

HOUSE JUDICIARY COMMITTEE

1983

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Staff:

Mark Burghart, Legislative Research Department
Michael Heim, Legislative Research Department
Mary Ann Torrence, Revisor of Statutes Office
Nedra Spingler, Secretary to the Committee

HEARING SCHEDULE AND INDEX

<u>BILL NUMBER</u>	<u>DATE OF HEARING</u>	<u>DISCUSSION AND ACTION</u>
HB 2007 - Services of county attorneys and district attorneys to county hospitals.	1-17-83	2-2-83
HB 2008 - Sex offenses; crimes, punishments and criminal procedure.	1-12-83, 1-26-83, 1-27-83	2-3-83, 2-8-83
HB 2009 - Intimidation of witnesses and victims.	1-12-83, 1-27-83	2-8-83
HB 2031 - Threatening a public official.	1-17-83	2-2-83
HB 2033 - Notice of taking of deposition.	1-24-83	2-2-83
HB 2034 - Application of code for care of children to certain truants.	1-24-83	2-2-83
HB 2039 - Continuing the wards' account in existence as the wards' trust fund.	1-12-83, 1-24-83	2-2-83
HB 2040 - Subpoena and investigative powers of secretary of SRS.	1-12-83, 1-24-83	2-2-83
HB 2052 - Enacting samaritan food law.		
HB 2055 - Increased court fees for Sedgwick county law library.	1-31-83	2-2-83
HB 2056 - Concerning sheriffs; waiver of certain training requirements.	1-31-83	2-2-83
HB 2058 - Dormant judgments on delinquent personal property taxes.	1-31-83	2-8-83, 2-10-83
HB 2060 - Mandatory sentencing for crimes committed with a deadly weapon.		
HB 2070 - Prohibiting children's suits against parents for negligence.		
HB 2075 - Recording of real estate transfers in probate proceedings.	2-7-83	
HB 2076 - Composition of district judicial nominating commission.		
HB 2081 - Natural gas for irrigation.	2-7-83	2-10-83
HB 2087 - Use of amphetamines for exclusive treatment of weight control unlawful.		
HB 2092 - Illegal acquisition and disposition of welfare assistance.	2-10-83	2-15-83
HB 2102 - Claims against the state; payments in settlement by certain agencies.	2-10-83	2-15-83
HB 2112 - Place of trial for civil actions.	2-9-83	2-17-83
HB 2113 - Time of commencement of civil action.	2-9-83	2-17-83
HB 2114 - Converting district magistrate judges to an associate district judge in Atchison County.	1-24-83, 2-7-83	2-10-83
HB 2115 - Consolidation of multidistrict litigation.	2-9-83	2-17-83
HB 2116 - Jury instructions on lesser included offenses.	2-9-83	2-17-83
HB 2131 - Divorce, annulment, separate maintenance.	3-2-83	3-3-83

<u>BILL NUMBER</u>	<u>DATE OF HEARING</u>	<u>DISCUSSION AND ACTION</u>
HB 2137 - Allowing defensive use of collateral estoppel.		
HB 2163 - Traffic offenses and uniform fines.	2-14-83	3-3-83
HB 2165 - Filing oaths of office.	2-7-83	2-10-83
HB 2171 - Prohibiting age discrimination in certain employment-related practices.		
HB 2182 - Changing age of minor under gifts to minors act.		
HB 2183 - Increased penalties for crime of abuse of a child.		
HB 2206 - Protection from Abuse Act amendment.	2-2-83, 2-16-83	2-17-83
HB 2209 - Garnishment of two times amount of judgment.	2-15-83	2-17-83
HB 2212 - Sentencing for crimes committed while on probation.	2-15-83	2-22-83
HB 2213 - Preparation of jury lists from driver's license records.		
HB 2214 - Jury cancellation bond.		
HB 2219 - Qualifications for judges in the district courts.		
HB 2220 - Statutory construction, seal of the court.		
HB 2222 - Clerk of district court, duties.		
HB 2229 - Food donations to nonprofit organizations, liability.		
HB 2234 - Civil procedure, right to jury trial.	2-16-83	
HB 2235 - Civil procedure, commencement of actions.		
HB 2239 - Death penalty for premeditated murder.		
HB 2260 - Prohibiting unauthorized reproduction of products by use of molds.	2-22-83	2-23-83, 2-24-83, 3-3-83
HB 2261 - Increased penalty for allowing minor to drink in private club.		
HB 2262 - Crimes against law enforcement officers and fire fighters.		
HB 2269 - Unlawful paramilitary training.	2-21-83	2-24-83
HB 2273 - Giving general law enforcement powers to state game protectors.	2-23-83	
HB 2298 - Alcohol and drug-related crimes; driving while impaired and criminal injury to persons or property.		
HB 2300 - Civil procedure for limited actions, application, jury trials.	2-21-83	
HB 2301 - Small claims procedure does not include claims for recovery of real estate.	2-22-83	2-22-83

