

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson John Vratil at 9:38 a.m. on March 21, 2001 in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Gordon Self, Revisor
Mike Heim, Research
Mary Blair, Secretary

Conferees appearing before the committee:

Kyle Smith, Kansas Bureau of Investigation (KBI)

Others attending: see attached list

Minutes of the March 20th meeting were approved on a motion by Senator Schmidt, seconded by Senator Donovan. Carried.

HB 2329—concerning the division of vehicles; re: records

Written testimony explaining and supporting **HB 2329** was submitted by Sheila Walker, Director of Vehicles. (attachment 1) She wrote that this bill allows driver's license photos to be used by criminal justice agencies for use in criminal investigations. Lengthy discussion followed. Senator Schmidt moved to pass the bill out favorably, Senator Donovan seconded. Carried.

HB 2074—re: employees of the KBI

Conferee Smith testified in support of **HB 2074**, a bill which reorganizes the KBI's administrative structure by making all assistant and associate directors unclassified employees. The Conferee discussed the purpose of the bill. (attachment 2) Following brief discussion, Senator Goodwin moved to pass the bill out favorably, Senator Haley seconded. Carried.

HB 2154—concerning providers of care services

SB 354—concerning corrections; re: placement of facilities; coop and consultation with municipalities and the public

The Chair reviewed **HB 2154**, a bill heard on March 20th which amends the law prohibiting the employment of persons convicted of certain crimes by adult care homes and home health agencies. He reminded Committee there was a motion and second on **HB 2154** from that meeting and requested a substitute motion on the bill to include a Department of Correction's proposal for an amendment to **SB 354** (attachment 3). Senator Oleen made a substitute motion to include the language as proposed by the DOC and amend SB 354 into HB 2154, Senator Haley seconded. Carried. At the request of Senator Schmidt, who chaired the subcommittee hearing on **HB 2154**, Research Staffperson Heim explained the bill and its technical amendments. Senator Schmidt discussed his subcommittee's recommendation. (attachment 4) Following brief discussion, Senator Schmidt moved to amend HB 2154 according to his subcommittee's recommendation, Senator O'Connor seconded. Carried. Senator Oleen made a motion that the contents of both amendments to HB 2154 be placed into a substitute bill and be recommended favorably for passage, Senator O'Connor seconded. Carried. Written testimony supporting **HB 2154** was submitted by Senator Schodorf. (attachment 5)

HB 2208–re: jurisdiction of magistrate judges

The Chair reviewed **HB 2208**, a bill which would give district magistrate judges the authority to preside over cases filed under the limited actions code of civil procedure. Senator Donovan moved to adopt the proposed technical amendments to **HB 2208**, Senator Schmidt seconded. Carried. Following discussion Senator Goodwin moved to pass the bill out favorably as amended, Senator Schmidt seconded. Carried. Written testimony supporting **HB 2208** was submitted by Representative Ward Loyd. (attachment 6)

HB 2212–concerning civil procedure; re: records
SB 197–re: liens; filing time

The Chair informed Committee that **SB 197** had passed the Senate but was delayed in House Committee. Following discussion Senator Adkins made a motion to substitute the contents of **SB 197** for the current contents of **HB 2212** and recommend it favorably for passage, Senator O'Connor seconded. Carried.

HB 2194–re: reports of forensic examination

The Chair reviewed **HB 2194**, a bill which would amend the criminal procedure code by adding the Kansas City, Kansas Community College forensic laboratory or the Kansas City, Missouri regional crime laboratory to the list of laboratories that can submit reports into evidence at preliminary hearings as if the forensic examiner had testified in person. Following brief discussion Senator Oleen moved to pass the bill out favorably, Senator Haley seconded. Carried.

HB 2328–re: abusing toxic vapors; possession of a controlled substance

The Chair reviewed **HB 2328**, a bill which would make the intentional use of inhaling certain toxic vapors for the purpose of altering senses of the nervous system, a B nonperson felony. Following discussion there was general consensus to table the bill.

The meeting adjourned at 10:30 a.m. The next scheduled meeting is this afternoon upon adjournment of the Senate.