

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:36 A.M. on March 11, 2008, in Room 123-S of the Capitol.

All members were present except:

Julia Lynn arrived, 9:45 A.M.

Committee staff present:

Bruce Kinzie, Office of Revisor of Statutes

Athena Andaya, Kansas Legislative Research Department

Karen Clowers, Committee Assistant

Conferees appearing before the committee:

Others attending:

See attached list.

The Chairman called for final action on **SB 409–Third or subsequent felony conviction, sentence.**

Bruce Kinzie, staff revisor, distributed a proposed substitute for **SB 409** and provided the committee with a summary of the bill which incorporated recommendations from the Sub-committee (Attachment 1). The bill includes provisions from **SB 482–Substance abuse treatment for certain offenders; SB 483–Substance abuse treatment for violation of conditions of release;** and, **SB 484–Driving under the influence substance abuse treatment facility.**

Discussion followed regarding costs and the bed impact.

Senator Schmidt moved, Senator Umbarger seconded, to amend SB 409 by striking the current contents of SB 409 and replacing it with the proposed Substitute SB 409. Motion carried.

The Chairman summarized the effects on **SB 495** of the changes made to **SB 409**. Following discussion, Senator Journey moved, Senator Betts seconded, to amend Substitute SB 409 by adding SB 495 to it with a provision to change the time frame to the original 10 days. Motion carried.

Senator Journey moved, Senator Lynn seconded, to recommend Substitute SB 409 as amended, favorably for passage. Motion carried.

The Chairman called for final action on **SB 589–Landowner and surface owner protection act.**

Bruce Kinzie, staff revisor, distributed a proposed substitute for **SB 589** and provided the committee with a summary of the draft (Attachment 2). Senator Vratil provided a brief history regarding the attempts by various interested parties to work out differences on this issue. Senator Umbarger indicated **SB 589** incorporates several issues that have been agreed on by the interested parties and distributed a brief summarizing the proposed substitute for **SB 589** (Attachment 3).

Senator moved, Senator seconded, to amend SB 589 by striking the current contents of SB 589 and replacing it with the proposed Substitute SB 589. Motion carried.

Senator Goodwin moved, Senator Umbarger seconded, to recommend Substitute SB 589 as amended, favorably for passage. Motion failed.

The meeting adjourned at 10:30 A.M. The next scheduled meeting is March 12, 2008.