

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Ranking Minority Member Jan Pauls at 3:30 p.m. On March 6, 2001 in Room 313-S of the Capitol.

All members were present except:

Representative Geraldine Flaharty - Excused
Representative Dean Newton - Excused
Representative Michael O'Neal - Excused
Representative Joe Shriver - Excused

Committee staff present:

Jerry Ann Donaldson, Legislative Research Department
Jennifer Strait, Intern for Legislative Research Department
Jill Wolters, Revisor of Statutes Office
Cindy O'Neal, Committee Secretary

Conferees appearing before the committee:

Tim Madden, Chief Legal Counsel for Kansas Department of Corrections
Major Bernie Johnston, Johnson County Sheriffs Department
Kyle Smith, Kansas Bureau of Investigations

Hearings on **SB 27 - transfer of offenders by sheriff**, were opened

Tim Madden, Chief Legal Counsel for Kansas Department of Corrections, appeared before the committee as a proponent of the bill. He explained that the proposed bill would delete the reference to correctional institutions where offenders must be delivered and provided that inmate be delivered to a facility designated by the Secretary of Corrections. (Attachment 1)

Major Bernie Johnston, Johnson County Sheriffs Department, was opposed to the change that could require counties to hold a prisoner longer than the term to be served in a prison, due to the sentencing paperwork being finished. He requested an amendment which would allow sheriff departments a reasonable amount of time to deliver the inmate to the custody of the Department of Corrections. (Attachment 2)

Written testimony in opposition to the bill was provided from the Kansas County & District Attorneys Association (Attachment 3)

Hearings on **SB 27** were closed.

Hearings on **SB 99 - offender registration act**, were opened.

Kyle Smith, Kansas Bureau of Investigations, explained that the bill amends the Kansas Offender Registration Act to include those who have been convicted of child molesting, rape, murder and other serious crimes. It would also require those who have been convicted under any federal, military, or another state law to register. (Attachment 4)

Hearings on **SB 99** were closed

Hearings on **SB 209 - enacting the national crime prevention & privacy act**, were opened.

Kyle Smith, Kansas Bureau of Investigations, appeared as a proponent of the bill. He commented that with the passage of the bill would create a better way to distribute records among different states. The proposed bill would set up the legal framework so each state would maintain their own database and be able to access it without the federal government having to keep a copy of all the states' databases. Eight states have adopted the compact. The database is designed to allow non-criminal justice agencies to do background checks. However, it would not expand the list of those who would have access to the database. (Attachment 5)

Hearings on **SB 209** were closed

Representative Pauls announced the appointment of the following subcommittees:

HB 2496 - act for obtaining a guardian or conservator - Representatives Loyd, Williams, Newton, Crow & Dillmore

Kansas Payment Center Issue - Representatives O'Neal, Long, DeCastro, DiVita, Pauls, Klein & Ruff

The committee meeting adjourned at 4:30 p.m. The next meeting is scheduled for March 7, 2001.