

House Judiciary Committee Meeting
Friday, April 2, 1965

The House Judiciary Committee met Friday, April 2, 1965, in Room 523 at 9:30 A.M. with Chairman Jack R. Euler presiding. Fifteen members were present. Members Davis, Fatzer, Griffith, Hill and Van Cleave were absent. Representative Tillotson was excused.

Chairman Euler called the meeting to order.

Mr. Coldsnow moved that Senate Bill No. 378, an act relating to counties and coroners; pertaining to certain powers, duties, authorities and jurisdiction with respect to coroners; prescribing duties and procedure concerning dead bodies in certain cases; prescribing penalties; amending existing K.S.A. 19-1002, 19-1008, 19-1010, 19-1011, 19-1012, 19-1013, 19-1015, 65-902a, 19-1026, 19-1027, 19-1028, 19-1031, 19-1033, 19-1034, 21-1007, 21-2502, 25-101 and 25-213 and repealing said existing sections, and also repealing existing K.S.A. 28-112a, 28-213, 28-606, 28-717 and 28-906, be amended on page 9, by striking all of lines 5, 6, 7, 8 and 9. Mr. Foster seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

There was a great deal of discussion in regard to who should serve as sheriff, page 1, line 3. Mr. Coldsnow moved that Senate Bill No. 378 be amended on page 1, line 3, by striking the word "attorney" after the word "county" where it last occurs and before the word "to" and inserting in lieu thereof the word "clerk"; page 1, line 6, by striking the word "attorney" after the word "county" where it last occurs and before the word "shall" and inserting in lieu thereof the word "clerk" and on page 9, line 15, by striking the word "attorney" after the word "county" and before the word "shall" and inserting in lieu thereof the word "clerk". Mr. Foster seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

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Mr. Sargent suggested that Senate Bill No. 378 be amended on page 8, line 27, by striking the word "competent" after the word "as" and before the word "evidence" and inserting in lieu thereof the word "prima-facie". There was a great deal of discussion in regard to this suggestion.

Mr. Howard moved that Senate Bill No. 174, an act relating to city courts in certain counties and providing for the compensation of the judge and the marshal thereof and for clerical hire; amending existing K.S.A. 20-1424c and repealing said existing section, be reported favorably for passage. Mr. Woodworth seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Woodworth moved that Senate Bill No. 165, an act relating to sewer districts in certain counties, the same being supplemental to K.S.A. 19-2704 to 19-2715c, 19-2731 to 19-2752h and amendatory of K.S.A. 19-2787 to 19-27,113, and amending existing K.S.A. 19-2793, repealing said existing section and repealing K.S.A. 19-2715d and 19-2752c, be amended on page 2, lines 29 and 30 by striking out the words "within the proposed district" and by inserting in lieu thereof the words "in the county"; on page 3, line 16 by striking the words "within the proposed district" and by inserting in lieu thereof the words "in the county"; on page 5, line 9 by striking the words "such district" and by inserting in lieu thereof the words "the county"; on page 7, line 10, by striking the words "the official county newspaper" and by inserting in lieu thereof the words "a newspaper of general circulation in the county". Mr. Howard seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Howard moved that Senate Bill No. 165 be reported favorably for passage as amended. Mr. Woodworth seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

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Mr. Woodworth moved that Senate Bill No. 184, an act to amend the code of civil procedure, pertaining to the redemption of real property sold under execution, special execution, or order of sale, prescribing the period of redemption from certain sales of urban real property under foreclosure, amending existing K.S.A. 60-2414 and repealing said existing section, be tabled. There was a great deal of discussion by the members of the committee in regard to the attributes or hazards of this bill.

Mr. Cram made a substitute motion that Senate Bill No. 184 be amended on page 7, line 29, by inserting after the word "rate" and before the period the following: "nor shall it extend beyond six (6) months after the date of the foreclosure sale". Mr. Rogers seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Roberts moved that the meeting be adjourned. Mr. Howard seconded. The motion carried unanimously.

The meeting adjourned at 10:00 A.M.

Respectfully submitted,
Jack R. Euler
Chairman

Minutes approved:

