

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Tim Owens at 9:35 a.m. on March 19, 2010, in Room 548-S of the Capitol.

All members were present except:
Senator David Haley- excused

Committee staff present:
Doug Taylor, Office of the Revisor of Statutes
Jason Thompson, Office of the Revisor of Statutes
Athena Andaya, Kansas Legislative Research Department
Lauren Douglass, Kansas Legislative Research Department
Karen Clowers, Committee Assistant

Others attending:
See attached list.

The Chairman requested the Revisor provide the Committee with the various options available regarding **SCR 1626 - Constitutional amendment to preserve right to choose health care services and health insurance plan.**

Mr. Thompson indicated there were three options:

1. Leave the bill as is
2. Convert the bill to a Senate Resolution
3. Convert it to statutory form and treat it as a bill

Senator Pilcher-Cook moved, Senator Bruce seconded, to strike the contents of HB 2039 and insert the contents of SCR 1626 rewritten in statutory form. Motion failed. Senators Donovan, Pilcher-Cook, Bruce, Lynn and Schmidt voted yes and requested their votes recorded.

The Chairman called for final action on **SB 468 - Amending petition requirements for summoning a grand jury.** Jason Thompson, staff revisor, reviewed the bill and distributed a proposed balloon requested by Senator Vratil. (Attachment 1)

Senator Vratil reviewed the proposed changes and distributed a comparison of signatures needed based on various percentages. (Attachment 2)

Senator Vratil moved, Senator Kelly seconded, to amend SB 468 as reflected in the balloon amendment. Motion carried.

Senator Vratil moved, Senator Kelly seconded, to recommend SB 468, as amended, favorably for passage.

Senator Pilcher-Cook made a substitute motion, Senator Schodorf seconded, to table the bill. Motion carried.

Senator Schmidt indicated the House did not have an opportunity to hear **SB 360 - Removing limitation on number of small claims that may be filed in a calendar year** which had passed the full Senate.

Senator Schmidt moved, Senator Bruce seconded, to delete the contents of HB 2039 and insert the contents of SB 360 including any technical corrections the revisor may need to make and recommend it favorably for passage. Motion carried.

This is the last scheduled meeting of the session.

The meeting was adjourned at 10:30 a.m.

PLEASE CONTINUE TO ROUTE TO NEXT GUEST

SENATE JUDICIARY COMMITTEE GUEST LIST

DATE: 3-19-10

NAME	REPRESENTING
Alan Bergman	KIRS
Kris Menly	KENNEDY & ASSOC.
Lewi Henry	Sandstone Group LLC
Jeff Bottani	Polsinelli Skel, PC
Jew Miller	CAPITOL STRATEGIES
John Peterson	CAPITOL STRATEGIES

SENATE BILL No. 468

By Committee on Ways and Means

1-27

SB468-Balloon2.pdf
RS - JThompson - 03/18/10

10 AN ACT concerning grand juries; relating to summoning; amending
11 K.S.A. 22-3001 and repealing the existing section.

12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 22-3001 is hereby amended to read as follows: 22-
15 3001. ~~(1)~~ (a) A majority of the district judges in any judicial district may
16 order a grand jury to be summoned in any county in the district when it
17 is determined to be in the public interest.

18 ~~(2) A grand jury shall be summoned in any county within 60 days~~
19 ~~after a petition praying therefor is presented to the district court, bearing~~
20 ~~the signatures of a number of electors equal to 100 plus 2% of the total~~
21 ~~number of votes cast for governor in the county in the last preceding~~
22 ~~election.~~

23 (b) *The attorney general in any judicial district or the district or*
24 *county attorney in such attorney's judicial district may petition **the chief***
25 ***judge or the chief judge's designee in** such district court to order a*
26 *grand jury to be summoned in the designated county in the district to*
27 *investigate alleged violations of an off-grid felony, a severity level 1, 2, 3*
28 *or 4, 4 or 5 felony or a drug severity level 1 or 2 felony. ~~The judge or~~*
29 *~~judges of~~ **chief judge or the chief judge's designee in** the district court*
30 *of the county shall then consider the petition and, if it is found that the*
31 *petition is in proper form, **as set forth in this subsection**, shall order a*
32 *grand jury to be summoned.*

33 (c) *A grand jury shall be summoned in any county within 60 days*
34 *after a petition requesting a grand jury is presented to the district court,*
35 *bearing the signatures of a number of electors equal to 100 plus ~~10%~~ 5%*
36 *of the ~~active registered voters in the county~~, and found to be in compliance*
37 *with this subsection.*

38 (1) *Before circulating any petition to summon a grand jury, the affi-*
39 *davit required by this subsection shall be submitted to the clerk of the*
40 *district court where the grand jury is requested to be summoned.*

41 (2) *A committee of petitioners consisting of five registered voters may*
42 *commence a proceeding to summon a grand jury, by filing an affidavit*
43 *with the clerk of the district court that contains the following information:*

total number of votes cast for
governor in the county in the
last preceding election



Info Brief

Unified Government Public Relations
701 N. 7th Street, Room 620
Kansas City, Kansas 66101

Mike Taylor, Public Relations Director 913.573.5565

**Senate Bill 468: Citizen Grand Jury Petitions
Voter Registration and Turnout Data
March 1, 2010**

Wyandotte County

3% of registered voters= 2,482
5% of registered voters= 4,113
10% of registered voters= 8,227

2% of voters in last gubernatorial election +100 = 756
4% of voters in last gubernatorial election +100= 1,310
5% of voters in last gubernatorial election+100= 1,638
10% of voters in last gubernatorial election+100= 3,276

Shawnee County

3% of registered voters= 3,320
5% of registered voters= 5,533
10% of registered voters= 11,067

2% of voters in last gubernatorial election +100 = 1,418
4% of voters in last gubernatorial election +100= 2,736
5% of voters in last gubernatorial election+100= 3,395
10% of voters in last gubernatorial election+100= 6,691

Johnson County

3% of registered voters= 10,918
5% of registered voters= 18,198
10% of registered voters= 36,396

2% of voters in last gubernatorial election +100 = 3,813
4% of voters in last gubernatorial election +100= 7,527
5% of voters in last gubernatorial election+100= 9,384
10% of voters in last gubernatorial election+100= 18,669

Sedgwick County

3% of registered voters= 7,831
5% of registered voters= 13,052
10% of registered voters= 26,105

2% of voters in last gubernatorial election +100 = 2,447
4% of voters in last gubernatorial election +100= 4,795
5% of voters in last gubernatorial election+100= 5,969
10% of voters in last gubernatorial election+100= 11,838