

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Vice-Chairman Lance Kinzer at 3:30 P.M. on January 22, 2007 in Room 313-S of the Capitol.

All members were present except:

Kevin Yoder- excused
Mike O'Neal- excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research
Athena Andaya, Kansas Legislative Research
Jill Wolters, Office of Revisor of Statutes
Duston Slinkard, Office of Revisor of Statutes
Cindy O'Neal, Committee Assistant

Conferees appearing before the committee:

Tim Madden, Kansas Department of Corrections
Representative Terrie Huntington
Representative Ann Mah
Dr. Mark Schutter, Superintendent of Larned State Hospital
Doug Vance, Kansas Recreation & Parks Association
Dale Goter, City of Wichita
Secretary Roger Werholtz, Kansas Department of Corrections
Callie Denton-Hartle, Kansas Trial Lawyers

Representative Watkins requested a bill relating to the chief judge being elected by judges in that judicial district. He moved to have his request introduced as a committee bill. Representative Patton seconded the motion. The motion carried.

Tim Madden, Kansas Department of Corrections, requested three bills:

1. Relating to sentencing to provide for equal treatment of persons committing crimes while on release from other jurisdictions
2. Amendments to the unlawful sexual relations act to include volunteers
3. Providing authority to the Secretary of Corrections to cancel revocation hearings

Representative Kinzer made the motion to have the requests introduced as committee bills. Representative Watkins seconded the motion. The motion carried.

Representative Terrie Huntington appeared before the committee with a bill request to automatically increase child support payments with the same increase as the cost of living adjustment. Representative Watkins made the motion to have the request introduced as a committee bill. Representative Colloton seconded the motion. The motion carried.

Representative Ann Mah appeared before the committee with three bill requests:

1. Child in need of care reporting requirements be provided to the district attorneys office
2. Allow for flexibility in sentencing those with suspended licenses
3. Increase the penalties for theft

Representative Patton made the motion to have the requests introduced as committee bills. Representative Owens seconded the motion. The motion carried.

Representative Owens requested a bill that would allow courts to retain jurisdiction of Child In Need of Care cases until the child has completed high school. He made the motion to have his request introduced as a committee bill. Representative Whitham seconded the motion. The motion carried.

Representative Kiegerl requested a bill that would make child support continue to the age of 23 if the child is enrolled in college full time. Representative Watkins made the motion to have the request introduced as a committee bill. Representative Wolf seconded the motion. The motion carried.

The hearing on **HB 2001- civil commitment of sexually violent predators**, was opened.

CONTINUATION SHEET

MINUTES OF THE House Judiciary Committee at 3:30 P.M. on January 22, 2007 in Room 313-S of the Capitol.

Dr. Mark Schutter, Superintendent of Larned State Hospital, appeared as a proponent to the bill. He proceeded to explain that there are three major points of the bill:

- allowing the Secretary of Corrections to establish rights & rules for the Sexual Predator Treatment Program residents
- section 3 excludes those individuals who have been civilly committed as a sexually violent predator
- clarifies the roles and responsibilities with respect to costs incurred in providing treatment & care and requiring them to share the burden of the cost of treatment. ([Attachment 1](#))

The hearing on **HB 2001** was closed

The hearing on **HB 2088 - criminal trespass against children**, was opened.

Doug Vance, Kansas Recreation & Parks Association, appeared as a proponent to the proposed bill which would give facility management supervisors the legal authority to provide written notice to sex offenders to leave the property. The bill is patterned after a Washington statute. The proposed bill would basically deny sex offenders access to parks, pools, playgrounds, day care facilities and public libraries. ([Attachment 2](#))

Dale Goter, City of Wichita, also appeared in support of the proposed bill which would provide safe places for children to play outside their home. ([Attachment 3](#))

Secretary Roger Werholtz, Kansas Department of Corrections, voiced some concerns with the proposed bill and the policy that targets all sex offenders when a majority do not necessarily pose the biggest threat to children. Strangers are not the biggest threat, individuals who are known to that child are. He suggested that the committee might want to look at managing sex offenders and what type of risk they would impose. If their previous crimes are against children, there might need to be restrictions as to where they can frequent. ([Attachment 4](#))

Callie Denton- Hartle, appeared as an opponent of the bill because it encourages people to become vigilantes. ([Attachment 5](#))

The hearing on **HB 2088** was closed.

The committee meeting adjourned at 4:20 p.m. The next meeting was scheduled for January 23, 2007.