

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil, at 9:30 a.m. on January 14, 2003, in Room 123-S of the Capitol.

All members were present:

Committee staff present: Mike Heim, Kansas Legislative Research Department
Jerry Ann Donaldson, Kansas Legislative Research Department
Lisa Montgomery, Office of the Revisor of Statutes
Dee Woodson, Committee Secretary

Conferees appearing before the committee:

Melissa Wangeman, Secretary of State's Office
Kathy Porter, Office of Judicial Administration

Others attending: see attached list

The Chair presented organizational information which included introducing Senator Barbara Allen as a new member of the Senate Judiciary Committee and Dee Ann Woodson as the new Committee Secretary. He also announced that there would not be Committee meetings on Friday, January 17, and on Monday, January 20. He went over the tentative schedule for the remainder of the week.

The Chair called for bill introductions. Conferee Melissa Wangeman requested introduction of two bills on behalf of the Kansas Bar Association (KBA). The first bill she discussed contains revisions to the Kansas corporation code. She told the Committee that the second bill contained revisions to the Professional Associations Act, which relates to corporations that are formed by licensed professionals for the purpose of providing a professional service (lawyers, doctors, architects, etc.). (Attachment 1) The Chair called for questions and discussion concerning the proposed bills, and called for a motion to introduce both of the bills. Senator Schmidt moved to introduce the bills, Senator Pugh seconded the motion, and the motion carried.

Conferee Wangeman also requested a bill introduction for the Secretary of State's Office containing similar amendments found in the KBA bill, for unincorporated business entities that register with their office. She stated the purpose of the Secretary of State's bill was to duplicate changes within the corporation code for other business entities so that all entities would have uniform and consistent provisions. (Attachment 2) Senator Oleen moved to introduce the bill, Senator Umbarger seconded. Motion carried.

Conferee Kathy Porter, Office of Judicial Administration, requested the introduction of five(5) bills. The first bill regarded writs of execution, the second bill covered Supreme Court and District Court Judicial Nominating Commission statutes, third bill involved the appointment of Clerk of the District Court and Chief Clerk by the Chief Judge, fourth bill related to the age 75 retirement provision, and the fifth bill concerned including mailing addresses on driver's licenses. (Attachment 3) Senator Donovan moved to introduce the five bills, seconded by Senator Schmidt, and the motion carried.

Senator Schmidt requested introduction of three bills. The first bill was based on SB 265 from last session and involved amending the Landlord Tenant Act. Senator Schmidt moved to introduce the bill, seconded by Senator Goodwin. Motion carried.

The second bill requested by Senator Schmidt related to the possession of body armor by felons. Senator Schmidt made a motion to introduce this bill, Senator O'Connor seconded, and the motion carried.

Senator Schmidt requested the third bill regarding criminal background checks for healthcare employees. Senator Schmidt made a motion to introduce the bill, seconded by Senator O'Connor, and the motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE JUDICIARY COMMITTEE on January 14, 2003 in Room 123-S of the Capitol.

Senator Allen requested a bill be introduced regarding drivers' licenses and other identification cards relating to application requirements; photograph fees, verification of source documents, etc. Senator Allen made a motion to introduce the bill, seconded by Senator Schmidt, and the motion carried.

Chairman Vratil referred Committee members to the 2002 Annual Report on No-Call from the Office of the Attorney General. He directed their attention to the end of the report where the Attorney General makes recommendations for several legislative changes, mainly clean-up recommendations. He asked the members to look over the recommendations for discussion at a later meeting in regard to possibly having legislation drafted and introduced to make those recommended changes by the Attorney General. (Attachment 4)

The Chair asked the staff from Legislative Research to give a review of the report from the Special Committee on Judiciary. Jerry Ann Donaldson briefed the Committee members on the Medicaid Fraud section. General questions and discussion followed with concern expressed about SRS not providing adequate guidance and direction to the SUR unit staff within Blue Cross (now EDS). Chairman Vratil said that he and the Committee Secretary would arrange for a presentation on this subject, and would contact Barb Hinton from Legislative Post Audit and Robert Day from SRS for a briefing sometime early in the session. (Attachment 5)

Jerry Ann Donaldson continued with her review of the Interim Committee Report for sections regarding Licensure of Private Security Guards and Drug Courts. Chairman Vratil explained that the Committee decided that there was no compelling need to have state regulations of private security guards, and that it was best to leave it to the local cities and counties at this time. In regard to the Drug Courts, Chairman Vratil communicated that the Committee authorized introduction of a bill, with no recommendation, proposed by the Sentencing Commission. Upon request, Barbara Tombs, Kansas Sentencing Commission, explained that the bill was being drafted and what it was proposing. After brief discussion by Committee members, the Chair stated that this issue would be one of the major issue during the session and that this discussion would be continued at the next meeting.

Meeting adjourned at 10:30 a.m. The next scheduled meeting is January 15, 2003.

