

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Jeff King at 10:40am on Tuesday, February 10, 2015, 346-S of the Capitol.

All members were present

Committee staff present:

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

Conferees appearing before the Committee:

Senator Tom Hawk, 22nd District, Manhattan, Riley County, KS;
Reagan Kays, Student Body President, KS State University;
Morgan Said, Student Body President, University of Kansas;

Others in attendance:

[See Attached List](#)

Hearing on: SB133 — Possession or consumption of alcoholic beverage by minor; immunity from liability for minor seeking medical assistance needed due to alcohol consumption.

Chair King opened the hearing on **SB133** and asked Jason Thompson to give an overview of the bill, also called the Lifeline 911 Bill or the Student Good Samaritan Bill. Jason also explained the Hawk balloon amendment, then answered questions from the committee. ([Attachment 2](#))

Senator Tom Hawk testified in support of the bill. He related that this bill is an important addition to the legislation regulating underage drinking, and this law can and will save lives. ([Attachment 1](#))

Reagan Kays gave testimony supporting the bill. He related that the intention of the bill is to discourage underage drinking, but to also encourage those in need of medical assistance to call emergency medical services when they or their friends' lives are in danger. ([Attachment 3](#))

Morgan Said testified supporting **SB133**. She told the committee that the University of Kansas has enacted a similar policy and she reported that this has not resulted in increased underage drinking on or around their campus, but rather has engendered a sense of responsibility for their friends' well-being. ([Attachment 4](#))

Following comments and questions from the committee, the Chair called attention to the three submissions of written- only testimony.

Representative Tom Phillips submitted written-only proponent testimony. ([Attachment 5](#))

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:40am on Tuesday, February 10, 2015, 346-S of the Capitol.

Ed Klumpp, Associations for Chiefs of Police, Sheriffs, and KS Peace Officers, submitted written-only testimony supporting the bill. ([Attachment 6](#))

Dave Johnston, Kansas Emergency Medical Services Association, submitted written-only neutral testimony. ([Attachment 7](#))

The hearing on **SB133** closed.

Hearing on: SB39 — Updating statutory references and making corresponding changes due to 2012 E.R.O. No. 41.

The Chair opened the hearing on **SB39** and asked Jason Thompson to give an overview. The purpose of this bill is mainly procedural, to update statutory references (e.g., changing "SRS" to "KDADS"), and making corresponding changes, matching the name of the organization with the corresponding responsibilities.

Lea Taylor, Assistant Secretary for the KS Department on Aging and Disability Services (KDADS), submitted written-only testimony in support of **SB39** and proposed two small amendments to the bill. ([Attachment 8](#)). Jason Thompson also prepared a KDADS balloon amendment containing some other corrections. ([Attachment 12](#))

There being no questions or other testimony submitted, the Chair closed the hearing on **SB39**.

Hearing on: ERO 43 Transferring Medicaid eligibility processing duties from the Department for Children and Families to the Kansas Department of Health and Environment and transferring foster care licensing responsibilities from the Kansas Department of Health and Environment to the Department for Children and Families

The Chair opened the hearing on **ERO 43** and asked Jason Thompson for an overview of this executive reorganization order (ERO). Jason told the committee this ERO is a proposal not yet in effect, that deals with transferring certain powers and duties to the Kansas Department of Health and Environment (KDHE) from the Department for Children and Families (DCF) and vice versa, in order to realign and match the agency with the duties for which it is responsible.

Jason Thompson answered questions from the members, as well as receiving some assistance from Aaron Dunkel, Deputy Secretary for KDHE, who was sitting in the audience and was able to answer some more detailed questions, even though he was not a formal conferee during the meeting.

There being no other questions, comments, or oral testimony, Chair King pointed to two submissions of written-only testimony for **ERO 43**.

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:40am on Tuesday, February 10, 2015, 346-S of the Capitol.

Jaime Rogers, Interim Deputy Secretary of Family Services, Kansas Department for Children and Families submitted written-only proponent testimony. ([Attachment 9](#))

Susan Mosier, M.D., State Health Officer, and Acting Secretary, Kansas Department of Health and Environment submitted written-only proponent testimony. ([Attachment 10](#))

The hearing on **ERO 43** closed.

Possible action on bills previously heard

Chair King turned the committee's attention to action on **SB105**.

Jason Thompson gave an overview, reminding the committee that this bill is the update to the Uniform Interstate Family Support Act (UIFSA) that has been federally mandated in order to continue federal support enforcement funding and would bring Kansas into compliance with the federal regulations and rules.

*Senator Knox moved that **SB105** be recommended favorably for passage and placed on the Consent Calendar; seconded by Senator Haley; the motion passed.*

The Chair turned attention to **SB38**, which is the Patent Infringement bill. Kathy Taylor, Kansas Banker's Association (KBA), distributed a KBA balloon amendment, or possible substitute bill. ([Attachment 11](#)) Ms. Taylor related that she had met and worked with a group of interested parties after the January 27, 2015 hearing and they had continued to tweak the proposal up to the beginning of today's committee meeting. Since Ms. Taylor had not yet conferred with the Revisors' office on her proposal, the Chair suggested the committee postpone action on **SB38** until next week to allow the Revisors to review the amendment.

Chairperson King turned attention to **SB39** and opened the floor for discussion, questions, and motions.

*Senator Knox moved that **SB39** be recommended favorably for passage and placed on the the Consent Calendar; seconded by Senator Petersen.* During discussion, Senator Petersen reminded the committee that Lea Taylor's written testimony had contained a request for some technical amendments, along with the others in the KDADS balloon. *Therefore, the movant, Senator Knox, and the seconder, Senator Petersen, agreed to withdraw the motion.*

Senator Petersen moved the amendments discussed earlier contained in Ms. Taylor's testimony and the KDADS balloon; seconded by Senator Lynn; the motion to amend passed.

*Senator Knox moved that **SB39**, as amended, be recommended favorably for passage; seconded by Senator Petersen; the motion passed.*

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:40am on Tuesday, February 10, 2015, 346-S of the Capitol.

The Chair turned attention to **SB34**. Jason Thompson reminded the committee this is the voting and voting crimes bill authorizing the Secretary of State to prosecute such election crimes.

Senator Haley moved to table the bill; seconded by Senator Pettey; the motion fails. Senator Haley asked to be recorded as an "aye" vote.

Senator Smith moved that **SB34** be recommended favorably for passage; seconded by Senator Lynn; the motion passed. Senators Haley, McGinn, and Pettey asked to be recorded as "no" votes.

The meeting was adjourned at 11:35 am. The next meeting will be Wednesday, February 11, 2015 at 10:30 am.