

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:36 A.M. on March 25, 2008, in Room 123-S of the Capitol.

All members were present except:
Donald Betts - absent
Derek Schmidt- excused

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

Others attending:
See attached list.

The Chairman called for final action on **HB 2617– Mandatory implied consent testing for serious injury and fatality accidents.** Senator Bruce reviewed the bill and distributed a proposed balloon amendment (Attachment 1).

Senator Bruce moved, Senator Goodwin seconded, to amend HB 2617 as reflected in the balloon amendment. Motion carried.

Senator Journey moved, Senator Lynn seconded, to amend HB 2617 by adding the portions of Sub SB 409 dealing with DUI offenses. Motion carried. Senator Haley voted no and requested his vote recorded.

Senator Goodwin moved, Senator Bruce seconded, to recommend HB 2617 as amended, favorably for passage. Motion carried.

The Chairman called for final action on **HB 2727– Sexual assault, evidence.** The Chairman reviewed the bill.

Senator Journey moved, Senator Lynn seconded, to amend HB 2727 on page 2, line 21 by changing the word “may” to the word “shall.” Motion carried.

Senator Lynn moved, Senator Bruce seconded, to recommend HB 2727 as amended, favorably for passage. Motion carried.

The Chairman called for final action on **HB 2780–Criminal procedure; new crime committed on probation or community correction, service of warrant for violation of original conviction.** The Chairman reviewed the bill and distributed a proposed balloon amendment from the Kansas Sentencing Commission (Attachment 2).

Senator Lynn moved, Senator Goodwin seconded, to amend HB 2780 as reflected in the balloon amendment. Motion carried.

Senator Journey moved, Senator Lynn seconded, to amend HB 2780 by adding the portions of Sub SB 409 dealing with probation violation offenders. Motion carried. Senator Haley voted no and requested his vote recorded.

Senator Allen moved, Senator Lynn seconded, to recommend HB 2780 as amended, favorably for passage. Motion carried.

The Chairman called for final action on **HB 2845–Increasing the penalties for theft and aiding escape when such crimes concern employees or volunteers of the department of corrections.**

Senator Goodwin moved, Senator Haley seconded, to recommend HB 2845 favorably for passage. Following discussion, Senator Goodwin and Senator Haley withdrew the motion.

CONTINUATION SHEET

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Senator Donovan moved, Senator Lynn seconded, to amend **HB 2845** by striking Section 1 and Section 2, and retaining only Section 3. Motion carried.

Senator Goodwin moved, Senator Haley seconded, to recommend **HB 2845** as amended, favorably for passage. Motion carried.

The meeting adjourned at 10:25 A.M. The next scheduled meeting is March 26, 2008.