

MINUTES OF THE HOUSE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on January 16, 2001 in Room 313-S of the Capitol.

All members were present except:

Representative Kathe Lloyd - Excused

Committee staff present:

Jerry Ann Donaldson, Department of Legislative Research
Jennifer Strait, Intern for Department of Legislative Research
Jill Wolters, Department of Revisor of Statutes Office
Cindy O'Neal, Committee Secretary

Conferees appearing before the committee:

Randy Hearrell, Kansas Judicial Council
Susan Bechard, Kansas County & District Attorneys Association
Kyle Smith, Director of Governmental & Public Affairs, Kansas Bureau of Investigation
Marlee Carpenter, Kansas Chamber of Commerce

Randy Hearrell, Kansas Judicial Council, provided the Committee with an overview of the Judicial Council which is responsible for an ongoing study of the judicial branch and various substantive and procedural codes which are brought or used by the courts. (Attachment 1)

He requested several bills as follows (Attachment 2):

- , Clarify that non-probate transfers are contractual arrangements which are non-testamentary in nature.
- , Rewrite of the Guardianship & Conservatorship Act
- , Enacting the Administrative Procedure Act
- , A bill relating to the criminal defendant's competency to stand trial
- , Child hearsay provisions contained in K.S.A. 22-2902 be moved from that statute into 22-2902a. This would clear up general principles regarding preliminary hearings.
- , Requiring bail bondsman to show good cause for requesting the bond revocation.

Representative Loyd made the motion to have the bill requests introduced as committee bills. Representative DeCastro seconded the motion. The motion carried.

Susan Bechard, Kansas County & District Attorneys Association, stated that the Association was developed to promote justice in Kansas (Attachment 3). She had several bill requests. The first was to place a time limit in which actions must be filed following termination of jurisdiction on direct appeal. The second would include violations of municipal DUI ordinances in the enhanced sentencing provisions for involuntary manslaughter. Next request would create Gamma Hydroxybutyric Acid drug legislation and the last would allow officers to issue citations for habitual violators.

Representative Loyd made the motion to have the bill requests introduced as committee bills. Representative Williams seconded the motion. The motion carried.

Kyle Smith, Director of Governmental & Public Affairs, Kansas Bureau of Investigation, appeared before the committee with four bill requests:

- , Amend the protection from abuse statute to allow law enforcement to immediately access and verify a protection from abuse order at any time. (Attachment 4)
- , Restructure of the administration of the KBI (Attachment 5)
- , Allow fingerprinting of juveniles who commit the person crime of assault (Attachment 6)
- , Address a concern in K.S.A. 21-2501 regarding searches during a lawful arrest (Attachment 7)

Representative Long made the motion to have the bill requests introduced as committee bills. Representative Swenson seconded the motion. The motion carried.

Marlee Carpenter, Kansas Chamber of Commerce, appeared before the committee with three bill requests. The first would have a parent or guardian be responsible if their minor shoplifts (Attachment 8). Next request would change existing law so that if an individual is apprehended with goods stolen from three separate mercantile establishments in a continuing criminal episode, then they may be charged with a felony theft, regardless of the value of the goods (Attachment 9). The last request would impose a felony on any person who has one counterfeit UPC label or receipt (Attachment 10).

Representative Loyd made the motion to have the bill requests introduced as committee bills. Representative Howell seconded the motion. The motion carried.

The committee meeting adjourned at 4:10 p.m. The next meeting is scheduled for January 17, 2001.