

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Ralph Ostmeyer at 10:30 am on Thursday, January 28, 2016, 144-S of the Capitol.

All members were present

Committee staff present:

Joanna Dolan, Legislative Research Department
Connie Burns, Kansas Legislative Committee Assistant
Matt Sterling, Office of Revisor of Statutes
Mike Heim, Office of Revisor of Statutes
Heather O'Hara, Legislative Research Department

Conferees appearing before the Committee:

Bonita Gooch, Kanas Black Leadership Council
Trevor Santos, National Shooting Sports Foundation
Thomas Witt, Equality Kansas
Eric Smith, League of Kansas Municipalities
Elise Higgins, Planned Parenthood Advocates of Kansas & Mid-Missouri

Others in attendance:

[See Attached List](#)

Introduction of Bills

Bonita Gooch, Kanas Black Leadership Council, requested a bill introduction relating to voter registration allowing voter registration on election days.

There being no objection from any member present, the Chairman declared a motion to introduce the bill adopted by consensus.

Committee Minutes

Chairman Ostmeyer called for approval of minutes for January 12, 14, and 21, as distributed on January 25, 2016.

Senator LaTurner made a motion to approve the minutes as written. Senator Olson seconded the motion. The motion carried.

SB 331 - Kansas firearms industry nondiscrimination act.

CONTINUATION SHEET

MINUTES of the Committee on Federal and State Affairs at 10:30 am on Thursday, January 28, 2016 in Room 144-S of the Capitol.

Chairman Ostmeyer opened the hearing on **SB 331**.

Staff provided an overview of the bill.

Trevor Santos, Manager of Government Relations State Affairs, National Shooting Sports Foundation, spoke in favor of the bill. ([Attachment 1](#)) The bill would establish the Kansas Firearms Industry Nondiscrimination Act; and would make it unlawful for a person to refuse to provide goods and services, refrain from continuing an existing business relationship or terminating it, or discriminate against a person or trade association because the person is engaged in the lawful commerce of firearms or ammunition products.

Written testimony was provided on the bill by:

Mike Murray and Karin Brownlee representing the Kansas State Rifle Association, provided written testimony in support of the bill. ([Attachment 2](#))

Travis Couture-Lovelady, State Liaison, National Rifle Association of America, provided written testimony in support of the bill. ([Attachment 3](#))

Thomas Witt, Executive Director, Equality Kansas, spoke in opposition of the bill. ([Attachment 4](#)) Equality Kansas opposes the bill in its current form, and has three recommendations for the committee to consider. 1) amend to include protection for sexual orientation and gender identity 2) amend to include identifiable industries whose activities have been harmed by, or are at risk of being harmed by, unlawful discriminatory practices as generally defined by this bill. If the firearms industry deserves statutory protections from moral disapproval, so do abortion clinics, adult bookstores, churches with disfavored congregations and others 3) prevailing defendants must be able to recover their court costs and attorney fees. Without that provision, you are helping the firearms industry place a lawsuit target on the backs of nearly three million fellow Kansans.

Eric Smith, Legal Counsel, The League of Kansas Municipalities, (LKM) appeared in opposition of the bill. ([Attachment 5](#)) The bill creates a protected class based on a specific industry. While the League objects to any actions of a discriminatory nature, LKM also objects to providing protection to one specific industry. Municipalities are already prohibited from regulating firearm dealers, and there is concern that the language of this bill could further erode local control.

Rabbi Moti Rieber, Executive Director of Kansas Interfaith Action, provided written testimony in opposition to the bill. ([Attachment 6](#))

Reverend Michael Poage, Wichita, Kansas, provided written testimony in opposition to the bill. ([Attachment 7](#))

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.

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Elise Higgins, Kansas Manager of Government Affairs, Planned Parenthood Advocates of Kansas & Mid-Missouri, (PPAKM) appeared neutral on the bill. ([Attachment 8](#)) PPKM adopts a neutral position on the bill as an organization primarily focused on reproductive health care and sex education, but is concerned with the impacts of gun violence. Just as a person or trade association engaged in the lawful commerce of firearms or ammunition products should not be subject to discrimination because of the nature of their business, so too should politically controversial organizations providing constitutionally protected services be protected from discrimination. PPAKM encourages the Committee to embrace the principles of fairness and rule of law, and to amend the bill to include abortion providers.

Chairman Ostmeyer closed the hearing on **SB 331**.

The next meeting is scheduled February 2, 2016. The meeting was adjourned at 11:20 a.m.