

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Mike O'Neal at 3:30 P.M. on January 31, 2008 in Room 313-S of the Capitol.

All members were present except:  
Annie Kuether- excused

Committee staff present:  
Jerry Ann Donaldson, Kansas Legislative Research  
Athena Andaya, Kansas Legislative Research  
Jill Wolters, Office of Revisor of Statutes  
Jason Thompson, Office of Revisor of Statutes  
Cindy O'Neal, Committee Assistant

Tim Madden, Kansas Department of Corrections, appeared before the committee to request the introduction of a committee bill regarding the aiding escape, theft and prima facie evidence of intent to permanently deprive. Representative Owens made the motion to have the request introduced as a committee bill. Representative Colloton seconded the motion. The motion carried.

**HB 2617 - mandatory implied consent for serious & fatality accidents**

Chairman O'Neal announced that he intends to work the proposed bill. However, the issue became complicated with a proposed balloon amendment on the procedures of blood draws that law enforcement and the hospital association provided. (Attachment #1)

Chairman O'Neal stated he had concern that the blood draw is broader than what the proposed bill suggests. The proper place to put the proposed blood draw language is in Chapter 65, which has other parts of law involving blood draw, health care and other types of facility.

Committee members commented that the balloon seems to suggest that there is not implied consent for the blood draw which is the primary reason for the bill.

Chairman announced he would not work the bill today. He encouraged the individuals working on the balloon to involve Jill Wolters, the revisor, and any other committee members.

The committee meeting adjourned at 4:15p.m. The next meeting was scheduled for February 4, 2008.