

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, February 19, 2015, 144-S of the Capitol.

All members were present

Committee staff present:

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

Conferees appearing before the Committee:

Senator Forrest Knox
Patricia Stoneking, Kansas State Rifle Association
Mike Taylor, Unified Government Wyandotte County/Kansas City, KS
Eric B. Smith, League of Kansas Municipalities
Mark Tallman, Kansas Association of School Boards
Senator Terry Bruce

Others in attendance:

[See Attached List](#)

Introduction of bills

Willie Prescott, Attorney Generals Office, requested a bill introduction concerning cigarettes and tobacco products.

Senator Wilborn moved that this request should be introduced as a committee bill. Senator Olson seconded the motion. The motion carried.

Senator LaTurner requested a bill introduction concerning the Hope Act

Senator LaTurner moved that this request should be introduced as a committee bill. Senator Wilborn seconded the motion. The motion carried.

SB 65 Carrying of concealed handguns by public employees while engaged in employment.

Chairman Ostmeyer opened the hearing on **SB 65.**

Staff provided an overview of the bill.

Senator Forrest Knox appeared before the committee as a proponent on the bill. ([Attachment 1](#)) The

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bill gives public employees the right to possess the tools of self-protection on the job whether inside or outside.

Patricia Stoneking, President, Kansas State Rifle Association, (KSRA) appeared in favor of the bill. [\(Attachment 2\)](#) The law is clear that only buildings may be restricted and that private conveyance in an automobile cannot be prohibited and asked that the law be passed to make clear that these public employees have the right to carry concealed; and that public employers may not restrict that right through personnel policies.

Mike Taylor, Public Relations Director, Unified Government Wyandotte County/Kansas City, testified as an opponent on the bill. [\(Attachment 3\)](#) The measure places restriction on local governments as employers which it does not impose on private companies. The Unified Government does have a personnel policy which prohibits employees from carrying guns while they are on the job. This bill would pre-empt that workplace rule.

Eric Smith, Legal Counsel, League of Kansas Municipalities, testified as opponent on the bill. [\(Attachment 4\)](#) The League understand that the right to bear arms is a constitutional right, and as an employer, a city has certain duties and obligations. Many personnel policies are established to reduce liability for the employer, as well as protecting the rights of all employees. Employees are made aware of the conditions of work when they are offered a job, and should give consideration at that point as to whether they wish to join an employer.

Mark Tallman, Associate Executive Director/Advocacy, Kansas Association of School Boards, (KASB) appeared as neutral on the bill. [\(Attachment 5\)](#) KASB believes the bill does not apply to school districts and their employees. However, in the interest of clarity, we suggest the definition in this bill should be amended to specifically exclude school districts.

Bill Ebel, City Manager, Overland Park, Kansas, provided written neutral testimony on the bill. [\(Attachment 6\)](#)

Chairman Ostmeyer closed the hearing on **SB 65**.

Final Action:

SB 45 - Authorizing the carrying of concealed handguns without a license under the personal and family protection act.

Senator Terry Bruce provided a balloon which strikes and adds language to section 4 on page 7, which will change the age to 21 years of age to match the concealed carry permit law. [\(Attachment 7\)](#)

Senator LaTurner moved to adopt the balloon amendment as presented. Senator Olson seconded the

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motion. The motion carried.

Senator LaTurner moved to pass **SB 45** out favorably as amended. Senator Olson seconded the motion. The motion carried.

The next meeting is scheduled February 23, 2015. The meeting was adjourned at 11:25 a.m.