

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson John Barker at 3:30 pm on Tuesday, February 16, 2016, 112-N of the Capitol.

All members were present except:

Representative Mark Kahrs – Excused

Committee staff present:

Robert Gallimore, Legislative Research Department

Jason Thompson, Office of Revisor of Statutes

Jenna Seematter, Office of Revisor of Statutes

Lauren Douglass, Legislative Research Department

Connie Bahner, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Mike O'Neal, Kansas Chamber

Matthew Keenan, Supreme Court Nominating Commission

Lynn Johnson, Kansas Association for Justice

Kathy Ostrowski, Kansans for Life

Others in attendance:

[See Attached List](#)

Chairperson Barker recognized Joe Molina on behalf of the Kansas Bar Association. Mr. Molina advised that he wants to withdraw the bill introduced in this Committee earlier this year relating to the Kansas General Corporation Code. Seeing no objection, Chairperson Barker withdrew that bill request.

Hearing on: HCR5013 — Constitutional amendment revising article 3, relating to the judiciary; placing the court of appeals into the constitution; changing the membership of the supreme court nominating commission.

Chairperson Barker opened the hearing on **HCR5013**. Jason Thompson, Revisor, gave an overview of the bill. Each member should have a copy of a memorandum he prepared which explains the proposed changes to Article 3 of the Constitution ([Attachment 1](#)). Also attached to the memorandum is the current Article 3. Questions were asked by Chairperson Barker, Representatives John Whitmer, Charles Macheers, and Stephen Alford.

Chairperson Barker recognized Mike O'Neal, of the Kansas Chamber as a proponent of **HCR5013** ([Attachment 2](#)). Questions were asked by Representatives Craig McPherson, John Carmichael, Erin Davis, and James Todd.

Chairperson Barker then recognized Matthew Keenan, of the Supreme Court Nomination Commission as an opponent of **HCR5013** ([Attachment 3](#)). Questions were asked by Chairperson Barker and

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 3:30 pm on Tuesday, February 16, 2016 in Room 112-N of the Capitol.

Representatives John Whitmer and Kyle Hoffman.

Lynn Johnson, of the Kansas Association for Justice, testified as an opponent of **HCR5013** ([Attachment 4](#)). Questions were asked by Representative Leslie Osterman and Chairperson Barker.

Kathy Ostrowski, Kansans for Life, testified as an opponent on the bill ([Attachment 5](#)). Questions were asked by Representatives Craig McPherson, John Carmichael, and Annie Kuether.

Chairperson Barker then allowed Representative James Todd to ask additional questions of Matthew Keenan.

Chairperson Barker noted that there is written testimony in opposition to **HCR5013** by Representative John Carmichael ([Attachment 6](#)); Holly Dyer, Wichita Bar Association ([Attachment 7](#)); Natalie Haag of the Kansas Bar Association ([Attachment 8](#)); Nathan Leadstrom, Kansas Association of Defense Counsel ([Attachment 9](#)); Chief Judges Michael Powers and Daniel Creitz ([Attachment 10](#)); and Tom Krebs of the Kansas Association of School Boards ([Attachment 11](#)).

Chairperson Barker also noted that there is written neutral testimony from Attorney General Derek Schmidt ([Attachment 12](#)).

Chairperson Barker stated that he will leave this hearing open to allow Professor Steve Ware to appear and testify since he had a conflict with today's hearing and could not be here.

There being no further business, Chairperson Barker adjourned the meeting at 4:45 p.m.