

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Mike O'Neal at 3:30 P.M. on January 18, 2006 in Room 313-S of the Capitol.

All members were present except:

Representative Michael Peterson - excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research

Jill Wolters, Office of Revisor of Statutes

Cindy O'Neal, Committee Secretary

Conferees appearing before the committee:

Representative David Huff

Representative Tim Owens

Representative Ward Loyd

Roger Werholtz, Secretary, Kansas Department of Corrections

Representative David Huff requested a bill be introduced which relates to loser pay but would exclude personal injury claims. Representative Kinzer made the motion to have the request introduced as a committee bill. Representative Loyd seconded the motion. The motion carried.

Chairman O'Neal opened the hearing on **HB 2562 - adoption; waiver of home study upon request of a relative of the child.**

Representative Tim Owens appeared as the sponsor of the proposed bill which would allow a family member to petition the court for a waiver for the home study, which can cost up to \$500. This waiver is currently available to grandparents who are seeking to adopt their grandchildren and he would simply like the same options available for any family members. (Attachment 1)

The hearing on **HB 2562** was closed.

Chairman O'Neal opened the hearing on **HB 2555 - criminal justice recodification, rehabilitation and restoration project committee.**

Representative Ward Loyd appeared before the committee in support of the proposed bill. He serves as the Chairperson for the 3Rs Committee. Legislation in 2004 created the Committee and directed them with three statutory charges: recodify the Kansas criminal code, identify ways to rehabilitate offenders, and identify ways to restore the offender into society as a productive member.

The 2004 legislation required that the Committee deliver their final report with recommendations to the 2006 Legislature, by January 9th. The Committee failed to deliver that report due several factors: a special session was called and the committee lost its summer meeting, which was to be its last; it shared staff with interim committees and due to the number of interims staff and legislative members were not available when meetings were to be held; they lost their project coordinator; the volume of information that needed to be collected was more than anyone imagined; and there was inadequate operational funds, but they are meeting on January 20th to review and give final approval of the 2006 Report to the Legislature.

The Recodification Subcommittee notified the 3Rs Committee that their work would not be done by the January 20th date due to its financial limitations and volume of recodification work to be looked at. Therefore, the proposed bill was requested to give the 3Rs Committee another year to complete its charge. (Attachment 2)

Roger Werholtz, Secretary, Kansas Department of Corrections, supported the continuation of the 3Rs Committee. Due to the 3Rs Committee Kansas has emerged as a leader in providing solutions to address problems to successful reintegration of offenders. (Attachment 3)

The hearing on **HB 2555** was closed.

The committee meeting adjourned at 4:15 p.m. The next meeting was scheduled for 3:30 p.m. on Thursday, January 19, 2006 in room 313-S.