

SENATE JUDICIARY COMMITTEE

2003 Members

Chairperson.....Senator John Vratil

Vice Chairperson.....Senator Ed Pugh

Ranking Minority Member.....Senator Greta Goodwin

Members:

Senator Barbara Allen

Senator Les Donovan

Senator Mark Gilstrap

Senator David Haley

Senator Kay O'Connor

Senator Lana Oleen

Senator Derek Schmidt

Senator Dwayne Umbarger

Staff:

Michael Heim, Kansas Legislative Research Department
Jerry Donaldson, Kansas Legislative Research Department
Lisa Montgomery, Revisor of Statutes' Office
Dee Ann Woodson, Committee Secretary

2003
SENATE JUDICIARY COMMITTEE

COMMITTEE ACTION INDEX

5-01-03

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 3	Repealing the criminal defamation statute, K.S.A. 21-4004 (Sen.Schmidt)	Hrg 1/21&22 No FA	No FA
SB 9	Bill by Joint Comm. on State-Tribal Relations Native American tribal law enforcement officers; jurisdiction (Sen.Oleen)	Hrg 1/22,1/23 FA 1/29	1/29 BPA
SB 11	Bill by Jt. Committee on Corrections & Juvenile Justice creating community advisory committee to participate in annual budget planning process of juvenile justice authority (Sen. Adkins)	Hrg 1/22,1/23 FA 1/28	1/28 BP
SB 14	Criteria for employment in adult care homes and by home health agencies (Sen. Schmidt)	Hrg 1/23 FA 1/28	1/28 BP
SB 15	Warning to tenants relating to termination notices with new conditions not contained in rental agreement (Sen. Schmidt)	Hrg 1/23 FA 1/28	1/28 BP
SB 16	Application requirements for drivers' licenses and identification cards (Sen. Allen)	Hrg 1/16 & 21 FA 1/27	1/27 BPA
SB 17	Appointment of clerks and non-judicial personnel by the chief judge of each judicial district (OJA)	Hrg 1/28 FA 1/29	1/29 BP
SB 18	Issuance of executions and orders of sale (OJA)	Hrg 1/28 FA 1/28	1/28 BP
SB 19	Mandatory retirement age of 75 for judges and justices (OJA)	Hrg 1/28 FA 1/29	1/29 BP
SB 20	Contents of drivers' licenses (OJA)	Schmidt Sub-Comm No FA	No FA
SB 21	Nomination and selection of justices and judge (OJA)	Hrg 1/29 FA 2/3	2/4 BP

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 25	Sport shooting ranges; local regulation (Sen.Emler)	Hrg 2/5 FA 2/17	2/17 BPA
SB 27	Relating to alcohol and drug safety action education program requirements (Hermes)	Hrg. 2/3 FA 2/17	2/17 BPA
SB 28	Professional corporation law of Kansas (KBA)	Hrg 1/30 FA 2/4	2/4 BPA
SB 29	Corporation code amendments (KBA & SOS)	Hrg 1/30 FA 2/7	2/7 BPA
SB 34	Charitable health care provider under tort claims act(Sen.group)	Hrg 1/27 FA 1/27	1/27 BPA
SB 35	Criminal use or possession of body armor(Sen. Schmidt)	Hrg. 2/3 FA 2/7	2/7 BPA
SB 36	Membership and duties of the judicial council(KJC)	Hrg 1/30 FA 2/7	2/7 BPA
SB 37	Receipts from an interest in minerals and other natural resources pursuant to the uniform principal and income act (KJC)	Hrg. 2/4 FA 2/7	2/7 BP
SB 38	Annual report, filing of certain documents, franchise tax and business activities of certain business entities (SOS)	Hrg. 2/4 FA 2/7	2/7 BPA
SB 48	Appeal bonds in litigation involving signatories or successors of the tobacco litigation agreement (Philip Morris)	Hrg. 2/3 FA 2/7	2/7 BP
SB 54	Creating the crime of negligent homicide (Sens. Schmidt & Umbarger)	Hrg. 2/5	Referred for Interim Study
SB 56	Establishing putative father registry and prescribing certain requirements relating to notification of termination of parental rights (Sen. Emler)	Hrg. 2/6&2/10 No FA	No FA
SB 61	Enacting the uniform athlete agents act (LEPC)	Hrg. 2/13 FA 2/20	2/20 BPA

