

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Tim Owens at 9:40 a.m. on March 16, 2009, in Room 545-N of the Capitol.

All members were present except:

Senator David Haley- excused

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes

Doug Taylor, Office of the Revisor of Statutes

Jerry Donaldson, Kansas Legislative Research Department

Athena Andaya, Kansas Legislative Research Department

Karen Clowers, Committee Assistant

Conferees appearing before the Committee:

Rep. Joe Patton

Michelle Cutrer

Rep. Anthony Brown

April Holman, Kansas Action for Children

Janice DeBoer, Director, Child Support Enforcement

Others attending:

See attached list.

The Chairman opened the hearing on **HB 2165 - Establishing recklessness as a standard in unlawfully hosting minors in a person's residence.**

Rep. Joe Patton appeared in support indicating underage drinking is a serious problem difficult for law enforcement and prosecutors to enforce. "Recklessness" is a tight legal standard and clearly defined in statute. (Attachment 1)

Michelle Cutrer spoke in favor relating a personal experience and her frustration over the lack of enforcement in situations where underage drinking was allowed in the presence of adults. Ms. Cutrer encouraged enactment of the legislation. (Attachment 2)

Written testimony in support of **HB 2165** was submitted by:

Ted Powers, Government Affairs, Anheuser-Busch, Inc. (Attachment 3)

Cristi Cain, Shawnee Regional Prevention & Recovery Services, Inc. (Attachment 4)

Deputy Desiree Wright, Shawnee County Sheriff's Office (Attachment 5)

Neutral written testimony on **HB 2165** was submitted by:

Ron Hein, Kansas Restaurant Association (Attachment 6)

Written testimony in opposition of **HB 2165** was submitted by:

Don Scott, Seward County Attorney (Attachment 7)

There being no further conferees, the hearing on **HB 2165** was closed.

The Chairman opened the hearing on **HB 2201 - Conditions on licensee if delinquent in child support.**

April Holman appeared in favor stating enactment of **HB 2210** would strengthen current law as it relates to child support enforcement for parents holding professional licenses. This bill will provide another tool to assist in the collection of child support. (Attachment 8)

Rep. Anthony Brown spoke in support as sponsor of the bill. Rep. Brown reviewed the bill and stated as a proponent in the collection of back child support he urged the enactment of **HB 2210** as another method of child support collection. (Attachment 9)

Janice DeBoer testified in support stating self-employed parents pose special challenges for support

CONTINUATION SHEET

Minutes of the Senate Judiciary Committee at 9:40 a.m. on March 16, 2009, in Room 545-N of the Capitol.

enforcement and sanctions against licenses would be especially helpful in those situations. The measure creates no new costs for the Child Support Enforcement Program and will produce a moderate increase of collections in a challenging segment of their caseload. (Attachment 10)

There being no further conferees, the hearing on **HB 2201** was closed.

The Chairman called for final action on **HB 2059 - Proceeds derived from violation of the uniform controlled substances act or any substantially similar offense from another jurisdiction.** Jason Thompson, staff revisor, reviewed the bill.

Senator Vratil moved, Senator Lynn seconded, to recommend HB 2059 favorably for passage. Motion carried.

The Chairman called for final action on **HB 2111 - Removing sunset provision from Kansas commission on judicial performance statutes; retaining increase in docket fees to fund commission.** Jason Thompson, staff revisor, reviewed the bill.

Senator Schmidt moved, Senator Pilcher-Cook seconded, to amend HB 2111 on page 1, line 25, by striking "2010" and inserting "2009".

Senator Vratil made a substitute motion to recommend HB 2111 as amended by the House, which extends the sunset provision to June 30, 2013 and deletes current law decreasing docket fees on or after July 1, 2010, favorably for passage. Motion carried.

The next meeting is scheduled for March 17, 2009.

The meeting was adjourned at 10:27 a.m.