

House Judiciary Committee Meeting
Friday, April 9, 1965

The House Judiciary Committee met Friday, April 9, 1965, in Room 523 at 4:30 P.M. with Chairman Jack R. Euler presiding. Eighteen members were present. Members Cram, Gray and Hill were absent.

Chairman Euler called the meeting to order.

Senator Ball appeared in regard to Senate Bill No. 302, an act relating to the code of civil procedure; authorizing the appointment of receivers in certain cases; pertaining to execution of bonds in connection therewith; and requiring certain acts to be performed preceding the appointment of a receiver; amending existing K.S.A. 60-1302, and 60-1304 and repealing said existing sections. He stated that the whole philosophy of the code is that people be given notice of proceedings against them. He went on to state that as the law is now written, you could have a receiver appointed for your property and not know it for ten days. If this is going to be abused, something must be done about it. He related a specific incident in this regard. He then explained what the sections in Senate Bill No. 302 provide. He stated that this must be flexible and it has been made so. Senator Ball stated that he has no pride of authorship in this bill. It was by unanimous consent of the Senate Judiciary Committee that this bill was drawn and introduced. If the committee wants to amend it, it is their prerogative. He stated that if they want to cut the bond or change the bond provisions they should do so, but that this is an evil that should be corrected.

There was a great deal of discussion by the members of the committee in regard to the adequacy of the existing law.

Mr. Bell moved that Senate Bill No. 302 be taken off the table. Mr. Van Cleave seconded. Chairman Euler asked for any discussion. There was none. Fifteen members were in favor of the motion and two opposed. The motion carried.

Mr. Coldsnow moved that Senate Bill No. 302 be amended as follows: on page 1, line 18, by placing a period after the word "directs" and in said line by deleting the word "which" after

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the word "directs"; also on page 1, by deleting all of lines 19 and 20; also on page 2, by deleting all of lines 1, 2, 3, and 4; also on page 2, line 13, by deleting the words "including any" after the comma; also on page 2, by deleting all of line 14 and all of line 15 before the word "unless"; also on page 2, line 18, by placing a period after the word "result" and deleting the remainder of said line; also on page 2, line 19, by deleting all of said line before the word "The"; also on page 2, line 28, by striking the words "official state paper" and inserting in lieu thereof the words "statute book". Mr. Van Cleave seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

Mr. Coldsnow moved that Senate Bill No. 302 as amended be reported favorably for passage. Mr. Van Cleave seconded. Chairman Euler asked for any discussion. There was none. The motion carried unanimously.

After some discussion, Mr. Davis moved that Senate Concurrent Resolution No. 36, a concurrent resolution directing the Kansas legislative council to make a study concerning the manner of selection of judges of district courts, be reported adversely. Mr. Griffith seconded. Chairman Euler asked for any further discussion. There was none. Ten members were in favor of the motion and three opposed. The motion carried.

Mr. Sargent moved that Senate Concurrent Resolution No. 37, a concurrent resolution authorizing and directing the Kansas legislative council to make a study, report and recommendations concerning the organizational efficiency and appropriateness for the administration of justice of the present courts of limited jurisdiction and the qualifications of certain judges, be reported adversely. Mr. Turner seconded. After some discussion, the motion was withdrawn.

Mr. Coldsnow moved that Senate Concurrent Resolution No. 37 be amended as follows: on page 1, line 7, by placing a period after the word "be" and deleting the remainder of said line; also on page 1, line 8, by deleting all of said line before the word "A".

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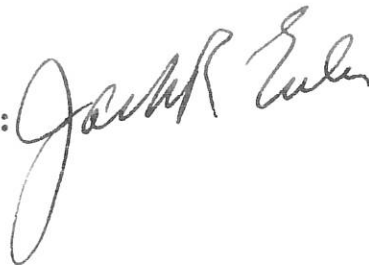
Mr. Van Cleave seconded. There was a great deal of discussion in this regard. Twelve members were in favor of the motion and two opposed. The motion carried.

Mr. Coldsnow moved that Senate Concurrent Resolution No. 37 as amended be reported favorably. Mr. Van Cleave seconded. Chairman Euler asked for any discussion. There was none. Seven members were in favor of the motion and four opposed. The motion carried.

The meeting adjourned at 5:15 P.M.

Respectfully submitted,
Jack R. Euler
Chairman

Minutes approved:

A handwritten signature in cursive script that reads "Jack R. Euler". The signature is written in dark ink and is positioned to the right of the printed text "Minutes approved:". The signature is written over the line of the printed text.