

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson John Barker at 3:30 pm on Thursday, January 14, 2016, 112-N of the Capitol.

All members were present

Committee staff present:

Robert Gallimore, Legislative Research Department
Jason Thompson, Office of Revisor of Statutes
Jenna Seematter, Office of Revisor of Statutes
Lauren Douglass, Legislative Research Department
Connie Bahner, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Paul Burmaster
Doug Wells
Chris Mann, Mothers Against Drunk Driving
Ed Klumpp, Sheriffs, Chiefs of Police and Peace Officers Associations
Eric Smith, League of Kansas Municipalities
Thomas Witt, Equality Kansas
Sandra Meade, Equality Kansas
Kent Little, College Hill United Methodist Church
Jackie Carter, Wichita First Metropolitan Community Church
Barb Shirley
Representative Jan Pauls
Kellie Fiedorek, Alliance Defending Freedom

Others in attendance:

[See Attached List](#)

Bill introductions

The Chairman called for bill introductions. Nancy Strouse of the Judicial Council requested a bill amending statutes dealing with the Board of Tax Appeals and the Kansas Judicial Review Act to clarify jurisdictional rules regarding judicial review of appeals from the Board of Tax Appeals.

Hearing on: HB2289 — DUI test refusal or failure; administrative hearing procedure.

Chairperson Barker opened the hearing on **HB2289**. Jason Thompson, Revisor, gave an overview of the bill. Questions were asked by Representatives Kyle Hoffman, Jan Pauls, and James Todd.

Chairperson Barker acknowledged Paul Burmaster as a proponent ([Attachment 1](#)). Questions were asked by Representatives Erin Davis and Mark Kahrs.

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 3:30 pm on Thursday, January 14, 2016 in Room 112-N of the Capitol.

Doug Wells provided additional testimony as a proponent ([Attachment 2](#)).

Chairperson Barker directed the Committee's attention to the written testimony of Steve Ariagno ([Attachment 3](#)), John Duma ([Attachment 4](#)), Ryan Erker ([Attachment 5](#)), Robert Gigstad ([Attachment 6](#)), Ryan Ginie ([Attachment 7](#)), Brandon Kane ([Attachment 8](#)), Jay Norton ([Attachment 9](#)), Jonathan Phelps ([Attachment 10](#)), Jeremiah Platt ([Attachment 11](#)), Blake Robinson ([Attachment 12](#)), Vincent Roth ([Attachment 13](#)), Richard Sanborn ([Attachment 14](#)), Kevin Shepherd ([Attachment 15](#)), Andrew Talge ([Attachment 16](#)), Zach Thomas ([Attachment 17](#)), Jerry Wallentine ([Attachment 18](#)), Michael Whalen ([Attachment 19](#)), and Mark Whitney ([Attachment 20](#)).

Chairperson Barker recognized Chris Mann, on behalf of Mothers Against Drunk Driving, as an opponent to **HB2289** ([Attachment 21](#)). Questions were asked by Representatives John Whitmer and Erin Davis.

Ed Klumpp testified as an opponent on behalf of the Kansas Association of Chiefs of Police, the Kansas Sheriffs Association, and the Kansas Peace Officers Association ([Attachment 22](#)).

Eric Smith then testified as an opponent to **HB2289** on behalf of the League of Kansas Municipalities ([Attachment 23](#)).

Chairperson Barker noted that there was written opponent testimony by Chris Bortz of the Kansas Department of Transportation ([Attachment 24](#)).

The report of the Kansas Judicial Council was provided to the committee ([Attachment 25](#)).

There being no further testimony to be given, Chairperson Barker closed the hearing on **HB2289**.

Hearing on: HB2323 — Amending the Kansas act against discrimination regarding sexual orientation and gender identity.

Chairperson Barker opened the hearing on **HB2323**. Jason Thompson, Revisor, gave an overview of the bill.

Chairperson Barker recognized Thomas Witt as a proponent on behalf of Equality Kansas ([Attachment 26](#)).

Sandra Meade provided testimony as a proponent of the bill on behalf of Equality Kansas ([Attachment 27](#)).

Chairperson Barker then recognized Kent Little, of the College Hill United Methodist Church, as a proponent ([Attachment 28](#)).

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 3:30 pm on Thursday, January 14, 2016 in Room 112-N of the Capitol.

Jackie Carter, Pastor of Wichita First Metropolitan Community Church, testified as a proponent of **HB2323** ([Attachment 29](#)).

Testimony was provided by Barb Shirley as a proponent of **HB2323** ([Attachment 30](#)).

Chairperson Barker noted that there was written proponent testimony from Dr. Micah Kubic of the ACLU Kansas ([Attachment 31](#)) and Dr. Gretchen Eick ([Attachment 32](#)).

Chairperson Barker then recognized Representative Jan Pauls as an opponent of **HB2323** ([Attachment 33](#)). Questions were asked by Representatives Steven Becker, John Rubin, Annie Kuether, and John Whitmer.

Kellie Fiedorek was recognized by the Chair as an opponent of **HB2323** ([Attachment 34](#)). Questions were directed to Ms. Fiedorek by Representatives Mark Kahrs, John Whitmer, Charles Macheers, and Jim Ward. Representative Ward asked Ms. Fiedorek to provide information where a court has defined public accommodations to include church buildings of faiths that do not perform same sex marriages.

Other opponents who were scheduled to speak agreed to relinquish their time to Kellie Fiedorek. Those opponents are Steve Brunk on behalf of Citizen Link Family Policy Alliance ([Attachment 35](#)), Michael Schuttloffel, on behalf of the Alliance Defending Freedom ([Attachment 36](#)) and whose testimony includes an attachment ([Attachment 36A](#)), and Michelle Schroeder, on behalf of the State Family Freedom Alliance of Kansas ([Attachment 37](#)). Additional questions were asked of Ms. Fiedorek by Representatives Mark Kahrs, Les Osterman, and Craig McPherson.

Chairperson Barker noted that there was written neutral testimony by the Kansas Human Rights Commission ([Attachment 38](#)).

There being no further conferees, Chairperson Barker closed the hearing on **HB2323**.

The meeting was adjourned at 5:10 p.m.