

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:35 A.M. on March 8, 2007, in Room 123-S of the Capitol.

All members were present except:

Barbara Allen arrived, 9:40 A.M.
Phil Journey arrived, 9:37 A.M.
Derek Schmidt arrived, 9:38 A.M.
Greta Goodwin arrived, 9:39 A.M.
Donald Betts arrived, 9:37 A.M.

Committee staff present:

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

Conferees appearing before the committee:

Tim Madden, Senior Counsel, Department of Corrections

Others attending:

See attached list.

The Chairman opened the hearing on **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.**

Tim Madden appeared in support, indicating this bill would treat persons who commit a new felony crime in Kansas while on bond for felony charges pending in another state the same as a person out on a bond for felony charges pending in Kansas (Attachment 1).

There being no further conferees, the hearing on **HB 2193** was closed.

The hearing on **HB 2230--Program agreements between secretary of corrections and inmates** was opened.

Tim Madden appeared in support, stating this bill would allow correctional officials to devote their time and resources toward case management of the offender, which includes program needs, while incarcerated and when released, rather than duplicating those activities in a separate agreement process (Attachment 2).

There being no further conferees, the hearing on **HB 2230** was closed.

The hearing on **HB 2232--Eliminating department of corrections reimbursement of jury fees** was opened.

Tim Madden appeared in support, indicating prosecutions of crimes committed by incarcerated offenders are made at the discretion of local county and district attorneys. Therefore, the expense of jury fees for prosecutions originating within a correctional facility should be borne by the county. Mr. Madden noted that the location of a correctional facility in a community is an economic benefit to that community compared to the relatively small expense of jury fees (Attachment 3).

There being no further conferees, the hearing on **HB 2232** was closed.

The Chairman opened the hearing on **HB 2233--Authorizing sale of prison-made goods to state employees.**

Tim Madden appeared in support, stating this bill would amend the provisions of the Prison Made Goods Act to authorize the sale of inmate produced goods and services to state employees for their personal use. Mr. Madden indicated a 2006 pilot program proved to be successful and this will expand the potential client base for KCI goods and services (Attachment 4).

There being no further conferees, the hearing on **HB 2233** was closed.

CONTINUATION SHEET

MINUTES OF THE Senate Judiciary Committee at 9:35 A.M. on March 8, 2007, in Room 123-S of the Capitol.

The Chairman indicated that the four bills previously heard appeared to be fairly straightforward with very few questions and if there were no objections the committee would take final action on the bills.

The Chairman called for final action on **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.**

There were no amendments or comments. Senator Donovan moved, Senator Bruce seconded, to recommend HB 2193 favorably for passage. Motion carried.

Final action on **HB 2230--Program agreements between secretary of corrections and inmates.**

There were no amendments or comments. Senator Bruce moved, Senator Lynn seconded, to recommend HB 2230 favorably for passage. Motion carried.

Final action on **HB 2232--Eliminating department of corrections reimbursement of jury fees.**

There were no amendments or comments. Senator Donovan moved, Senator Umbarger seconded, to recommend HB 2232 favorably for passage and place it on the consent calendar. Motion carried.

Final action on **HB 2233--Authorizing sale of prison-made goods to state employees.**

There were no amendments or comments. Senator Goodwin moved, Senator Umbarger seconded, to recommend HB 2233 favorably for passage. Motion carried.

The Chairman called for final action on **HB 2190--Granting the secretary of corrections the discretion to dismiss conditional release violations.**

Chairman Vratil reviewed the bill. There were no proposed amendments. There were questions from the committee on providing this type of authority to an appointed public official rather than one who is elected.

Senator Betts moved, Senator Donovan seconded, to recommend HB 2190 favorably for passage. Motion carried. Senator Schmidt voted "no" and requested his vote recorded.

Final action on **SB 296--Eminent domain; blighted property defined** continued.

Senator Journey reviewed his proposed amendment distributed on March 7(Attachment 5). Senator Goodwin commented the amendment may prove difficult for small towns and cities. Following further discussion, Senator Journey moved, Senator Lynn seconded, to adopt the proposed balloon amendment. Senator Schmidt made a substitute motion to amend the New Section 2, line 10, by striking. "Such" and inserting the word "which" and striking the language on line 13, "Except that, if there is no nonprofit corporation meeting such seven-year requirement, the municipality may sell or otherwise transfer such" and inserting the word "or" and striking the language beginning on line 19 "Such nonprofit corporation shall require a purchaser of the residential property to reside in the dwelling for at least five years from the sate of the conveyance. Senator Journey seconded. Motion carried. Senator Goodwin voted "no" and requested her vote recorded.

The Chairman indicated a proposed amendment from Mary Jane Stankiewicz, Kansas Grain & Feed, attached to her testimony of March 1(Attachment 6). Senator Donovan indicated an additional change to include the insertion of the word "pesticide" following "sell fertilizer,". Senator Donovan moved, Senator Umbarger seconded, to adopt the proposed amendment as described by Senator Vratil. Motion carried.

Final action on **SB 296** will continue at a later date.

The meeting adjourned at 10:28 A.M. The next scheduled meeting is March 12, 2007.