

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Ward Loyd at 1:30 p.m. on February 10, 2004 in Room 241-N of the Capitol.

All members were present.

Committee staff present:

Jill Wolters, Revisor of Statutes Office
Jerry Ann Donaldson, Legislative Research Department
Connie Burns, Committee Secretary

Conferees appearing before the committee:

Senator Derek Schmidt
Lane Ryno, Emporia Police Dept
Max Wilson, Prevention & Recovery Services
David Hutchings, KBI
Sandy Barnett, KCSDV

Others attending:

See Attached List.

HB 2730 – Endangering a child when the child's life is endangered or child is present in a meth lab or where meth is sold is a severity level 9, person felony.

Chairman Loyd opened hearing on **HB 2730**.

Senator Derek Schmidt appeared in favor of the bill. The bill contains two policy provisions. The bill proposes that child endangerment that puts a child's body or health at risk would remain a misdemeanor, but child endangerment that puts a child's life at risk would become a level 9, person felony. (Attachment 1)

Lane Ryno, Emporia Police Department and Kansas Peace Officer's Association, appeared as a proponent of the bill. The proposed change would make it specifically illegal to expose children to many of the chemicals used to make Methamphetamine. (Attachment 2)

Max Wilson, Executive Director, Shawnee Regional Prevention and Recovery Services, spoke in favor of the bill. (Attachment 3)

David Hutchings, Senior Special Agent with the KBI, appeared in favor of the bill. On behalf of the agencies of the Southeast Kansas Drug Enforcement Task Force, he supports legislation that would specifically address situations where children are placed in danger by their exposure to the hazards associated with methamphetamine productions and other drug crimes. (Attachment 4)

Kyle Smith, KBI stood for questions and stated that the KBI was looking for improvement to this bill.

Mike Jennings, Kansas County & District attorneys Association, provided written testimony in support of the bill. (Attachment 5)

Sandy Barnett, KS coalition Against Sexual and Domestic Violence, appeared neutral with an amendment to the bill. This is the same amendment offered in 2003 on **HB 2391** and agreed upon by the Governor's office and Attorney General, in that the amendment would help to protect severely battered women from criminalizing their strategies to stay safe. (Attachment 6)

Chairman Loyd closed the hearing on **HB 2730**.

HB 2603 – Clarifying that prior DUI’s are converted to person felonies for criminal history purposes when convicted of involuntary manslaughter while DUI.

Representative Dillmore made a motion to move HB 2603 favorably for passage. Representative Pauls seconded the motion. The motion carried.

HB 2568 – Assessment fee imposed on certain criminal defendants for crimes against children, establishing the children advocacy center fund.

Representative Dillmore made a motion to move HB 2568 favorably for passage. Representative Carter seconded the motion.

Representative Dillmore moved that the bill be amended to raise the assessment fee from \$50 to \$100. Representative Carter seconded the motion. The amendment carried.

Representative Ward moved an amendment that strikes section 1 and makes section 2 new section 1. Representative Crow seconded the motion. The amendment carried.

Representative Dillmore made a substitute motion to pass HB 2568 as amended. Representative Carter seconded the motion. The motion carried.

HB 2569 – Children’s advocacy centers, prescribing standards and training.

The technical amendment would include with sexual abuse on line 20 page 1, lines 11 and 12 on page 2.

Representative Pauls made a motion to move HB 2569 favorable for passage as amended. Representative Goering seconded the motion. The motion carried.

HB 2477 – Stalking when in possession of a firearm and in violation of a protection from stalking order is a severity level 8, person felony.

Representative Dillmore made a motion to move HB 2477 favorably for passage. Representative Goering seconded the motion.

Representative Dillmore moved that the bill be amended to insert weapon definition in KSA 21-4201 in line 26. Representative Horst seconded the motion. The motion carried.

Dillmore made a substitute motion to move HB 2477 favorably for passage as amended. Representative Owens seconded the motion. The motion carried.

HB 2525 – Increasing severity levels on criminal use of explosives.

Representative Pauls made a motion to move HB 2525 favorable for passage. Representative Horst seconded the motion. The motion carried.

HB 2542 – Collection of specimens by KBI when convicted of certain crimes.

Representative Ward made a motion to recommend HB 2542 favorable for passage and because non-controversial be placed on the consent calendar. Representative Crow seconded the motion. The motion carried.

HB 2575 – Reporting of abuse; ministers

Representative Dillmore made a motion to move HB 2575 favorable for passage. Representative Horst seconded the motion.

Representative Carlin made a motion to amend the language that deals with the record custodian and duly ordained minister of religion to specify who is designated to report per the Representative Storm (Farmer) amendment. Representative Ward seconded the motion. The motion carried. (Attachment 7)

Representative Dillmore moved to reinstate the language page 3 lines 4 – 10. Representative Swenson seconded the motion. The motion did not carry.

Representative Carter moved to table the bill. The vote 9 to 6 in favor of being tabled. **HB 2575** is tabled.

The meeting was adjourned at 3:15 PM. The next meeting is February 11, 2004.