

## MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Jeff King at 10:47am on Monday, March 09, 2015, 346-S of the Capitol.

All members were present except:

Senator Mary Pilcher-Cook – Excused

Committee staff present:

Lauren Douglass, Legislative Research Department

Robert Allison-Gallimore, Legislative Research Department

Suzanne Nelson, Kansas Legislative Committee Assistant

Katherine Goyette, Office of Revisor of Statutes

Jason Thompson, Office of Revisor of Statutes

Conferees appearing before the Committee:

Senator Steve Fitzgerald, 5th District, Leavenworth and Wyandotte Counties;

Jamie Veeder, Staff Leader, InterVarsity Christian Fellowship, Kansas University;

Craig Schultz, Attorney at Law, Wichita, Kansas;

Michael Schuttloffel, Executive Director, Kansas Catholic Conference;

Micah Kubic, Executive Director, American Civil Liberties Union;

Vickie Sandell Stangl, Great Plains Chapter, Americans United for Separation of Church and State;

Eric Williams, Legal Counsel, KS Commission on Peace Officers' Standards (KCPOST);

Others in attendance:

[See Attached List](#)

### **Hearing on: SB175 — Exercise of religious freedom by postsecondary education student associations.**

The Chair opened the meeting at 10:47am. He announced that we would be starting our meetings the rest of the week at 10:45 to accommodate the heavy schedule of the House Federal and State Affairs Committee, which meets in 346-S just prior to the Senate Judiciary Committee meeting.

Chair King opened the hearing on **SB175**. Jason Thompson gave an overview of the bill and answered questions.

Senator Fitzgerald appeared as the sponsor for the bill, and gave oral remarks regarding the history and basis for the bill in Kansas. He did not distribute any written documentation, but answered questions from committee members.

Jamie Veeder provided oral testimony urging passage of **SB175**. She related that this bill clarifies university non-discrimination policies to insure that religious groups are robust contributors to the inclusive, welcoming, and tolerant campus environment. It protects students from state-sponsored overreach, which would dictate the internal leadership structure of religious groups. She also mentioned that seven other states have already passed similar legislation to protect their students.

## CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:47am on Monday, March 09, 2015, 346-S of the Capitol.

### [\(Attachment 1\)](#)

Craig Schultz provided oral support for the bill. Mr. Schultz told the committee that **SB175** would address the ongoing national problem of some colleges using nondiscrimination policies to exclude religious student groups from campus. At too many colleges, religious student groups have been told that they cannot meet on campus if they require their leaders to agree with their religious beliefs. It is common sense and basic religious liberty - not discrimination - for religious groups to expect their leaders to share their religious beliefs. [\(Attachment 2\)](#)

Michael Schuttloffel testified in support of **SB175**. He explained that this bill would prevent public universities for imposing "all-comers" policies on religious student groups. Under such a policy, religious student groups must allow anyone and everyone to be members and to serve as leaders. Thus the Evangelical Student Association is required by the university to allow someone who does not believe in God to be the group's president, which is an absurdity. [\(Attachment 3\)](#)

Chair King asked for any other proponents and for questions. There being none, the first opponent was called.

Micah Kubic presented testimony in opposition to **SB175**. He believes that schools should not be required to provide benefits, including public funding, to organizations that operate in a discriminatory fashion. He also related that the issue at stake in **SB175** is not whether student organizations are free to believe and associate as they like. Instead, he holds that the issue is whether student organizations have a right to be publicly funded to operate in a discriminatory manner. [\(Attachment 4\)](#)

Vickie Sandell Stangl testified against **SB175**. She told the committee that the bill mischaracterizes the issue as one of religious freedom, which would provide religious student groups with an unprecedented exemption at all public institutions of higher education and would sanction discrimination. [\(Attachment 5\)](#)

The proponents and opponents answered questions from the committee.

There being no further questions or comments, and no other testimony submitted at this time, the hearing on **SB175** was closed.

### **Hearing on: HB2025 — Amending the Kansas law enforcement training act.**

Chair King opened the hearing on **HB2025**. Jason Thompson gave an overview of the bill; and answered questions.

Eric Williams gave oral testimony supporting the bill, which amends the Kansas Law Enforcement Training Act in three areas: Investigative information; Reinstatement waiting period; and Reinstatement proceedings under the Kansas Administrative Procedures Act. [\(Attachment 6\)](#)

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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

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Ed Klumpp, Legislative Liaison for the Associations of Chiefs of Police, Sheriffs, and Kansas Peace Officers submitted written-only proponent testimony. ([Attachment 7](#))

Mr. Williams answered questions from the committee. There being no further questions, comments, discussion, and no other testimony submitted, the hearing on **HB2025** was closed.

**Hearing on: HB2023 — Legislative review of exceptions to disclosure of public records.**

Chairperson King opened the hearing on **HB2023**.

Jason Thompson gave an overview and explanation of the bill, which is the annual open records renewal bill. The Revisor of Statutes is statutorily required to review any new or substantially amended exceptions to the disclosure of public records, make a list and present it to the Legislative Coordinating Council (LCC) and the legislature to review and decide if they want to renew any expiring provisions. ([Attachment 8](#))

There were no conferees who wanted to testify, nor any who submitted written-only testimony.

There being no further questions, comments, or discussion, the hearing on **HB2023** was closed.

The Chair reminded the committee that Tuesday and Wednesday's meetings would begin at 10:45am, and if the committee is able to work bills on Wednesday, there will be no meeting on Thursday 3/12/15.

The meeting adjourned at 11:40am. The next meeting is Tuesday, March 10, 2015 at 10:45am.