

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Senator Vratil at 9:36 a.m. on March 18, 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:

Dr. Tim Rohrig, Director, Sedgwick County Regional Forensic Science Laboratory
Major Walt Way, Johnson County Sheriff's Department
Kyle Smith, Kansas Bureau of Investigation (KBI)
Judge Allen Slater, Tenth Judicial District, Johnson County Kansas
Amy Brunner, Kansas Association of School Boards (KASB)

Others attending: see attached list

The minutes of the March 14th, 2002 meeting were approved on a motion by Senator Donovan, seconded by Senator Oleen. Carried.

HB 2772—court costs; re: laboratory analysis fee

Conferee Rohrig testified in support of **HB 2772**, a bill which would require convicted persons to pay a \$150 court fee for each offense if forensic services or laboratory services were provided by the Sedgwick Regional Forensic Science Laboratory (SRFSL). He discussed the structure and function of the SRFSL and reviewed the purpose of the bill. (attachment 1) Discussion followed.

Conferee Way testified in support of **HB 2772**. He briefly discussed the function of Johnson County Sheriff's Department's forensic lab services and reiterated the previous conferee's remarks regarding the purpose of the bill. (attachment 2)

Conferee Smith, at the request of the Chair, stood for questions and clarification regarding percentage of monies collected from convicted persons. He stated that the collections range from about 15% to 27%. (no attachment)

HB 2230—proposed substitute bill concerning school truancy

Conferee Slater testified in support of **HB 2230**, a bill which would provide the courts with tools or remedies needed to deal with truant children and/or their parents who refuse to cooperate. He showed how current truancy laws are ineffective and he discussed provisions in the bill which provide a remedy. He further suggested several amendments to the bill draft including expanding the ability of the court to receive a report not just from SRS but other qualified persons and deleting the reference to home schooling. (attachment 3) Discussion followed.

Conferee Brunner testified in support of **HB 2230**. She briefly reiterated the purpose of the bill and discussed the provision regarding the home-schooling exemption and why it should be deleted. (attachment 4) Discussion followed.

Final action:

HB 2075—proposed substitute bill regarding methamphetamine; enforcement grants; forfeiture proceeds

The Chair reviewed **HB 2075** and, following discussion, Senator Schmidt moved to amend the bill to go back to the original sentencing where the violation would be a drug severity level I, Senator Adkins seconded. Carried with Senator Haley requesting his nay vote be recorded. Following further discussion regarding the clarification of the definition of "manufacture," Senator Schmidt moved to add the word "or" as reflected in Mr. Stanton's testimony on page 2 (see 3-14-02 minutes, attachment 2), Senator Adkins seconded. Carried. Senator Adkins moved to submit the draft as amended as **Sub for HB 2075** and report the same as amended. Senator Schmidt seconded. Carried.

Written testimony supporting **HB 2075** was submitted by the Kansas Peace Officers Association and the Kansas Sheriffs' Association (attachment 5) and the Office of the District Attorney, Eighteenth Judicial District. (attachment 6)

HB 2078—relating to shoplifting

Following a review of the bill by the Chair and discussion, Senator Schmidt moved to delete language added by the House COW, Senator Adkins seconded. Carried, with Senator Haley requesting his nay vote be recorded. Following staff recommendation to change the language on p1 line 43 and p 2 line 1 to read “a conviction or plea of guilty to the offense of theft which constitutes shoplifting,” Senator Goodwin moved to make the technical amendment as stated, Senator Donovan seconded. Carried. Senator Schmidt moved to pass the bill out favorably as amended, Senator Adkins seconded. Carried, with Senator Haley requesting his nay vote be recorded.

The meeting adjourned at 10:30 a.m. The next scheduled meeting is March 19, 2002.