



**Senate Committee on Federal and State Affairs
Hearing on Senate Bill 108
Hearing Date- February 8, 2017**

**Written Testimony in Support of SB 108 on behalf of the City of Manhattan
By Kiel Mangus, Assistant City Manager**

Good morning Chair LaTurner, Vice Chair Estes and honorable members of the Senate Federal and State Affairs Committee. My name is Kiel Mangus, and I am the Assistant City Manager for the City of Manhattan.

The City of Manhattan supports SB 108. The City of Manhattan supports this legislation that mitigates risks that are outside of the cities control regarding employees carrying concealed weapons. The bill passed last year (HB 2502) stripped the ability of cities to regulate employees carrying a concealed handgun while engaged in job duties. SB 108 would help address liability issues cities face from that prior legislation.

- There are zero employees that work for the City of Manhattan that regularly carry a weapon in the scope of his or her employment. Therefore, the carrying of weapons by City employees is clearly outside the scope of employment. The City should not have to take on the liability associated with that employee choosing to carry a weapon.
- The City of Manhattan does not train employees to carry weapons or how to use them. That employee's competency with the weapon is outside of the City's control, and therefore the City should not be held responsible for an employee accidentally discharging a weapon or another accident occurring. The employee should carry that risk.
- The City engages in many work activities that might be considered dangerous even when not carrying a concealed weapon (for example: tree trimming, water main repair, street repair, etc). The actions of an employee to carry a weapon while engaging in those work activities could heighten the level of danger for the employee and the general public. Since the City can no longer prevent the employee from carrying that weapon, the City should at least be immune from any negligent acts by that employee resulting from carrying that concealed weapon.

For all the above reasons the City of Manhattan supports SB 108. Thanks for your time and consideration.