

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Lance Kinzer at 3:30 p.m. on March 15, 2011, in Room 346-S of the Capitol.

All members were present except:
Representative Bruchman
Representative Ryckman

Committee staff present:
Jill Wolters, Office of the Revisor of Statutes
Matt Sterling, Office of the Revisor of Statutes
Tamera Lawrence, Office of the Revisor of Statutes
Lauren Douglass, Kansas Legislative Research Department
Robert Allison-Gallimore, Kansas Legislative Research Department
Sue VonFeldt, Committee Assistant

Conferees appearing before the Committee:
Nancy Strouse, Executive Director, Kansas Judicial Council
Kyle Smith, Assistant Attorney General

Others attending:
See attached list.

A memo from Helen Pedigo, Special Counsel to Chief Justice, was provided to the committee members and staff, in response to questions that arose in the committee meeting on Wednesday, March 9, regarding **SB 46** E-filing. ([Attachment 1](#))

The Hearing on **SB 9 - Amendments to the code of civil procedure** was opened.

Matt Sterling, Assistant Staff Revisor provided an overview of the bill for the committee. ([Attachment 2](#))

Nancy Strouse, Executive Director, Kansas Judicial Council, appeared as a proponent and explained to the committee that legislature passed 2010 **HB 2656**, which was the result of more than two years of work by the Judicial Council Civil Code Advisory Committee. She stated this bill is a follow-up to that bill, containing technical amendments and a few revisions that were missed in the first bill. She also advised the Judicial Council requests that K.S.A. 60-304(e)(3) be amended to insert the word "and" as the omission of that word was a printer's error and was simply overlooked and only recently discovered. ([Attachment 3](#))

Representative Pauls also denoted on Page 15, Line 29, the word subpoena was incorrectly spelled as subpeona and should be corrected.

There were no opponents.

The hearing on **SB 9** was closed.

The Hearing on **SB 74 - Conduct and offenses giving rise to forfeiture; adding electronic solicitation and sexual exploitation of a child** was opened.

Tamera Lawrence, Assistant Staff Revisor, provided an overview of the bill for the committee. ([Attachment 4](#))

Kyle Smith, Assistant Attorney General, addressed the committee in support of the bill and explained the four main reasons to utilize forfeiture as an effective law enforcement tool. He stated that while most child molesters and pornographers are not financially motivated, the computers, cameras, and other electronic equipment that may be used should not be returned to the offenders. ([Attachment 5](#))

The following proponents provided written only testimony:

Derek Schmidt, Attorney General ([Attachment 6](#))
Patrick Vogelsberg, Kansas County and District Attorneys Association ([Attachment 7](#))

CONTINUATION SHEET

Minutes of the House Judiciary Committee at 3:30 p.m. on March 15, 2011 in Room 346-S.

There were no opponents.

The next meeting is scheduled for March 16, 2011.

The meeting was adjourned at 4:05 p.m.