

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Mike O'Neal at 3:30 P.M. on January 18, 2007 in Room 313-S of the Capitol.

All members were present except:

Ben Hodge- excused
Kevin Yoder- excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research
Athena Andaya, Kansas Legislative Research
Jill Wolters, Office of Revisor of Statutes
Duston Slinkard, Office of Revisor of Statutes
Cindy O'Neal, Committee Assistant

Conferees appearing before the committee:

Representative Steve Brunk
Becky Gaughan, individual
Darren, Terri & Andrea Brooks
Beatrice Swoopes, Kansas Catholic Conference
Jeanne Gawdun, Kansans For Life
Senator Phil Journey

Representative Watkins requested a bill on behalf of Representative Wilk regarding counties enforcement of county codes and resolutions. He made the motion to have the bill introduced as a committee bill. Representative Proehl seconded the motion. The motion carried.

Representative Kinzer requested a bill relating to construction contracts. He made the motion to have the bill introduced as a committee bill. Representative Watkins seconded the motion. The motion carried.

Representative Ward requested two bill introductions:

- municipal courts enforcement of judgements
- blight regulations

He made the motion to have his requests introduced as committee bills. Representative Owens seconded the motion. The motion carried.

The hearing on **HB 2006 - Alexa's law; crimes against an unborn child**, was opened.

Representative Steve Brunk appeared as the sponsor of the proposed bill. He explained that it defines an unborn child as a person for use in the criminal code. The bill would not apply to any acts committed by the mother of an unborn child, such as any medical procedure performed by a licensed medical professional, including abortion. (Attachment 1)

Becky Gaughan, individual, relayed her story of losing her unborn child in an automobile accident in 1994 and how it affected her life. (Attachment 2)

Darren, Terri & Andrea Brooks spoke about Chelsi & Alexa, her unborn child, being kidnaped and murdered in 2006 and how mortified they were to find out that the alleged murders could only be charged with one murder instead of two. (Attachment 3)

Beatrice Swoopes, Kansas Catholic Conference, supported the proposed bill. This bill offers the opportunity to protect both the pregnant woman and her unborn child from violent assaults and murder. (Attachment 4)

Jeanne Gawdun, Kansans For Life, appeared as a proponent of the bill. The American legal system has a double standard on the significance and legal nature of the unborn child. Inheritance, insurance rights, certain wrongful death lawsuits and child custody orders already accommodate the unborn child. She provided information on other states and their fetal homicide laws. (Attachment 5)

Senator Phil Journey reminded the committee that the intent of the bill was to allow for the criminal

CONTINUATION SHEET

MINUTES OF THE House Judiciary Committee at 3:30 P.M. on January 18, 2007 in Room 313-S of the Capitol.

prosecution if an unborn child is murdered. The bill does not address the viability of life issue. (Attachment 6)

Written testimony was provided by Kansas Coalition Against Sexual & Domestic Violence & Right to Life of Kansas. Both of which had concerns with the proposed bill. (Attachments 7 & 8)

The hearing on **HB 2006** was closed.

The committee meeting adjourned at 5:00 p.m. The next meeting was scheduled for January 22, 2007.