

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY

Held in Room 526, at the Statehouse at 3:30 a. m./p. m., on March 8, 19 79.

All members were present except:

The next meeting of the Committee will be held at 3:30 a. m./p. m., on March 12, 19 79.

These minutes of the meeting held on March 1, 19 79 were considered, corrected and approved.

JOSEPH J. HOAGLAND

Chairman

The conferees appearing before the Committee were:

Senator Pomeroy

The Honorable Richard D. Rogers, U. S. District Court

Herbert A. Marshall, Attorney, Topeka

Ronald P. Williams, Kansas Association of Defense Counsel

Chairman Hoagland called the meeting to order at 3:30 p.m. and the minutes of the last meeting were approved.

The Chairman introduced Senator Pomeroy to explain SB 90 to the committee. This is a bill to enact the Unified Certification of Law Act.

Senator Pomeroy then introduced Judge Richard D. Rogers, U. S. District Court, who testified in favor of SB 90. He indicated the bill is very necessary, although it would be rarely used, and the bill will help the relations between the state and federal courts, and he further stated that 12 states had adopted a similar act.

Herbert A. Marshall, a Topeka attorney, concurred with Judge Rogers testimony. As a practicing defense attorney, he feels this will provide a quick and fair tool with which to answer.

Ronald P. Williams, Kansas Association of Defense Counsel, testified their support of SB 90 and indicated he was available to answer questions of the committee. Following questions, this concluded the hearing on SB 90.

The Chairman announced the Senate Judiciary scheduled agenda and reminded bill sponsors to testify before the Senate committee. He then announced there would be a staff review of the Tort Claims Act and Product Liability bills on Monday, March 12.

Art Griggs, Revisor's office, then gave a brief explanation of SB 2. It was then moved by Rep. Heinemann and seconded by Rep. Stites to pass SB 2 favorably. Motion carried.

CONTINUATION SHEET

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SB 88 was then explained briefly by Rep. Glover. The bill provided for a name change procedure to be lawful with 30 days after residency instead of one year after residency. Following a short discussion, Rep. Glover moved to amend the bill by changing "30 days" to "60 days." Seconded by Rep. Baker. Motion carried. Rep. Glover then moved to report SB 88 favorably as amended. Seconded by Rep. Baker. Motion carried.

Art Griggs then explained SB 110. It was moved by Rep. Frey to place SB 110 on the Consent Calendar. Seconded by Rep. Glover. Following discussion, the motion was withdrawn. Rep. Crow moved to pass SB 110 favorably. Seconded by Rep. Stites. Then Rep. Roth made a substitute motion to amend the bill by changing the possession of marijuana to a Class "C" Misdemeanor. After short discussion, the substitute motion was withdrawn. The original motion was also withdrawn. No action was taken on SB 110.

SB 55 was briefly reviewed by Art Griggs. Following questions from several committee members, Chairman Hoagland adjourned the meeting at 4:50 p.m.