrument,
34 without handles, consisting of a metal plate having three or more radiating
35 points with one or more sharp edges and designed in the shape of a
36 polygon, trefoil, cross, star, diamond or other geometric shape, manufac-
37 tured for use as a weapon for throwing.

38 Sec. 2. K.S.A. 21-4201 is hereby repealed.

39 Sec. 3. This act shall take effect and be in force from and after its
40 publication in the statute book.

, as necessary to conduct product demonstrations or sales to those authorized
by this section to possess such weapons or devices, and

To: darinreiss@hotmail.com
Subject: Re: First Draft speech for KS lawmakers - Class 3 dealers
Date: Wed, 5 Mar 2008 08:33:13 -0500
From: tm1241@aol.com

To whom it May concern,

I am presently a class 3 dealer, and trainer in Wichita Kansas .

I am a retired Wichita Police officer. In 1993 I was one of 840 officers in the country who received the Silver Star for Valor from the National Association of Chiefs of Police. The following year I was selected from those 840 officers as the National Association of Chiefs of Police Officer of the Year for the United States. I was also inducted into the American Police Hall of Fame that same year.

I have a second brother who is a full time SWAT officer for Los Angeles County Sheriff Department.

In my career I worked extensively as a gang officer and SWAT officer and trainer.

I have worked as a Civilian and Law enforcement Firearms trainer, since 1982. I have been combat wounded.

I have expertise in the lawful use of force, and firearms. I know this subject in more than the academic sense, and have the gunshot wounds to prove it.

In the early 80's agencies in the US were using over powered Deer and Elk rifles and in some cases firearms used in big game hunting in Alaska and Africa. This was a situation using dangerously mismatched weapons where better, safer equipment was available. Most departments lacked the men, money, and material to devote officers to the many aspects of SWAT let alone firearms research and development.

In 1986 I personally contacted a class 3 dealer who worked with me in a presentation to the WPD of the latest firearms technology. We were able to demonstrate firearms that provided rifle like accuracy with low powered pistol ballistics. The days of call outs with rifles that could shoot through several people with a single bullet were put to a close, and modern technology was adopted as a result of this individual dealer's, time, money, and energy on this project.

Today the Class 3 dealer is still that same educated expert, assisting departments in the best and most applicable equipment and training out there. Without the dealer/ demonstrator doing this, the time lag in getting the right equipment can take literally years for Police Departments.

House Fed and State Committee
March 5, 2008

Attachment

4

The current situation with FFL/Class 3 dealers in Kansas is a giant step backwards for Law enforcement. In the State of Kansas, individual officers may face everything from crazed active shooters in schools and public places, to criminals who are armed better than the officers are in many cases.

Today MOST agencies still do not have the time, and money to create these experts. That is the role the licensed Federal Class 3 dealer plays in demonstration, acquisition, and training for these agencies.

If you had sons and daughters in the Law enforcement community would your honest opinion be that it is safer today to be a cop than it was in 1975?

Please help us to continue helping them, by letting me have the tools I need to do my job as a demonstrator /trainer in Kansas.

Thank you,

Michael D. Desmarteau
316-214-4383

of restriction is expanding people that can currently own them. Restriction of Sales

1. allow dealers but restrict
2. Att. General opinion
Not true for silencers

Jeff Brandau - K B Inr

Support Ed Klumpp Sect 9
Spec. exemption law enforcement
laboratory.

Ed - Either one option A uses

(B) proposed new language

~~Bill 100~~
~~Bill 100~~

Darin Reiss
1512 Sandalwood Drive
Haysville, Kansas 67060

Good Afternoon Senators,

My name is Darin Reiss. I live in Haysville, KS. I am a law enforcement officer in Kechi, KS and a class 3 firearms dealer.

A class 3 firearms dealer is a person who holds a Federal Firearms License and pays the Special Occupational Tax to deal in machine guns and silencers. I have been a class 3 dealer since 1998 in South Dakota and then Kansas.

I pay the Special Occupational Tax so I can help serve the needs of Kansas Law Enforcement agencies by demonstrating sales samples of various machine guns and silencers. These firearms do not typically have a place with normal Law Enforcement patrol duties but do help maximize officer safety in serving high risk warrants. Until the Attorney General issued opinion 2007-41, we Kansas class 3 dealers worked with Kansas Law Enforcement agencies by bringing out sales samples to law enforcement ranges to demonstrate these firearms. Department firearms instructors could shoot various machine guns and silencers that they had an interest in evaluating for their tactical team. KS Attorney General opinion 2007-41 prevents in-state class 3 firearms dealers from taking possession of machine guns and silencers and also prevents out of state class 3 dealers from legally entering Kansas to demonstrate machine guns and silencers.

Passing legislation to allow class 3 firearms dealers to possess machine guns and silencers will allow dealers to legally demonstrate these firearms to Kansas law enforcement agencies.

Thank you,

Darin Reiss
(316) 619-6184

House Fed and State Committee
March 5, 2008

Attachment

5