

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:36 A.M. on January 15, 2008, in Room 123-S of the Capitol.

All members were present except,
Senator Schmidt arrived, 9:38 A.M.
Senator Allen arrived, 9:44 A.M.
Senator Umbarger arrived, 9:47 A.M.

Committee staff present:
Athena Andaya, Kansas Legislative Research Department
Jerry Donaldson, Kansas Legislative Research Department
Bruce Kinzie, Office of Revisor of Statutes
Karen Clowers, Committee Assistant

Conferees appearing before the committee:
Senator Pat Apple
Kathy Porter, Office of Judicial Administration
Helen Pedigo, Executive Director, Kansas Sentencing Commission

Others attending:
See attached list.

Chairman Vratil welcomed everyone and distributed *Guidelines for Conferees* who wish to appear before the committee. Regular meetings are scheduled Monday through Thursday at 9:30 A.M. in Room 123-S, additional meetings may be scheduled on Fridays later in the session.

Bill Introductions

Senator Pat Apple requested introduction of a bill that would amend K.S.A. 2006 Supp. 21-3106 relating to the statute of limitations for certain sex offenses (Attachment 1). Senator Lynn moved, Senator Schmidt seconded to introduce the bill as a committee bill. Motion carried.

Kathy Porter, requested the introduction of three bills (Attachment 2). The first bill was requested on behalf of the Kansas Association of Court Services Officers and would include court services officers in several statutes regarding battery against a law enforcement officer. The second and third bills are requested on behalf of the Kansas Association of District Court Clerks and Court Administrators. The second bill would amend K.S.A. 60-3003 to require a judgment creditor or his or her lawyer to mail notice of the filing of a foreign judgment to the judgment debtor. The third bill would amend K.S.A. 55-221 to address the duties of the clerk of the district court in regard to bonus, rental, and other monies paid under oil and gas leases. Senator Schmidt moved, Senator Donovan seconded to introduce the bills as committee bills. Motion carried.

Senator Schmidt requested introduction of three bills all related to substance abuse sentencing. One relates to felony DUI's, the second applies to certain repeat offenders, and the third relates to persons in violation of parole as it relates to substance abuse. The general concept of all three bills is to create an option for courts to send certain offenders who engage in substance abuse to inpatient rehabilitation within the Department of Corrections. Senator Schmidt moved, Senator Donovan seconded to introduce the bills. Motion carried.

Helen Pedigo requested the introduction of two bills on behalf of the Kansas Sentencing Commission. The first bill is a clean-up bill related to the criminal sentencing journal entry and minor changes to the statute. The second bill would add to the duties of the Kansas Sentencing Commission the task of compiling the annual juvenile population projections.

Senator Bruce requested introduction of a bill to address economic losses to businesses as a result of criminal threats. Senator Bruce moved, Senator Donovan seconded to introduce the bill. Motion carried.

Presentation of FY 2008 Adult and Juvenile Prison Population Projections and Impact of 2007 Legislation

CONTINUATION SHEET

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on Future Bed Space.

Helen Pedigo provided the committee with an assessment of current and projected juvenile correctional facility populations ([Attachment 3](#)). Results indicate a ½% growth rate based on a consensus of information. The juvenile population is expected to remain stable and large growth is not anticipated. Currently there is ample capacity for future juvenile offenders. Following questions from the committee, Ms. Pedigo was requested to provide regional information on juvenile commitments and data on the current/budgeted system capacity.

Ms. Pedigo continued with a presentation on adult prison population projections ([Attachment 4](#)). It was noted that projections are already reflecting the effects of LSIR (“level of services revised” - an assessment tool to identify risk factors and allows focus and assistance on problem areas) enacted in SB14 of the 2007 Legislature. It is anticipated that 477 new beds will be needed by the year 2017.

The meeting adjourned at 10:32 A.M. The next scheduled meeting is January 16, 2008.