<u>BILL NUMBER</u>	<u>DATE OF HEARING</u>	<u>DISCUSSION AND ACTION</u>
HB 2302 - Eliminates keeping executor docket and redemption minute book.	2-22-83	2-22-83
HB 2304 - Admissibility of evidence seized in unlawful search or seizure.		
HB 2310 - Appeals in jury trials in misdemeanor cases to be determined on the record.		
HB 2318 - Sterilization of certain mentally retarded females.	3-1-83	
HB 2321 - Prohibition of carrying concealed firearms in vehicle.		
HB 2322 - Crime of injuring person while driving under the influence of alcohol or drugs.		
HB 2324 - Civil procedure allowing cost of expert witness.		
HB 2340 - Answer to wage garnishment order if defendant not an employee.	2-23-83	3-3-83
HB 2349 - Full time municipal court judges in cities of 1st class.		
HB 2352 - High-level radioactive materials emplacement; prohibited.	3-2-83	3-3-83
HB 2356 - Civil procedure, bringing new action.		
HB 2364 - Coroners - evidence limited to medical evidence.		
HB 2367 - Sheriff's law enforcement jurisdiction.		
HB 2381 - Admissibility of refusal to submit to blood test upon arrest for driving while under the influence.		
HB 2394 - Replacement or refund of price of motor vehicle.		
HB 2398 - Mobile home parks; eviction; notice of termination of tenancy.		
HB 2408 - Informal administration of estates.		
HB 2414 - Cities; condemnation outside city limits.		
HB 2419 - Class EE felony for worthless check conviction.		
HB 2475 - Exempt nonprofit corporations' provisions for dissolution.	2-17-83, 3-1-83	3-3-83
HB 2476 - Prohibiting filing of common-law liens on property.	2-14-83, 2-28-83	
HB 2477 - Defense of governmental employees in civil rights cases.	2-14-83, 2-28-83	3-3-83
HB 2494 - Victim impact statement in pre-sentence report.	2-14-83, 2-28-83	3-3-83
HB 2495 - Fees for collection of worthless checks.	2-10-83, 2-28-83	
HB 2522 - Presence of witnesses not required at preliminary examination.	2-21-83, 2-25-83	

<u>BILL NUMBER</u>	<u>DATE OF HEARING</u>	<u>DISCUSSION AND ACTION</u>
HB 2523 - Kansas age discrimination in employment act.	2-21-83, 2-25-83	3-3-83
HB 2564 - Restraint of trade.	4-5-83	4-5-83
HB 2568 - Speedy trial requirements in criminal cases.		

RESOLUTIONS

- HCR 5025 - Interim study of fines and penalties.
- HCR 5026 - Requesting a Judicial Council study of the plea of guilty but mentally ill.

<u>BILL NUMBER</u>	<u>DATE OF HEARING</u>	<u>DISCUSSION AND ACTION</u>
SB 4 - Grain warehouse crimes and penalties. Sub.	3-15-83	3-16-83
SB 7 - Filing of security interests in farm products.	3-22-83	3-25-83
SB 14 - Liability for local disaster emergency activities.		
SB 25 - Victim's input on criminal defendant's release on bond.		
SB 34 - Composition of district judicial nominating commission.	3-14-83	3-14-83
SB 51 - Profits resulting for acts in violation of the controlled substances act subject to forfeiture.	3-24-83	3-28-83
SB 81 - Uniform determination of death.	3-21-83	3-28-83
SB 83 - Reimbursement of aid to indigents fund as condition of probation or suspended sentence.	3-15-83	3-16-83
SB 90 - Probate of wills executed and probated outside Kansas.	3-21-83	3-21-83
SB 91 - Redemption of real property.	3-21-83	3-21-83
SB 96 - Increased penalty for weapons violations where alcohol is present.		
SB 105 - Amendments relating to Code for Care of Children and Juvenile Offender Code.	3-22-83, 3-23-83	3-28-83
SB 106 - Revised Uniform Limited Partnership Act.	3-24-83	3-28-83
SB 107 - Statement of damages from application of pesticides.	3-17-83	3-17-83
SB 141 - Driving under the influence of alcohol or drugs.		
SB 154 - Preparation of jury lists from driver's license records.	3-16-83	3-16-83
SB 172 - Appeals from certain municipal courts, notices and bonds.	3-14-83	3-14-83
SB 191 - Enforcement of child visitation and custody rights.	3-28-83	3-28-83
SB 199 - The automobile lemon law. Sub.	3-23-83	3-28-83
SB 246 - Defense of governmental employees in civil rights cases.	3-16-83	3-16-83
SB 262 - Allowing attorney fees, in insurance subrogation.		
SB 312 - Notice to county or district attorney of grant of parole.	3-16-83	3-16-83
SB 314 - Seals of courts.	3-17-83	3-17-83
SB 318 - Victim impact statement in presentence.	3-16-83	3-21-83
SB 322 - Notice of application for review of corporation commission order.	3-17-83	3-17-83

