

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Emert at 10:10 a.m. on February 2, 2000 in Room 123-S of the Capitol.

All members were present except: Sen. Oleen (excused)

Committee staff present:

Gordon Self, Revisor
Mike Heim, Research
Jerry Donaldson, Research
Mary Blair, Secretary

Conferees appearing before the committee:

Paul Davis, Kansas Bar Association
Mike Taylor, City of Wichita
Captain Paul Dotson, Wichita Police Department
Sandy Barnett, Kansas Coalition Against Sexual and Domestic Violence
Marilynn Ault, YWCA Bettered Women's Task Force
Greg DeBacker, Community Council Against Domestic Violence

Others attending: see attached list

The minutes of the February 1st meeting were approved on a motion by Senator Vratil and seconded by Senator Goodwin. Carried.

BILL INTRODUCTIONS

Conferee Davis discussed a bill which makes several changes to the civil check collection statutes. He stated these changes will help resolve more disputes before litigation is commenced and requested the bill's introduction. (attachment 1) Senator Pugh moved to introduce the bill, Senator Vratil seconded. Carried.

Senator Pugh requested introduction of a bill which repeals last year's bill K.S.A. 58-2003 and 2005 concerning land surveys and land surveyors. He explained how the bill has caused great confusion and needed to be repealed. (no attachment) Senator Pugh moved to introduce the bill, Senator Vratil seconded. Carried.

Senator Vratil requested introduction of three bills which address: authorization for the collection of court costs and fees by chief judges; extension to foreign corporations, limited liability companies or limited liability partnerships, of a domestic court exemption from having to list their assets and capital on annual reports; and confidentiality of corporate annual franchise taxes. (no attachment) Senator Vratil moved to introduce the bill, Senator Bond seconded. Carried.

Senator Goodwin requested introduction of a bill which would require reporting to law enforcement any reports to nursing home administrators regarding adult abuse and sexual assaults. (no attachment) Senator Goodwin moved to introduce the bill, Senator Harrington seconded. Carried.

Senator Emert requested introduction of two bills regarding the Uniform Mediation Act and the Uniform Electronic Transfer Act. (no attachment) Senator Vratil move to introduce the bill, Senator Goodwin seconded. Carried.

Senator Donovan requested introduction of a bill regarding private investigators (PI). The bill would allow PI's to use dark tinted windows during surveillance, and charge on a contingency fee basis. It would also carry a continuing education clause for PI's. (no attachment) Senator Donovan moved to introduce the bill, Senator Vratil seconded. Carried.

SB 484—concerning crimes, criminal procedure and punishment; relating to domestic battery

Conferee Taylor testified in support of **SB 484**. He discussed The City of Wichita's involvement both in law enforcement as well as prevention regarding domestic violence and victims rights awareness. (attachment 2) Conferee Dotson testified in favor of **SB 484**. He stated the change in the domestic violence (DV) statute will narrow the definition of domestic battery to family members or those involved in intimate relationships and he explained how this change will focus law enforcement and court resources on the most prevalent and troublesome cases of DV. He discussed problems with the current statute where situations are created which "unnecessarily trigger the DV law procedures" and cited examples of this. (attachment 3) Discussion followed.

Conferee Barnett testified in opposition to **SB 484** stating she appreciated the intent of the bill but fears the it goes too far by eliminating victims that need the current statute. She cited statistics on Kansas DV cases and testified on specific DV situations. (attachment 4)

Conferee Ault testified in opposition to **SB 484**. She presented a brief overview of the structure and function of the YMCA Battered Women Task Force and discussed a current DV situation with which she is working. She stated she felt the wording would limit the court and law enforcement's ability to intervene in DV cases. (attachment 5)

The Chair suggested the proponents and opponents of **SB 484** work together to come up with a bill that recommends alternative language which is satisfactory to all. Both parties were amenable to this suggestion.

Conferee DeBacker testified as an opponent of the wording of **SB 484**. He requested the bill broaden the scope of what DV is, recognize that men are "battered" too, and expressed the desire that the bill contain language which would direct that counseling be available to those who need it. (no attachment)

The meeting adjourned at 10:58. The next scheduled meeting is February 3, 2000