

KPOA Weekly Legislative Report

February 8, 2008

Ed Klumpp, Legislative Committee Chair

Home: (785) 235-5619

Cell: (785) 640-1102

E-mail: eklumpp@cox.net

My activities for week of February 4-8:

- Monitored testimony in Senate Judiciary on SB46 reference defacing the serial number on a firearm. Changes it to a felony.
- Monitored testimony in Senate Judiciary on SB476 allowing arrest of a parole/probation violator upon verbal order of court services officer or parole officer.
- Monitored testimony on SB301 reference record expungement. **Amended at this meeting to allow the same reduction in time for low level felonies. Also amended to remove the proposed \$100 filing fee.**
- Attended yet another House Transportation Subcommittee meeting on SB294, graduated driver's license.
- Attended and provided written testimony to the Senate Judiciary in support of SB427 removing statute of limitations on certain sex offenses.
- Attended and provided written testimony to Senate Judiciary in support of SB477 concerning adding electronic solicitation to the offender registration.
- Monitored final action on SB430 changing severity level of Agg. Criminal Threat. **Recommended to pass.**
- Monitored testimony on HB2701 in House Judiciary regarding funding for Heart of America Forensic Laboratory.
- Monitored final action on HB2701 in House Judiciary regarding funding for Heart of America Forensic Laboratory. **Recommended to pass and placed on consent calendar.** It should pass the House next week without floor debate.
- Attended and participated in the Joint Law Enforcement Legislative Conference and the legislative reception.
- Submitted written testimony to the Senate Judiciary in support of SB482 reference in custody treatment of certain 3rd time drug possession offenders. (Did not testify in person due to commitments at legislative conference.)
- Submitted written testimony to the Senate Judiciary in support of SB483 reference in custody treatment of certain offenders under supervision who commit condition violation of substance abuse.
- Testified to the Senate Judiciary in support of SB484 reference in custody treatment of 3rd time DUI offenders. NOTE: Verbal testimony was directed to package of bills, including this one, attempting to address multiple offenders currently not receiving incarceration and also designed to reduce use of local jails.
- Monitored and responded to many questions at the House Judiciary on HB2617 reference DUI testing. Committee voted to recommend to pass.
- Met with various legislators on a variety of bills and potential amendments.

Hearings of LE Interest scheduled for February 4-8:

I don't propose we testify on all of these, but I will if I hear from you that we should. Currently awaiting response from legislative committee regarding my recommended action.

- Senate Judiciary
 - Monday, February 11:
 - [SB495](#)—Restricting transfer of offenders to DOC with 10 days or less left to serve. I do not plan to testify.
 - Thursday, February 14
 - [SB 536](#)—Concerning local residency restrictions on registered offenders. I do not plan to testify.
- House Federal and State Affairs Committee
 - Wednesday, February 13
 - [HB2602](#)—Creating crime of pregnant woman using illegal drugs. I do not plan to testify.
- House Transportation Committee
 - Wednesday, February 13
 - [HB2709](#) Micro utility trucks. I do not plan to testify.
- House Judiciary
 - Monday, February 11
 - [HB 2707](#) – Theft of rental/lease vehicles. I do not plan to testify.
 - Tuesday, February 12
 - [HB 2731](#) – More detailed presentence report required when considering sentencing departure. I do plan to testify.
 - [HB 2732](#) – Limiting courts ability to depart for certain serious felonies and certain repeat offenders. I do plan to testify.
 - Wednesday, February 13
 - [HB 2726](#) – Forbidding asking or requiring polygraph on sex crime victims. I plan to testify.
 - [HB 2727](#) – Sexual assault testing. I plan to testify.
- House Health and Human Services Committee
 - Tuesday, February 12
 - [HB2650](#) – Add salvia divinorum to schedule I drugs.
- Senate Health Care Strategies Committee
 - Monday, February 11
 - [SB556](#) – Medical marijuana. Will testify in opposition.
- Senate Financial Institutions and Insurance Committee
 - Thursday, February 14
 - [SB463](#) – Self insured vehicle liability must cover underinsured and uninsured motorists. I do not plan to testify.
- House Energy and Utilities
 - Wednesday, February 13
 - [HB2692](#) – Add stainless steel to scrap metal registry. I do not plan to testify.

