

House Judiciary Committee Meeting
Tuesday, April 6, 1965

The House Judiciary Committee met Tuesday, April 6, 1965, in Room 523 at 9:00 A.M. with Chairman Jack R. Euler presiding. Fourteen members were present. Members Amrein, Davis, Fatzer, Griffith, Hill and Van Cleave were absent. Representative Tillotson was excused.

Chairman Euler called the meeting to order.

Mr. Decker, Wichita, was present to speak concerning Senate Bill No. 221, an act relating to cities; providing for the vacation of sites or additions, streets or alleys, or for exclusion of land; prescribing the procedure therefor; amending existing K.S.A. 12-504 and 12-505 and repealing said existing sections, and Senate Bill No. 222, an act relating to vacations of plats, streets, alleys or other public reservations and accomplishing such vacations by platting or replatting the same area. He pointed out the main differences in the proposed law and the existing law. The purpose is not to take away any of the rights which the public has now. He pointed out that the general control of Senate Bill No. 221 appears on page 2, lines 21 through 24. He also pointed out that the publication, page 1, line 14, has been changed from four consecutive weeks to "two" consecutive weeks. He stated that as a general rule you have very few seriously contested vacating proceedings.

Mr. Howard asked if they are conflicting ideas. Mr. Decker said they are not.

Stan Lind then spoke in reference to Senate Bill No. 356, an act concerning crimes and penalties for violation thereof; relating to commercial transactions; and repealing existing K.S.A. 58-103, 58-315b, 58-316, 58-317, 58-318, 58-809, 58-810, and 82-150 to 82-155, both inclusive. He stated that he is the chairman of the Uniform Commercial Code Committee of the Kansas State Bar Association. He is interested in Senate Bill No. 4 and the correlated bills. Senate Bill No. 356 is one of these bills. He then gave the background concerning this bill and the deletion of the words "without the written consent of the secured party" page 1, line 13, after the word "interest" and

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before the word "where". There was a great deal of discussion by the members of the committee in regard to this particular language and where it should be inserted.

Mr. Woodworth moved that the committee adopt the philosophy of Mr. Lind and that a subcommittee work on the language to be used. Mr. Cram seconded. Chairman Euler asked for any further discussion. There was none. Eleven members of the committee were in favor of the motion and members Bell and Gray were opposed. The motion carried.

Mr. Foster 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 taken off the table. Mr. Coldsnow seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Coldsnow read the subcommittee's proposed amendments to House Bill No. 795, a copy of which is attached. He then moved that the committee adopt the proposed amendments to House Bill No. 795 as presented. Mr. Foster seconded. Chairman Euler asked for any discussion. There was none. There eleven members in favor of the motion and two opposed. The motion carried.

Mr. Coldsnow moved that House Bill No. 795 as amended be reported favorably for passage. Mr. Foster seconded. Chairman Euler asked for any discussion. There was none. Eleven members were in favor of the motion and two opposed. The motion carried.

Mr. Roberts moved that Senate Bill No. 367, an act relating to schools; authorizing the board of regents of county junior colleges to acquire property; granting to such boards the power of eminent domain; authorizing the issuance of bonds by such boards for certain purposes; amending existing K.S.A. 72-3341 and repealing said existing section, be reported favorably for passage. Mr. Coldsnow seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

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Mr. Gray moved that Senate Bill No. 368, an act repealing existing K.S.A. 72-6701 to 72-6733, both sections inclusive, relating to the unified school districts act of 1961, be reported favorably for passage. Mr. Roberts seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Woodworth moved that Senate Bill No. 376, an act repealing existing K.S.A. 75-2815, relating to return of sales of state lands, be recommended favorably for passage. Mr. Howard seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Roberts moved that Senate Bill No. 377, an act repealing existing K.S.A. 75-3117, relating to employees of superintendent of insurance, be recommended favorably for passage. Mr. Woodworth seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Coldsnow moved that Senate Bill No. 383, an act repealing existing K.S.A. 65-630a, 65-630b, 65-630c, 65-630d, 65-630e, 65-630f, 65-630g and 65-630h, such sections relating to the manufacture and sale of vinegar, be recommended favorably for passage. Mr. Roberts seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Coldsnow moved that Senate Bill No. 384, an act relating to the Kansas state teachers college of Emporia, prescribing certain powers and duties of the state board of regents, amending existing K.S.A. 76-607 and repealing said existing section, be recommended favorably for passage. Mr. Woodworth seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Gray moved that Senate Bill No. 386, an act repealing existing K.S.A. 58-2220 relating to proof of handwriting, be recommended favorably for passage. Mr. Howard seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

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Mr. Howard moved that Senate Bill No. 385, an act repealing K.S.A. 76-904, 76-906 to 76-909, both inclusive, relating to the discontinued Kansas technical institute (formerly the Kansas vocational school at Topeka); and the abandoned industrial department of Western university as a state institution, be recommended favorably for passage. Mr. Cram seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Coldsnow moved that Senate Bill No. 387, an act relating to mines and mining, pertaining to the inspection of mines, prescribing certain powers, duties and authority, amending existing K.S.A. 49-210 and repealing said existing section, be recommended favorably for passage. Mr. Sargent seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Roberts moved that Senate Bill No. 388, an act relating to crimes and offenses, providing original venue in certain proceedings involving public offenses, be reported favorably for passage. Mr. Cram seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Sargent moved that Senate Bill No. 392, an act repealing existing K.S.A. 73-101 to 73-112, both sections inclusive, 73-114a, 73-117 to 73-148, both sections inclusive, such sections relating to compensation for veterans of world war I, the war with Spain, the Philippine insurrection and the China relief expedition, be recommended favorably for passage. Mr. Foster seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Coldsnow moved that Senate Bill No. 378 as amended in the meeting of April 2, 1965, be recommended favorably for passage. Mr. Foster seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously. Senate

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Bill No. 378 is 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.

Chairman Euler appointed a subcommittee consisting of members Roberts, Sargent and Howard to check on the repealers.

The meeting adjourned at 10:00 A.M.

Respectfully submitted,
Jack R. Euler
Chairman

Minutes approved:

Jack R. Euler

Also on page 2, line 16, by striking the figure "(2)" and inserting in lieu thereof the figure "(3)";

In the title, line 2, by striking the words "larceny and attempt to commit larceny" and inserting in lieu thereof the words "a misdemeanor";

And the bill be passed as amended.

Chairman