SENATE JUDICIARY COMMITTEE

2007 Members

| Chairperson | 1 | Senator John Vratil |
|-------------|-------------------------|-----------------------|
| Vice Chairp | person | Senator Terry Bruce |
| Ranking Mi | inority Member | Senator Greta Goodwin |
| Members: | Senator Barbara Allen | |
| | Senator Donald Betts | |
| | Senator Les Donovan | |
| | Senator David Haley | |
| | Senator Phil Journey | |
| | Senator Julia Lynn | |
| | Senator Derek Schmidt | |
| | Senator Dwayne Umbarger | |

Staff:

Athena Anadaya, Kansas Legislative Research Department Jerry Donaldson, Kansas Legislative Research Department

Bruce Kinzie, Revisor of Statutes' Office Nobuko Folmsbee, Revisor of Statutes' Office Karen A. Clowers, Committee Assistant

2007 Senate Judiciary Committee Member Attendance Record

| Meeting Date | 1/9 | 1/10 | 1/11 | 1/16 | 1/17 | 1/18 | 1/22 | 1/23 | 1/24 | 1/25 | 1/29 | 1/30 | 1/31 | 2/1 | 2/5 | 2/6 | 2/7 | 2/8 | 2/9 | 2/12 | 2/13 | 2/14 |
|-----------------------|------|-------|------|------|------|------|------|------|------|------|-------|------|------|------|-----|------|------|------|------|-------|------|------|
| Allen | X | X | X | X | X | 9:35 | 9:38 | X | X | 9:40 | 9:35 | 9:35 | X | 9:36 | A | X | 9:34 | X | X | 9:40 | X | 9:36 |
| Betts | X | X | X | X | 9:40 | 9:33 | 9:38 | X | X | X | X | X | X | Е | A | X | 9:59 | X | X | X | X | X |
| Bruce | X | X | X | X | 9:38 | X | X | X | X | X | Е | X | 9:45 | X | X | X | 9:36 | X | 9:38 | X | 9:33 | 9:38 |
| Donovan | Е | Е | Е | Е | Е | Е | X | 9:41 | X | X | X | X | X | 9:34 | Е | X | X | X | Е | X | 9:39 | 9:36 |
| Goodwin | X | Е | X | X | X | X | X | X | X | X | Е | X | 9:40 | 9:39 | X | X | X | X | X | X | X | X |
| Haley | 9:52 | 10:00 | 9:50 | Е | 9:47 | A | Е | X | 9:50 | 9:35 | 9:42 | 9:42 | 9:42 | 9:34 | A | 9:42 | X | X | X | 10:05 | 9:39 | 9:42 |
| Journey | 9:47 | X | 9:40 | X | X | X | .X | X | 9:36 | X | 10:00 | X | X | X. | A | X | X | X | X | 9:55 | Χ . | 9:39 |
| Lynn | 9:45 | X | 9:41 | X | X | X | X | X | X | X | X | X | X | 9:35 | X | X | 9:36 | X | X | 9:39 | X | X |
| Schmidt | 9:42 | X | Е | X | X | X | Е | X | Е | Е | X | 9:40 | X | X | A | 9:45 | 9:37 | 9:42 | Е | X | 9:43 | 9:36 |
| Umbarger | X | X | 9:45 | X | X | 9:37 | X | X | 9:37 | X | 9:36 | 9:37 | X | X | X | X | 9:34 | X | X | X | 9:45 | 9:35 |
| Vratil | X | X | X | X | X | X | X | 9:44 | X | X | X | 9:35 | X | X | X | X | X | X | X | X | X | X |
| | | | | | | | | | | | | | | | | | | | | | | |
| * Temporary Member | | | | | | | | | | | | | | | | | | | | | | |
| X-Present | | | | | | | | | | | | | | | | | | | | | | |
| E - Excused | | | | | | | | | | | | | | | | | | | | | | |
| A - Absent | | | | | | | | | | | | | | | | | | | | | | |