<u>BILL NUMBER</u>	<u>DATE OF HEARING</u>	<u>DISCUSSION AND ACTION</u>
SB 336 - Criminal penalty for violation of hazardous waste laws.	3-25-83	3-28-83
SB 346 - Time period for determining marketable record title of real property.	3-24-83	3-28-83
SB 347 - Peremptory challenges of jurors in misdemeanor cases.	3-16-83	3-16-83
SB 348 - Powers of deputy district court clerks.	3-14-83	
SB 350 - Registration of process servers.	3-24-83	3-28-83
SB 352 - Procedures for appeals from administrative decisions.		
SB 353 - Issuance of summons instead of warrant in criminal cases.	3-24-83	3-28-83
SB 354 - Civil remedies for theft.	3-25-83	3-28-83
SB 355 - Unconscionability of limiting warranties under Consumer Protection Act.	3-23-83	3-25-83
SB 356 - Application of Consumer Protection Act to securities transactions.	3-23-83	3-25-83
SB 357 - Right of consumer to cancel health spa or buying club contract.	3-23-83	3-25-83
SB 369 - Subpoena of evidence in inquisitions.	3-25-83	3-28-83
SB 370 - Venue of divorce, separate maintenance and annulment actions.	3-21-83	3-28-83
SB 371 - Crime of threatening to contaminate food, drink or drugs.	3-25-83	3-28-83
SB 372 - Money and property required to be held by garnishee.		
SB 373 - Exemption of jail personnel from law enforcement training requirements.		
SB 426 - Product liability insurance reports by insurers.	4-20-83	4-20-83

STATUS OF BILLS - 1983

HOUSE JUDICIARY COMMITTEE

House Bills In Committee - 82
Senate Bills In Committee - 42
House Bills Passed Both Houses - 21
Senate Bills Passed Both Houses - 18
Signed By Governor - 39
Vetoed By Governor - 0
Killed in House - 3
Killed in Senate - 0
House Bills Held Over - 60
Senate Bills Held Over - 22

HOUSE BILLS

<u>BILL NUMBER</u>	<u>STATUS</u>	<u>GOVERNOR SIGNED</u>
2007 - Services of county attorneys and district attorneys to county hospitals.	Passed House, no action in Senate Committee	
2008 - Sex offenses; crimes, punishments and criminal procedure.	Passed both Houses	4-18-83
2009 - Intimidation of witnesses and victims.	Passed both Houses	4-7-83
2031 - Threatening a public official.	Passed out of Committee, re-referred	
2033 - Notice of taking of deposition.	Passed both Houses	4-8-83
2034 - Application of code for care of children to certain truants.	Tabled	
2039 - Continuing the wards' account in existence as the wards' trust fund.	Passed both Houses	3-9-83
2040 - Subpoena and investigative powers of Secretary of SRS.	Passed out of Committee, referred to HFSA	
2052 - Enacting samaritan food law.	No action	
2055 - Increased court fees for Sedgwick County law library.	Passed House, no action in Senate Committee	
2056 - Concerning sheriffs; waiver of certain training requirements.	Passed both Houses	2-24-83
2058 - Dormant judgments on delinquent personal property taxes.	Passed House, no action by Senate Committee	
2060 - Mandatory sentencing for crimes committed with a deadly weapon.	No action	
2070 - Prohibiting children's suits against parents for negligence.	No action	
2075 - Recording of real estate transfers in probate proceedings.	No action	
2076 - Composition of district judicial nominating commission.	No action	
2081 - Natural gas for irrigation.	Tabled	
2087 - Use of amphetamines for exclusive treatment of weight control unlawful.	No action	
2092 - Illegal acquisition and disposition of welfare assistance.	Passed both Houses	4-20-83