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 63	Changing the law enforcement telecommunications committee to the criminal justice information system committee (KBI & CJCC)	Hrg. 2/10 FA 2/25	2/25 BPA
SB 64	Clarification of Kansas Offender Registration Act (KBI)	Hrg. 2/10 ,2/11 FA 2/13	2/13 BP
SB 67	Open records after a child fatality (Sen. Adkins)	Hrg. 2/6 FA 2/25	2/25 BPA
SB 70	Repeal SRS pass through assistance to family (SRS)	Hrg. 2/10 FA 2/25	2/25 BP
SB 71	Kansas payment center; removal of sunset provision (SRS)	Hrg. 2/11 FA 2/18	2/18 BP
SB 72	Requiring social security number when applying for driver's license or identification card (SRS)	No Hrg. No FA	No FA
SB 86	Transfer of real estate upon owner's death (Sen. Haley)	Pugh Sub-Comm. No FA	No FA
SB 87	Cruelty to animals, increased penalty (Sen. Haley)	Pugh Sub-Comm. No FA	No FA
SB 91 exempt	Law enforcement training center, qualifications and officer training requirements (Ways & Means)	Hrg. 2/11 FA 2/18	2/18 BPA
SB 93 exempt	Traffic diversion agreements (Fed.&State)	Hrg. 2/20 No FA	No FA
SB 110	Criminal and civil penalties for unlawful acts relating to securities (KSC)	Schmidt Sub-Comm. FA 2/25	2/25 BPA
SB 111	Presumed imprisonment at minimum security correctional facility for certain persons convicted of burglary and construction of additional housing therefor (Sen. Schmidt)	Hrg. 2/18 FA 2/25	2/25 BP

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 123	Drug convictions; possession is a level D4 classification; mandatory drug treatment; border boxes on D4 replaced with probation boxes (KS Sentencing Commission)	Hrg. 2/12 FA 2/21&24	2/24 BPA
SB 126	Exemption to no-call act for purpose of arranging a face-to-face meeting (Commerce Committee)	Hrg. 2/19 No FA	No FA
SB 137	Mandatory imprisonment and enhanced sentence for hate crimes (Sen. Haley)	Pugh Sub-Comm. No FA	Defeated on floor 2/18
SB 141	Phasing in the use of administrative hearings over years (KJC)	No Hrg.	No FA
SB 158	Moratorium on imposition of death penalty (Amnesty International)	No Hrg. No FA	No FA
SB 171	Changes the lower dollar limit of felony theft (Sen. Oleen)	Hrg. 2/19 FA 2/25	2/25 BPA
SB 179	Grounds for divorce or separate maintenance (Sen. Lyon)	No Hrg.	No FA
SB 183	The interstate compact for juveniles (Sen. Adkins)	No Hrg.	No FA
SB 184	Requires the posting of a person's name on a website when the person's driver's license has been revoked (Sen. Adkins)	Hrg. 2/17 No FA	No FA
SB 185	Concerning driving under the influence; eliminating the voluntary intoxication defense (Sen. Adkins)	Hrg. 2/21 No FA	No FA
SB 186	Suspends penitential communication in instances of child abuse (Sen. Adkins)	No Hrg. No FA	No FA
SB 187	Allows Kansas City, Kansas community college forensic laboratory to charge fees for forensic services (Sen. Gilstrap)	Hrg. 2/20 FA 2/25	2/25 BPA
SB 188	Amending the No-Call Act to include the FTC No-Call list	Hrg. 2/19	2/25 Bill tabled

