

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman John Edmonds at 1:30 P.M. on March 13, 2006 in Room 313-S of the Capitol.

All members were present.

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:

Lieutenant Governor John Moore
Representative Mario Goico
Senator Jean Schodorf
Kelly Franz
Charles Yunker
Richard Strothman
Andy Schlapp
Shirley Phelps-Roper
Megan Phelps-Roper
Rebekah Phelps-Roper
Steve Drain

Others attending:

See attached list

Chairman Edmonds opened the meeting for bill introductions. There were none.

The Chairman opened the meeting for public hearing on **SB 421** - Unlawful picketing or protest march at funeral or memorial service.

John E. Moore, Lieutenant Governor presented his testimony before the committee supporting **SB 421**. Lieutenant Governor Moore stated that he believes that enacting **SB 421** can provide dignity for Kansas families who are remembering and honoring lost ones at whose services demonstrators would appear. (Attachment 1)

Representative Mario Goico addressed the committee in support of **SB 421** urging the committee to pass the bill without any amendment. He believes that this bill will stand up to the courts scrutiny if challenged, and that it is our opportunity to do a good thing for the families of soldiers that have made the ultimate sacrifice. (Attachment 2)

Senator Jean Schodorf related that **SB 421** is a bill to provide a buffer from protesting or picketing so that families can bury their family members in peace at what is probably the most difficult time in a person's life. She further stated that it is believed that this bill will stand up to court scrutiny if challenged and that it is the right thing to do for families of our soldiers who died in combat. (Attachment 3)

Senator Schodorf included with her testimony a copy of the constitutionality of proposed amendment to K.S.A. 2104015 as well as a copy of the current laws regarding intentional blocking of mourners. (Attachment 4)

Kelly Frantz is the widow of Lucas Allen Frantz who was killed October 18, 2005 in Iraq. Her husband's funeral service was picketed which she felt was a dishonor to a man who gave his life for his country. She supports **SB 421**. (Attachment 5)

The American Legion Department of Kansas was represented by Charles Yunker, Adjutant. The American Legion asks for favorable action on **SB 421**. It is their feeling that no one should have to endure insults,

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harassment, jeers, and signs during their time of mourning. The further related that they believe that no one should be subjected to “in your face” picketers when they enter their place of worship for any type of religious service. Mr. Yunkers also saluted the Patriot Guard for there services. (Attachment 6)

Richard Strothman, Director of the Kansas American Legion Riders Post 256 and also a member of the Patriot Guard Committee addressed the committee requesting that Lines 11 and 12, in **SB 421** be removed and then pass the bill into law. (Attachment 7)

Andrew J. Schlapp, Director, Government Relations, Wichita Kansas, presented testimony supporting **SB 421**. The Board of County Commissioners of Sedgwick County has passed a resolution, that is included in Mr. Schlapp’s testimony. The resolution requests that the legislation be supported that would create buffer zones to protect families from unwarranted harassment during funerals or memorial services. (Attachment 8)

Representative Lee Tafanelli testified in support of **SB 421**. Representative Tafanelli recently returned from Operation Iraqi Freedom and stated that he precisely understands the very freedoms and liberties that we enjoy in this nation. He further related that he feels that soldiers, their families and their friends deserve nothing less than to be able to grieve, honor and pay their respects to their loved ones free from protest and harassment. (Attachment 9)

Written testimony supporting **SB 421** was provided by Brandy Sacco, (Attachment 10) the City of Wichita, (Attachment 11) John Woydziak, (Attachment 12) and by Pam Scott of the Kansas Funeral Directors. (Attachment 13)

With no other opponents wishing to address the bill, Chairman Edmonds opened the floor to the opponents of the bill and recognized Shirley Phelps-Roper who opposes **SB 421**. Ms. Phelps-Roper related that they were here today to fulfill their duty to Lord our God and to their fellow man. She described the legislation as a bill of hell and his majesty the devil. Ms. Phelps-Roper further related that the nation does not want to concede or admit that its manner of life is sinful, and therefore, wants to pass this legislation. (Attachment 14)

Megan Phelps-Roper addressed the committee in opposition to **SB 421**. Ms. Phelps-Roper’s testimony related that anyone with an ounce of sense knows that this bill won’t stop the Gospel message of Westboro Baptist Church from permeating every nook and cranny of this nation. Megan Phelps-Roper attached copies of checks that represent the result of this states’ experimentation with the First Amendment rights. She related that this is a tiny bit of the states’ cost of making a law respecting an establishment of religion. (Attachment 15)

Rebekah Phelps-Roper came before the committee to testify in opposition to **SB 421**. In her testimony Rebekah Phelps-Roper gave the opinion that this legislative body, which has the power and influence over the people, is responsible for the wrath of God coming down upon this nation. (Attachment 16)

Stephen Drain also opposes **SB 421**. He related that by considering this bill, the legislature manifests not only a callous disregard for the constraints placed upon them by God’s standards of moral conduct, but also for the constraints placed upon them by principles set forth in the Constitution. Further into his testimony, Mr. Drain stated that if the legislators are really tending to the interests of Kansans, that they would stop wasting their time and money and get this issue placed in an appropriate form at the national level. (Attachment 17)

There were no other opponents wishing to address **SB 421** and the Chairman closed the public hearing.

With no further business before the committee, the meeting was adjourned.