<u>BILL NUMBER</u>	<u>STATUS</u>	<u>GOVERNOR SIGNED</u>
2102 - Claims against the state; payments in settlement by certain agencies.	Passed both Houses	4-4-83
2112 - Place of trial for civil actions.	Passed both Houses	4-8-83
2113 - Time of commencement of civil action.	Passed both Houses	4-15-83
2114 - Converting district magistrate judges to an associate district judge in Atchison County.	Passed both Houses	4-20-83
2115 - Consolidation of multidistrict litigation.	Passed both Houses	4-20-83
2116 - Jury instructions on lesser included offenses.	Passed both Houses	4-8-83
2131 - Divorce, annulment, separate maintenance.	Passed both Houses	4-18-83
2137 - Allowing defensive use of collateral estoppel.	No action	
2163 - Traffic offenses and uniform fines.	Tabled	
2165 - Filing oaths of office.	Passed both Houses	4-11-83
2171 - Prohibiting age discrimination in certain employment-related practices.	No action	
2182 - Changing age of minor under gifts to minors act.	No action	
2183 - Increased penalties for crime of abuse of a child.	No action	
2206 - Protection from Abuse Act amendment.	Passed both Houses	5-6-83
2209 - Garnishment of two times amount of judgment.	Tabled	
2212 - Sentencing for crimes committed while on probation.	Passed both Houses	4-15-83
2213 - Preparation of jury lists from driver's license records.	No action	
2214 - Jury cancellation bond.	No action	
2219 - Qualifications for judges in the district courts.	No action	
2220 - Statutory construction, seal of the court.	No action	
2222 - Clerk of district court, duties.	No action	
2229 - Food donations to nonprofit organizations, liability.	No action	
2234 - Civil procedure, right to jury trial.	No action	
2235 - Civil procedure, commencement of actions.	No action	
2239 - Death penalty for premeditated murder.	No action	

<u>BILL NUMBER</u>	<u>STATUS</u>	<u>GOVERNOR SIGNED</u>
2260 - Prohibiting unauthorized reproduction of products by use of molds.	Tabled	
2261 - Increased penalty for allowing minor to drink in private club.	No action	
2262 - Crimes against law enforcement officers and fire fighters.	No action	
2269 - Unlawful paramilitary training.	Killed in House	
2273 - Giving general law enforcement powers to state game protectors.	No action	
2298 - Alcohol and drug-related crimes; driving while impaired and criminal injury to persons or property.	No action	
2300 - Civil procedure for limited actions, application, jury trials.	No action	
2301 - Small claims procedure does not include claims for recovery of real estate.	Passed House, no action in Senate Committee	
2302 - Eliminates keeping executor docket and redemption minute book.	Passed both Houses	4-19-83
2304 - Admissibility of evidence seized in unlawful search or seizure.	No action	
2310 - Appeals in jury trials in misdemeanor cases to be determined on the record.	No action	
2318 - Sterilization of certain mentally retarded females.	No action	
2321 - Prohibition of carrying concealed firearms in vehicle.	No action	
2322 - Crime of injuring person while driving under the influence of alcohol or drugs.	No action	
2324 - Civil procedure allowing cost of expert witness.	No action	
2340 - Answer to wage garnishment order if defendant not an employee.	Passed both Houses	4-19-83
2349 - Full time municipal court judges in cities of 1st class.	No action	
2352 - High-level radioactive materials emplacement; prohibited.	Passed out of Committee, referred to HFSA	
2356 - Civil procedure, bringing new action.	No action	
2364 - Coroners - evidence limited to medical evidence.	No action	
2367 - Sheriff's law enforcement jurisdiction.	No action	
2381 - Admissibility of refusal to submit to blood test upon arrest for driving while under the influence.	No action	
2394 - Replacement or refund of price of motor vehicle.	No action	

<u>BILL NUMBER</u>	<u>STATUS</u>	<u>GOVERNOR SIGNED</u>
2398 - Mobile home parks; eviction; notice of termination of tenancy.	No action	
2408 - Informal administration of estates.	No action	
2414 - Cities; condemnation outside city limits.	No action	
2419 - Class EE felony for worthless check conviction.	No action	
2475 - Exempt nonprofit corporations' provisions for dissolution.	Passed both Houses	4-18-83
2476 - Prohibiting filing of common-law liens on property.	No action	
2477 - Defense of governmental employees in civil rights cases.	Passed both Houses	4-22-83
2494 - Victim impact statement in pre-sentence report.	Tabled	
2495 - Fees for collection of worthless checks.	No action	
2522 - Presence of witnesses not required at preliminary examination.	No action	
2523 - Kansas age discrimination in employment act.	Passed both Houses	5-6-83
2564 - Unlawful restraint of trade actions.	Passed House, no action in Senate Committee	
2568 - Speedy trial requirements in criminal cases.	No action	