Other Committee action scheduled for February 4-8:

- Senate Judiciary Committee

- Monday, Feb 11 – Final action, no testimony on:
 - [SB476](#) Arrest of person on parole/probation upon verbal order of probation/parole officer. - Final action (no testimony).
 - [SB477](#) Adding offenders of electronic solicitation to offender registry.
 - [SB479](#) Lifetime supervision for persons released from life sentence.
- Senate Federal and State Affairs Committee
 - Wednesday, February 13 – Final action, no testimony, on:
 - [SB512](#) EMS attendant certificate requirements
 - [SB513](#) EMS fingerprinting and criminal history check
 - [SB514](#) EMS Authority to grant exemptions to rules and regs.
- Senate Public Health and Welfare Committee
 - Wednesday, February 13 – Final action on [SB491](#) prescription monitoring act.

New Bills Introduced Since My Last Update With Any Potential Impact on LE

- Please notify me if I have missed one you think should be on this list.
- Just because they are on the list doesn't mean I think we should support, oppose, or give testimony on these bills. I base that more on feedback from all of you. I will let you know if I think we should or shouldn't—but again the decision will be based on your feedback.
- The items in **bold** are bills I recommend we be directly involved with, including written or verbal testimony.

[SB 536](#), An act concerning the Kansas offender registration act; prohibition from adopting and enforcing residency restrictions; amending K.S.A. 22-4913.

[SB 543](#), An act clarifying residency for the purpose of vehicle registration; amending K.S.A. 8-1,138 and K.S.A 2007 Supp. 8-129.

[SB 551](#), An act reducing the mandatory time of imprisonment for driving while suspended to 30 days where it is now 90 days; amending K.S.A. 2007 Supp. 8-262.

[SB 552](#), An act prohibiting the confiscation or seizure of firearms during an emergency and removing the sale of firearms as a provision the governor may impose in time of emergency; amending K.S.A. 48-925.

[SB 556](#), An act establishing the medical marijuana defense act.

[SB 581](#), An act adding a violation of KSA 41-727, minor consuming alcohol from the Kansas juvenile justice code; amending K.S.A. 2007 Supp. 38-2302. If I understand this correctly, this violation, when committed by a 14-17 year old, would be prosecuted through adult courts if this becomes law.

[SB 582](#), A technical amendment to the law on interlock devices after DUI convictions. Also adds provision to allow a city to enact an ordinance to prosecute a DUI case that otherwise would be a felony but when prosecution is declined by the state.

[SB 583](#), An act which will add to sexual exploitation of a child having a temporary internet file depicting child pornography on a computer even if the person operating the computer at the time doesn't know it was placed there.; amending K.S.A. 21-3516.

[HB 2755](#), An act to allow holders of a class C license to drive class A and B vehicles if they are registered as a farm vehicle.; amending K.S.A. 8-234b.

[HB 2756](#), An act changing fines in road construction zones to double plus \$250; amending K.S.A. 8-2004 and K.S.A. 2007 Supp. 8-2118.

[HB 2770](#), An act creating a \$20 photo fee for driver's licenses; amending K.S.A. 2007 Supp. 8-243, 8-299 and 8-1324.

[HB 2793](#), An act mandating all law enforcement agencies establish written policies, including a specified list of topics, on dealing with the mentally ill.

GENERAL NOTES:

- The US Senate Judiciary Committee is holding hearings on February 12 at 2 PM (EST) to examine federal cocaine sentencing laws, focusing on reforming the 100-to-1 crack/powder disparity.
- I requested the EMS people to consider adding a provision for a small fee to LE for taking the fingerprints for their licensing proposal.
- Anticipated legislation:
 - We still expect two racial profiling related bills to be filed within the next week or so. One developed by the task force and one by Sen. Betts.
 - There will be a bill filed attempting to address the auto theft problem. I have been working with the AG's office and with Rep. Patton on this issue. There will also be a parallel bill introduced in the Senate.
 - I expect a bill to be introduced next week proposing a state benefit for permanently and totally disabled officers and officers killed in the line of duty. The KSA, KPOA, and KACP have been working together on this one.
- **Wednesday, February 13, 10 AM-Noon - Retiree rally on first floor, north wing of capital in support of COLA for KPERS/KPF retirees.**