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 189	Inmates sentenced to prison for possession of drugs to serve in a minimum security facility (Sen.Schmidt)	Hrg. 2/18 No FA	No FA
SB 195 exempt	Kansas Parole Board; membership reduced to three (Ways & Means)	Hrg. 3/5 FA 3/13	3/13 BPA
SB 197 exempt	Alcoholic beverages; furnishing to and consumption by persons under age 21 (Fed & State)	Hrg. 3/5 FA 3/17	3/17 BPA
SB 206	One year time limitation on writs of habeas corpus (Oleen, Buhler, Buten, Donovan, Goodwin, Kerr, Lee, Schmidt, Taddiken, Vratil, Wagle)	Hrg. 2/24 FA 2/25	2/25 BPA
SB 210	Marriage fees and premarital counseling (Sen. Lyon)	No Hrg.	No FA
SB 218	Transfer Sentencing Commission to Department of Corrections (Sen. Haley)	No Hrg.	No FA
SB 229 exempt	Real estate appraisal board; subpoena powers (Fed.&State)	Hrg. 3/5 No FA	No FA
SB 231	Second or subsequent rape, hard 40; prostitution of a minor; endangering a child; aggravated battery on a law enforcement officer (Govr.'s Office & Atty.Genl.)	No Hrg.	No FA
SB 232	Amendments to the statutes concerning the civil commitment of sexually violent predators (Govr.'s Office & Atty.Genl.)	No Hrg.	No FA
SB 243 exempt	Uniform controlled substances act schedule IV substances (Ways & Means)	Hrg. 3/5 FA 3/17	3/17 BPA
SB 248	Enacting the Kansas surety recovery agents act (Fed.& State)		Referred for Interim Study
SB 256	Victim compensation for residents who are victims of crimes committed outside of the United States (Ways & Means)	No Hrg.	No FA

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
SB 264	Duties of attorney general in court actions when required by concurrent resolution of legislature (Ways & Means)	No Hrg.	No FA
	HOUSE BILLS		
HB 2015	Modification of sentence of juvenile offender by the court based on medical condition (Jt. Comm. Corrections & Juvenile Justice Oversight)	Hrg. 3/10 FA 3/14	3/14 BPA
HB 2016	Training and powers and duties of juvenile correctional officers (Jt. Comm. Corrections & Juvenile Justice Oversight)	Hrg. 3/11	3/14 BP
HB 2017	Joint committee on corrections and juvenile justice oversight, extending sunset two years (Jt. Committee on Corrections & Juvenile Justice Oversight)	Hrg. 3/6 FA 3/14	3/14 BP
HB 2031	Repealing the statute concerning wills containing formula marital clauses (KJC)	Hrg. 3/6	3/6 BP
HB 2032	Eminent domain; interested parties; appeals; relocation assistance (House Judiciary)	Hrg. 3/6 FA 3/21	3/21 BPA
HB 2034	Kansas power of attorney act (Ks. Judicial Council)	Hrg. 3/7 FA 3/14	3/14 BPA
HB 2035	Children in need of care; right to counsel (Corrections & Juvenile Justice)	Hrg. 3/10 FA 3/21	3/21 BPA
Sub HB 2039	Temporary resident driver's license (Rep. Klein)	Hrg. 3/11 No FA	No FA
HB 2057	Identity theft, defrauding for any benefit, not just economic (Rep. Long)	No FA	No FA

