

House Judiciary Committee Meeting
Tuesday Morning, February 23, 1965

The House Judiciary Committee met Tuesday, February 23, 1965, in Room 523 at 9:00 A.M. with Chairman Jack R. Euler presiding. Sixteen members were present. Members Bell, Davis, Foster, Hill and Howard were absent.

Chairman Euler called the meeting to order. He presented the following amendments to House Bill No. 584, an act concerning state fire inspection and investigation of incendiary origin; relating to protection from prosecution where testimony is compelled; amending existing K.S.A. 31-203 and repealing said existing section: on page 1, line 12 by deleting the words "or said fire marshal or deputy fire marshal or county"; on page 1, by deleting all of lines 13 through 20 inclusive; on page 1, by deleting "fire;", line 21; on page 1, line 21 by striking the word "may" and inserting in lieu thereof the word "shall"; on page 1, line 22 by deleting the words "constable or" and also by inserting the words "appointed by the officer issuing such subpoena to make such service" after the word "person" and before the word "and"; on page 2, by deleting all of lines 13 through 15 inclusive and on page 2, by deleting "put to them.", line 16. Mr. Griffith moved that the committee adopt the amendments to House Bill No. 584 as presented by Chairman Euler. Mr. Gray seconded the motion. Chairman Euler asked for any discussion or questions. There were none. The motion carried unanimously.

Mr. Griffith moved that the committee report House Bill No. 584 favorably for passage as amended. Mr. Gray seconded the motion. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

The committee then considered House Bill No. 544, an act concerning the jurisdiction of certain justices of the peace; amending existing K.S.A. 61-101 and 62-201 and repealing said existing sections. Mr. Griffith asked how many counties this would affect. Mr. Euler stated that Wyandotte County is the county most seriously affected. Mr. Gray moved that House Bill No. 544 be reported favorably for passage. Mr. Rogers seconded the motion. Chairman Euler asked for any discussion. Mr. Van Cleave stated that this should be amended to permit the justices now in office to serve out their elected term. There was a great deal of discussion in this regard. It was suggested that this may put an added burden on the people in regard to fines, etc. Mr. Tillotson made a substitute motion to amend House Bill No. 544 on page 1, line 10 by striking the word and figures "July 1, 1965" and inserting in lieu thereof the word and figures "January 9, 1967"; and on page 3, line 7 by inserting the words and figures "January 9, 1967, and" before the word "its".

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Mr. Van Cleave seconded the substitute motion. Chairman Euler asked for further discussion. There was none. Six members of the committee were in favor of the substitute motion and four opposed. The substitute motion carried.

Mr. Rogers moved that House Bill No. 544 be reported favorably for passage as amended. Mr. Griffith seconded the motion. Chairman Euler called for any discussion. There was none. Eight members of the committee were in favor of the motion and none opposed. The motion carried.

Representative Cain, Montgomery County, explained the background behind House Bill No. 652, an act relating to crimes and offenses; pertaining to embezzlement and prescribing penalties; amending existing K.S.A. 21-545 and repealing said existing section. He cited a case from his county in regard to this and stated that this bill would protect the people further from such cases. The committee discussed the bill in general. Mr. Wilcox asked if the study of Chapter 21 by the Judicial Council is a procedural one or one of penalties and punishments. He was told that this study is procedural only.

The meeting adjourned at 9:50 A.M. The committee will meet again at 3:00 P.M. Tuesday, February 23, 1965, in Room 523. At this time, they will start their consideration of the Act for Obtaining a "Guardian" or "Conservator".

Respectfully submitted,
Jack R. Euler
Chairman

Minutes approved:

