

STATE AFFAIRS COMMITTEE
February 20, 1968

The meeting was called to order by the Chairman and he explained that the purpose of the hearing was to give opponents to HB 1912 and 2052 an opportunity to be heard. He apologized to all individuals for their inconvenience in the resetting of the hearings.

Mr. R. Virg Ellis, a local realtor and Chairman of the Realtors and Home Builders Association served as spokesman for the group appearing in opposition. He stated that everyone present believed in the freedom of choice and the rights given under the Constitution, but did not believe in forcing owners to do something they don't want to do; that he did not believe legislation of this kind would be beneficial to either group.

Mr. J. Donald Williams of Salina, President of the Kansas Association of Realtors, distributed policy statements of the National Association of Real Estate Boards adopted in Washington in November, 1967, affirmed by the Kansas Association in Wichita in September, 1967 and reaffirmed at the State Directors meeting in January, 1968. He stated that his group believed in equality of opportunity in line with economic means, but to deprive an owner of his right to dispose of his own property as he sees fit is repugnant to the Constitution. He asked for the rejection of this bill.

Mr. Rex Andrews, a realtor from Overland Park, stated that this bill does certain things to everyone--majorities and minorities; that all individuals would immediately be bound by this bill; that most persons need the services of a realtor and that this will hamstring the industry, preventing them from doing what their client desires; that this kind of legislation would, in his opinion, invite a greater degree of segregation than now exists because it does not really give the individual a free choice.

Mr. Ken Murrow, President of the Kansas Association of Home Builders, stated that he spoke for 1200 members in Kansas; that although he has a real estate license, his primary business is in home building; that his group must sign a pledge that they will not discriminate in the building, lending, and sale of new homes and that this would not really affect them so far as this is concerned; but that these matters really belong with the individual and the need to follow God's law and promise that all men are brothers.)see exhibit)

He stated that yesterday's testimony dealt greatly with ghettos, and stated that this applies to whites as well as to minorities; that it is the economic problems that dictate the ghetto; that legislation will not solve the problem; that individuals, industry and groups must get together to educate and train people for a better economic strata, and then the ghetto will disappear.

Mr. Tom Jay, a Johnson County realtor testified that he would like to compliment the proponents on their sincere presentation on the bill; that nobody denies that there is a problem and that minorities do indeed feel the sting of discrimination; that he believes any person with character would pledge himself to find solutions; that real estate people, while they approve the aims, oppose the methods set out in the law. He stated that in cases where an individual is transferred or where he must sell for economic reasons, that under this law if a complaint is made, it would be possible to tie the property up for a long time which could result in disaster for the owner.

Mr. Everett Fritts, an attorney from Kansas City, Kansas, representing the Wyandotte County Freedom of Choice organization, consisting of home owners, builders and realtors, stated that when the ordinance was passed in Kansas City, his organization obtained petitions with over 37,000 names asking for a vote on the question (see ordinance in exhibits). He stated that his group is not opposed to fair housing; that indeed many of the minority groups are not getting suitable accommodations, but stated that he believed the problem was not availability but rather economics. He discussed the bill at length, by sections and lines, stating his fears concerning this type of legislation. He displayed newspaper articles and pictures which he said disclosed that certain members of the minority races had made shambles of homes they had moved into (see exhibits).

Mr. Ellis stated that some of the comments that had been made were not endorsed by the real estate people whom he represents; that he does however believe in the freedom of an individual to make statements as he desires.

Rev. H. W. Barnett, pastor of Victoria Tabernacle Church in Kansas City, Kansas, stated that he represents freedom of choice for all people; that as a pastor for 28 years he has lived in an integrated neighborhood, had chosen to buy there, that his children attend an integrated school, that he has an integrated congregation in his church; that not all clergymen believe in legislation like this and that he does not; that he felt it would not meet the need.

Mr. Willard Bowman of Kansas City, Kansas, stated that no one here opposes fair housing; that he doesn't want his right to sell to whom he wishes and when he wishes, removed; that he has colored neighbors and work with colored people; that their relationship is good, but to take someone's rights away is not constitutional. Mr. McCray inquired if he felt his right superseded his (Mr. McCray's) right to buy? Mr. Bowman explained that when one owns private property, pays taxes on it and maintains it, it should be his right to dispose of it as he wishes without interference.

Mrs. Ruth Smith of Topeka read certain sections under the constitution, dealing with the right to be secure in your house; that she believes in individuals rights under the Constitution, and that legislation like this does not fall under the constitution.

Mrs. William Butler stated that the question here is not fair housing but forced housing.

The meeting was adjourned because of lack of additional time.

OPPONENTS

HB 1912-2052

- R Virg Ellis Co-Chairman Kans Assn Realtors
- Ken Morrow Pres. Kansas Homebuilders Assn
- Thomas Jay Johnson County Realtor
- Rex L. Andrews Johnson County Board of Realtors
- Rev W. Barnett MASTER OF VICTORIA LODGE NO. 1400
- Ralph E. Finck Kansas Assn Freedom of Choice
- Marcille Sharp K.C. Kansas Real Estate Board of Realtors
- Nathan O. Rasm 1735 Central Ken City Kans Realtor
- Dale A. Fisher 974 Hillcrest Drive Kansas City, Kansas
- Don K. Schlosser 2101 North 30th St., K.C. Kansas
- Everett Felt 270 New-Bethelwood K.C. Kansas
- Donald L. Jesse 829 Lindenwood Topeka Kans
- Mr. & Mrs. W. F. Bowman 8319 Webster, K.C. Kans.
- Ruth Johnson 526 Lane Topeka
- Wm. Scutts 9323 Hardy K.C. Kans.
- ~~Jessie O. Quinn~~ 5411 W 91th Topeka, Ks.
- ~~W. Hamilton~~ 3100 Douglas St. K.C.
- R. R. Anderson 6344 W. 12th Topeka, Ks.
- E. R. Watkins 5501 W. 52nd St Topeka Ks
- Ernest E. Short 231 Tyle Topeka Ks
- Clyde H. Smalley Grantville, Kan
- Margie J. Wilson 1415 Glenwood Topeka, Ks.
- Mrs. Clyde Smalley Grantville, Ks.
- A. L. Swender 615 Ann Ave K.C. Ks
- Stephen B. Jantulech 1277 Randolph Topeka Kans
- Muriel Mann 7045 Birchwood Topeka Kans
- Berna J. Sullivan 1815 W. 24th St. Topeka, Ks
- H. L. Othman 705 Randolph Topeka Ks
- Adam Huss Jr 32 W 12th St K.C. Ks 66102
- Frank Schopf 3734 W 12 Topeka 66604
- Mrs. Wm. R. Butler 705 N 11th St K.C.K.
- Wm. R. Butler 705 N 11th St K.C.K.
- Rosetta Claypool 701 W. 11th K.C.Ks
- Mrs. B.H. Claypool 1015 Ann K.C. Ks

B. H. Claypool 1015 Arun R. C. Ks.
W. H. Claypool 707 N 11 R. C. Ks.
John V. Sullivan MS 1815 W 24th, Topeka Ks