

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:31 A.M. on February 20, 2006, in Room 123-S of the Capitol.

All members were present,

Les Donovan arrived, 9:32 a.m.
Phil Journey arrived, 9:35 a.m.
Kay O'Connor arrived, 9:37 a.m.
Greta Goodwin arrived, 9:39 a.m.
Donald Betts arrived, 9:42 a.m.
David Haley arrived, 9:45 a.m.
Derek Schmidt arrived, 9:50 a.m.

Committee staff present:

Mike Heim, Kansas Legislative Research Department
Helen Pedigo, Office of Revisor of Statutes
Karen Clowers, Committee Secretary

Conferees appearing before the committee:

Randy Hearrell, Kansas Judicial Council

Others attending:

See attached list.

The chairman opened the hearing on **SB 550--Prescribing certain duties on judicial council to provide certain legal documents.**

Randy Hearrell appeared in support of the bill which is part of an ongoing project to remove legal forms from the statute books (Attachment 1).

There being no further conferees, the hearing on **SB 550** was closed.

The Chairman called for final action on **SB 335--Evidence of collateral source benefits allowed in personal injury cases where damages requested.**

The Chairman provided a brief synopsis of the bill. Discussion followed and Senator Journey distributed a proposed balloon amendment which would change the bill from a collateral source benefits bill to an insurance subrogation bill (Attachment 2). Senator Journey moved, Senator Bruce seconded, to adopt the balloon amendment provided by Senator Journey. Motion failed.

Following additional discussion, Senator Bruce moved, Senator Donovan seconded, to recommend SB 335 favorably for passage. Motion failed.

The Chairman called for final action on **SB 550--Prescribing certain duties on judicial council to provide certain legal documents.**

Senator Donovan moved, Senator Goodwin seconded, to recommend SB 550 favorably for passage. Motion carried.

The Chairman called for final action on **SB 408--Cruelty to animals; harming or killing certain dogs; non-grid felony; mandatory sentence.**

A copy of a proposed balloon amendment to **SB 408** was distributed which included any amendments the Chairman was aware of that members of the committee might be offering as well as all of the various amendment approved to date (Attachment 3). Helen Pedigo provided a brief of the proposed amendments. Senator Journey moved, Senator O'Connor seconded, to adopt the proposed amendments as reflected in the balloon. Motion carried.

CONTINUATION SHEET

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Following discussion, Senator Journey provided a balloon amendment reflecting practices by exterminators, cosmetic surgery, minor and/or inadvertent injuries (Attachment 4). Senator Journey moved, Senator O'Connor seconded, to adopt the amendments proposed by Senator Journey. Motion failed.

Senator Journey moved, Senator Haley seconded, to favorably recommend **SB 408** for passage. Motion carried.

The Chairman called for final action on **SB 341--DUI excessive blood or breath-alcohol concentration, penalties.**

Senator Schmidt indicated that while there is support for the bill it requires additional technical work and suggest that it may be suitable for interim consideration.

Senator Schmidt moved, Senator Umbarger seconded, to table **SB 341** and recommend it for interim study. Motion carried.

The meeting adjourned at 10:28 a.m. The next scheduled meeting is February 21, 2006.