

Approved \_\_\_\_\_  
Date

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

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

10:00 a.m./~~pm~~ on March 9, 1987 in room 514-S of the Capitol.

~~All~~ members ~~xxx~~ present ~~xxxx~~: Senators Frey, Hoferer, Burke, Feleciano, Gaines, Langworthy, Parrish, Talkington, Winter and Yost.

Committee staff present:

Mike Heim, Legislative Research Department  
Jerry Donaldson, Legislative Research Department  
Gordon Self, Office of Revisor of Statutes

Conferees appearing before the committee:

Senate Bill 262 - Theft of satellite cable programming.

Senate Bill 263 - Theft of cable television services.

Senator Gaines moved to adopt the report of the subcommittee to table Senate Bill 262 and Senate Bill 263. Senator Feleciano seconded the motion, and the motion carried.

Senate Bill 258 - Periodic payment of judgments act.

Senator Burke made a conceptual motion to amend the bill to provide a mechanism the defendant can come under the medical malpractice or elect to come under this act. Senator Feleciano seconded the motion, and the motion carried.

Senator Feleciano moved to amend the bill in line 268 of the bill by changing the discount factor of 3% to 1.6%. Senator Burke seconded the motion. On a vote of four in favor of the amendment and three opposed the motion carried.

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

Senate Bill 293 - Crimes and punishment, theft by deception.

Senator Feleciano moved to table the bill. Senator Gaines seconded the motion, and the motion carried.

Senate Bill 261 - Penalties for transporting open container of alcohol or beer.

Considerable discussion was held on the bill. Senator Talkington moved to amend the bill on page 3, line 90, to change the alcohol concentration from 100 to .04. Senator Burke seconded the motion, and the motion carried.

Senator Winter moved to amend the amendment to provide the alcohol test apply to all persons in the vehicle. Senator Burke seconded the motion, and the motion carried.

Senator Burke moved to amend the bill to remove subsection (i) of New Section 1 concerning no plea bargaining. Senator Talkington seconded the motion, and the motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY,  
room 514-S, Statehouse, at 10:00 a.m./~~p.m.~~ on March 9, 1987

Senate Bill 261 continued

Senator Talkington moved to amend the bill by changing "shall" to "may" in lines 88 and 142. Senator Parrish seconded the motion, and the motion carried.

Senator Talkington moved to amend the bill to provide the report sent to the Division of Vehicles is on a form approved by the Division. Senator Parrish seconded the motion, and the motion carried.

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

The meeting adjourned.

A copy of the guest list is attached (See Attachment I).

GUEST LIST

COMMITTEE: SENATE JUDICIARY COMMITTEE

DATE: 3-9-87

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
DARLENE STEARNS	1248 BUCKNABAW	RCAR in 16
Jim 170311 di	Topeka	Observer
Laura Mundy	Topeka	Kansas Ws. Department
Mary Shubert	O.P.	KFL
Marjorie Van Buren	<del>Topeka</del> Topeka	OJA
Kenis Bauer	Olathe	KFL
Bruce Siefert	Topeka	KFL
Ron Anth	"	KBA
Glen Johnson	Topeka	Ks ASAP
Jim Clark	Topeka	KCDAT
Bob Gilbert	Topeka	RTLA
Gail J. Hamilton	Lawrence	KS NOW
Wesley Siefert	Topeka	KC #500
Bill Leng	Topeka	Ks Optometrists
Anna Moriarty	"	RTLA

Attach I  
Sen. J. G. ...  
3-6-87