

House Judiciary Committee Meeting  
Monday, March 18, 1963

The House Judiciary Committee met Monday, March 18, 1963, in Room 523 at 7:00 P.M. with Chairman Clyde Hill presiding. Fourteen members were present. Members Briggs, Crossan, Krug, Smith, Tillotson and Williams were absent. Charles V. Hamm, General Counsel, State Board of Social Welfare, and Dr. Robert A. Haines, Director of Institutions of Social Welfare, were present concerning House Bills 342, 346, 347 and 348.

Chairman Hill called the meeting to order.

The committee continued its hearing concerning House Bills 342, 346, 347 and 348. Charles V. Hamm, General Counsel, State Board of Social Welfare, and Dr. Robert A. Haines, Director of Institutions of Social Welfare, spoke concerning these bills.

Mr. Liebert moved that House Bill No. 137, an act relating to and regulating the production and sale of crude oil, prescribing certain powers, duties and jurisdiction, amending section 55-606 of the General Statutes of 1949, and repealing said original section, be reported adversely. Mr. Van Cleave seconded. Chairman Hill asked for any discussion. There was none. Motion carried unanimously.

Mr. Griffith moved that House Bill No. 237, an act relating to the probate courts, and the dispensation and waiver of regular administration of the estate of deceased persons who were wards or beneficiaries under guardianship, conservator or personal representative proceedings; providing for the disposition of estates in the hands of a guardian, conservator or personal representative when the assets of the estate are nominal, and providing a procedure for application for such dispensation through the probate court of the county having jurisdiction, be reported adversely. Mr. Van Cleave seconded. Chairman Hill asked for any discussion. There was none. Motion carried unanimously.

Mr. Skoog moved that House Bill No. 297, an act concerning appeals to the supreme court; providing for requirements for stay of execution; amending section 60-3322 of the General Statutes of 1949, and repealing said original section, be reported adversely. Mr. Van Cleave seconded. Chairman Hill asked for any discussion. There was none. Motion carried unanimously.

Mr. Skoog moved that House Bill No. 341, an act relating to the office of secretary of state; and pertaining to the compensation of assistants, deputies and other employees, amending section 75-3105 of the General Statutes Supplement of 1961, and repealing said original section, be amended in Section 1, line 15, by inserting after the comma after the word "law" the following: "who shall be in the unclassified service under the Kansas civil service act," and by striking the word "who", line 15, and by striking all of line 16 and by striking the word "act" in line 17 and that the bill be reported favorably for passage as amended. Mr. Davis seconded. Chairman Hill asked for any discussion. There

was none. Motion carried unanimously.

Mr. Euler moved that House Bill No. 387, an act relating to counties and county officers, requiring peddlers to pay certain county taxes; amending section 19-2205 of the General Statutes of 1949, and repealing said original section, be reported adversely. Mr. Liebert seconded. Chairman Hill asked for any discussion. There was none. Motion carried unanimously.

Mr. Skoog moved that House Bill No. 411, an act relating to the names of corporations organized in this state, be amended in Section 1 by striking out all of lines 2, 3 and 4 and that the bill be reported favorably for passage as amended. Mr. Liebert seconded. Chairman Hill asked for any discussion. There was none. Motion carried unanimously.

Mr. Skoog moved that House Bill No. 412, an act relating to foreign corporations; pertaining to application to engage in business in this state; and to service of process; amending section 17-501 of the General Statutes Supplement of 1961, and repealing said original section, be reported favorably for passage. Mr. Gardner seconded. Chairman Hill asked for any discussion. There was none. Motion carried unanimously.

Mr. Griffith moved that House Bill No. 413, an act relating to corporations; pertaining to reservation of names and providing a procedure therefor; and for the transfer thereof and prescribing fees in connection therewith, be amended in Section 1, line 21, by inserting after the word "of" the word "twenty-" and by striking the figure "5" and making it "25" and that the bill be reported favorably for passage as amended. Mr. Skoog seconded. Chairman Hill asked for any discussion. There was none. Motion carried unanimously.

Mr. Skoog moved that House Bill No. 141, an act relating to taxation; to provide for the apportionment of certain taxes imposed upon estates of decedents and taxes imposed as death duties or inheritance taxes; and to enact the uniform estate tax apportionment act, be reported adversely. Mr. Liebert seconded. Chairman Hill asked for any discussion. There was none. Motion carried unanimously.

Mr. Davis moved that House Bill No. 286, an act concerning actions for wrongful death; removing the limitations on damages therein, amending section 60-3203 of the General Statutes Supplement of 1961, and repealing said original section, be reported adversely. Mr. Van Cleave seconded. Chairman Hill asked for any discussion. There was none. Motion carried unanimously.

Mr. Skoog moved that House Bill No. 386, an act providing for changing the name of city courts in certain counties to magistrate courts of such counties, providing for divisions and judges thereof; pertaining to their jurisdiction and officers; prescribing bonds, oaths, salaries, powers and duties; providing for elections; appeals and recognizances; amending sections 20-2108, 20-2110, 20-2111, 20-2112, 20-2113, 20-2117 and 20-2121 of the General Statutes of 1949, and sections 20-2101, 20-2102, 20-2103, 20-2105, 20-2107 and 20-2109 of the General Statutes Supplement of 1961, and repealing said original sections, and also repealing section 20-2118 of the General Statutes of 1949, be reported adversely. Mr. Liebert seconded. Chairman Hill asked for any discussion. There was none. Motion carried unanimously.

Mr. Skoog moved that Senate Bill No. 103, an act relating to the estates of absentees; conferring jurisdiction on probate courts to administer the property within the state of any person who has disappeared and remains unheard from by the persons most likely to hear from him; defining the term "absentee"; providing for the appointment of trustees and prescribing the powers, duties and liabilities of trustees so appointed; declaring that an absentee shall be presumed to be dead for the purpose of the act if he shall remain unheard from for a period of not less than seven years; providing for the administration of the estate of an absentee presumed dead; providing for the conservancy of an estate of an absentee who is not presumed to be dead; prescribing a procedure as to the administration of an absentee's estate pending at the time this act takes effect; declaring said act to be a part of and supplemental to the Kansas probate code, be reported favorably for passage. Mr. Gardner seconded. Chairman Hill asked for any discussion. There was none. Motion carried unanimously.

Mr. Liebert moved that Senate Bill No. 232, an act relating to criminal procedure; pertaining to arraignment and other proceedings before and after trial; amending section 62-1304 of the General Statutes Supplement of 1961, and repealing said original section, be amended in Section 1, line 42, by inserting the word "reasonable" after the article "a" and by striking all of line 42 after the word "fee" and by striking in line 43 the words "per day" and by inserting in line 43 a comma after the word "services" and by striking the words "Such fee" and inserting in lieu thereof the word "which" and by striking the word "approved" and inserting in lieu thereof the word "set", line 43, and that the bill be reported favorably for passage as amended. Mr. Griffith seconded. Chairman Hill asked for any discussion. There was none. Motion carried unanimously.

Mr. Skoog moved that Senate Bill No. 373, an act relating to the state zoning area in Topeka, and providing a procedure for change in zoning; amending section 75-3620 of the General Statutes Supplement of 1961, and repealing said original section, be reported favorably for passage. Mr. Liebert seconded. Chairman Hill asked for any dis-

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cussion. There was none. Motion carried unanimously.

The meeting adjourned at 10:30 P.M. The next regular meeting will be Tuesday, March 19, 1963, at 8:30 A.M. in Room 529. At this time, the committee will hear the proponents concerning Senate Bill No. 343.

Respectfully submitted,  
Clyde Hill, Chairman

Minutes approved: