

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Mike O'Neal at 3:30 P.M. on March 17, 2008 in Room 313-S of the Capitol.

All members were present expect:

Representative Jim Ward - excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research

Athena Andaya, Kansas Legislative Research

Jill Wolters, Office of Revisor of Statutes

Jason Thompson, Office of Revisor of Statutes

Cindy O'Neal, Committee Assistant

Conferees appearing before the committee:

Tom Stanton, Kansas County & District Attorneys Association

Ed Klumpp, Kansas Association Chiefs of Police and Kansas Peace Officer's Association

Patricia Biggs, Kansas Parole Board

Representative Peggy Mast

The hearing on **SB 476 - arrest for violating condition of probation or conditions of release**, was opened.

Tom Stanton, Kansas County & District Attorneys Association, appeared before the committee as a proponent of the bill. This bill will allow for an officer to arrest an individual, by verbal authorization of a probation or parole officer, if the individual has violated a condition's of their release. (Attachment #1)

Written testimony, in support of the bill, was provided by the Kansas Association Chiefs of Police, Kansas Peace Officers Association, and Kansas Department of Corrections. (Attachments #2, 3, & 4)

The hearing on **SB 476** was closed.

The hearing on **SB 477 - offender registration, electronic solicitation**, was opened.

Tom Stanton, Kansas County & District Attorneys Association, would simply add the crime of electronic solicitation to the list of crimes and, if found convicted, must register pursuant to the Kansas Offender Registration Act. Electronic solicitation of children is a growing crime across the nation. (Attachment #5)

Ed Klumpp, Kansas Association Chiefs of Police and Kansas Peace Officer's Association, commented that while there are concerns about adding to the registry, this is what the registry was developed for. (Attachments #6 & 7)

The hearing on **SB 477** was closed.

The hearing on **SB 479 - post release supervision for certain offenders**, was opened.

Tom Stanton, Kansas County & District Attorneys Association, explained that the proposed bill attempts to address an anomaly in the law that currently acts to free individuals who have been convicted of crimes for which the sentence is life from post-release supervision. (Attachment #8)

Patricia Biggs, Kansas Parole Board, concurred with the testimony presented by Mr. Stanton. They proposed a technical amendment to clean up the bill. (Attachment #9)

The hearing on **SB 479** was closed.

The hearing on **SB 481 - controlled substance, schedule I salvia & gypsum weed**, was opened.

Tom Stanton, Kansas County & District Attorneys Association, appeared before the committee as a

## CONTINUATION SHEET

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proponent of the bill. These two drugs are beginning to cause problems. Salvia divinorum is a psychoactive herb grown primarily in South America. "Trips" on this drug result in depressing hallucinations and has been linked to suicide of a Delaware teenager. With the number of states that are adding this drug into their controlled substances act, there will be a lab test developed shortly.

The other drug, gypsum weed, is sold over the internet. Its high can last for days but the amount needed to reach the high can result in death. (Attachment #10)

Representative Peggy Mast appeared before the committee in support of the bill. She introduced a similar bill in the House that dealt with Salvia. (Attachment #11)

The Kansas Bureau of Investigations has contacted several states but have found no forensic examination at this time. There will be a test developed sometime next year that will have meet standards.

Written testimony, in support of the bill, was provided by Kansas Family Partnership and Prevention and Recovery Services. (Attachments #12 & 13)

The hearing on **SB 481** was closed.

The committee meeting adjourned at 4:45 p.m. The next meeting was scheduled for March 18, 2008.