

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Vice-Chairman Siegfroid at 1:30 P.M. on March 2, 2006 in Room 313-S of the Capitol.

All members were present except:

Chairman John Edmonds
Representative Ray Cox- excused
Representative Kenny Wilk- excused

Committee staff present:

Athena Andaya, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Mary Torrence, Revisor of Statutes Office
Carol Doel, Committee Secretary

Conferees:

Representative Sharon Schwartz
Representative Candy Ruff
Representative Mike Kiegerl
Senator Phil Journey
Kevin Graham, Office of the Attorney General
Patricia Stoneking - National Rifle Association Certified Firearm Instructor
Paul Radcliff - Youth Hunter Education Challenge
Scott Hattrup
Steve Dryden
Paul Degener
Marc Galbraith, Deputy Director of the State Library
Marshall Havenhill, II, M.D. Emporia Public Library
Greg Gaul, Topeka Shawnee County Library
Mark Tombs, League of Municipalities
Sandra Barnett, Kansas Coalition Against Sexual & Domestic Violence
Sarah Johnston, M.D.
Kelly Johnston, Safe State Interface Ministries
Mark Desetta, KNEA

Others attending:

See attached list.

Vice-Chair Siegfroid opened the meeting for bill introductions. There were none.

The Vice-Chair opened the floor for public hearing on **SB 418** - Personal and family protection act; licensing to carry concealed firearms.

Representative Sharon Schwartz was recognized supporting **SB 418** and delivered testimony from a constituent, Ms. Debbie Sparke. In this testimony, she related that Ms. Sparke had been stalked and harassed by a co-worker/neighbor and was attacked in 1993. Ms. Sparke fears that she is faced with bodily harm at some point in the future and urges support of the "Personal and Family Protection Act". (Attachment 1)

Representative Candy Ruff addressed the committee supporting **SB 418**. Representative Ruff told of hearing from two constituents who had been rape victims. They were also stripped of their keys, purses, identification, and money. Each victim wanted to be able to protect herself by carrying a small firearm. The Representative stated that she would be offering several amendments in order to allay the fears of those she trusts and respects. She offered that she would prohibit the weapons in places such as churches, libraries, daycare and daycare centers. (Attachment 2)

Representative Kiegerl rose in support of **SB 418** relating that he would like to feel that his wife and daughter have adequate protection by being able to carry a firearm when they are traveling by themselves.

CONTINUATION SHEET

MINUTES OF THE House Federal and State Affairs Committee at 1:30 P.M. on March 2, 2006 in Room 313-S of the Capitol.

(No Written Testimony)

Senator Phillip Journey presented testimony favoring the passage of **SB 418**. The Senator informed the committee that he had served as the President of the National Rifle Association's affiliate the Kansas State Rifle Association and an independent PAC the Kansas Second Amendment Society. He has participated as part of a team approved by the KBI to train private detectives in obtaining their firearm permits and he is an NRA Certified Instructor and Hunter Education Instructor. He related this is about trust, trusting the constituents to have the means to protect their families, themselves and their property as well as sending a message to all not just the criminal element. He further informed the committee that up to 46 States have already enacted this type of legislation. Senator Journey related incidents in which citizens had helped law officers in the overpowering of criminals. (Attachment 3)

Also submitted by Senator Journey, were articles from various newspapers about concealed gun laws. (Attachment 4)

Giving testimony on behalf of the Attorney General Phil Kline was Kevin A. Graham, Assistant Attorney General. They support **SB 418**. Their testimony showed that Kansas is one of only four states in the U.S. that currently does not provide a legal mechanism whereby a citizen may apply for a permit to carry a concealed weapon. They further related that **SB 418** represents a well-reasoned, balanced and fair proposal to provide law abiding Kansas citizens with the means to protect themselves in the most dire of situations. (Attachment 5)

Patricia Stoneking, NRA Certified Firearm Instructor, urged the passage of **SB 418** for the safety and well-being of the people in this state and to afford them the right that is given to the citizens of 46 other states in this great nation. (Attachment 6)

Paula Radcliff of Dexter, Kansas who is involved in the Youth Hunter Education Challenge, supports **SB 418**. It is her opinion that due to the criminal's instinctive knowledge, he knows that we do not have the means of self-protection. He also knows that our cell phone and self-defense classes are not sufficient to protect us from his attack. She questioned why Kansans are precluded from their right of self-protection when it is recognized in forty-six other states. It is her opinion that now is the time to re-establish those rights. (Attachment 7)

Scott Hattrup, an attorney practicing in Lenexa, Kansas related that Kansans are responsible citizens and we deserve the opportunity to protect ourselves from criminals. It is his opinion that **SB 418** would provide a means for law-abiding Kansans to obtain training in the safe, responsible use of a firearm, and learn how and when firearms are properly used. Applicants would undergo background checks and only then would a license be issued. He urged the support of **SB 418**. (Attachment 8)