2007 Senate Judiciary Committee Member Attendance Record

| Meeting Date | 2/15 | 2/16 | 2/19 | 2/20 | 2/21 | 2/28 | 3/1 | 3/5 | 3/6 | 3/7 | 3/8 | 3/12 | 3/13 | 3/14 | 3/15 | 3/19 | 3/20 | 3/21 | 3/22 | 4/27 | Number Excused | Number Absent |
|-----------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|------|------|------|------|------|-------------------|------------------|
| Allen | X | X | X | 9:38 | X | X | 9:38 | 9:34 | Е | X | 9:40 | X | Е | X | 9:35 | 9:37 | X | X | X | X | 2 | 1 |
| Betts | X | X | X | X | X | X | X | Е | X | X | 9:37 | 9:39 | X | 9:41 | X | X | X | X | X | Е | 3 | 1 |
| Bruce | X | X | X | X | X | X | X | Е | 9:33 | 9:45 | X | 9:39 | X | 9:41 | X | 9:34 | X | X | X | X | 2 | 0 |
| Donovan | X | X | X | X | X | X | X | X | X | X | X | X | 9:43 | X | X | X | X | X | X | X | 8 | 0 |
| Goodwin | X | X | X | X | X | X | X | X | 9:39 | X | 9:39 | X | X | 9:39 | X | X | X | X | X | X | 2 | 0 . |
| Haley | X | X | X | 9:40 | X | Е | 9:37 | A | 9:38 | 9:36 | X | Е | X | X | X | X | 9:50 | X | X | Е | 5 | 3 |
| Journey | X | Χ. | X | 9:40 | X | 9:42 | 9:37 | 9:40 | X | . X | 9:37 | 9:46 | X | 9:40 | X | 9:49 | X | X | X | X | 0 | 1 |
| Lynn | X | X | X | 9:37 | X | X | 9:37 | 9:34 | 9:40 | X | X | X | X | X | X | X | X | X | X | X | 0 | 0 |
| Schmidt | X | X | X | 9:39 | X | X | 9:42 | X | 9:34 | 9:41 | 9:38 | Е | 9:37 | 9:34 | 10:00 | 9:33 | 9:43 | X | X | X | 6 | 1 |
| Umbarger | X | X | X | X | X | 9:39 | X | 9:34 | X | X | X | 9:45 | 9:50 | X | 10:00 | X | Е | 9:45 | X | Е | 2 | 0 |
| Vratil | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | 0 | 0 |
| * Temporary Member | | | | | | | | | | | | | | | | , | | | | | | |
| X-Present | | | | | | | | | | | | | | | | | | | | | | |
| E - Excused | | | | | | | | | | | | | | | | | | | | | | |
| A - Absent | | | | | | | | | | | | | | | | | | | | | | |

2007 SENATE JUDICIARY COMMITTEE

COMMITTEE ACTION INDEX

3/22/07

| - | | | 3/22/07 |
|-------------|--|--|--|
| BILL NUMBER | SUBJECT | DATE OF HEARING/ DISCUSSION | DATE OF FINAL ACTION BY FULL COMMITTEE |
| SB 2 | Unborn victims of violence act | | |
| SB 14 | Offender registration; convictions for manufacture of controlled substance, possession of certain drugs with intent to manufacture controlled substance required to register | 1/16/07 Hrg. 1/17/07 cont. | 1/23/07 BPA |
| SB 17 | Docket fees; eliminating certain funds from receiving part of docket fees | 1/18/07 Hrg. | 2/13/07 BPA |
| SB 18 | Uniform child abduction prevention act | 1/16/07 Hrg. | 1/23/07 BP |
| SB 31 | Jurisdiction of municipal court | 1/17/07 Hrg. | 1/24/07 BPA |
| SB 32 | Health care; medical assistance repayment; discretionary trusts | 1/29/07 Hrg. | 3/21/07 BPA |
| SB 35 | DUI, computation of time to request administrative hearing | 1/18/07 Hrg. | 2/9/07 BPA |
| SB 37 | Concerning the crime of smoking in indoor areas | 1/17/07 Hrg. 1/31/07 Passed without recommendation 3/6/07 rereferred | |
| SB 39 | Search warrant; affidavit or testimony supporting probable cause; availability to homeowner, when; statute of limitation tolled | 1/25/07 Hrg. | |
| SB 40 | Creating the crime of automated teller machine robbery and aggravated automated teller machine robbery | 1/25/07 Hrg. | 2/7/07 BPF |
| SB 41 | Negligence; ordinary care required when gun possession at issue in personal injury or wrongful death action | 1/22/07 Hrg. | 2/8/07 BP |
| SB 42 | Theft of a rifle, shotgun or firearm valued at less than \$1,000 severity level 10, nonperson felony | | |
| SB 43 | Repealing K.S.A. 12-16,115, civil penalties for the sale, manufacture or distribution of imitation firearms | | |
| SB 44 | Subrogation rights under health insurance policies | | |
| SB 45 | Chief judge of the judicial district elected by district judges, not designated by the supreme court | 1/22/07 Hrg. | 2/7/07 BPA |
| SB 46 | Defacing identification marks of a firearm, increase from class B nonperson misdemeanor to a severity level 10, nonperson felony | | |
| SB 47 | Search warrant; affidavit or testimony supporting probable cause; availability to public | | |

