

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Ward Loyd at 1:30 p.m. on January 27, 2004 in Room 241-N of the Capitol.

All members were present except:
Rep. Dale Swenson - Absent

Committee staff present:
Jill Wolters, Revisor of Statutes Office
Jerry Ann Donaldson, Legislative Research Department
Nicoletta Buonasera, Legislative Research Department
Connie Burns, Committee Secretary

Conferees appearing before the committee:
Tim Madden, Legal Counsel Dept of Corrections
Rep. Mike O'Neal
Rose Rozmiarek, State Fire Marshals Office
Judge Karen Arnold-Burger
Debbie Riggs
Dan Mauer, Kansas Family Partnership
Shannon Trevino, Lenexa Police Dept.
Philip Bradley, KS Licensed Beverage Assoc.
Josh Hersh, Student Seaman High School

Others attending:
See Attached List.

Tim Madden, Legal Counsel Department of Corrections, appeared before the committee to request introduction of bills.

1. Sharing Crime Victim Notification Information (Attachment 1)
2. Traffic in Contraband to inmates of the DOC (Attachment 2)
3. Community Corrections Act (Attachment 3)

Vice chairperson Owens made the motion that his request should be introduced as a committee bill. Carter seconded the motion. The motion carried.

HB 2525 – Increasing severity levels on criminal use of explosives.

Chairman Loyd opened the hearing on **HB 2525**.

Representative Mike O'Neal appeared before the committee as a proponent of the bill.

Representative Mike O'Neal provided written testimony submitted by District Judge Steven R. Becker. He asked that the committee respectfully review the circumstances he described and consider elevating the severity level of such conduct. (Attachment 4)

Rose Rozmiarek, Kansas State Fire Marshal appeared before the committee as a proponent of the bill with proposed language amendment. The propose language amendment to bill to clarify other explosive devises that are being constructed and are very dangerous and destructive. (Attachment 5)

Chairman Loyd closed the hearing on **HB 2525**.

HB 2477 – Stalking when in possession of a firearm and in violation of a protection from stalking order is a severity level 8, person felony.

Chairman Loyd opened the hearing on **HB 2477**.

Representative Patricia Barbieri-Lightner appeared before the committee as a proponent of the bill. Proposed amendment was offered to change severity level 8 from 9 and 10 . The purpose of this increased penalty of stalking with a firearm is obviously to provide a greater protection for women and children. ([Attachment 6](#))

Stacey Mann, Kansas Coalition Against Sexual & Domestic Violence appeared before the committee in support of the bill and the amendment to include any weapon such as a knife, nightstick, or other implement used to intimidate or injure the victim. ([Attachment 7](#))

Written testimony from Sarah Jane Russell, Executive Director GaDuGi SafeCenter/RVSS in support of the bill. ([Attachment 8](#))

Chairman Loyd closed the hearing on **HB 2477**

SB 197 – Alcoholic beverage; furnishing to and consumption by persons under age 21.

HB 2319 – Unlawfully hosting minors consuming alcoholic liquor or cereal malt beverages.

Chairman Loyd opened the hearings on **SB 197** and **HB 2319**.

Karen Arnold-Burger, Presiding Judge, Overland Park Municipal Court, appeared before the committee in support of the bills. She felt this is an escalating problem. The current driver's license sanctions are a big eye opener for most teenagers. By providing enhanced driver's license penalties for multiple offenders, this body sends a message to kids that consequences for their behavior will escalate if they continue down the path they have started. ([Attachment 9](#))

Dan Mauer, Director of Communications and Public Policy Kansas Family Partnership, appeared before the committee as an proponent of the bill. He felt that updating driver's license penalties for youth with multiple MIP offenses, SB 197 will clearly link the behavior of underage drinking with the legal consequences of those actions thereby persuading them to make healthier decisions. ([Attachment 10](#))

Debbie Riggs, appeared before the committee in support of the bills. Having lost her son to underage drinking at a party that the parents were home, she wanted the current law changed to hold parents responsible for their action. ([Attachment 11](#))

Shannon Trevino, Police Officer, Lenexa Police Department, spoke in favor of the bill. In his line of work he felt that underage drinking is quite prevalent and a reoccurring problem. He felt that parents are hosting underage drinking parties and often are relying on the 3.2% beer statute to excuse them from providing alcoholic liquor to their children and friend's of their children. To repeal this exemption to the statute will help the health and well being of these children. ([Attachment 12](#))

Philip Bradley, Kansas Licensed Beverage Association, appeared before the committee to ask for exemption be given to holders of liquor licenses. In **SB 197** Section 1 subsection c & d, an exemption is give to holders of liquor licenses, it appears that this was inadvertently left out of the new Section 3. Section 1 subsection c & d, lines 24-37 on page one (1), be added to the new section 3 to apply to that section. With this language they would support the intent of SB 197. ([Attachment 13](#))

Terri Roberts, Kansas State Nurses Association, provided written testimony in support of **SB 197**. ([Attachment 14](#))

Josh Hersh, student from Seaman High School, appeared before the committee in support of the bill.

Chairman Loyd closed the hearing on **SB 197** and **HB 2319**.

HB 2319 when worked in 2003 was tabled.

Vice Chair Owens made the motion to remove **HB 2319** from the table. Representative Carter seconded the motion. The motion carried.

Chairman Loyd appointed a sub committee to review **SB 197** and **HB 2319**. Representative Yoder will chair with Representative Dillmore and Representative Goering on the sub committee.

The meeting was adjourned at 3:10 PM. The next scheduled meeting is on January 28, 2004.