Concerned citizen, Paul Degener, addressed the committee in support of **SB 418**. Mr. Degener recited a passage from Amendment II of the United States Constitution stating that the people have the right to bear arms for their defense and security. He opined that this document seems to have been shelved. Mr. Degener urged the committee to vote in favor of the legislation as related in **SB 418**. (Attachment 9)

Also included in Mr. Degener's testimony was a copy of "*Quotes From The Founding Fathers Regarding Guns*". (Attachment 10)

Steve Dryden, School Psychologist from St. John, Kansas favors the passage of **SB 418** relating that it is he comes in contact with dangerous people and situations in his line of work. He would like to feel that he has the opportunity to protect his wife, daughter and himself should the need arise. (Attachment 11)

Written testimony favoring **SB 418** was submitted by Keith Wood of the National Rifle Association. (Attachment 12)

Sandra Barnett of the Kansas Coalition Against Sexual & Domestic Violence addressed the committee with a request to amend **SB 418**. Ms. Barnett stated that the bill does not adequately provide for the situation

CONTINUATION SHEET

MINUTES OF THE House Federal and State Affairs Committee at 1:30 P.M. on March 2, 2006 in Room 313-S of the Capitol.

where a current license holder becomes subject to a disqualifying event, such as a protection order. Her testimony further stated that a revocation of the license must occur quickly as the period immediately after applying for a protection order can be a particularly dangerous time for a victim. While there are provisions for revocation, they believe that it is not adequate. A copy of their recommended amendments were submitted for review. ([Attachment 13](#))

Mark Galbraith, Deputy State Librarian, State Library of Kansas, addressed the committee saying that it is the feeling of his colleagues who administer and work in the public libraries that **SB 418**, as written in Section 10, would not permit licensees to bring a concealed firearm into a variety of places including elementary and secondary school and public and private school sporting events. They encourage that public libraries also be listed among the places and the activities included in Section 10. ([Attachment 14](#))

Marshall Havenhill, a semi-retired physician, member of the Board of Directors of the Emporia Public Library, Vice-President of the North Central Kansas Library System and a member of the Kansas Library Trustees Association Board. requested that public libraries be included from the provisions of **SB 418**. ([Attachment 15](#))

Greg Gaul, Safety and Security Manager for the Topeka and Shawnee County Public Library also spoke as a neutral to **SB 418**, but asking that libraries be added to the list found in Section 10 of **SB 418**. ([Attachment 16](#))

The League of Kansas Municipalities was represented by Mark Tomb. They oppose **SB 418** listing Page 10, New Section 17 of the bill which states all current and future cit ordinances regarding the concealed carry of weapons are declared to be invalid. Also on Page 7, New Section 10 of the bill lists a number of locations where carrying concealed weapons would not be allowed. The League would like to see the addition of “any city owned or leased property or facility including, but not limited to city hall, public parks, recreational facilities , and public works buildings.” ([Attachment 17](#))

Sarah Johnston, a Wichita physician, is an opponent to **SB 418**. Doctor Johnston feels that the growing epidemic of firearm-related injury and death is a high-priority public health issue. This would required additional hospitalization as well as five times as many outpatient cares. She related that nationally, firearm related injuries cost between \$1.4 billion to \$4.0 billion annually in direct medical costs. Dr. Johnson also submitted a chart showing the selected state firearm death rates and legislation for children. ([Attachment 18](#))

Kelly Johnston addressed the committee representing Safe State Kansas/Inter-Faith Ministries as opponents to **SB 418**. Mr. Johnston said the Safe State Kansas is totally opposed to the concept of legally carrying concealed weapons - except by commissioned law enforcement officers. His testimony visited the various problems with concealed carry. ([Attachment 19](#))

The Kansas National Education Association (KNEA) was represented by Mark Desetti opposing **SB 418** for the reason that they take a position regarding firearms and students. They related that firearms must not be allowed near any school function or activity regardless of where that activity might be. ([Attachment 20](#))

Written testimony in opposition to **SB 418** was submitted by Lt. Colonel R. Keith Faddis, Overland Park Police Department ([Attachment 21](#)); Cynthia Berner Harris, City of Wichita ([Attachment 22](#)); Mike Taylor, Unified Government Public Relations ([Attachment 23](#)); and Janis McMillen for the League of Women Voters of Kansas ([Attachment 24](#)).

With no other persons wishing to address **SB 418**, Vice-Chairman Siegfroid closed the public hearing.

With no further business before the committee, Vice-Chairman Siegfroid adjourned the meeting.