

House Judiciary Committee Meeting  
Tuesday, March 9, 1965

The House Judiciary Committee met Tuesday, March 9, 1965, in Room 523 at 8:45 A.M. with Chairman Jack R. Euler presiding. Seventeen members were present. Members Amrein, Davis, Fatzer and Hill were absent.

Chairman Euler called the meeting to order.

Mr. Cram explained House Bill No. 842, an act relating to fees of registers of deeds and prescribing certain duties in connection therewith; amending existing K.S.A. 28-115 and repealing said existing section. This bill merely provides that the register of deeds shall plainly print or type the name or names of the signers of the instrument under the signature affixed. Mr. Howard suggested that this be clarified by specifying "at the time of signing".

Mr. Harder explained House Bill No. 747, an act relating to jurors; directing payment of wages by employers to certain wage earners serving as jurors and providing method of collection by employee. This bill provides that the employer shall pay the difference between the daily fee of such juror and his average daily wage. He pointed out that it is important not to penalize them in carrying out this responsibility. Representative Harder then introduced J. R. Schafer, Topeka, who spoke briefly concerning this bill. He stated that many companies already do this, but some don't. He felt it is hard for the juror to be unbiased if he has this loss of pay on his mind. Mr. Bell pointed out that some employers receive no compensation or service if the employee isn't on the job. Mr. Harder suggested that possibly an exception could be made for concerns consisting of only two, three or four employees. Mr. Woodworth asked if it wouldn't be more reasonable to raise the pay of the jurors. Chairman Euler pointed out that this is a citizen's responsibility and with it goes a certain amount of sacrifice. Mr. Harder stated that if it involves two, three or four weeks, this presents another type hardship and then there are still some who do get paid. He stated that they wouldn't object to making it

very specific by adding "be impaneled and serving on the jury at that time" or similar language. Chairman Euler asked if there were any further questions. Mr. Rogers asked if they really feel that the litigants actually suffer because they want to speed up things. Mr. Harder stated that this was Mr. Schaffer's feeling. Chairman Euler asked for any further questions. There were none.

Mr. Rogers then introduced the group sitting in on the committee meeting. They are all taking the farmers short course at Kansas State University.

Mr. Wilcox moved that the committee introduce as committee bills, having them referred back to the committee, the 43 amendatory acts to the mental illness bills. These are nomenclature in subject. Mr. Rogers seconded the motion, Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Representative Teter explained the background concerning House Bill No. 678, an act relating to public schools; providing for the delegation of parental authority to teachers and principals in certain instances; permitting corporal punishment under certain conditions; prohibiting assault on teachers and principals and providing penalty therefor. He went on to state that this bill does not take away any parental authority. Mr. Teter received one letter in opposition to this bill and many in favor of it. Chairman Euler asked if there is any existing statutory law in this regard. Mr. Teter said that there is not. Mr. Tillotson asked how many cases Mr. Teter has heard of where a teacher has been charged with assault. Mr. Teter said that there have been some and that this is enough to put the teachers on their guard and hesitate to punish. Mr. Woodworth asked if it would help the situation any if this bill provided for elementary schools only. Mr. Teter said that this would be fine as good training in the formative years is enough. It was pointed out that the word "parson", line 1, should be "person".

Mr. Bell explained House Bill No. 824, an act relating to the distribution of copies of statutes books known as "Kansas Statutes Annotated." This bill merely provides that any county having a deputy county attorney shall be provided with one set of the Kansas Statutes Annotated per deputy. Mr. Griffith pointed out that in most counties, one set of statute books is usually sufficient, but where you do have deputies, this bill is necessary to provide for additional statute books. There was some discussion by the members of the committee in this regard.

The committee then heard Representative Graham in regard to House Bill No. 806, an act concerning crimes and punishments; prohibiting the practice of "glue sniffing" and prescribing the penalty therefor. She stated that glue sniffing is becoming a problem and that she introduced this bill at the request of the Sedgwick County sheriff. She explained the background in regard to this bill and pointed out the need for this type of legislation. Mr. Barnhill asked if this practice has resulted in some fatalities. Mrs. Graham said she believed it had. Mr. Turner asked if this is habit forming. Mrs. Graham said she had no idea. Mr. Bell made reference to the word "somnifacient", line 2 and asked what this meant. Mrs. Graham replied sleepy or drugged. There were a great deal of questions and discussion by the members of the committee in regard to this proposed law. Mr. Griffith pointed out that if an arrest were made, the practice would be sharply curtailed.

Mrs. Graham then explained House Bill No. 776, an act relating to certain drugs; prescribing penalties for certain violations concerning such drugs; amending existing K.S.A. 65-2607 and repealing said existing section. This bill increases the penalty for selling drugs. There was a great deal of discussion and objection to this proposed law. It was pointed out that in its present form it would affect more people than intended. Mrs. Graham stated that she would not object to an amendment which would make this applicable only to the pusher.

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Representative Loux explained House Bill No. 812, an act relating to lotteries; and defining the word "consideration"; amending existing K.S.A. 21-1506 and repealing said existing section. There was a great deal of discussion in regard to this bill. Mr. Barnhill suggested that the committee obtain an opinion from the attorney general as to the constitutionality of this proposed law.

Mr. Gray moved that House Bill No. 678 be reported adversely. Mr. Howard seconded. Chairman Euler asked for any discussion. Mr. Rogers pointed out that the teachers in the school system feel they are in real danger if they take any action in disciplining the children. Nine members of the committee were in favor of the motion and five opposed. The motion carried.

Mr. Coldsnow moved that House Bill No. 747 be reported adversely. Mr. Turner seconded. Chairman Euler asked for any discussion. Mr. Griffith pointed out that there is a real problem here and that if the committee is going to kill the bill, then serious consideration should be given to making a study in regard to increasing the juror's fees. The motion carried unanimously.

Mr. Griffith moved that a subcommittee be appointed to clean up House Bill No. 776. Mr. Barnhill seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Coldsnow moved that House Bill No. 806 be reported adversely. Mr. Howard seconded. Mr. Griffith suggested that this bill be worked on. Nine members of the committee were in favor of the motion and five opposed. The motion carried.

Mr. Griffith moved that House Bill No. 686, an act relating to actions for wrongful death, pertaining to the amount of damages, amending existing K.S.A. 60-1903 and repealing

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said existing section, be recommended favorably for passage. Mr. Turner seconded. There was some discussion by the members of the committee in this regard. Eight members of the committee were in favor of the motion and six opposed. The motion carried.

The meeting adjourned at 10:00 A. M.

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 typed text "Minutes approved:". The signature is written in a fluid, connected style with a large initial "J".