

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Pat Colloton at 1:30 pm. on March 15, 2011 in Room 144-S of the Capitol.

All members were present

Committee staff present:

Sean Ostrow, Office of the Revisor of Statutes  
Jason Thompson, Office of the Revisor of Statutes  
Lauren Douglass, Legislative Research  
Robert Allison-Gallimore, Legislative Research  
Jackie Lunn, Committee Assistant

Conferees appearing before the Committee:

Tim Madden, General Counsel, Kansas Department of Corrections  
Stuart Little, Kansas Community Corrections Association

Others attending:

See attached.

**HB 2277-Third and subsequent DUI offenders following county jail sentence shall serve under local supervision for one year; supervised by community corrections or court services**

Chairperson Colloton called the meeting to order and opened the hearing on **HB 2277**. She called on Jason Thompson, Office of Revisor of Statutes, to explain the proposed Substitute for **HB 2277**. (Attachment 1)

Chairperson Colloton introduced Tim Madden, General Counsel, Kansas Department of Corrections, to testify as a proponent of the bill. Mr. Madden presented written copy of his testimony. (Attachment 2) He stated the Department of Corrections is in favor of **HB 2277** and also the proposed substitute for **HB 2277**.

Chairperson Colloton called the Committee's attention to the "written only" proponent testimony of Frank Harris, MAAD, (Attachment 3) and Matt Strausz, Kansas Ignition Interloc Association. (Attachment 4)

A discussion followed.

Chairperson Colloton introduced Stuart Little, Kansas Community Corrections Association, to give his testimony as an opponent of **HB 2277**. Mr. Little presented written testimony. (Attachment 5) He stated they are opposed to the bill because they believe there is some need to discuss the specific supervision of 3<sup>rd</sup> time DUI offenders and how that supervision will be carried out.

A discussion followed and Chairperson Colloton stated she would leave the hearing open for others to testify at another time.

Chairperson Colloton opened the floor for consideration of **SB 63-Amending the crime of exploitation of a child and SB 6-Criminal procedure; search incident to arrest**. **Representative Roth made a motion to pass SB 63 out favorably. Representative Kinzer seconded.**

Chairperson Colloton called on Sean Ostrow, Office of Revisor of Statutes, to explain **SB 63** and **SB 6**.

**Representative Kinzer made a substitute motion to add the following language to SB 63 "for the Constitution of the United States or the Constitution of Kansas". Representative Brookens seconded. Substitute motion carried.**

**Representative Kinzer made a motion to move the amended SB 6 into SB 63. Representative Roth seconded. Motion carried.**

A discussion followed.

**Representative Kinzer made a motion to pass SB 63 out favorably as amended. Representative Roth seconded. Motion carried.**

**HB 2217-Concerning authorized interception of wire, oral or electronic communications; issuance of order.**

**SB 55-Crimes, criminal procedure and punishment; relating to electronic communications; relating to harassment by telecommunications device; relating to warrants for interception and information.**

Chairperson Colloton opened the floor for the consideration of **HB 2217.**

**Representative Roth made a motion to pass SB 55 out favorable for passage. Representative Moxley seconded.**

A discussion followed.

**Representative Roth made a motion to amend HB 2217 into SB 55. Representative Wolf seconded.**

Chairperson Colloton called on Sean Ostrow, Office of Revisor of Statutes, to explain the bill and the balloon on the bill. (Attachment 6)

A discussion followed on the balloon on the bill.

**Representative Smith made a substitute motion to adopt the balloon offered on HB 2217. Representative Roth seconded. Motin carried.**

A discussion followed.

**Representative Pauls made a motion to put HB 2217 as amended into SB 55. Representative Smith seconded. Motion carried.**

Chairperson Colloton called on Sean Ostrow, Office of Revisor of Statutes, to explain the original content of **SB 55.**

A discussion followed.

**Representative Kinzer made a motion to pass SB 55 out favorably as amended. Representative McCray-Miller seconded. Motoin carried.**

Chairperson Colloton adjourned the meeting at 2:50 pm with the next meeting scheduled for March 16, 2011 at 1:30 pm in room 144-S.