

Approved: 2-21-06 Date

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on February 2, 2006 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Athena Andaya, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Mary Ann Torrence, Revisor of Statutes Office
Connie Burns, Committee Secretary

Conferees appearing before the committee:

Senator Journey
Rep. Candy Ruff
Paula Radcliff, Kansas State Rifle Assoc
Paul Degener
Scott Hatstrup
Kelly Johnston, safe State Kansas
Kimberly Winn, League of Kansas Municipalities
Mark Desetti, Kansas National Education Association

Others attending:

See attached list.

A bill introduction request that would establish a citizen's commission to conduct an extensive study of the separation of powers pertaining to the three branches of government of the state of Kansas.

Senator Brungardt made the motion that this request should be introduced as a committee bill. Senator Wilson seconded the motion. The motion carried

SB 418 - Personal and family protection act; licensing to carry concealed firearms

Chairman Brungardt opened the hearing on **SB 418**.

Senator Journey appeared in favor of the bill. (Attachment 1) This bill enacts the personal and family protection act, providing licensure to carry concealed weapons and the penalties for violation. Senator Journey felt that this bill was good public policy.

Representative Ruff, spoke in favor of the bill. (Attachment 2) There are 46 states that currently allow conceal carry for their law abiding citizens and felt this was the year for Kansas to pass Right to Carry.

Paul Degener, testified in support of the bill. (Attachment 3) Mr. Degener stated that Article 4, Kansas Bill of Rights, gives the people the right to bear arms for their defense and security and urged the committee to support this bill.

Paula Radcliff, Kansas State Rifle Association, spoke in support of the bill. (Attachment 4) Ms. Radcliff asked that Kansas not be precluded from the right of self-protection, which has been recognized in 46 other states.

Scott Hatstrup, appeared in favor of the bill. (Attachment 5) The bill in its current form supports the right of individuals and their families to self-protection and therefore supports this bill.

Written testimony in support of the bill was provided by Keith Wood, Nation Rifle Association, Institute for Legislative Action, (Attachment 6) and Carissa Culling McKenzie. (Attachment 7)

Kelly Johnston, Safe State Kansas/Inter-Faith Ministries appeared in opposition to the bill. (Attachment 8) Safe State Kansas is totally opposed to the concept of legally carrying concealed weapons except by commissioned law enforcement officers. Mr. Johnston provided information on a Violence Policy Study and other statistical information that was found on the website: The Violence Policy Center at <http://www.vpc.org>.

Kimberly Winn, Director of Policy Development & Communications, League of Kansas Municipalities, appeared before the committee. (Attachment 9) Ms. Winn informed the committee that the League does not have a position on whether the state should regulate firearms or whether the state should authorize and license the concealed carry of weapons, but the league does however take a strong position in favor of Constitutional Home Rule and local control and oppose any legislation which preempts local regulation of firearms.

Written testimony in opposition was received from: Chief of Police Ellen Hanson, Lenexa Police, (Attachment 10) Keith Faddis, City of Overland Park, Law Enforcement, (Attachment 11) Wes Ashton, Overland Park Chamber of Commerce, (Attachment 12) Mike Taylor, Unified Government of Wyandotte County, (Attachment 13) Robert Vancrum, Greater Kansas City Chamber of Commerce, (Attachment 14) Horace Santry, Peace and Social Justice Center of south Central Kansas, (Attachment 15) Rev. Michael Poage, Fairmount United Church of Christ, (Attachment 16) and Janis McMilen, League of Women Voters of Kansas. (Attachment 17)

Mark Desetti, Kansas National Education Association, provided neutral testimony on the bill. (Attachment 18) KNEA does not take a position on whether or not concealed firearms should be allowed in Kansas, but cannot allow any firearms to be carried near teachers and the students they serve. KNEA believes this bill falls short of ensuring that school employees and students are protected. As the bill reads now it is a Class A misdemeanor, and the KNEA is asking for an amendment to Section 10, to include a prohibition on carrying concealed weapons to any school, community college, college, or university sponsored activity, and that there be zero tolerance policies for firearms.

Chairman Brungardt closed the hearing on **SB 418**.

SB 370 - Wine manufacturers permitted to sell wine directly to consumers subject to requirements to maintain three-tier distribution system

A balloon was provided to the committee and explained by the Revisor; the new section included changes that had been requested from a previous meeting.

Senator Brownlee provided the committee with a substitute bill. The committee voted to work the balloon provided by the Revisor.

Senator Vratil moved two amendments to the balloon.

1. to strike in New Section 1 (b) all of (1B)
2. to delete the language in New Section 1 (a) after "ship" that reads: "not more than 24 bottles of wine per calendar month" and insert the word "wine" after ship.

Senator O'Connor seconded the motion. The motion carried on both amendments.

Senator Vratil moved to pass **SB 370** out favorably as amended. The motion was seconded by Senator Reitz. The motion carried.

Senator Ostmeyer and Senator Brownlee wanted to be recorded as voting no on the bill.

The meeting was adjourned at 11:58 am. The next scheduled meeting is February 7, 2006.