

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Jeff King at 10:45am on Tuesday, February 16, 2016, 346-S of the Capitol.

All members were present

Committee staff present:

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

Conferees appearing before the Committee:

Kansas Assistant Solicitor General Amanda Voth;
Kansas Attorney General Derek Schmidt;
Rocky Nichols, Executive Director, Disability Rights Center of Kansas (DRC);
Nancy Jensen, Kaufman House Survivor;
Kathy Armstrong, Assistant Director for Legal Services, Kansas Department for Children and Families (DCF);
Hon. Daniel Cahill, District Judge, 29th Judicial District, Wyandotte County, Kansas;
Mark Gleeson, Director of Trial Court Programs, Office of Judicial Administration;

Others in attendance:

[See Attached List](#)

Hearing on: SB407 — Reviving statute concerning conditional release of person civilly committed under the sexually violent predator act.

Chair King called the meeting to order and opened the hearing on **SB407**.

Assistant Solicitor Amanda Voth appeared in support of **SB407**. She explained that this bill revives K.S.A. 59-29a18, formerly a part of the Kansas Sexually Violent Predator Act, which was inadvertently omitted from SB149 during the revision process last year. K.S.A. 59-29a18 sets forth the procedure in which a sexually violent predator can petition to move from transitional release to conditional release. Ms. Voth urged passage of the bill and stood for questions. There were none. ([Attachment 1](#))

The Chair directed the committee's attention to the neutral written-only testimony of Eldon Dillingham, Private Citizen, Wamego, KS. ([Attachment 2](#))

There being no other oral or written proponent, opponent, or neutral testimony, Chair King closed the

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:45am on Tuesday, February 16, 2016 in Room 346-S of the Capitol.

hearing on **SB407**.

The Chair turned the committee's attention to **SB408**, and opened the hearing.

Hearing on: SB408 — Reporting and investigation of abuse, neglect and exploitation of persons; duties and powers of attorney general, law enforcement and department of corrections.

Jason Thompson presented an overview of the bill and stood for questions. There were none.

Kansas Attorney General Derek Schmidt testified in support of **SB408**, which was proposed by the attorney general's office so it can realign mandated responsibilities and focus resources. General Schmidt explained the two main components of the bill: 1) to transfer Suspicious Incidents at State Institutions (SISI) complaints to other agencies; and 2) to strengthen the powers and narrow the scope of the Abuse, Neglect, and Exploitation (ANE) Unit. There were no questions for General Schmidt. ([Attachment 3](#))

Rocky Nichols presented testimony supporting the bill. He commended the attorney general for bringing focus to this issue and bringing forth amendments to the law to better respond to the needs of Kansas seniors and adults with disabilities who are victims of ANE. ([Attachment 4](#))

Nancy Jensen presented testimony in support of the bill. She related some of the horrible acts perpetrated upon her while she was a resident of the Kaufman house in Newton, Kansas. She stated she was happy to see the attorney general refocusing efforts of the ANE unit to include 1) criminal prosecution; 2) investigation of ANE perpetrated against adults with disabilities; and 3) justice for the victims and survivors with civil legal representation and advocacy services. ([Attachment 5](#))

There were no questions for the proponents. Chair King pointed to the written-only proponent testimony of:

- Ernest Kutzley, Advocacy Director, AARP Kansas ([Attachment 6](#))
- Rachel Monger, Director of Government Affairs, Leading Age Kansas ([Attachment 7](#))

Kathy Armstrong presented neutral testimony on **SB408**. Ms. Armstrong said that DCF supports the proposed language to establish the ANE of adults who are senior citizens, disabled or otherwise vulnerable, as a priority of the unit. She explained that this refocusing will also allow the Unit to coordinate with and assist the Medicaid fraud and abuse division in the attorney general's office. She also said that she would be working with General Schmidt's office regarding a balloon amendment for **SB408**. Ms. Armstrong answered questions from members of the committee. ([Attachment 8](#))

There being no further questions and no other oral or written proponent, opponent, or neutral testimony, Chair King closed the hearing on **SB408**.

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:45am on Tuesday, February 16, 2016 in Room 346-S of the Capitol.

The Chair turned the committee's attention to **SB418** and opened the hearing.

Hearing on: SB418 — Amendments related to human trafficking, children in need of care and juvenile offenders.

Jason Thompson gave an overview of the bill. He related that this bill is the result of a task force that met during the interim. He said that several members of the task force were in the audience and would be conferees, or had submitted written-only testimony today. Jason stood for questions; there were none,

District Judge Daniel Cahill testified in support of **SB418**. He said that the bill deals with issues of human trafficking and also strengthening families, which is an effort to bring the delivery of foster care into compliance with current best practices. ([Attachment 9](#))

Mark Gleeson presented proponent testimony. He explained that the passage of this bill will expedite the reporting of children, both those in the custody of the Secretary who are victims of human trafficking, as well as those who are missing, to law enforcement agencies and the National Center for Missing and Exploited Children (NCMEC). ([Attachment 10](#))

Kathy Armstrong also supported **SB418**. She stated that the bill amends certain Kansas statutes including, but not limited to, the Kansas Child in Need of Care (CINC) code to ensure compliance with the federal law.

She explained that this bill strengthens the state's requirements to identify, document, and track minors in foster care who have been or are at risk of being victims of sex trafficking and ensures quality and effective services are provided. ([Attachment 11](#))

The proponents answered questions from members of the committee. The Chair pointed the committee to the written-only testimony of:

- Assistant Attorney General Pat Colloton, Director, Anti-Human Trafficking Unit; ([Attachment 12](#))
- Johnnie Goddard, Interim Secretary, Kansas Department of Corrections (KDOC); ([Attachment 13](#)) and
- Jeff Cowger, Commissioner/Compact administrator, Interstate Compact for Juveniles, KDOC. ([Attachment 14](#))

There being no further questions, and no other oral or written proponent, opponent, or neutral testimony, the Chair closed the hearing on **SB418**.

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:45am on Tuesday, February 16, 2016 in Room 346-S of the Capitol.

Chair King turned the committee's attention to **SB415** and opened the hearing.

Hearing on: SB415 — Legislative review of exceptions to disclosure of public records.

Jason Thompson began by distributing two items. The first, a Memorandum pertaining to all the statutes repealed by **SB440** had been requested as a reference document for the continued hearing tomorrow. Jason wanted to give the members and interested parties an opportunity to review this lengthy document. ([Attachment 15](#))

The second document was an overview handout for **SB415**, which is an annual legislative review and would remove various sunset provisions regarding the disclosure of public records in the Kansas Insurance Department. Jason wanted to give the members and interested parties an opportunity to review these exceptions and expiring provisions before the committee takes action on the bill. ([Attachment 16](#))

The Chair called attention to the proponent written-only testimony of:

- D. Charles Hunt, State Epidemiologist, Kansas Department of Health and Environment (KDHE); ([Attachment 17](#))
- Brandon Beck, President, Emergency Medical Services Association (KEMSA); ([Attachment 18](#)) and,
- Darlene Whitlock, Board of Directors, Kansas Emergency Nurses Association (KENA), and Kansas State Nurses Association (KSNA) Legislative Committee. ([Attachment 19](#))

There being no other oral or written proponent, opponent, or neutral testimony, Chair King closed the hearing in **SB415**.

Possible action on bills previously heard

No action was taken on any bills today.

There being no other business, the meeting adjourned at 12:05 pm. The next meeting will be Wednesday, February 17, 2016.