

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:34 A.M. on March 17, 2008, in Room 123-S of the Capitol.

All members were present except:

Donald Betts - excused  
Greta Goodwin arrived, 9:49 A.M.  
David Haley - excused  
Julia Lynn arrived, 9:47 A.M.  
Derek Schmidt arrived, 10:08 A.M.

Committee staff present:

Bruce Kinzie, Office of Revisor of Statutes  
Athena Andaya, Kansas Legislative Research Department  
Karen Clowers, Committee Assistant

Conferees appearing before the committee:

Jeremy Barclay, Kansas Department of Corrections  
Peter Ninemire  
Marcie Ralston, Kansas Department of Motor Vehicles  
David Hoffman, Kansas Association for Justice  
Anne Kindling, Kansas Association of Defense Counsel

Others attending:

See attached list.

The Chairman opened the hearing on **SB 591—Allowing offenders who owe fines or restitution to be issued a restricted driver's license if they are in compliance with a payment agreement.**

Senator Phil Journey testified in support, indicating the bill will provide individuals during pre-release programs and under post release supervision a means to obtain driving privileges (Attachment 1). The goal is to provide a workable environment for offenders to succeed.

Jeremy Barclay appeared in support, stating **SB 591** would provide citizens the option of making payments for unpaid traffic violations (Attachment 2). Mr. Barclay feels this law would help offenders fulfill their obligations, successfully reintegrate into society, and possibly lead to an overall increase in the funds collected.

Peter Ninemier spoke in favor, stating a major obstacle to successful drug and alcohol treatment programs is the inability of an offender to drive (Attachment 3). The proposed bill will provide the opportunity for an offender to maintain employment and will help create productive, law abiding citizens.

Marcie Ralston appeared in opposition, providing the committee with several administrative concerns regarding the bill (Attachment 4). Ms. Ralston indicated the legislation would require significant computer programming changes and require additional personnel to process, track and review suspensions.

Written testimony in support of **SB 591** was submitted by:

L. Christian Hauck (Attachment 5)

Written testimony in opposition to **SB 591** was submitted by:

Judge Karen Arnold-Berger, City of Overland Park Municipal Court (Attachment 6)

There being no further conferees, the hearing on **SB 591** was closed,

The Chairman opened the hearing on **HB 2188—Professional screening panels.**

David Hoffman testified in support, indicating the bill is the result of work done to modify both the professional and medical malpractice screening panel acts to increase efficiency and effectiveness

CONTINUATION SHEET

MINUTES OF THE Senate Judiciary Committee at 9:34A.M. on March 17, 2008, in Room 123-S of the Capitol.

(Attachment 7). Mr. Hoffman reviewed the proposed changes to current statutes and urged enactment of the bill.

Anne Kindling spoke in favor, clarifying that sections 2 and 6 of the bill extend the time period in which parties must designate panels to 20 days (Attachment 8). Ms. Kindling stated the screening panel mechanism will be improved through the passage of the bill.

The Chairman called for final action on **SB 590—Establishing the substance abuse policy board**. The Chairman reviewed the bill and distributed a balloon amendment from the Kansas County and District Attorneys Association (Attachment 9) and a balloon amendment from the Kansas Sentencing Commission (Attachment 10).

Senator Journey moved, Senator Lynn seconded, to adopt the amendment from the Kansas County and District Attorneys Association. Motion carried.

Senator Journey moved, Senator Lynn seconded, to adopt the amendment from the Kansas Sentencing Commission. Motion carried

Senator Journey moved, Senator Lynn seconded, to recommend **SB 590** as amended, favorably for passage. Motion carried.

The meeting adjourned at 10:32 A.M. The next scheduled meeting is March 18, 2008.