

House Judiciary Committee Meeting  
Wednesday, March 10, 1965

The House Judiciary Committee met Wednesday, March 10, 1965, in Room 523 at 8:30 A.M. with Chairman Jack R. Euler presiding. Fifteen members were present. Members Davis, Fatzer, Foster, Hill, Sargent and Van Cleave were absent.

Chairman Euler called the meeting to order. He announced that Bob Anderson will entertain the committee next Thursday, March 18, 1965.

Mr. Howard explained House Bill No. 703, an act concerning contribution among tortfeasors, release of tortfeasors, procedure enabling recovery of contribution, and making uniform the law with reference thereto. This is a uniform type of bill. There is some problem of getting them both into the law suit. Mr. Rogers asked if "liability insurer" line 21, page 1, restricts this more than he intended. Mr. Howard said he has no objection to taking out the word "liability." Mr. Griffith asked if section 4(a) on page 3 is the present law. Mr. Wilcox asked how many states have this law. The committee will postpone action concerning House Bill No. 703 until some research can be done on it and any interested persons can appear.

Mr. Tillotson moved that House Bill No. 748, an act relating to crimes and punishments; amending existing K.S.A. 36-206, and repealing said existing section, be reported favorably for passage as amended by the committee Wednesday, March 3, 1965. Mr. Coldsnow seconded. There was some discussion concerning this bill by the members of the committee. Five members were in favor of the motion and three opposed. The motion carried.

Mr. Bell introduced Ray Reed, Wichita, who spoke in opposition to House Bill No. 572, an act relating to the sale of municipal bonds to the state school fund commission and to other purchasers, amending existing K.S.A. 10-106, and repealing said existing section. Mr. Reed is in the bond business. He explained the normal mechanics of bonds and

then went on to explain the present law in regard to bonds. He stated that the present law does what is best for Kansas. Restricting it to a regimented procedure is not good for the tax payers and citizens of this state. To regiment is a costly procedure. This costs the citizens interest dollars by restricting the normal flow of money. He proceeded to explain the mechanics of the bond business. This bill would restrict financing by revenue bonds to a point where much municipal improvement could not be undertaken. This bill would change a procedure which has been effective and profitable to the communities of Kansas. It is detrimental to the municipalities of Kansas and is penalizing to the smaller communities. Mr. Cram asked if the \$50,000 provision wouldn't be a help to smaller communities. Mr. Tillotson pointed out that the bond people take advantage of the small communities. And, that this is not the exception, but done often and they promote these projects. Chairman Euler asked if they actively solicit these municipalities. Mr. Reed said this is customary nationwide. Mr. Euler asked if the municipalities know what they market the bonds at. Mr. Reed said they do. He went on to say that many states have a mandatory sale of bonds which is not as restrictive as this. Mr. Euler asked if most states have a law which restricts bonds. Mr. Reed said that it is about fifty - fifty. He then explained this type of promotion. He said that with a restrictive law, the volume of municipal improvements dropped fifty per cent in Oklahoma. Mr. Tillotson asked if it would help if a provision was made in this bill for auction. Mr. Reed said it would help. He went on to explain the rating process, etc. Chairman Euler asked if they can obtain the same services by hiring them. Mr. Reed said yes and gave an example concerning Johnson County. Chairman Euler asked if most of these contracts provide a median. Mr. Reed said no and went on to explain. There was a great deal of discussion in regard to the mechanics involved.

The committee then heard proponents of an amendment to Senate Bill No. 4. Present in regard to this matter were the

House Judiciary Committee Meeting  
Wednesday, March 10, 1965  
Page 3

Register of Deeds, Johnson County, and Lucille Dunn. They made reference to the schedule on page 249 of Senate Bill No. 4. They gave the background concerning these fees. This schedule has not been changed since the 1940's and the charges are unequal over the state. Their proposal is to charge per page and unify this over the state. There was some discussion concerning the use of photostatic machines and a different charge for them, but it was decided that here again you would destroy your uniformity and would not know if they have a machine or not when you send for something. Mr. Rogers asked if there is any distinction between double spacing and single spacing. This distinction has been made.

Mr. Rogers suggested that a curative statute in reference to old federal mortgages be looked into.

Mr. Bell explained House Bill No. 892, an act relating to certain civil actions; providing for the venue of, and issuance and service of process in, such actions. Mr. Griffith moved that House Bill No. 892 be reported favorably for passage. Mr. Wilcox seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Rogers moved the committee introduce a bill relating to rural water districts in certain counties; incorporation; attachment of additional territory; new boundaries; procedural provisions; amending existing K.S.A. 82s-614, 82a-615, 82a-616, 82a-617, 82a-621, 82a-622, 82a-623 and 82a-624 and repealing said existing sections. Mr. Howard seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

The meeting adjourned at 10:00 A.M.

Respectfully submitted,  
Jack R. Euler  
Chairman

Minutes approved: 