

Approved: August 25, 2011
(Date)

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The Chairman called the meeting to order at 9:35 A.M. on February 3, 2011, in Room 548-S of the Capitol.

All members were present, except Senators Donovan and Haley, who were excused

Committee staff present:

Lauren Douglass, Kansas Legislative Research Department
Robert Allison-Gallimore, Kansas Legislative Research Department
Jason Thompson, Office of Revisor of Statutes
Tamera Lawrence, Office of Revisor of Statutes
Theresa Kiernan, Committee Assistant

Conferees appearing before the committee:

Helen Pedigo, Special Counsel to the Chief Justice of the Kansas Supreme Court

Others attending:

See attached list.

Bill Introductions:

Eric Stafford, The Kansas Chamber, requested introduction of two bills, as follows:

- A bill concerning the consumer protection law
- A bill concerning interest on judgments

Ron Hein, Kansas Beverage Association, requested introduction of a bill imposing penalties on certain recyclers.

The Chairman opened the hearings on **SB 60 — Eliminating direct appeals to the supreme court for certain off-grid felonies.**

Helen Pedigo testified in support of **SB 60** (Attachment 1). She stated that many of the novel issues arising out of the enactment of Jessica's Law have been settled and it is no longer necessary for appeals to bypass the Court of Appeals. In addition, the number of Jessica's Law cases delay other important criminal and civil cases designated for initial review by, or cases transferred to, the Supreme Court.

Senator Umbarger asked, "How such appeals are handled in other states?"

Ms. Pedigo responded that she would provide the information after she researched the question.

There was no testimony offered in opposition to **SB 60**.

The Chairman noted that the fiscal note for **SB 60** had not yet been received.

The Chairman closed the hearings on **SB 60**.

The Chairman opened the hearings on **SB 62 — Assessment of court costs under the Kansas standard asset seizure and forfeiture act.**

Helen Pedigo testified in support of **SB 62**, on behalf of Mary E. Kadel, Montgomery County District Court Administrator (Attachment 2). She stated that the bill amends the Asset Seizure and Forfeiture Act and would clarify that an assessment of the court costs, which includes docket fees, may be made when the object of the forfeiture proceeding is cash.

Senator Kelly asked, "What was the fiscal impact of **SB 62**?"

The Chairman noted that the fiscal note for **SB 62** had not yet been received.

CONTINUATION SHEET

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There was no testimony offered in opposition to **SB 62**.

The Chairman closed the hearings on **SB 62**.

Committee Action:

The Chairman turned the committee's attention to **SB 35 -- Attorney-client privilege and work-product protection**.

Senator Vratil moved, Senator King seconded, that SB 35 be passed. The motion was adopted without discussion.

The Chairman turned the committee's attention to **SB 38 -- Children; permanency and priority of orders**.

Senator Vratil moved, Senator Umbarger seconded, that SB 38 be passed.

The Chairman stated it is necessary to emphasize the priority of these orders. The Chairman also noted that **SB 38** was introduced to clarify the intent of last year's legislation.

The motion was adopted.

Senator Pilcher-Cook announced that she would be distributing copies of a Florida federal district court opinion in which the federal health care law is declared void.

Meeting adjourned at 10:25 A.M. The next meeting is scheduled for February 4, 2011.