

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Bill Mason at 1:40 p.m. on March 19, 2003 in Room 313-S of the Capitol.

All members were present except: Representative Edmonds - E

Committee staff present: Russell Mills, Legislative Research Department
 Mary Torrence, Office of Revisor of Statutes
 Rose Marie Glatt, Committee Secretary

Conferees appearing before the committee:

Proponents: Senator Jay Scott Emler
 Roger Kroh, Director of Planning, City of Lenexa
 Sandy Jacquot, League of KS Municipalities
 Harris Terry, Commissioner, McPherson
 Rick Witte, County Manager, McPherson
Opponents: Phillip Journey, President, KS State Rifle Assn.
 Dawson Hobbs, NRA, (written testimony)

Others attending: See Attached

SB 25 - Sport shooting ranges; local regulations

Staff briefed the committee on **SB 25**, which adds the requirement that a sport shooting range has to be in compliance with any ordinance or resolution of a local unit of government, in effect at the time of construction or initial operation of the range.

Senator Emler requested introduction of **SB 25** to clarify the intent of the Senate amendment to **HB 2599** in the 2001 session (Attachment 1). The current bill allows sport shooting ranges that were out of compliance with local regulation to be grandfathered in by that Senate amendment, making a legitimate business out of one that was illegal. The intent of **SB 25** is to protect the sport shooting ranges, while eliminating those ranges that are out of compliance with local regulations. Discussion followed regarding the issue on compensation and a pending court case.

Roger Kroh, Director of Planning and Development, City of Lenexa, withdrew their request that part of section C be added back into the bill (Attachment 2). They support the intent of **SB 25**.

Harris Terry, County Commissioner, McPherson appeared in support of **SB 25** (Attachment 3). The bill acknowledges the ability of a community to amortize lawful nonconforming uses. The amortization provision has been removed and they were requesting that the Committee re-insert the amortization provision in Subsection C. Discussion followed regarding the pending court case and attorneys's fees.

Rick Witte, County Administrator, McPherson rose in support of **SB 25**, (see Attachment 3) and provided the history of the compliance issue as it relates to the sports shooting range in McPherson. He described the difference between private and public shooting ranges and the problems neighbors have experienced with the shooting range.

Sandy Jacquot, League of Kansas Municipalities, submitted written testimony in support of **SB 25** (Attachment 4)

Phillip Journey, Kansas State Rifle Assn, expressed his concern with **SB 25** and the affect it would have on shooting sports in Kansas (Attachment 5). Shooting ranges have provided recreational and educational opportunities as well as bringing a tremendous amount of economic activity in the state. The bill would effectively allow the elimination of any or all sports shooting ranges in the State of Kansas by the enactment of a patchwork quilt of noise ordinances by municipalities or counties across the state. If a problem exists with a specific range, perhaps the authorities in the Department of Wildlife and Parks should enforce the regulations.

Dawson R. Hobbs, State Liaison for NRA submitted written testimony (Attachment 6).

Discussion followed regarding definitions in the bill, who has the burden of proof and the Department of Wildlife and Parks responsibility to enforce regulations.

The hearing was closed on **SB 25**.

The meeting adjourned at 3:08 p.m. with the next meeting scheduled for March 20.

CONTINUATION SHEET