

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Senator Vratil at 9:43 a.m. on March 20, 2002 in Room 123-S of the Capitol.

All members were present except: Senator Pugh (excused)

Committee staff present:

Gordon Self, Revisor  
Mike Heim, Research  
Mary Blair, Secretary

Conferees appearing before the committee:

Representative Bob Bethell  
Jerry Hereden, Williams Corporation  
David Zabel, Assistant District Attorney, Douglas County  
Kevin Graham, Office of the Attorney General

Others attending: see attached list

The minutes of the March 19<sup>th</sup>, 2002 meeting were approved on a motion by Senator O'Connor, seconded by Senator Goodwin. Carried.

**HB 2752—re: theft; defining certain crimes related to certain pipelines**

Representative Bethell testified in support of **HB 2752**, a bill which would make it a crime to tamper with certain pipelines including anhydrous ammonia pipelines. The Conferee discussed why he has an interest in, and need for, the provisions in this bill. He stated the bill will add needed security to Kansas pipelines and have a positive impact on reducing methamphetamine production.(attachment 1)

Conferee Hereden testified in support of **HB 2752**. He informed Committee about the type, distance in miles, and location of Williams pipeline in Kansas and discussed the company's current efforts to deal with pipeline tampering. He further discussed the goals of this bill.(attachment 2)

**HB 2735—aggravated battery**

Conferee Zabel testified in support of **HB 2735**, a bill which would amend the current definition of aggravated battery to include unintentionally causing bodily harm or great bodily harm to another person while driving under the influence of drugs or alcohol. He provided detail on the intent of the bill and cited case law to support his argument that "the current battery statute does not adequately address a DUI that results in bodily harm."(attachment 3)

Conferee Graham testified in support of **HB 2735**. He reviewed the history of the bill, discussed the attorney general's strong support of the bill and clarified the provisions in it.(attachment 4) He briefly discussed the effect the passage of the bill would have on prison population.(attachment 5)

Final action:

**HB 2709—uniform commercial code; re: secured transactions**

Following a review of the bill by the Chair and discussion by Committee, Senator Goodwin moved to amend HB 2709 by deleting Section 4 and 5 and renumbering the subsequent sections, Senator Umbarger seconded. Carried. Following further discussion, Senator Oleen moved to pass the bill out favorably as amended, Senator Haley seconded. Carried.

**HB 2772—court costs; re: laboratory analysis fee**

The Chair reviewed the bill and referenced a letter written by Kyle Smith which recommends an increase in lab analysis fees from \$150 to \$300.(attachment 6) Senator Donovan moved to increase the lab analysis fees from \$150 to \$300 and to grant the revisor drafting leeway, Senator Schmidt seconded. Lengthy discussion followed. Senator Donovan amended his motion to increase the lab analysis fees from \$150 to \$400 with instructions to the revisor to make the bill less "wordy," Senator Schmidt seconded. Carried with Senator Haley requesting his nay vote be recorded. Senator Adkins moved to pass the bill out favorably as amended, Senator Goodwin seconded. Carried with Senator Haley requesting his nay vote be recorded.

The meeting adjourned at 10:23. The next scheduled meeting is March 21, 2002.