

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:33 A.M. on March 10, 2008, in Room 123-S of the Capitol.

All members were present except:

Barbara Allen arrived, 9:37 A.M.  
Donald Betts- excused  
Greta Goodwin- excused  
David Haley arrived, 9:52 A.M.  
Julia Lynn arrived, 9:37 A.M.

Committee staff present:

Bruce Kinzie, Office of Revisor of Statutes  
Athena Andaya, Kansas Legislative Research Department  
Karen Clowers, Committee Assistant

Conferees appearing before the committee:

Mike Kautsch, University of Kansas  
Doug Anstaett, Executive Director, Kansas Press Association  
Kent Cornish, Kansas Association of Broadcasters  
Stuart Little, Kansas Association of Addiction Professionals  
Barbara Burks, Johnson County Mental Health Center  
Chris Buck, Enterprise Leasing  
Don McNeeley, Kansas Automobile Dealers Association  
Joe Self, Joe Self Chevrolet, Wichita  
Jeff Longbine, Longbine Auto  
Ed Klumpp, Kansas Chiefs of Police Association; Kansas Peace Officers

Others attending:

See attached list.

The Chairman opened the hearing on **SB 313–Providing journalist with privilege concerning the disclosure of certain information.**

Mike Kautsch spoke in support, stating **SB 313** would clarify current Kansas law and it would be a significant advancement in maintaining accountability, transparency and honesty in government (Attachment 1). The bill would be consistent with actions that several states have taken to codify a reporter's privilege and provide trial judges clear direction in resolving disputes over reporter's privilege. The bill has been modeled on California law.

Doug Anstaett testified in support, reviewing testimony submitted by Ric Anderson of the *Topeka Capital Journal* (Attachment 2). Testimony related an example of personal experience of citizens assisting with an investigation without the protection of shield law.

Kent Cornish appeared in support, stating the public needs the assurance of protection when assisting in the reporting of wrongdoing (Attachment 3). The bill will protect reporters' ability to report on the workings of government and keep the public informed.

Written testimony in support of **SB 313** was submitted by:

Doug Anstaett, Executive Director, Kansas Press Association (Attachment 4)  
Senator Derek Schmidt (Attachment 5)

There being no further conferees, the hearing on **SB 313** was closed.

The Chairman called for final action on **SB 64–Small claims; counter claim must be filed not less than two business days prior to the trial.** The Chairman indicated his desire to use **SB 64** as a vehicle to give **SB 546–Family dispute resolution fund, grants, docket fees** another chance at passage. Senator Vratil felt the bill failed on the floor of the Senate due to a funding amendment made by the Senate Judiciary Committee.

CONTINUATION SHEET

MINUTES OF THE Senate Judiciary Committee at 9:33 A.M. on March 10, 2008, in Room 123-S of the Capitol.

Senator Donovan moved, Senator Lynn seconded, to amend **SB 64** by striking its contents to create a substitute bill containing the contents of **SB 546** as originally drafted. Motion carried.

Senator Donovan moved, Senator Lynn seconded, to recommend **Sub SB 64** as amended, favorably for passage. Motion carried.

The Chairman opened the hearing on **SB 590—Establishing the substance abuse policy board.**

Senator Phil Journey spoke in support, indicating **SB 590** would establish a Substance Abuse Policy Board as an continuing effort by the legislature to improve the Kansas Criminal Justice System in dealing with offenders with substance abuse problems (Attachment 6). The intended goals would be to reduce recidivism, break the cycle of addiction, reduce multiple DUI convictions and help offenders become productive citizens. Success in this area could result in savings to Kansas taxpayers and savings to the State..

Stuart Little appeared in support, stating creation of a substance abuse policy board would be a valuable tool to the members of the Kansas Association of Addiction Professionals that work directly with substance abuse offenders (Attachment 7).

Barbara Burks spoke as a proponent and urged inclusion of two substance abuse professionals appointed by the Kansas Association of Addiction Professionals (Attachment 8).

Written testimony in support of **SB 590** was submitted by:

Roger Werholtz, Secretary, Kansas Department of Corrections (Attachment 9)

Don Jordan, Secretary, Kansas Department of Social & Rehabilitation Services (Attachment 10)

There being no further conferees, the hearing on **SB 590** was closed.

The hearing on **HB 2707—Theft, intent to deprive, leased or rented motor vehicles** was opened.

Chris Buck spoke as a proponent (Attachment 11). Current Kansas law requires businesses that lease or rent personal property to wait 10 days before reporting a vehicle stolen. Mr. Buck related an incident where an unreturned vehicle had been involved in criminal activity. The incident might have been avoided if the police had been notified that it was considered stolen. The vehicle was in the fourth day of the ten day waiting period to be reported stolen. The proposed bill would allow for a report to be filed three days after the vehicle is scheduled to be returned. This shortened filing time would possibly allow police to find the vehicle sooner.

Don McNeeley, appeared in support of the House amendment to expand legislation to include dealership demonstrators and service loaner vehicles(Attachment 12).

Joe Self testified in support, relating losses to his company regarding stolen vehicles (Attachment 13).

Jeff Longbine spoke in favor of the bill (Attachment 14).

Written testimony in support of **HB 2707** was submitted by:

Ed Klumpp, Kansas Association of Chiefs of Police (Attachment 15)

Ed Klumpp, Kansas Peace Officers (Attachment 16)

Jim Hatten, President, Don Hatten Chevrolet (Attachment 17)

Michael E. Steven, President, Mike Steven Auto Group (Attachment 18)

Les Eck & Rusty Eck, Midwest Toyota Ford (Attachment 19)

There being no further conferees, the hearing on **SB 2707** was closed.

The meeting adjourned at 10:30 A.M. The next scheduled meeting is March 11, 2008.