| BILL NUMBER | SUBJECT | DATE OF HEARING/ DISCUSSION | DATE OF FINAL ACTION BY FULL COMMITTEE |
|-------------|---|--|--|
| SB 48 | Municipal court, accused person's competency to stand trial, mental health evaluation | | |
| SB 51 | Vital statistics, list of deceased residents, district court clerks | 1/16/07 Hrg. | 1/30/07 BP |
| SB 52 | Regulating traffic; speed limit violations, open record | 1/23/07 Hrg. | 2/12/07 BPA |
| SB 53 | Civil procedure; release of dormant judgments | 1/23/07 Hrg. | 2/12/07 BP & CC |
| SB 54 | Criminal procedure; signing of arrest warrant | 1/23/07 Hrg. | 2/8/07 BPA |
| SB 55 | Department of corrections, disposition of inmate compensation | 1/24/07 Hrg. | 2/12/07 BP |
| SB 56 | Increasing fees for county law libraries | 1/24/07 Hrg. | 2/13/07 BPA |
| SB 57 | Repealing K.S.A. 20-351a, report on certain judgeships | 1/24/07 Hrg. | 2/1/07 BP |
| SB 58 | Conveying trust property | 2/9/07 Hrg. | 2/9/07 BP |
| SB 64 | Small claims; counter claim must be filed not less than two business days prior to the trial date | 2/1/07 Hrg. | |
| SB 73 | Mortgage registration fees, exemptions (Jud Cmt - D. Schmidt) | 1/29/07 Hrg. | 2/7/07 BP |
| SB 74 | Recovery of medical assistance, probate code | 1/30/07 Hrg. | 2/8/07 BPA |
| SB 75 | Compensation for attorneys representing indigent defendants | 1/30/07 Hrg. | 1/30/07 BP |
| SB 76 | Probate, small estates, transfer of personal property | 1/30/07 Hrg. | 2/7/07 BP |
| SB 81 | Fingerprinting and criminal history background checks required by the board of healing arts | 1/25/07 Hrg. | 2/7/07 BPA |
| SB 85 | Authorizing employment of retired justices and judges with the Kansas Judicial Council to assist the Commission on Judicial Performance | 1/30/07 Hrg. | 2/7/07 BP |
| SB 86 | Change of judge by application in civil cases | 1/29/07 Hrg. | 2/8/07 Interim Study |
| SB 87 | Kansas offender registration act; prohibition from adopting or enforcing the residency restrictions | 1/31/07 Hrg. | 2/8/07 BP |
| SB 88 | Restoration of spouse's name after divorce is final | 1/31/07 Hrg. | 2/15/07 BPA |
| SB 97 | Third or subsequent conviction for burglary, sentence | 1/31/07 Hrg. | 2/8/07 BPA |
| SB 103 | Fingerprints and photos of juveniles in custody | 2/1/07 Hrg. 2/8/07 BPA 2/12/07 re- referred | 2/13/07 BPA |
| SB 110 | Criminal use of explosives | | |
| SB 118 | Children in need of care; CASA reports | 2/1/07 Hrg. | 2/12/07 BPA |

