

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Representative Tony Powell at 1:30 p.m. on February 1, 2000 in Room 313-S of the Capitol.

All members were present except: Representative Joann Freeborn, Excused
Representative Broderick Henderson, Excused

Committee staff present: Theresa Kiernan, Revisor of Statutes
Mary Galligan, Legislative Research
Russell Mills, Legislative Research
Winnie Crapson, Committee Secretary

Conferees appearing before the committee:

Proponents

Steven Graber, Attorney, Hutchinson
Representative Kay O'Connor
Karyl Graves, Wee Life, Inc.
Elmer Feldkamp, Right to Life
Dr. Patrick Herrick, Olathe
Cleta Renyer, Right to Life

Opponents

Dr. John Swomley, Americans for Religions Liberty
Barbara Duke, American Association of University Women
Dr. Charles Baughman

Written Testimony

Charles Rice, Proponent
Herbert Titus, Proponent
The Rev. George Gardner, Kansas Religious Leaders for Choice, Opponent
Carla Norcott-Mahany, Planned Parenthood of Kansas & Mid Missouri, Opponent
Janet Stamper, Kansas National Organization for Women, Opponent

Others attending: See attached list.

Chairman Powell opened the hearing on

HR 6006, Attorney general directed to determine constitutionality and to establish that upon conception there is life.

Steven Graber distributed copies brief for Writ of Certiorari to the U. S. Supreme Court in *Tilson v. City of Wichita*, 253 Kan. 285 (1993) (Attachment #1), presenting the same issues involved in this resolution..

Representative O'Connor presented written testimony in support of **HR 6006** (Attachment #2). She stated it does not matter how the Attorney General rules, there will be a challenge and the debate will begin and it will be many years before a final ruling comes down. She this is an issue of civil rights.

Karyl Graves, representing Wee Life, Inc., presented written testimony in support of **HR 6006** (Attachment #3). She believes it is essential to have the fullest understanding possible of medically established facts of pre-natal development and reviewed information on human life in the womb from conception to the final stage at birth.

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Elmer Feldkamp, President of Right to Life of Kansas, presented written testimony in support of the resolution (Attachment #4). A videotape was shown as part of his testimony. Mr. Feldkamp read from an article in the Topeka Capital-Journal July 8, 1996. He noted **HR 6006** is based upon Section 1 of the Kansas Bill of Rights and the Due Process and Equal Protection Clauses of the United States Constitution and that reliance on the U. S. Constitution and U.S. Supreme cases places this Resolution under the jurisdiction of the federal courts.

Dr. Patrick Herrick presented an outline of his testimony in support of **HR 6006** (Attachment #5). He reviewed definitions of terms with reference to the human species.

Carla Renyer, Legislative Director of Right to Life of Kansas, presented written testimony (Attachment #6) indicating Right to Life of Kansas had devoted six years to developing **HR 6006**, urging its passage.

John Swomley, President of Americans for Religious Liberty, presented testimony challenging constitutional and biological assertions in **HR 6006** (Attachment #7).

Barbara Duke, President, Kansas Choice Alliance, presented testimony in opposition (Attachment #8). She stated the lawsuit demanded by **HR 6006** would be lengthy and expensive and that it represents a dangerous extension of state power.

Charles Baughman, Professor Emeritus of St. Paul's School of Theology, made a presentation on "The Beginning of Life in the Bible" (Attachment #9).

Chairman Powell reported distribution of written testimony from:

- Charles Rice, Professor of Law, Notre Dame Law School, Proponent (Attachment #10)
- Herbert Titus, Proponent (Attachment #11)
- The Rev. George Gardner, Kansas Religious Leaders for Choice, Opponent (Attachment #12)
- Carla Norcott-Mahany, Planned Parenthood Kansas & Mid Missouri, Opponent (Attachment #13)
- Janet Stamper, Kansas National Organization for Women, Opponent (Attachment #14)

Chairman Powell announced the hearing on **HR 6006** closed.

Chairman Powell stated the Governor has requested introduction of a bill on the resale of firearms. Without objection the bill will be introduced.

Representative Weiland requested a bill be introduced to create the Kansas Indian Advisory Commission. Without objection the bill will be introduced.

The meeting adjourned at 2:55 p.m. The next scheduled meeting is February 2, 2000

