

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:35 A.M. on February 20, 2007, in Room 123-S of the Capitol.

All members were present except:

Julia Lynn arrived, 9:37 A.M.
Barbara Allen arrived, 9:38 A.M.
Derek Schmidt arrived, 9:39 A.M.
Phil Journey arrived, 9:40 A.M.
David Haley arrived, 9:40 A.M.

Committee staff present:

Athena Anadaya, Kansas Legislative Research Department
Bruce Kinzie, Office of Revisor of Statutes
Nobuko Folmsbee, Office of Revisor of Statutes
Karen Clowers, Committee Assistant

Conferees appearing before the committee:

Kyle Smith, Deputy Director, Kansas Bureau of Investigation
Debra Billingsley, Executive Director, Kansas State Board of Pharmacy

Others attending:

See attached list.

Approval of Minutes

Senator Umbarger moved, Senator Goodwin seconded to approve the Committee minutes of January 30, 2007. Motion carried.

The hearing on **SB 270–Ephedrine and pseudoephedrine; purchase, sale; pharmacy log; prohibiting direct access by customers; immunity; statewide uniformity** was opened.

Kyle Smith appeared in support, describing the intent of the bill (Attachment 1). Mr. Smith indicated the bill will reconcile laws so state pharmacists and law enforcement will have one set of rules to follow. Mr. Smith explained several proposed friendly amendments with his testimony intended to simplify and clarify the bill.

Debra Billingsley testified in support, indicating enactment of this bill as it relates to pharmacies will be consistent with existing federal laws under which they currently operate (Attachment 2). Ms. Billingsley agreed with the proposed amendments by Kyle Smith.

There being no further conferees, the hearing on **SB 270** was closed.

The Chairman called for final action on **SB 203--Release prior to trial, appearance bonds; cash deposit required to equal amount of bond; court administrative fees prohibited**. The Chairman brought the committee's attention to information provided by Kathy Porter, a brief synopsis from a Performance Audit Report, May 1994 (Attachment 3). Senator Vratil indicated the committee would skip over **SB 203** while awaiting copies of a balloon amendment from Senator Journey.

The Chairman called for final action on **SB 237--Collection of certain specimens, probable cause determination**. The Chairman reviewed the bill, indicating he was not aware of any proposed amendments.

Senator Bruce moved, Senator Betts seconded, to table SB 237. Senator Journey made a substitute motion to refer SB 237 to an interim study. Senator Lynn seconded the motion. Motion carried.

The Chairman called for final action on **SB 253--Public offices of district and county attorney and district court judge; ineligibility to hold offices based on criminal record**. The Chairman reviewed the bill.

Senator Bruce moved, Senator Betts seconded, to table SB 253. Motion carried.

The Chairman called for final action on **SB 259--Secretary of state, corporations and partnerships**. The

CONTINUATION SHEET

MINUTES OF THE Senate Judiciary Committee at 9:35 A.M. on February 20, 2007, in Room 123-S of the Capitol.

Chairman reviewed the bill, indicating a proposed amendment by Melissa Wangeman, Secretary of State's Office, to page 6, line 29, after "nonpayment of taxes," to insert the language "or fees, or".

Senator Bruce moved, Senator Haley seconded, to adopt the amendment as described by Senator Vratil. Motion carried.

Senator Donovan moved, Senator Goodwin seconded, to recommend **SB 259**, as amended, favorably for passage. Motion carried.

The Chairman called for final action on **SB 269--Kansas code for care of children, service of process.** Senator Vratil reviewed the bill, indicating there were no know proposed amendments.

Senator Goodwin moved, Senator Schmidt seconded, to recommend **SB 269** favorably for passage. Motion carried.

The Chairman called for final action on **SB 184--Paying costs related to sexually violent predators** and distributed a balloon amendment proposed by Senator Reitz (Attachment 4). The Chairman invited Senator Reitz to explain his proposed amendment.

Senator Schmidt moved, Senator Umbarger seconded, to amend **SB 184** as proposed in the balloon amendment. Motion carried. Senators Journey and Haley voted "no" and requested their votes recorded.

Senator Haley moved, Senator Betts seconded, to make the bill effective on 1 July 2008. Motion failed.

Senator Schmidt moved, Senator Goodwin seconded, to recommend **SB 184**, as amended, favorably for passage. Motion carried.

The committee returned to final action on **SB 203--Release prior to trial, appearance bonds; cash deposit required to equal amount of bond; court administrative fees prohibited.** A proposed balloon amendment was distributed which would restore the current statutory language (Attachment 5).

Senator Umbarger moved, Senator Bruce seconded, to adopt the proposed amendment as reflected the balloon amendment. Motion carried.

Senator Journey moved, Senator Lynn seconded, to recommend **SB 203**, as amended, favorably for passage. Motion carried.

The Chairman reminded everyone that all bills must be out of committee and read into the Senate floor by February 24, 2007.

The meeting adjourned at 10:31 A.M. The next scheduled meeting is February 21, 2007.