| BILL NUMBER | SUBJECT | DATE OF HEARING/ DISCUSSION | DATE OF FINAL ACTION BY FULL COMMITTEE |
|-------------|---|-----------------------------------|--|
| SB 119 | Authorizing dismissal of certain traffic infractions for certain armed forces | 2/13/07 Hrg. | |
| SB 124 | Illegal aliens, certain sentences not subject to suspended sentence, conditional release, community service or probation | 2/13/07 Hrg. | |
| SB 125 | Illegal aliens, bail for certain crimes | 2/16/07 Hrg. | |
| SB 132 | Affidavits and sworn testimony in support of probable cause for the issuance of a warrant are open court records following execution of warrant, certain exclusions | | |
| SB 133 | Election crimes; advance voting ballot suppression | 2/13/07 Hrg. | 2/21/07 BPA |
| SB 139 | Civil actions prevailing party recovers reasonable attorney fees; exceptions | 2/6/07 Hrg. | 2/12/07 Tabled |
| SB 161 | Possession of controlled substances; misdemeanor or felony determination based on the prior conviction | | |
| SB 162 | Corporations, actions taken without meeting, notice or vote | 2/13/07 Hrg. | 2/13/07 BPA |
| SB 166 | Clarifying amendments to hard 40 sentence for sex crimes and sexual exploitation of a child | 2/7/07 Hrg. | 2/12/07 BPA |
| SB 182 | Interference with parental custody | 2/14/07 Hrg. | |
| SB 183 | Uniform commercial code, article 1, general provisions | 2/15/07 Hrg. | 2/19/07 BPA |
| SB 184 | Paying costs related to sexually violent predators | 2/14/07 Hrg. | 2/20/07 BPA |
| SB 203 | Release prior to trial, appearance bonds; cash deposit required to equal amount of bond; court administrative fees prohibit | 2/14/07 Hrg. | 2/20/07 BPA |
| SB 204 | Requirements for persons required to register pursuant to Kansas offender registration act | 2/8/07 Hrg. | 2/12/07 BPA |
| SB 206 | The crime of deprivation of rights under color of law | | |
| SB 221 | Videotaping felony interrogations | | |
| SB 222 | Abolishing the death penalty | | |
| SB 231 | Guardians and conservators; adults with an impairment, exceptions to court appointment | | |
| SB 233 | Aggravated incest; increasing penalties | 2/16/07 Hrg. | |
| SB 236 | Hospitals and doctors' offices, not authorized to carry concealed weapon | | |
| SB 237 | Collection of certain specimens, probable cause determination | 2/15/07 Hrg. | 2/20/07 Interim Study |
| SB 247 | Nonpartisan election of district court judges | | |
| SB 248 | Additional months added to sentences for person felonies and certain drug felonies if using firearm | 2/28/07 Hrg. | |

| BILL NUMBER | SUBJECT | DATE OF HEARING/ DISCUSSION | DATE OF FINAL ACTION BY FULL COMMITTEE |
|-------------|--|-----------------------------------|--|
| SB 251 | Disorderly conduct; religious services | | |
| SB 253 | Public offices of district and county attorney and district court judge; ineligibility to hold offices based on criminal record | 2/16/07 Hrg. | 2/20/07 Tabled |
| SB 254 | Electors of judicial districts may vote to have a district attorney office instead of a county attorney; costs of district attorney's office paid by state | | |
| SB 259 | Secretary of state, corporations and partnerships | 2/16/07 Hrg. | 2/20/07 BPA |
| SB 268 | Use of deadly force | 2/19/07 Hrg. | |
| SB 269 | Kansas code for care of children, service of process | 2/19/07 Hrg. | 2/20/07 BP |
| SB 270 | Ephedrine and pseudoephedrine; purchase; sale; pharmacy log; prohibiting direct access by customers; immunity; statewide uniformity | 2/20/07 Hrg. | 2/21/07 BPA |
| SB 279 | Prohibiting sale of drug paraphernalia | | |
| SB 286 | Adoption; adult adoption; termination of parental rights not required | | |
| SB 293 | Investigations of child abuse or neglect, requirements for SRS | | |
| SB 296 | Eminent domain; blighted property defined | 3/1/07 Hrg. | 3/13/07 Interim study |
| SB 301 | Criminal procedure, expungement | | |
| SB 306 | Requiring secretary of corrections to implement house arrest program | 2/20/07 Hrg. | |
| SB 307 | Curtailing KDOC admissions during disease outbreaks | | |
| SB 308 | Uniform commercial code, article 7, revisions | 2/15/07 Hrg. | 2/19/07 BP |
| SB 313 | Providing journalist with privilege concerning the disclosure of certain information | | |
| SB 322 | Municipal courts; collection of debts owed and restitution | | |
| SB 324 | Repealing certain K.S.A. sections, concerning certain crimes | 2/19/07 Hrg. | 2/21/07 BPA |
| SB 351 | Office of administrative hearings; exception to use of by the office of state bank commissioner | 3/6/07 Hrg. | 3/12/07 BPA |
| SB 366 | Traffic citations; method of giving notice of failure to comply | 3/12/07 Hrg. | 3/20/07 BP |
| SB 374 | County and district attorneys; compliance with county commission policies, when required | 3/19/07 Hrg. | |
| SB 376 | Driving under the influence; habitual violator; administrative hearings; motorized bikes; ignition interlock; impoundment | 3/19/07 Hrg. | 3/21/07 BPA |

