

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 February 15, 2007 in Room 313-S of the Capitol.

All members were present except:

Representative Ted Powers- excused

Committee staff present:

Kathie Sparks, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Mike Heim, Revisor of Statutes Office
Carol Doel, Committee Assistant

Conferees:

Representative Lance Kinzer
Bruce Ney - Attorney
Bill Dun - Concerned Citizen
Steve Macalli - Business Owner
Deb Taylor - Concerned Citizen
Pedro Irigonegaray - Attorney Kansas Equality Coalition
Thomas Witt - Chair, Kansas Equality Coalition

Others attending:

See attached list

Chairman Siegfroid opened the meeting for bill introductions and recognized Representative Mah who requested a bill creating the Kansas Vocational and Technical College Commission within the Board of Regents. The Chairman moved the bill, seconded by Representative Peterson. With no objections this bill is accepted.

Attention was directed to the written testimony from Representative Steve Brunk regarding **HB 2241**- Grandparents have the right to intervene in child custody or visitation litigation to request visitation based upon statutory parameters - which was heard on February 14th. (Attachment 1)

The Chairman opened the floor for hearing on **HB 2299** - Concerning cities and counties; prohibiting the enactment of certain ordinances or resolution and recognized Representative Lance Kinzer as a proponent of the bill. Representative Kinzer stated that it has not traditionally been the practice in Kansas to allow local governments to develop their own ordinances and resolution in such matters as to define marriage, and govern matters such as divorce and child custody. Recently the Lawrence City Council discussed the potential establishment of a domestic partnership registry which would represent a departure from the traditional practice of state-wide standards. The Representative related that in light of the clearly expressed will of the people on this issue he believes it is incumbent upon the Legislature to act at this time to preserve our prerogative over domestic relations law, as well as to protect the marriage amendment by preempting domestic partnership laws at the local level. (Attachment 2)

There were not other proponents to **HB 2299** and the Chairman opened the floor for opponents.

Maggie Childs, Chair, Kansas Equality Coalition of Lawrence/Douglas County provided testimony in opposition to **HB 2299**. The Coalition has been urging the City of Lawrence to create a Domestic Partnership Ordinance primarily for the convenience of both straight and gay couples whose lives are emotionally and economically entwined, but who are not, or cannot be, legally married. Ms. Child further stated that this would allow domestic partners the benefits offered by employers. (Attachment 3) Ms. Childs also included a copy of the proposed ordinance for the City of Lawrence. (Attachment 4) as well as a list of employers that offer domestic partner health benefits (Attachment 5)

Bruce Ney, Senior Counsel for AT&T appeared on his own behalf to testify in opposition to **HB 2299**. Mr. Ney stated that his company offers benefits to its employees in domestic partnerships regardless of the employee's sexual orientation. He expressed the opinion that the establishment of a domestic partner registry - at any level of government in Kansas - is of critical importance, as it will provide more than the symbolic

CONTINUATION SHEET

MINUTES OF THE House Federal and State Affairs Committee at 1:30 P.M. on February 15, 2007 in Room 313-S of the Capitol.

recognition of a relationship. (Attachment 6) Also included for committee benefit, was a copy of *Legally Recognized Partner Eligibility Rules*. (Attachment 7)

Bill Dunn and his partner have been together for sixteen years. As a result of his partner's employer offering domestic partner benefits, he was able to be a full-time foster parent to their three sons as well as care for his parents who were faced with declining health. Mr. Dunn requests a no vote on **HB 2299** which would allow them to protect their families without legislative interference. (Attachment 8)

Stephen Macalli owns a catering business in Lawrence, Kansas and as a business owner, he would like to make sure his full-time employees, and their loved ones have access to health insurance. He would like the Legislature to vote no on **HB 2299** which would interfere with companies' rights to compensate their employees as they see fit. (Attachment 9)

Deb Taylor of Lawrence, Kansas has a domestic partner and they are in opposition to **HB 2299**. They feel that a domestic registry tells people that she and her partner rely on each other for emotional, financial and physical support. Ms. Taylor stated that she believes that laws should be made to protect people. (Attachment 10)

Attorney, Pedro Irigonegaray, an attorney is in opposition to **HB 2299** because it specifically targets our Kansas Gay and Lesbian population for disparate treatment. Mr. Irigonegaray also opined that the bill weakens the authority of Kansas cities and counties by interfering with their home-rule authority. He also related that it is a direct attack on K.E. C. (Kansas Equality Coalition) efforts to pass a domestic partner ordinance. (Attachment 11)

Thomas Witt, State Chair for the Kansas Equality Coalition, is in opposition to **HB 2299** stating that the bill will unfairly keep some Kansans from qualifying for the benefits their employers wish to give grant. The elected representative of the people of Lawrence are trying to provide a mechanism that facilitates private companies in providing certain benefits to their employees. (Attachment 12) Mr. Witt also included a copy of a printed article regarding the benefits to gay employees' partners. (Attachment 13)

With no other person wishing to speak to **HB 2299**, Chairman Siegfried closed the public hearing and called the committees' attention to written testimony in opposition to the bill from Janis McMillen, League of Women Voters of Kansas (Attachment 14) and from David L. Corliss, City Manager, Lawrence, Kansas. (Attachment 15)

The Chairman entertained a motion on **HB 2202** - Concerning alcoholic liquors; relating to farm wineries.

*Representative Peterson made a motion to pass **HB 2202** favorable for passage and place it on the consent calender with a second from Representative Ruiz. Motion passed.*

The Chairman requested a motion on **SB 13** - Native American tribal law enforcement jurisdiction; liability insurance coverage, proof of; repealing sunset.

*Representative Knox made a motion to pass **SB 13** favorable for passage with a second by Representative Loganbill. Motion passed.*

With no other business before the committee, the meeting was adjourned.