

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Senator Vratil at 9:40 a.m. on February 6, 2002 in Room 123-S of the Capitol.

All members were present.

Committee staff present:

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

Conferees appearing before the committee:

Senator Barbara Allen
Lynaia South, Juvenile Justice Authority (JJA)
Randy Hearrell, Office of Judicial Administration (OJA)
Paul Davis, Kansas Bar Association (KBA)
Pat Scalia, Board of Indigents Defense

Others attending: see attached list

The minutes of February 5th meeting were approved on a motion by Senator Donovan, seconded by Senator O'Connor. Carried.

Bill introductions:

Conferee Allen requested introduction of a bill which would strengthen security requirements for obtaining a driver's license.(attachment 1) Senator Schmidt moved to introduce the bill, Senator Adkins seconded. Carried.

Senator Schmidt requested introduction of a conceptual bill which would "establish a state grants program designed to provide grants to local law enforcement units that are carrying a disproportionate share of the cost of methamphetamine enforcement and it would pay for those grants by redirecting a portion of the state's forfeiture money to that purpose." (no attachment) Senator Schmidt moved to introduce the bill conceptually, Senator Donovan seconded. Carried.

Conferee South requested introduction of the following bills which would: state when legal custody of a juvenile offender ends; define "juvenile corrections officer"; implement a new statute to set training requirements for certification and continued training of juvenile corrections officers; define powers and duties of juvenile corrections officers; and include medical condition of a juvenile offender as a reason to modify a sentence. (attachment 2) Senator Haley moved to introduce the bills, Senator O'Connor seconded. Carried.

Senator Vratil requested introduction of a bill, on behalf of Senator Lynn Jenkins, regarding Sexual Offender Community Notification. The bill would require a mailed or posted flyer be sent to communities where a sexual offender is relocating. (attachment 3) Senator O'Connor moved to introduce the bill, Senator Adkins seconded. Carried.

Senator Goodwin requested introduction of two bills. The first would make the 19th Judicial District County Attorney, a District Attorney, and the second would place a moratorium on the administration of the death penalty. She detailed the underlying purpose for each bill.(no attachment) Following discussion, Senator Goodwin moved to introduce both bills, Senator Oleen seconded. Carried.

The Chair announced several new bills assigned to each of the Subcommittees.(attachment 4)

Senator Umbarger requested a bill that would amend the child endangerment law making it a felony violation when a child is recklessly endangered. He detailed the underlying purpose for the bill.(no attachment) Following discussion, Senator Umbarger moved to introduce the bill, Senator Schmidt seconded. Carried.

Senator Adkins discussed a two part bill relating to Juvenile Intake and Assessment and requested introduction of the bill.(no attachment) Following brief discussion, Senator Adkins move to introduce the bill, Senator O'Connor seconded. Carried.

The Chair briefly discussed a Report of the Secretary of SRS Task Force Concerning Persons Non-Restorable to Competency, a copy of which was handed out to Committee members.(attachment 5)

SB 399–CINC; appointment of counsel

Conferee Hearrell testified in support of **SB 399**, a bill which allows a court to appoint a second attorney to represent a child in a CINC case. He provided background on the bill and discussed its provisions. (attachment 6) Discussion followed.

Conferee Davis testified in opposition to **SB 399**. He discussed why the KBA feels the bill is unnecessary and untimely. (attachment 7) Lengthy discussion followed.

SB 400–probate code; residence of administrator

Conferee Hearrell testified in support of **SB 400**, a bill which would authorize a court to appoint a non-resident to serve as administrator or executor of a Kansas estate, when the non-resident has appointed a resident as agent, in writing. He discussed the bill's provisions and requirements. (attachment 8)

SB 412–aid to indigent defendants

Conferee Scalia testified in support of **SB 412**, a bill which would amend current law to require persons requesting representation by a public defender to pay an application fee of \$50. She summarized the bill and discussed its fiscal impact. (attachment 9)

The meeting adjourned at 10:33. The next scheduled meeting is February 7, 2002.