

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Senator Vratil at 9:34 a.m. on January 24, 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:

Senator Dwayne Umbarger
Kathy Porter, Office of Judicial Administration (OJA)
Janet Chubb, Office of Secretary of State
Trudy Racine, SRS
Charles Simmons, Secretary, Department of Corrections (DOC)
Ron Hein, legislative counsel for Prairie Band Potawatomi Nation

Others attending: see attached list

Bill Introductions:

Conferee Umbarger requested introduction of a bill which would require both persons who enter into common law marriage to be 18 years old or greater. (no attachment) Senator Umbarger moved to introduce the bill, Senator Schmidt seconded. Carried.

Conferee Porter requested introduction of five bills as follows: a bill to clarify procedure in certain real estate law; a bill to facilitate transfer of documents between the clerk of district court and the DOC; a bill that would allow courts in Johnson and Sedgwick Counties autonomy in requisitioning supplies, equipment, and services; a bill that makes eviction summonses compliant with rules or orders of the Supreme Court; and a language update and clarification bill governing the Supreme Court Nominating Commission. (attachment 1) Senator O'Connor moved to introduce the bills, Senator Umbarger seconded. Carried.

Conferee Chubb requested introduction of a bill which would duplicate changes in the rewritten corporate code in other business entity acts. (attachment 2) Senator Schmidt moved to introduce the bill, Senator Haley seconded. Carried.

Conferee Racine requested introduction of three bills as follows: a bill to add State Security Hospital to the definition of a criminal justice agency; a bill to simplify the process for recovering public-paid medical expenses from a recipient's estate; and a bill that would transfer certain persons at Larned State Hospital to a more appropriate setting. (attachment 3) Senator Goodwin moved to introduce the bills, Senator Donovan seconded. Carried.

SB 95-enacting the interstate compact for adult offenders supervision

Conferee Simmons discussed concerns regarding **SB 95** referring to his testimony last year on the interstate compact (copy included in his handout). He stated, however, that if the compact is adopted by 35 states, Kansas should also adopt it so it can be part of the mechanism for interstate supervision of offenders. (attachment 4) Discussion followed.

Senator Adkins provided written testimony supporting **SB 95**. (attachment 5)(see article: "Interstate compact for adult offender supervision", Corrections Policy Profiler, A Publication of the Council of State Governments, Spring 2000, Vol.2, No.1, pp. 1-3)

SB 383-amending the interlocal cooperation act

Conferee Hein testified in support of **SB 383**, a bill which he stated would provide for any of the four Kansas Native American Indian Tribes to contract with agencies or political subdivisions for the limited purposes of joint or cooperative programs. (attachment 6) As Chair of the Joint Committee on State-Tribal Relations, Senator Oleen commented on recommendations made by the Committee regarding this bill. (attachment 7) Discussion followed.

SB 384-concerning agreements with Native American Indian tribes

Conferee Hein testified in support of **SB 384**, a bill which would authorize the Governor to negotiate and execute agreements with Native American Indian Tribes on behalf of the State of Kansas. He stated that there are opposing opinions about whether the bill is necessary or not and explained his position. He offered an amendment to the bill which would establish a process for legislative review of Governor/Tribal agreements. (attachment 8) Senator Oleen briefed Committee on the history, structure and function of the joint committee and its recommendation on this bill.

Written testimony supporting **SB 383** and **SB 384** was submitted by Kickapoo in Kansas. (attachment 9)

The meeting adjourned at 10:28 a.m. The next meeting is January 28, 2002.