

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 8, 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:

Phillip Cosby - Prairie Cosby
Austin Vincent - Attorney

Others attending:

See attached list

The Chairman opened the floor for introduction of bills.

Representative Cox requested a bill concerning identity theft bill which would coincide with a bill regarding personal records possessed by businesses; requiring certain actions regarding disposal and providing penalties for violations.

With no objections, that was accepted for introduction.

A CD copy of Dr. Prentice' briefing was given to each member of the committee for review.

Chairman called for a motion to adopt minutes from February 7th, 8th, 9th, 13th, 14th, 15th, and 20th.

Representative Brunk made a motion to adopt the above minutes. Representative Siegfried seconded the motion. Minutes were adopted.

Committee attention was directed to **HB 2912** - a bill concerning promoting obscenity; deleting provisions concerning devices promoted to emphasize their sexually provocative aspects. Chairman Edmonds opened the meeting for public hearing.

Phillip Cosby of Abilene, Kansas spoke to the committee in support of **HB 2912**. For the past two and one-half years, Mr. Cosby has worked with twelve Kansas communities concerning the dangers of pornography to individuals and communities. He gave the opinion that Kansas has a good obscenity statute in place, however, the Kansas obscenity statute does have one small flaw that has chilled the forward progress of prosecuting obscenity in Kansas communities. Mr. Cosby would propose amending the Kansas Statute 21-4301 to remove the words "sexually provocative aspect: on lines 30 and 35. For committee review, Mr. Cosby included a copy of the twenty nine indictments of devices by the Dickinson county Grand Jury, a copy of an article from the Abilene Reflector-Chronicle and a copy of the district court case regarding the promotion of obscenity. (Attachment 1)

Austin Vincent, an attorney from Topeka, Kansas, addressed the committee supporting **HB 2912** an amendment to K.S.A. 21-4301. The bill would removed the words "sexually provocative aspect" from the statute. Mr. Vincent further stated that without the amendment, it is most likely that the sale or distribution of "obscene devices" will not be prosecuted in Kansas. (Attachment 2)

With no other person wishing to address **HB 2912**, Chairman Edmonds closed the public hearing.

There was no further business before the committee and the meeting was adjourned.

CONTINUATION SHEET

MINUTES OF THE House Federal and State Affairs Committee at 1:30 P.M. on March 8, 2006 in Room 313-S of the Capitol.