

Approved: 4/1/09
Date

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Lance Kinzer at 3:30 p.m. on March 16, 2009, in Room 143-N of the Capitol.

All members were present except:

Representative Annie Kuether- excused
Representative Milack Talia- excused
Representative Grange- excused

Committee staff present:

Melissa Doebelin, Office of the Revisor of Statutes
Matt Sterling, Office of the Revisor of Statutes
Jill Wolters, Office of the Revisor of Statutes
Athena Andaya, Kansas Legislative Research Department
Jerry Donaldson, Kansas Legislative Research Department
Sue VonFeldt, Committee Assistant

Conferees appearing before the Committee:

Toni Wellshear, AARP Kansas Executive Council
Terry Sajmonds, Crime Stoppers
Barry Wilkerson, Riley County Attorney
Kathy Porter, executive Assistant to the Judicial Authority
Daric Smith, Staff Attorney-Kansas Department Health and Environment

Others attending:

See attached list.

The hearing on **SB 6 - Sub for S 6 by Committee on Judiciary – Professional fund raisers; required disclosures** was opened.

Toni Wellshear, a member of the AARP Kansas Executive Council, appeared in support of the bill. She stated that with the wide use of computerized mailing lists, unscrupulous marketers and solicitors can target specific market segments for scams, questionable products and solicitations. Older people are often the targets of telemarketing solicitors that disguise their efforts as charitable when actually most of the money they collect is not distributed to the charity. (Attachment 1)

Senator Derek Schmidt, provided written testimony in support of the bill. (Attachment 2)

Douglas Tank, Individual provided written testimony giving actual experiences with scrupulous telephone solicitations. (Attachment 3)

The hearing on **SB 6-Sub for S 6** was closed.

The hearing on **SB 69 - Crime stoppers advisory council; Kansas crime stopper trust fund** was opened.

Melissa Doebelin, Staff Revisor, gave an overview of the bill.

Terry Sajmonds, appeared before the Committee on behalf of Crime Stoppers in support of the bill. He explained the intent of this bill is to establish an Advisory Council within the Attorney General's Office and create a State Coordinator/Executive Director position and provide some financial support. This would help strengthen the Kansas Crime Stoppers Association and help keep local programs going. (Attachment 4)

Kyle Smith, was in the audience, and based on his law enforcement experience, spoke in favor of the bill and stated the Crime Stoppers is a good program and the position and funds provided by this bill would give some continuity to the program since the program relies on individual and businesses in their community to donate funds to the program and is operated by volunteers.

K.C. Blodgett, Kansas- State Lodge-Fraternal Order of Police provided written testimony in support of the bill. (Attachment 5)

Barry Wilkerson, Riley County Attorney appeared on behalf of the Kansas County and District Attorneys

CONTINUATION SHEET

Minutes of the House Judiciary Committee at 3:30 p.m. on March 16, 2009, in Room 143-N of the Capitol.

Association (KCDA) as an opponent to the bill. He stated it is another diversion fee and these people should not be viewed as a revenue source for the state to create another oversight agency. He also does not believe that state oversight is needed of a local law enforcement function. (Attachment 6)

Kathy Porter, executive Assistant to the Judicial Authority appeared as neutral on the bill. Her concern is this will increase the duties of the district court clerks as they will be required to charge, collect, and account for the \$20 fee, on behalf of and to the credit of the Crime Stoppers Council. It is difficult to estimate with any degree of certainty how much revenue this bill would generate and the bill contemplates that the amount generated by each county be returned to that county, which would require reprogramming and accounting to accommodate the new funds. If this bill were enacted, the Office of Judicial Administration would request an amendment regarding the mechanics of the collection process. (Attachment 7)

The hearing on **SB 69** was closed.

The hearing on **SB 154 - Civil procedure, habeas corpus, infectious disease** was opened.

Daric Smith, Staff Attorney for the Kansas Department Health and Environment, testified as a proponent of the bill. He explained laws were enacted in 2005 to modernize the procedure for isolating and quarantining persons who are alleged to suffer from or have been exposed to infectious and contagious disease. This bill is a cleanup of a statute that was overlooked when the new isolation and quarantine statutes were adopted in 2005. (Attachment 8)

Judge James Vano, 10th Judicial District Court, Johnson County presented written testimony in support of the bill. (Attachment 9)

Randy Mettner, Executive Officer to the Adjutant General and Director of Homeland Security for Kansas submitted written testimony in support of the bill. (Attachment 10)

There were no opponents.

The hearing on **SB 154** was closed.

SB 61 - Prison-made goods act; additional authorization to contract for certain work projects.

Representative Watkins made the motion to report SB 61 favorably for passage. Representative Kleeb seconded the motion. Motion carried.

The next meeting is scheduled for March 17, 2009.

The meeting was adjourned at 4:30 p.m.