

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:37 A.M. on February 26, 2008, in Room 123-S of the Capitol.

All members were present except:

Terry Bruce- excused
Barbara Allen- excused
Donald Betts- excused
Les Donovan arrived, 9:40 A.M.
Phil Journey arrived, 9:43 A.M.
Derek Schmidt arrived, 9:39 A.M.

Committee staff present:

Bruce Kinzie, Office of Revisor of Statutes
Athena Andaya, Kansas Legislative Research Department
Karen Clowers, Committee Assistant

Conferees appearing before the committee:

Hon. John White, Recorder, Kansas Criminal Code Recodification Commission
Jeffrey Brandau, Kansas Bureau of Investigation

Others attending:

See attached list.

The Chairman opened the hearing on **SB 640–Recodification of certain drug crimes.**

Judge John White testified in support, stating **SB 640** is the result of the Kansas Criminal Code Recodification Commission's work on recodifying Kansas drug crimes (Attachment 1). Judge White reviewed the recommended changes, indicating the only substantive change is to move of drug crimes from Chapter 65 to Chapter 21 of the Kansas Statutes.

Jeffrey Brandau spoke in support, stating while **SB 640** is a recodification of current status, the KBI has concerns regarding the New Section 17 and would prefer to have this section deleted (Attachment 2). In addition, Mr Brandeau suggested changes to the listing of drug paraphernalia and controlled substances. The Chairman indicated **SB 640** is current law and is not intended to make substantive changes to existing law. He recommended that Mr. Brandeau arrange to file a bill in the next legislative session to make the changes requested so the committee can have a hearing on those changes and anyone having an interest in those changes would be able to testify. Chairman Vratil thanked Mr. Brandeau for bringing these points to the committee's attention.

There being no further conferees, the hearing on **SB 640** was closed.

The Chairman called for final action on **SB 565–The state fair board, employees, background investigations.** The Chairman reviewed the balloon amendment distributed at yesterday's committee meeting (Attachment 3).

Senator Goodwin moved, Senator Donovan seconded, to amend **SB 565** as reflected in the balloon amendment. Motion carried.

Senator Schmidt moved, Senator Goodwin seconded, to recommend **SB 565** as amended, favorably for passage.

The Chairman called for final action on **SB 581–Juvenile offender, possession of alcohol.** Senator Vratil reviewed the bill, there were no proposed amendments.

Senator Journey moved, Senator Lynn seconded, to recommend **SB 581** favorably for passage. Motion carried.

CONTINUATION SHEET

MINUTES OF THE Senate Judiciary Committee at 9:37 A.M. on February 26, 2008, in Room 123-S of the Capitol.

The Chairman called for final action on **SB 582–Driving under the influence, ignition interlock and impoundment of vehicle.** The Chairman reviewed the bill, there were no proposed amendments.

Senator Journey moved, Senator Lynn seconded, to recommend SB 582 favorably for passage. Motion carried.

The Chairman called for final action on **SB 588–Traffic in contraband in a correctional facility.** Senator Vratil reviewed the bill and proposed balloon amendments (Attachments 4 & 5).

Senator Donovan moved, Senator Goodwin seconded, to amend SB 588 as reflected in the proposed balloon amendments. Motion carried.

Senator Goodwin moved, Senator Schmidt seconded, to recommend SB 588 as amended, favorably for passage. Motion carried.

The Senator announced that after discussions with interested parties on both sides of the issue, he has decided not to work either **SB 589** or **SB 547**. He will ask the Senate President to bless **SB 589** since the interested parties indicated they would like to continue discussions in an effort to reach a compromise.

The meeting adjourned at 10:12 A.M. The next scheduled meeting is February 27, 2008.