

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Jeff King at 10:50am on Tuesday, March 17, 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:

Representative Les Mason, 73rd District, McPherson, KS;
David Page, McPherson County Attorney;
Kathy Lysell, Mother of Mija Stockman;
Representative Jack Thimesch, 114th District, Cunningham, KS;
Ed Klumpp, KS Associations for Chiefs of Police, Sheriffs, and Kansas Peace Officers;
Chris Mann, Kansas Advisory Board/National Board of Directors MADD;

Others in attendance:

[See Attached List](#)

Hearing on: HB2115 — Substitute for HB 2115 by Committee on Judiciary – Criminal history classification; counting of prior driving under the influence offenses when a person is convicted of aggravated battery while driving under the influence.

Chair King opened the hearing on **HB2115**. He introduced Grant Treaster, a Legal Intern from University of Kansas Law School, who worked in Chair King's office this semester. Grant gave an overview on **HB2115**. Jason Thompson distributed a handout as further explanation of the bill. ([Attachment 01A](#))

Representative Les Mason gave testimony in favor of **HB2115**, which is also known as Mija Stockman's law. ([Attachment 01B](#))

David Page testified in favor of the bill. He told the committee that he was the prosecuting attorney against the driver who struck and severely injured Mija Stockman on December 20, 2013. ([Attachment 2](#))

Kathy Lysell testified as a proponent of this bill. Ms. Lysell is Mija Stockman's mother. She expressed that the sentencing guidelines are very weak for someone perpetrating the crime that is the subject of

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this piece of legislation. She urged the committee to pass Mija's Law and increase the penalty for aggravated battery while driving under the influence, especially if the person has multiple offenses. ([Attachment 3](#))

The Chair opened the floor for questions and comments for the conferees.

Written-only testimony in support of **HB2115** was submitted by:

Representative Richard Wilborn, 35th District, McPherson, KS ([Attachment 4](#))

Representative Travis Couture-Lovelady, 110th District, Palco, KS ([Attachment 5](#))

Representative Steven Johnson, 108th District, Assaria, KS ([Attachment 6](#))

There being no neutral or opponent testimony, and no further questions or comments, the hearing closed on **HB2115**.

Hearing on: HB2159 — Substitute for HB 2159 by Committee on Judiciary – Expungement of driving under the influence and criminal refusal convictions.

Chair King opened the hearing on **HB2159**. Jason Thompson gave an overview of the bill. He answered questions from Senators Haley, Pettey, and Knox.

Representative Jack Thimesch presented testimony in support of the bill. ([Attachment 7](#)) He stood for questions.

Ed Klumpp presented opponent testimony. ([Attachment 8](#))

Chris Mann also gave testimony in opposition to **HB2159**. ([Attachment 9](#))

Senators Bruce, Haley, Knox, and Chair King directed questions to the opponent conferees and also Jason Thompson.

There were no neutral conferees and no other testimony was submitted at this time. There being no further discussion, questions or comments, the Chair closed the hearing on **HB2159**.

Chairperson King announced that due to time constraints, the hearings on **SB232** and **SB255** would be moved to top of the agenda for tomorrow, March 18, 2015.

The meeting adjourned at 12:00pm. The next meeting will be Wednesday, March 18, 2015 at 10:30am.