

Approved: June 22, 2012
(Date)

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The Chairman called the meeting to order at 12:00 p.m. on March 15, 2012, in Room 548-S of the Capitol.

All members were present except Senators Kelly and Schodorf, who were excused.

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes
Katherine McBride, Office of the Revisor of Statutes
Lauren Douglass, Kansas Legislative Research Department
Bob Allison-Gallimore, Kansas Legislative Research Department
Theresa Kiernan, Committee Assistant

Others in Attendance:

See Attached List from 9:30 a.m. meeting this morning.

The Chairman turned the Committee's attention to **HB 2613—Allowing for extension of protective orders under certain circumstances.**

*Senator King moved, Senator Donovan seconded, that **HB 2613** be removed from the table. Motion adopted.*

Copies of balloon amendments were distributed. (Attachment 1).

Senator King explained that the amendment contained on page 5 of the balloon was intended to clarify the language. He stated the amendments to K.S.A. 60-3106 were added to ensure that the due process rights of a defendant were protected.

*Senator King moved, Senator Vratil seconded, that **HB 2613** be amended as proposed in the balloon. Motion adopted.*

*Senator King moved, Senator Vratil seconded, that **HB 2613** be passed, as amended. Motion adopted.*

The Chairman turned the Committee's attention to **HB 2621—Relating to secured transactions.**

*Senator Bruce moved, Senator Lynn seconded, that **HB 2621** be passed. Motion adopted.*

The Chairman turned the Committee's attention to **HB 2655—Relating to interference with the judicial process.**

*Senator Vratil moved, Senator Lynn seconded, that **HB 2655** be amended on Page 10, in line 36, by striking "an official" and inserting "any" and on page 2, in line 12, by striking "official". Motion adopted.*

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Senator Lynn moved, Senator Pilcher-Cook seconded, that **HB 2655** be passed, as amended. Motion adopted.

The Chairman turned the Committee's attention to **HB 2568—Amendments to the Kansas offender registration act.**

Senator Vratil moved, Senator Umbarger seconded, that the Committee reconsider its action taken on **HB 2568**. Motion adopted.

Copies of a balloon labeled hb2568_balloon_joseph was distributed to the Committee. (Attachment 2).

Senator Vratil moved, Senator Umbarger seconded, that **HB 2568** be amended by adoption of the balloon.

Senator Vratil explained that the amendment would implement an amendment suggested by Christopher Joseph on March 5, 2012.

Senator King expressed concern that the amendment was overly broad.

Senator Vratil's motion failed.

Senator Bruce moved, Senator King seconded, that **HB 2658** be passed, as previously amended on March 14, 2012. Motion adopted.

The Chairman turned the Committee's attention to **SB 453—Driving under the influence.**

Copies of written testimony submitted by Melissa Wangamann and Kyle Smith were distributed to the Committee. (Attachments 3 and 4).

Senator Bruce moved, Senator Lynn seconded, that **SB 453** be amended on page 8, by striking the provisions requiring the court to pay for the drug and alcohol evaluations. Motion adopted.

Senator Haley voted no.

Senator King moved, Senator Donovan seconded, that **SB 453** be amended on page 8, by restoring current law relating to who pays the fees and the amount of the fees; and on page 29, to reinsert the stricken language relating to the \$250 fee and the crediting of such fee to the community corrections supervision fund.

The Chairman expressed concern with the proposed amendment. He stated the Court would become a

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collection agency, but without sufficient appropriations of money, there is no other alternative.

Senator Haley expressed concern over the financial burdent that the proposed amendments would impose. He stated the amendments would be harsh especially for a first-time offender.

Senator King's motion was adopted.

Senator Haley voted no.

The Chairman announced the Committee would resume action on **SB 453** on March 16, 2012.

The next hearing is scheduled for March 16, 2012.

The meeting was adjourned at 1:30 p.m.