

House Judiciary Committee Meeting
Monday, March 15, 1965

The House Judiciary Committee met Monday, March 15, 1965, in Room 523 at 3:10 P.M. with Chairman Jack R. Euler presiding. Thirteen members of the committee were present. Members Amrein, Davis, Fatzer, Hill, Roberts, Van Cleave and Woodworth were absent. Representative Tillotson was excused.

Chairman Euler called the meeting to order.

Robert Edmonds, attorney, explained House Bill No. 911, an act to revise the uniform principal and income act; amending existing K.S.A. 58-901, 58-902, 58-903, 58-904, 58-905, 58-906, 58-907, 58-909, 58-910, 58-911 and 58-912 and repealing said existing sections, and also repealing existing K.S.A. 58-908 and 58-913. He presented the background concerning this bill. This act has been adopted in Indiana, Wyoming, Louisiana and South Carolina. New York has adopted a very similar act. There was some discussion in regard to the oil and gas provision, page 15.

Mr. Edmonds then explained House Bill No. 917, an act relating to and providing for the uniform trustees' powers act. He presented the background concerning this act. It has not been adopted by any states, but has been recommended for consideration in some states. This codifies a lot of what is now the law, but there is nothing on the books that even resembles this. The act is fairly self-explanatory. Mr. Turner asked if section 7 is presently the law. Mr. Edmonds said that it is not. Mr. Griffith asked how paragraph 4, page 2 would operate. Mr. Edmonds gave an example of how this would work. Emmett Blaes stated that this provision was to take into account common trust funds that you find so much in banks. Chairman Euler asked for any further questions or discussion. Mr. Coldsnow asked if there was any reason for not going ahead and giving the authority to purchase life insurance. Mr. Edmonds said that this was not brought out. Mr. Coldsnow then went on to give an example of when this would be desirable. Mr. Edmonds concluded his presentation by stating that they think these are good acts.

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Mr. Blaes then gave the background to 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. Mr. Blaes said that this is good, but instead of making it an individual law, make it as an amendment to the commercial code. If the committee has the disposition in this regard, Mr. Blaes will be glad to work on this.

Mr. Blaes then gave the history concerning House Bill No. 848, an act relating to the rules of civil procedure; establishing rules for jury verdicts in certain cases; prescribing the number of jurors, the necessary number to reach a verdict and the duties of jurors and certain court officials; amending existing K.S.A. 60-248 and repealing said existing section. He said that there is a real fear that this is unconstitutional and that is why it was left out of the Code of Civil Procedure.

Mr. Rogers then reported for the subcommittee in regard to House Bill No. 776, an act relating to certain drugs; prescribing penalties for certain violations concerning such drugs; amending K.S.A. 65-2607 and repealing said existing section. It was the recommendation of the subcommittee that this bill should be reported adversely. Mr. Rogers moved that House Bill No. 776 be reported adversely. Mr. Gray seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Gray moved that House Bill No. 795, an act relating to crimes and offenses; declaring certain acts to be larceny and attempt to commit larceny, and providing for penalties in connection therewith, be reported adversely. Mr. Foster seconded. Mr. Gray made a substitute motion to table House Bill No. 795. Mr. Foster seconded. Chairman Euler asked for any additional discussion. There was none. The substitute motion carried unanimously.

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Mr. Foster moved that House Bill No. 884, an act relating to traffic and the operation of motor vehicles; concerning certain offenses; the giving of appearance bonds in certain cases; the keeping of records and the making of reports; amending existing K.S.A. 8-5,129, 8-5,130, 8-5,131 and 15-507 and repealing said existing sections and also repealing existing K.S.A. 15-507a, be tabled. Mr. Howard seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Gray moved that House Bill No. 551, an act relating to cities of the third class; prescribing certain duties of police judges; amending existing K.S.A. 15-507 and repealing said existing section, be recommended favorably for passage. Mr. Barnhill seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Gray reported for the subcommittee on court fees. The subcommittee had very few recommended changes in what the judge had presented. A committee bill will be introduced in this regard and referred back to the committee for further consideration. In regard to the probate judges fee schedule, the subcommittee didn't feel that anything should be done in this regard at this time. Chairman Euler asked for any discussion. There was none.

The committee agreed that a committee bill should be drawn in regard to second class cities following House Bill No. 551.

Mr. Foster moved that the committee introduce 16 bills in regard to the repealers presented to the committee by the Revisor of Statutes Office, and that these bills be referred to the Committee of the Whole. Mr. Sargent seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

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Mr. Foster moved to adjourn. Mr. Turner seconded.
The motion carried unanimously. The meeting adjourned at
4:30 P.M.

Respectfully submitted,
Jack R. Euler
Chairman

Minutes approved:

A handwritten signature in cursive script, appearing to read "Jack R. Euler", written over the printed text "Minutes approved:". The signature is written in dark ink and is somewhat stylized.