

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Jeff King at 10:35am on Thursday, March 10, 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  
Natalie Scott, 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:

No conferees present

Others in attendance:

[See Attached List](#)

**Possible action on bills previously heard**

Chair King called the meeting to order and turned the committee's attention to action on **Sub HB2151**. Jason Thompson gave a refresher on the bill and stood for questions. There were none.

*Senator Pilcher-Cook moved to amend the effective date of the bill to its publication date in the Kansas Register; seconded by Senator Lynn; the motion to amend carried.*

*Senator Pilcher-Cook moved to recommend **Sub HB2151**, as amended, favorable for passage; seconded by Senator Petersen; the motion passed.*

Chair King turned the committee's attention to action on **SB394**. Jason Thompson presented a brief reminder on the bill and also explained that **HB2112** was a shell since its contents had been enacted last year in other legislation. He stood for questions. There were none.

*The Chair moved to replace the contents of **HB2112** and insert the contents of **SB394**; seconded by Senator Knox.*

There was discussion. Chair King answered a question from Senator McGinn.

*The motion to replace the contents of **HB2112** and insert the entire contents of **SB394** passed.*

## CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 10:35am on Thursday, March 10, 2016 in Room 346-S of the Capitol.

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Senator Pilcher-Cook presented a balloon amendment, which was explained and distributed to the committee and audience. Senator Pilcher-Cook, Chair King, and Jason Thompson answered questions from members of the committee. ([Attachment 1](#))

*Senator Pilcher-Cook moved her amendment to **S Sub HB2112**; seconded by Senator Knox; the motion to amend carried.*

*Senator Pilcher-Cook moved to recommend **S Sub HB2112**, as amended, favorable for passage; seconded by Senator McGinn; the motion carried.*

Chair King turned the committee's attention to action on **Sub HB2289**. Jason Thompson gave a short reminder on the bill and stood for questions. There were none.

Chair King presented a balloon amendment, which was explained and distributed. There was discussion and Chair King and Jason Thompson answered questions from Senator Bruce. ([Attachment 2](#))

*Chairperson King moved his amendment; seconded by Senator Smith; the motion to amend passed.*

The committee moved forward with an amendment from Senator Smith on **Sub HB2289**, as amended, which was distributed and explained. ([Attachment 3](#))

*Senator Smith moved his motion; seconded by Senator Pettey; the motion carried.*

Senator Haley presented a balloon amendment regarding the installation of an interlock device in the vehicle of a first-time offender. The balloon was distributed to the committee and audience, then explained. There was discussion about the unintended consequences of the provision requiring a first-time offender to pay the fees for installation and maintenance on the interlock device, regardless of whether or not the offender owned a vehicle; this was the only option to obtain the "proof" of interlock device required in the current law in order to get one's driving provisions reinstated. Jason Thompson, Chair King, and Senator Haley answered questions from Senators Bruce and Knox. ([Attachment 4](#))

There was no one present from the Department of Revenue Division of Motor Vehicles who could answer questions or add to the discussion at this time.

*Senator Haley moved to amend; seconded by Senator Lynn; the motion failed.*

*Senator Bruce moved that **Sub HB2289** as amended, be recommended favorable for passage; seconded by Senator Lynn; the motion carried.*

Chair King turned the committee's attention to action on **SB439**. Jason Thompson gave a brief refresher

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Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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on the substance of the bill.

Senator Smith presented a balloon amendment, which was distributed and explained. ([Attachment 5](#))

Senator Smith moved his amendment; seconded by Senator Bruce.

There was discussion and Jason Thompson answered questions from the members.

The motion to amend **SB439** passed. Senator Pettey requested to be recorded as a "No" vote.

Senator Smith moved to recommend **SB439**, as amended, favorable for passage; seconded by Senator Knox.

Senator Haley then offered a substitute motion to table; seconded by Senator Pettey; the motion failed.

Senator Smith's motion to recommend favorable passage carried. Senators Haley, McGinn, Pettey, and Chair King requested to be recorded as "No" votes.

There being no further business for the day, the meeting adjourned at 11:59 am. The next meeting will be Monday, March 14, 2016.