

House Judiciary Committee Meeting
Friday, March 26, 1965

The House Judiciary Committee met Friday, March 26, 1965, in Room 523 at 12:45 P.M. with Chairman Jack R. Euler presiding. Fifteen members were present. Members Barnhill, Bell, Fatzer, Hill, Roberts and Sargent were absent.

Chairman Euler called the meeting to order.

Mr. Turner reported for the subcommittee on 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. He explained the way the bill was previously. The proposed amendment, a copy of which is attached, applies to persons other than licensed under the act.

Mr. Griffith moved that the committee adopt the amendments to House Bill No. 776 as presented by Mr. Turner. Mr. Foster seconded. Chairman Euler asked for any questions. There were none. The motion carried unanimously.

Mr. Griffith moved that House Bill No. 776 be reported favorably for passage as amended. Mr. Foster seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Rogers explained Senate Bill No. 238, an act relating to district courts, providing for the compensation of bailiffs, amending existing K.S.A. 20-313 and repealing said existing section. There was some discussion by the members of the committee in regard to which counties this would affect.

Mr. Griffith moved that Senate Bill No. 238 be recommended favorably for passage. Mr. Rogers seconded. Chairman Euler asked for any further discussion. There was none. The motion carried unanimously.

Mr. Davis moved that 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, be reported favorably for passage as amended in the committee's meeting of Monday, March 22, 1965. Mr. Rogers seconded. There was a great deal of discussion concerning this proposed law by the members of the committee. Mr. Woodworth moved to amend the amendment. After considerable discussion by the committee, Mr. Davis withdrew his motion.

Mr. Foster moved that House Bill No. 703 be tabled. Mr. Griffith seconded. Chairman Euler asked for any further discussion. There was none. The motion carried unanimously.

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Chairman Euler appointed a subcommittee consisting of members Davis, Tillotson and Foster to work on House Bill No. 545.

Arden Ensley was present concerning 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. 8-5,128, 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. He stated that this could be used if you omit section 2 entirely and substitute a new section therefore providing that cities may establish a schedule of cash bonds by ordinance. There was some discussion in this regard. Chairman Euler appointed a subcommittee consisting of members Rogers, Woodworth and Gray to work on House Bill No. 884. Mr. Rogers was appointed chairman of the subcommittee.

Mr. Coldsnow explained the proposed amendments to 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. A copy of these proposed amendments is attached to the minutes of the meeting of Wednesday, March 24, 1965. It was suggested that this bill be further amended to provide that all civil remedies be exhausted before using the method set forth here. It was the general feeling of the committee that this bill is just making a collection agency of the county attorney's office. Mr. Rogers pointed out that there is a gap in the laws in regard to this field. There was a great deal of discussion in this regard.

Chairman Euler announced that the committee would meet jointly with the House Agriculture Committee Monday, March 29, 1965, at 9:00 A.M. in Room 529. At this time, there will be a hearing in regard to the ^{milk} ~~margarine~~ bill.

Chairman Euler explained the proposed amendments to House Bill No. 1056, an act relating to counties, authorizing the appointment of county counselors, and providing for compensation thereof in certain counties; amending existing K.S.A. 19-246 and repealing said existing section. A copy of these amendments is attached.

Mr. Tillotson moved that the committee adopt the amendments to House Bill No. 1056 as presented by Chairman Euler. Mr. Wilcox seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

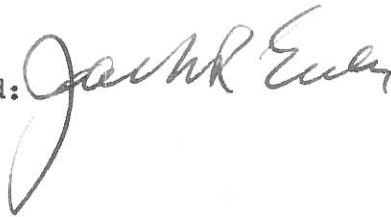
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Mr. Davis moved that House Bill No. 1056 be reported favorably for passage as amended. Mr. Tillotson seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Foster moved the meeting be adjourned. Mr. Davis seconded. The motion carried unanimously. The meeting adjourned at 1:30 P.M.

Respectfully submitted,
Jack R. Euler
Chairman

Minutes approved:

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

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your committee on Judiciary

Recommends that 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."

Be amended:

On page 1, line 3, by inserting after the word "exceeding" the following: "one thousand dollars (\$1,000), or by imprisonment for not more than one year, or both; but if the violation is committed after a conviction of such person under this act has become final, such subsequent conviction shall be punished by a fine not exceeding"; line 9, by striking the period and inserting a colon and adding the following: "Provided however, That any person not a person authorized to do so under this act, who knowingly delivers, sells, dispenses, gives away or supplies in any manner the drugs as defined by K. S. A. 65-2601 (1) (a) and (b) to any other person shall be punished by a fine not exceeding ten thousand dollars (\$10,000), or by confinement at hard labor in the state penitentiary for not more than three (3) years, or both.";

And the bill be passed as amended.

Chairman.

R. ORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your committee on Judiciary

Recommends that H.B. 1056

"AN ACT relating to counties, authorizing the appointment of county counselors, and providing for compensation thereof in certain counties; amending existing K. S. A. 19-246 and repealing said existing section.

Be amended:

On page 1, line 4, by inserting before the word "may" the following: "having a population of more than twenty-five thousand (25,000)"; in line 9 by striking the period and inserting in lieu thereof the following: "; and the county commissioners of any county having a population of twenty-five thousand (25,000) or less, may appoint or employ legal counsel to represent the county in such matters and for such purposes as are deemed necessary, and are authorized to pay necessary compensation for such legal services."; in line 11 by inserting after the word "of" the following: "more than twenty-five thousand (25,000) and".

And that the bill be passed as amended.

Chairman.