

House Judiciary Committee Meeting
Tuesday Afternoon, February 23, 1965

The House Judiciary Committee met Tuesday afternoon, February 23, 1965, in Room 523 at 3:00 P.M. with Chairman Jack R. Euler presiding. Thirteen members were present. Members Amrein, Fatzer, Griffith, Hill, Roberts, Tillotson, Van Cleave and Woodworth were absent.

Chairman Euler called the meeting to order.

The committee discussed a proposed bill in regard to providing for venue and placement where property was taken. Mr. Rogers moved that the committee introduce a bill in this regard and have it sent back to the committee. Mr. Sargent seconded the motion. Chairman Euler asked for any questions or discussion. There was none. The motion carried unanimously.

The committee then began its consideration of the Act for Obtaining a "Guardian" or "Conservator".

Section 1. No questions.

Section 2. A question was raised in regard to a possible conflict between the definition of an "incapacitated person" and the definition of a "mentally ill person".

Section 2. Subsection 3. Are there any problems raised here if the father of an illegitimate minor has been recognized by adjudication?

Section 3. Mr. Davis asked if the word "his", line 3, refers to both sexes.

There was a great deal of discussion and concern in regard to whether a natural guardian should be allowed to dispose of the estate of a minor without the consent of the probate court. It was suggested that the amount of \$2,000 be reduced to \$1,000.

Section 4. It was suggested that the word "nominate", line 2 and line 7, be changed to "designate".

Section 5. No questions.

Section 6. No questions.

Section 7. "Neither is", line 2, should read "is neither".

Section 8. No questions.

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Section 9. It was questioned whether this provision for notice should be broader. A question was also raised in regard to whether the written statement of a "physician" is taken as evidence.

The meeting adjourned at 4:00 P.M. The committee will resume its consideration of the Act for Obtaining a "Guardian" or "Conservator" at 8:30 A.M. Wednesday, February 24, 1965, in Room 523.

Respectfully submitted,
Jack R. Euler
Chairman

Minutes approved:

A handwritten signature in cursive script, reading "Jack R. Euler". The signature is written in dark ink and is positioned to the right of the printed text "Minutes approved:". The signature is written over a vertical line that runs down the page.

AN ACT relating to certain civil actions; providing for the venue of, and issuance and service of process in, such actions.

Be it enacted by the Legislature of the State of Kansas:

Section 1. An action arising from any taking or appropriation, or to enjoin any taking or appropriation, of private or public property, or of any of the rights appertaining thereto, which taking or appropriation was without the exercise of the right of eminent domain, by a public or private corporation, body corporate or body politic, possessing the right of eminent domain under the laws of this state, may be brought in the county in which the property or the rights appertaining thereto is situated at the time of the taking or appropriation thereof. Any such action now pending may at the discretion of the court in which it is now pending, be transferred to the corresponding court in the county where the property or rights are situated. Notwithstanding any other law to the contrary, summons in any such action may be issued by the court and directed to and served by the sheriff of any county wherein the defendant may be found. This act shall create no new rights or causes of action and shall be construed as designating venue for such actions only. This act shall not be construed as waiving any existing sovereign immunity. This act shall be and shall be construed as supplemental to and a part of the code of civil procedure.

Sec. 2. This act shall take effect and be in force from and after July 1, 1965 and its publication in the statute book.