RESOLUTIONS

HCR 5025 - Interim study of fines and penalties.	No action	
HCR 5026 - Requesting a Judicial Council study of the plea of guilty but mentally ill.	No action	

<u>BILL NUMBER</u>	<u>STATUS</u>	<u>GOVERNOR SIGNED</u>
SB 4 - Grain warehouse crimes and penalties. Sub.	Passed both Houses	4-18-83
SB 7 - Filing of security interests in farm products.	Passed both Houses	4-15-83
SB 14 - Liability for local disaster emergency activities.	No action	
SB 25 - Victim's input on criminal defendant's release on bond.	No action	
SB 34 - Composition of district judicial nominating committee.	Passed both Houses	3-29-83
SB 51 - Profits resulting for acts in violation of controlled substances act subject to forfeiture.	Tabled	
SB 81 - Uniform determination of death.	Passed out of Committee, re-referred	
SB 83 - Reimbursement of aid to indigents fund as condition of probation or suspended sentence.	Passed both Houses	4-1-83
SB 90 - Probate of wills executed and probated outside Kansas.	Passed both Houses	4-4-83
SB 91 - Redemption of real property.	Killed in House	
SB 96 - Increased penalty for weapons violations where alcohol is present.	No action	
SB 105 - Amendments relating to Code for Care of Children and Juvenile Offender Code.	Passed both Houses	5-6-83
SB 106 - Revised Uniform Limited Partnership Act.	Passed both Houses	4-18-83
SB 107 - Statement of damages from application of pesticides.	Passed House, no action in Senate Committee	
SB 141 - Driving under the influence of alcohol or drugs.	No action	
SB 154 - Preparation of jury lists from driver's license records.	Passed both Houses	4-29-83
SB 172 - Appeals from certain municipal courts, notices and bonds.	Passed both Houses	4-1-83
SB 191 - Enforcement of child visitation and custody rights.	Passed out of Committee, re-referred	
SB 199 - The automobile lemon law. Sub.	Passed out of Committee, re-referred	
SB 246 - Defense of governmental employees in civil rights cases.	No action	
SB 262 - Allowing attorney fees, in insurance subrogation.	No action	
SB 312 - Notice to county or district attorney of grant of parole.	Passed both Houses	3-31-83
SB 314 - Seal of courts.	Passed both Houses	3-31-83
SB 318 - Victim impact statement in presentence.	Tabled	

<u>BILL NUMBER</u>	<u>STATUS</u>	<u>GOVERNOR SIGNED</u>
SB 322 - Notice of application for review of corporation commission order.	Passed both Houses	3-31-83
SB 336 - Criminal penalty for violation of hazardous waste laws.	Passed out of Committee, re-referred	
SB 346 - Time period for determining marketable record title of real property.	Passed out of Committee, re-referred	
SB 347 - Peremptory challenges of jurors in misdemeanor cases.	Passed both Houses	4-8-83
SB 348 - Powers of deputy district court clerks.	No action	
SB 350 - Registration of process servers.	Tabled	
SB 352 - Procedures for appeals from administrative decisions.	No action	
SB 353 - Issuance of summons instead of warrant in criminal cases.	Passed both Houses	4-15-83
SB 354 - Civil remedies for theft.	Passed out of Committee, re-referred	
SB 355 - Unconscionability of limiting warranties under Consumer Protection Act.	Passed both Houses	4-15-83
SB 356 - Application of Consumer Protection Act to securities transactions.	Passed both Houses	4-15-83
SB 357 - Right of consumer to cancel health spa or buying club contract.	Passed out of Committee, re-referred	
SB 369 - Subpoena of evidence in inquisitions.	Killed in Committee	
SB 370 - Venue of divorce, separate maintenance and annulment actions.	Passed both Houses	4-20-83
SB 371 - Crime of threatening to contaminate food, drink or drugs.	Passed out of Committee, re-referred	
SB 372 - Money and property required to be held by garnishee.	No action	
SB 373 - Exemption of jail personnel from law enforcement training requirements.	No action	
SB 426 - Product liability insurance reports by insurers.	Passed both Houses	5-6-83