| BILL NUMBER | SUBJECT | DATE OF HEARING/ DISCUSSION | DATE OF FINAL ACTION BY FULL COMMITTEE |
|----------------------------------|---|-----------------------------------|--|
| SB 379 | Contracts; indemnification clauses and additional insured requirements in construction contracts void | 3/20/07 Hrg. | 3/21/07 BPA |
| | RESOLUTIONS | | |
| SCR 1601 | School finance; amount of funding and distribution thereof determined by the legislature | 2/6/07 Hrg. | 2/12/07 BNP |
| SCR 1607 | Eminent domain; proposed constitutional amendment restricting government authority to take property | | |
| SCR 1608 | Eminent domain; proposed constitutional amendment restricting government authority to take property | | |
| | HOUSE BILLS | | |
| НВ 2001 | Civil commitment of sexually violent predators; rights and rules of conduct; transitional release when predator suffers from permanent dementia; battery against a mental health employee | 3/14/07 Hrg. 3/15/07 Hrg. | |
| HB 2006 | Alexa's law; crimes against unborn children | 3/15/07 Hrg. | |
| HB 2010 | Uniform anatomical gift act | 2/28/07 Hrg. | 3/6/07 BPA |
| Senate Sub for Sub HB 2035 | Sub for H 2035 by Committee on Energy and UtilitiesScrap metal dealers; theft of scrap metal | 3/5/07 Hrg. | 3/13/07 BP |
| HB 2062 | Criminal use of explosives | 3/12/07 Hrg. | 3/22/07 BPA |
| НВ 2073 | Fee increase authority for Sedgwick and Johnson county law libraries | | 3/22/07 BPA |
| HB 2074 | Fingerprints and photos of juveniles in custody | 3/5/07 Hrg. | 3/5/07 BP |
| НВ 2087 | Kansas sentencing commission assumes the functions of the state statistical analysis center from the Kansas criminal justice coordinating council | 3/12/07 Hrg. | 3/20/07 BP |
| HB 2095 | Repealing prohibition on local residential restrictions on offenders | | |
| HB 2161 | Counties; enforcement of county codes and resolutions | 3/5/07 Hrg. | 3/5/07 BP&CC |
| HB 2186 | Restrictions on advertising for adoption and child placement agencies | 3/6/07 Hrg. | |
| НВ 2190 | Granting the secretary of corrections the discretion to dismiss conditional release violations | 3/6/07 Hrg. | 3/08/07 BP |
| HB 2191 | Unlawful sexual relations by volunteers in correctional institutions | 3/6/07 Hrg. | |
| HB 2193 | Person committing new felony while on pretrial release for felony in another jurisdiction to be treated same as person on release for felony in Kansas | 3/8/07 Hrg. | 3/08/07 BP |

| BILL NUMBER | SUBJECT | DATE OF HEARING/ DISCUSSION | DATE OF FINAL ACTION BY FULL COMMITTEE |
|-------------|--|-----------------------------------|--|
| HB 2230 | Program agreements between secretary of corrections and inmates | 3/8/07 Hrg. | 3/08/07 BP |
| HB 2232 | Eliminating department of corrections reimbursement of jury fees | 3/8/07 Hrg. | 3/08/07 BP |
| HB 2233 | Authorizing sale of prison-made goods to state employees | 3/8/07 Hrg. | 3/08/07 BP |
| HB 2283 | Perfection of security interests on certificates of title | 3/13/07 Hrg. | 3/20/07 BPA |
| HB 2318 | Allowing crime scene cleanup as a compensable expense for victims | 3/14/07 Hrg. | 3/22/07 BP |
| HB 2359 | Controlled substances, drug paraphernalia | 3/14/07 Hrg. | 3/22/07 BPA |
| HB 2360 | Arrest powers of federal law enforcement officers; removing the sunset | 3/7/07 Hrg. | 3/12/07 BPA |
| HB 2363 | Civil procedure; repealing statutes dealing with terms of court, an outdated concept; summary judgment motion served at least 10 days before hearing | 3/7/07 Hrg. | 3/22/07 BPA |
| HB 2393 | Municipal courts; fines, restitution, costs; collection agents; judgments enforceable in district court | 3/7/07 Hrg. | 3/22/07 BPA |
| Sub HB 2451 | Sub for H 2451 by Committee on Federal and State AffairsChild support enforcement; professional licenses; medical support orders; fish and game licenses | | |
| HB 2530 | The Kansas consumer protection act does not apply to professional services by health care providers | 3/21/07 Hrg. | |