

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson John Barker at 3:30 pm on Tuesday, March 10, 2015, 112-N of the Capitol.

All members were present except:

Representative Erin Davis – Excused
Representative James Todd – Excused
Representative Kyle Hoffman – Excused

Committee staff present:

Lauren Douglass, Legislative Research Department
Robert Allison-Gallimore, Legislative Research Department
Katherine Goyette, Office of Revisor of Statutes
Jason Thompson, Office of Revisor of Statutes
Connie Bahner, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Jim Clark, Secretary of Administration
Joe Mandala, Kansas Bureau of Investigation
Ed Klumpp, Kansas Sheriffs Association, Kansas Chiefs of Police Association, Kansas Peace Officers Association
Helen Pedigo, Kansas Supreme Court

Others in attendance:

[See Attached List](#)

Hearing on: SB14 — Relating to the criminal justice information system line fund.

Chairperson Barker opened the hearing on **SB14**. Katherine Goyette, Office of Revisor of Statutes, gave an overview of the bill.

Chairperson Barker recognized Jim Clark, Secretary of Administration, who testified as a proponent of **SB14** on behalf of the Kansas Criminal Justice Information System ([Attachment 1](#)). Questions were asked by Representatives Craig McPherson, John Carmichael, and Annie Kuether.

Joe Mandala of the Kansas Bureau of Investigation also testified as a proponent of **SB14** ([Attachment 2](#)). Questions were directed to Mr. Mandala by Representatives Steven Becker, John Carmichael, and Janice Pauls.

Ed Klumpp testified on behalf of the Kansas Sheriffs Association, Kansas Chiefs of Police Association, and Kansas Peace Officers Association as a proponent of **SB 14** ([Attachment 3](#)).

There being no further conferees, Chairperson Barker closed the hearing on **SB14**.

*Representative John Carmichael moved to suspend the rules and work **SB14**, seconded by Representative John Rubin. Chairperson Barker stated that a two-thirds majority was required. He*

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 3:30 pm on Tuesday, March 10, 2015, 112-N of the Capitol.

called for a vote. The motion to suspend the rules passed.

*Representative Leslie Osterman moved to report **SB14** favorably for passage, seconded by Vice-Chairperson Charles Macheers. A vote was taken. **SB14** passed.*

Chairperson Barker asked Representative Leslie Osterman to carry **SB14**.

Hearing on: SB44 — Docket fees; electronic filing and management fund.

Chairperson Barker stated that he wanted to open the hearings on **SB44** and **SB51** together since they have the same conferees. Katherine Goyette, Office of Revisor of Statutes, gave an overview of **SB44**.

Helen Pedigo, Kansas Supreme Court, testified as a proponent on **SB44**. ([Attachment 4](#)). Questions were asked by Representative Craig McPherson.

Chairperson Barker directed the committee to the written proponent testimony of Callie Denton, Kansas Association for Justice ([Attachment 5](#)); Mark Katz and Sarah Warner of the Kansas Association of Defense Counsel ([Attachment 6](#)); the Honorable Dan Creitz, Kansas District Judges Association ([Attachment 7](#)); and Joe Molina, Kansas Bar Association ([Attachment 8](#)).

Chairperson Barker closed the hearing on **SB44** after seeing that there were no other conferees.

Hearing on: SB51 — Relating to court fees and costs; judicial branch surcharge fund.

Chairperson Barker opened the hearing on **SB51** in conjunction with **SB44**.

Chairperson Barker recognized Helen Pedigo, Kansas Supreme Court, as a proponent of **SB51** ([Attachment 9](#)). Questions were asked of Ms. Pedigo by Representatives Craig McPherson and Mark Kahrs.

Chairperson Barker noted that there was written proponent testimony from Callie Denton, Kansas Association for Justice ([Attachment 10](#)); Mark Katz and Sarah Warner, Kansas Association for Defense Counsel ([Attachment 11](#)); the Honorable Dan Creitz, Kansas District Judges Association ([Attachment 12](#)); and Joe Molina, Kansas Bar Association ([Attachment 13](#)).

Seeing no opponents or neutrals to **SB51**, Chairperson Barker closed the hearing.

Possible action on bills previously heard

Chairperson Barker asked the committee if they felt they could work **SB44** and **SB51** today.

*Representative John Carmichael moved to suspend the rule and work **SB44** and **SB51** jointly since they could probably be passed as a single bill.* Chairperson Barker proposed working each bill separately but leaving one open so the other could be incorporated.

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 3:30 pm on Tuesday, March 10, 2015, 112-N of the Capitol.

Representative John Carmichael amended his motion by moving to suspend the rule and work **SB44** and **SB51** separately but leave one open so the other could be incorporated, seconded by Representative Becky Hutchins. The motion was passed by a two-thirds majority.

SB44 - Docket fees, electronic filing and management fund.

Vice-Chairperson Charles Macheers moved to pass **SB44**, seconded by Representative Mark Kahrs.

SB51 - Relating to court fees and costs; judicial branch surcharge fund.

Representative Mark Kahrs moved to pass **SB51** favorably, seconded by Representative John Whitmer.

Representative Mark Kahrs moved to amend **SB51** by adding back in the 2017 sunset provision, seconded by Representative John Whitmer.

Representative John Carmichael supports the amendment.

Representative Jim Ward disagrees and opposes the amendment.

Chairperson Barker called for a vote on the proposed amendment to **SB51** and ruled that the ayes had it. Division was called. A vote was taken by a raise of hands. Fourteen voted for the amendment, five in opposition. The amendment passed.

Chairperson Barker wants to incorporate **SB44** into **SB51**.

Representative Jim Ward moved to amend **SB51** by adding the contents of **SB44**, seconded by Representative John Whitmer. There being no discussion, Representative Jim Ward closed on his motion. A vote was taken, and the amendment passed.

Representative Jim Ward moved to report **SB51, as amended**, favorably for passage, seconded by Vice-Chairperson Charles Macheers. **SB51, as amended**, passed favorably.

Representative Jim Ward asked the Revisor if **SB44** will stay open if they don't do anything with it today. Katherine Goyette advised that it would remain open as a shell.

There being no further business, the meeting was adjourned at 4:14 p.m. The next meeting is scheduled for March 11, 2015.