

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:37 A.M. on February 25, 2008, in Room 123-S of the Capitol.

All members were present except:

Terry Bruce - excused
Donald Betts arrived, 9:38 A.M.
David Haley arrived, 9:38 A.M.
Phil Journey arrived, 9:38 A.M.
Derek Schmidt - excused

Committee staff present:

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

Conferees

Matt Goddard, Heartland Community Bankers

Others attending:

See attached list.

The Chairman opened the hearing on **SB 582–Driving under the influence, ignition interlock and impoundment of vehicle.**

Bruce Kinzie, staff revisor, reviewed the bill.

There being no conferees, the hearing on **SB 582** was closed.

The hearing on **SB 615–Motor vehicles, failure to maintain financial security** was opened.

Senator Umbarger provided background on the bill indicating it was a “work in progress” following two years of interim work on the problem of individuals canceling insurance after obtaining license plates with the required proof of insurance. This has become an increasing problem, the goal of the bill is to provide an incentive to individuals for retaining insurance on motor vehicles.

Matt Goddard spoke in support, stating uninsured motorists on Kansas roads have become a serious problem (Attachment 1). He had concern that **SB 615** does not distinguish between the automobile of an uninsured motorist and the collateral the automobile represents and recommended an amendment attached to his testimony which protects the security interest of a lender.

Written testimony in opposition to **SB 615** was submitted by:

Callie Denton Hartle, Kansas Association for Justice (Attachment 2)

There being no further conferees, the hearing on **SB 615** was closed.

The Chairman called for final action on **SB 427–No statute of limitations for certain sex offenses.** The Chairman reviewed the bill.

Senator Donovan moved, Senator Umbarger seconded, to amend **SB 427** on page 1, line 28, by inserting the word “in” after “ as defined”. Motion carried.

Senator Vratil moved, Senator Goodwin seconded, to amend **SB 427** on page 2, line 26, by changing the word “and” to “or”. Motion failed.

Senator Donovan moved, Senator Umbarger seconded, a technical amendment to **SB 427** on page 1, line 26, changing “K.S.A. 21-3056” to “K.S.A. 21-3506”. Motion carried.

CONTINUATION SHEET

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Senator Allen moved, Senator Betts seconded, to amend **SB 427** on page, line 20, by inserting the language “two or more of the following four factors are present.” Following discussion, the motion was withdrawn.

Senator Journey moved, Senator Donovan seconded, to refer **SB 427** to the Judicial Council.

Senator Goodwin made a substitute motion, Senator Allen seconded, to recommend **SB 427** as amended, favorably for passage. Motion failed.

Back on Senator Journey’s motion. Motion carried.

The Chairman called for final action on **SB 495–Restricting transfer of offenders to DOC with 10 or less days remaining on sentence**. Senator Vratil reviewed the bill.

Senator Journey moved, Senator Haley seconded, to amend **SB 495** by changing the time frame from 10 to 30 days. Following discussion, Senator Journey amended his motion to change the time frame from 10 to 20 days, Senator Haley agreed. Motion carried.

Senator Journey moved, Senator Donovan seconded, to recommend **SB 495** as amended, favorably for passage. Motion carried.

The Chairman called for final action on **SB 545–Health insurance coverage information for children in divorce action**. Senator Vratil reviewed the bill and the proposed amendments from Mark Gleeson, Office of Judicial Administration offered during Mr. Gleeson’s testimony on February 18.

Senator Donovan moved, Senator Goodwin seconded, to amend **SB 545** as proposed by Mark Gleeson. Motion carried.

Senator Journey moved, Senator Betts seconded, to recommend **SB 545** as amended, favorably for passage. Motion carried.

The Chairman called for final action on **SB 565–The state fair board, employees, background investigations**. Senator Vratil reviewed the bill and distributed a proposed amendment from the State Fair Board (Attachment 3). Bruce Kinzie, staff revisor, reviewed the amendment. The Chairman indicated the amendment changes the bill significantly so to give time to the committee to review it, **SB 565** will be taken up at a later date.

The meeting adjourned at 10:30 A.M. The next scheduled meeting is February 26, 2008.