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
HB 2068	Tort claims liability; immunity; fire control and rescue equipment (Reps. Sloan, Boyer, Holland & Toelkes)	Hrg. 3/7 FA 3/14	3/14 BPA
HB 2088	Inmate assistance upon release from incarceration; certain inmates required to pay public transportation costs (Corrections & Juvenile Justice)	Hrg. 3/12	3/14 BPA
HB 2089	Juvenile corrections advisory boards; county commissioners shall appoint at least 3 but not more than 6 additional members (Corrections and Juvenile Justice)	Hrg. 3/7 FA 3/14	3/14 BP
HB 2090	Scope of agency relationship for inmate work crews defined (Corrections and Juvenile Justice)	Hrg. 3/12 FA 3/21	3/21 BP
HB 2100	Home inspections; contractual language limiting liability void (Rep. Patterson)	No Hrg.	No FA
HB 2125	Child in need of care code, child's current foster parents could not be excluded from certain proceedings, emergency change of placement (Hs. Appropriations by Request)	Hrg. 3/12 FA 3/25	3/25 BPA
HB 2132 Sedgwick	Increasing fee charged to inmates on work release from county jail (Corrections & Juvenile Justice)	Hrg. 3/18 FA 3/25	3/25 BP
HB 2133	Municipal courts collecting fines and court costs (House Judiciary)	Hrg. 3/17	3/25 Bill Tabled
HB 2138	Forensic examinations; certification procedures (Corrections & Juvenile Justice)	Hrg. 3/13 FA 3/21	3/21 BP
HB 2154	Construction contracts; indemnification agreements (Hs. Insurance)	Hrg. 3/24	No FA
HB 2165	Civil liability for worthless checks, definition of giving a worthless check (Rep. Goering)	Hrg. 3/13 FA 3/21	3/21 - Be Not Passed

BILL NUMBER	SUBJECT	DATE OF HEARING/ DISCUSSION	DATE OF FINAL ACTION BY FULL COMMITTEE
HB 2271	Certain crimes against property, raising \$500 threshold to \$2,000 (Corrections and Juvenile Justice)	Hrg. 3/13 FA 3/25	3/25 BPA
HB 2293 Sedgwick	Sheriff's fee for service of process (Jeff Bottenberg-Ks.Sheriff's Assn.)	Hrg. 3/18	No FA
Sub HB 2294	Construction defects; contractors right to cure prior to filing a civil action; criminal penalties (Ks.Bldg.&Industry)	Hrg. 3/17 FA 3/21	3/21 BP
HB 2297	Garnishment; release of funds if no order to pay issued (KBA)	Hrg. 3/19 FA 3/25	3/25 BPA
Senate Sub. for HB 2308	Concerning the use of names derived from public records	No FA	3/21 BPA
HB 2312	Time limitations for defendant to be brought promptly to trial (Corrections & Juvenile Justice)	Hrg. 3/24	No FA
HB 2314	Kansas juvenile correctional complex (Corrections & Juvenile Justice)	Hrg. 3/20 FA 3/21	3/21 BP
HB 2352	Sexual harassment and discrimination in the workplace, secretary of admin. required to implement a program (Reps. Kuether, Ballard + 25 others)	No. Hrg.	No FA
HB 2353	Employment security insurance act for domestic violence survivors (Reps. Nichols, Flaharty, Horst, Kassebaum, Kirk, Kuether, Ruff, Swenson and Yoder)	No FA	Pres. Refrd. to Sen.Comm. on Commerce
HB 2375	Criminal procedure; preliminary examination, evidence, chain of custody (Corrections & Juvenile Justice)	Hrg. 3/19 FA 3/21	3/21 -Be Not Passed
HB 2391	Second or subsequent rape, hard 40; prostitution of a minor; endangering the child; aggravated battery on a law enforcement officer (Corrections & Juvenile Justice)	Hrg. 3/20	No FA
HB 2404	Mortgagee allowed to bid in sale of real estate for delinquent taxes (House Fed & State Affairs)	No Hrg.	No FA

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CONFIRMATIONS:

Appointment: Secretary, Department of Corrections
 Roger Werholtz
 Action by Committee - February 11, 2003

Reappointments: Member, State Board of Indigents' Defense Services
 Denise E. Tomasic, term expires January 14, 2006
 Action by Committee - May 1, 2003