

Approved: February 22, 2000
Date

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Representative Tony Powell at 1:30 p.m. on February 9, 2000 in Room 313-S of the Capitol.

All members were present.

Committee staff present: Theresa Kiernan, Revisor of Statutes
Russell Mills, Legislative Research
Mary Galligan, Legislative Research
Winnie Crapson, Secretary

Conferees appearing before the committee:

Proponents

Representative Huff
Representative Ruff
Jeffrey D. Herrman, Chief of Police, Ottawa

Others attending: See attached list.

Without objection bill will be introduced amending K.S.A. 39-1402 to make it mandatory to report to law enforcement all incidents of sexual abuse in nursing homes as requested by Representative McCreary. [See HB 2992 introduced February 16.]

Without objection bill will be introduced providing for loss of driver's license by those found guilty of driving off without paying for gasoline as requested by Representative McCreary. [See HB 2986 introduced February 14.]

Without objection bill will be introduced allowing elections to consolidate law enforcement agencies to take place before the primary election as requested by Representative Klein. [See HB 2991 introduced February 16.]

Without objection bill will be introduced to create the Water Preservation and Conservation Trust Fund as requested by Representative Klein.

Hearing was opened on

HB 2654, Private detectives, firearm training, exception for retired law enforcement officers.

In introducing the bill Representative Ruff said many police officers in Kansas retire after twenty years. The bill would allow them to retain the right to continue to carry a firearm when they retire based upon their ability and training.

Representative Huff presented testimony (Attachment #1) giving the reasons for introducing the bill.

Representative Huff read the testimony of Larry E. Cook, retired law enforcement officer, at his request (Attachment #2). Mr. Cook was unable to appear due to a death in the family. Mr. Cook stated he understood the intent of the law and supported the requirement for any applicant who has not completed training with a certified firearms trainer but believes reasonable regulation of this activity may include an exemption for any former Kansas law enforcement officer who can provide proof of qualification with a certified law enforcement firearms trainer within twenty-four months of the application.

Jeffrey Herrman, Chief of Police, Ottawa, presented testimony in support (Attachment #3) He believes all retired officers in good standing should be allowed the opportunity to continue to serve the citizens of Kansas and also to protect themselves. In response to question about application of the bill to part time people he said the bill was intended to apply to fulltime officers but he knew of no department that does not require their part time people to receive the same training.

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John Ellis, PMO Security Services, Roeland Park, testified in opposition to the bill (Attachment #4). He said the training usually provided to police officers does not cover the use of force under the legal limitations placed on citizens. There is a difference in the legal requirements and the current civil liability doctrine concerning police officers. Private detectives are classified as private citizens. He stated police officers go through an adjustment phase when retiring or when beginning work in the private sector. It is a critical time for retraining to develop skills and habits which fit the legal and tactical environment into which the retiring officer is going.

Chairman Powell closed the hearing on **HB 2654**.

The meeting adjourned. The next scheduled meeting is February 14.