

Approved April 11, 1986
Date

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Robert Frey at
Chairperson

12:30 ~~xxx~~/p.m. on April 2, 1986 in room 519-S of the Capitol.

~~All~~ members ~~were~~ present ~~except~~: Senators Frey, Hoferer, Burke, Langworthy, Parrish, Talkington and Winter.

Committee staff present: Mary Hack, Revisor of Statutes
Mike Heim, Legislative Research Department

Conferees appearing before the committee:

Lynn Barclay, Kansas Children's Service League
Matt Lynch, Kansas Judicial Council

House Bill 3057 - Commission of certain traffic offenses by juveniles.

Lynn Barclay, Kansas Children's Service League, recommended to improve the bill allowing the 10-day sentences in juvenile detention centers, but not in adult jails or lockups. A copy of her testimony is attached (See Attachment I). The chairman inquired what would happen if we amended Senate Bill 2 into any one of these bills? She replied, if the language is used in Senate Bill 2 in this bill, the new language is in lines 30 and 31. She also recommended the effective date be changed to July 1, 1987.

House Bill 2772 - Jailing of juveniles for DUI.

Lynn Barclay explained the language in this bill, in lines 28 and 29, is similar to lines 30 and 31 in House Bill 3057. If the committee passes House Bill 3057, this bill will not be needed.

House Bill 3057 - Commission of certain traffic offenses by juveniles.

Following committee discussion, Senator Talkington made a conceptual motion to amend the bill using the language in Senate Bill 2. Senator Burke seconded the motion, and the motion carried.

Following further committee discussion, Senator Parrish moved to amend the bill by striking references to Chapter 41 on lines 101 through 104 and lines 222 through 225. Senator Burke seconded the motion, and the motion carried.

Senator Talkington moved to report the bill favorably as amended. Senator Burke seconded the motion, and the motion carried.

House Bill 2771 - Traffic infractions to municipal ordinance violations; fines and procedures.

Matt Lynch, Kansas Judicial Council, explained the bill was recommended by the municipal court committee of the judicial council. He explained the bill.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY,
room 519-S, Statehouse, at 12:30 ~~xx~~/p.m. on April 2, 1986

House Bill 2771 continued

Senator Parrish moved to amend the bill by inserting under traffic infractions in line 1060, unlawful statehouse parking. Senator Winter seconded the motion, and the motion carried.

Senator Talkington moved to report the bill favorably as amended. Senator Winter seconded the motion, and the motion carried.

Senate Bill 739 - Creating judgeships in certain judicial districts.

Following committee discussion, Senator Talkington moved to amend the bill by changing the effective date to the Kansas Register. Senator Parrish seconded the motion, and the motion carried.

Senator Winter moved to amend the bill by adding a district judgeship position in districts Nos. 26, 16 and 7. The motion failed for lack of a second.

Following further committee discussion, Senator Burke moved to report the bill favorably as amended. Senator Parrish seconded the motion, and the motion carried.

Senate Bill 748 - Workers' compensation, administrative law judges.

Committee discussion was held on the bill.

The meeting adjourned.

Copy of the guest list is attached (See Attachment II).

4-2-86
12:30

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Testimony of Lynn Barclay, Advocacy Coordinator

on HB 3057

before Senate Judiciary Committee

April 2, 1986

A. What impact would HB 3057 have on juveniles?

1. It would clarify that juveniles cannot be jailed for longer than 10 days for DUI offense.
2. It would move certain Chapter 41 offenses into adult court which would expand the types of offenses for which juveniles over 13 could receive 10-day jail sentences. Included would be transportation of liquor or beer in an open container and consumption of liquor or beer while driving.

B. What can you do to improve the bill?

1. Allow 10-day sentences in juvenile detention centers but NOT in adult jails or lockups (for traffic offenses and Chapter 41 offenses).

How: Amend page 1 using SB 2 language.

OR

2. Do not move Chapter 41 offenses into adult court.

How: Strike references to Chapter 41 on lines 101 through 104, and lines 222 through 225.

OR

3. Move Chapter 41 offenses into adult court but do not allow 10-day jail sentences.

How: Amend page 1 to exclude Chapter 41 offenses from provisions of lines 28 through 33.



S. Jud.
4/2/86
attach. I