

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Vice -Chairman Lance Kinzer at 3:30 P.M. on February 4, 2008 in Room 313-S of the Capitol.

All members were present except:

Representative Michael O'Neal - excused
Representative Charlie Roth - excused
Representative Jim Ward - excused
Representative Annie Kuether - excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research
Athena Andaya, Kansas Legislative Research
Jill Wolters, Office of Revisor of Statutes
Jason Thompson, Office of Revisor of Statutes
Cindy O'Neal, Committee Assistant

Conferees appearing before the committee:

Representative Annie Tietze
Gerald Goodell, Goodell, Stratton Law Firm
Helen Pedigo, Executive Director, Kansas Sentencing Commission
Rise Haneberg, Chief Court Service Officer, Johnson County

Representative Colloton appeared before the committee with a bill request relating to setting guidelines as to when detainers have to be issued. She made the motion to have the request introduced as a committee bill. Representative Wolf seconded the motion. The motion carried.

Representative Colloton requested a committee bill which would sets guidelines for police when they are interrogating someone who is mentally ill. She made the motion to have the request introduced as a committee bill. Representative Wolf seconded the motion. The motion carried.

The hearing on **HB 2656 - authorizing cemetery corporations to convey real estate not platted into cemetery lots free from trust restrictions**, was opened.

Representative Annie Tietze requested the proposed bill. Mt. Hope cemetery is located in Topeka and is in her district. It has existed since 1906. There are over 160 acres which are restricted by a Trust Deed for 1,000 years. It is her opinion that this would be the only cemetery that would be affected under this bill. (Attachment #1)

Gerald Goodel, Goodell, Stratton Law Firm, explained that Mt. Hope is exempt from federal income taxes and is not defined as a private foundation. He estimated that of the 160 acres there are about 25 that would not ever be used for burial purposes. The bill would allow them to sell the extra acres and pay off some of their debt. (Attachment #2)

The hearing on **HB 2656** was closed.

The hearing on **HB 2700 - community corrections in Johnson County's adult offender program extended to July 1, 2009**, was opened.

Helen Pedigo, Executive Director, Kansas Sentencing Commission, appeared before the committee as the sponsor of the proposed bill. She commented that the pilot program has been successful to date. The Department of Corrections is now using the LSI-R (Level of Services Inventory-Revised System, Inc.) when a person is coming into prison, on post-incarceration supervision, or in community corrections (Attachment #3)

Ms. Pedigo relayed that there needs to be some type of legislation this year. If the legislature does nothing the pilot program will expire. If the legislature decides to implement it statewide, correction agencies would not be able to move forward in time if there no guidelines put in place.

CONTINUATION SHEET

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Representative Goyle requested a comparison between other counties which are not using the LSI-R.

Rise Haneberg, Chief Court Service Officer, Johnson County, supported the proposed bill to continue the project in Johnson County. She did state that it has taken some time to train staff. However, it is the most important function in order for the program to work correctly. Staff is finally accepting the tool and learning how to work with the provider. (Attachment #4)

Written testimony in support of the proposed bill was provided by Mark Gleeson, Office of Judicial Administration. (Attachment #5)

The hearing on **HB 2700** was closed.

The committee meeting adjourned at 4:25p.m. The next meeting was scheduled for February 5, 2008.