

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:37 A.M. on March 14, 2006, in Room 123-S of the Capitol.

All members were present except:

Phil Journey- excused
Barbara Allen arrived, 9:40 a.m.
Les Donovan arrived, 9:43 a.m.
Kay O'Connor arrived, 9:45 a.m.
David Haley arrived, 9:53 a.m.

Committee staff present:

Mike Heim, Kansas Legislative Research Department
Helen Pedigo, Office of Revisor of Statutes
Karen Clowers, Committee Secretary

Others attending:

See attached list.

The Chairman indicated there were three bills and two Senate Concurrent resolutions regarding eminent domain on the agenda. He distributed a draft of a proposed substitute bill constructed by the numerous interested parties including the Kansas Farm Bureau, the Kansas Livestock Association, The Kansas League of Municipalities, and a coalition of several Chambers of Commerce, as well as several interested individuals (Attachment 1). The Chairman explained the current version has few technical changes from the draft distributed at the previous meeting and proposed **SB 323** be used as a vehicle for the draft. The revisor reviewed the bill for the committee, discussion followed.

Senator Schmidt moved, Senator Goodwin seconded, to amend **SB 323** by creating a **Substitute for SB 323** and inserting the provisions of the proposed substitute bill including the deletion of the word "owner-occupied" on page 3. Motion carried.

Senator Schmidt moved, Senator Umbarger seconded, to recommend **Substitute for Senate Bill 323** favorably for passage. Motion carried.

Senator Umbarger moved, Senator Allen seconded, to table **SB 446, SB 493, SCR 1612** and **SCR 1616**. Motion failed.

Senator O'Connor moved, Senator Donovan seconded, to table **SB 446** and **SB 493**. Motion carried.

The Chairman called for final action on **HB 2701--Definition of drug paraphernalia**. Discussion followed. Senator Schmidt moved, Senator Donovan seconded, to table **HB 2701**. Motion carried.

The Chairman called for final action on **HB 2414--Penalties for battery against a law enforcement officer and aggravated battery against a law enforcement officer**.

Senator Goodwin moved, Senator O'Connor seconded, to recommend **HB 2414** favorably for passage.

Discussion followed indicating the bill contained contradictory language and disproportionality in sentencing. The motion was withdrawn.

Senator Haley moved, Senator Bruce seconded, to table **HB 2414**. Motion carried.

The meeting was adjourned at 10:30 a.m. The next scheduled meeting is March 15, 2006.