

Approved March 18, 1988
Date

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY

The meeting was called to order by Representative Robert S. Wunsch at
Chairperson

3:30 ~~xxx~~/p.m. on March 3, 1988 in room 313-5 of the Capitol.

All members were present except:
Representatives Peterson and Vancrum, who were excused.

Committee staff present:

Jerry Donaldson, Legislative Research Department
Jill Wolters, Revisor of Statutes Office
Mary Jane Holt, Committee Secretary

Conferees appearing before the committee:

The Committee considered the following bills:

H.B. 3000 - An act regulating travel promoters

Representative Douville moved and Representative Allen seconded to amend Sec. 2 (a) by adding on line 38, "or (4) a nonprofit organization". The motion passed.

Representative Crowell moved to strike Section 1 and renumber the following sections. The motion was seconded by Representative Shriver. The motion failed.

Representative Solbach moved to report H.B. 3000, as amended, favorable for passage. Representative Buehler seconded the motion. The motion failed.

Representative Bideau requested he be recorded as voting "no".

Representative Bideau moved to amend H.B. 3000 in Sec. 6 to provide in lieu of a \$500,000 bond that the person be required to have public liability errors and omission insurance coverage of \$300,000, and a \$100,000 bond or equivalent surety. Representative Douville seconded the motion. The motion passed.

Representative Bideau moved and Representative Douville seconded to report H.B. 3000, as amended, favorable for passage. The motion passed.

H.B. 2884 - Child support order not dormant judgment for 7 years

H.B. 2920 - Dormant judgments of child support extended until the child is 18

Representative Crowell moved and Representative Whiteman seconded to amend H.B. 2884 by removing on lines 41 and 42, "including judgments in favor of the state or any municipality in the state," and to add in the appropriate place, "The provisions of this subsection (b) shall apply only to those child support judgments which have not become dormant or void as of July 1, 1988", and to report H.B. 2884, as amended, favorable for passage. The motion passed.

H.B. 3052 - Concerning collateral source

The Committee discussed amending H.B. 3052, a trailer bill to H.B. 2693. Two amendments were distributed to the Committee, (see Attachment I and Attachment II).

Representative Shriver moved to strike Sec. 2 of H.B. 3052 and the bill be appropriately rewritten. Representative Sebelius seconded the motion. The motion passed.

A motion was made by Representative Walker and seconded by Representative Fuller to adopt the amendments in Attachment 11, and to restore the \$50,000 threshold. The motion passed.

Representative Crowell moved to report H.B. 3052, as amended, favorable for passage. Representative Fuller seconded and the motion passed.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY,
room 313-S, Statehouse, at 3:30 ~~xxx~~/p.m. on March 3, 1988

H.B. 2880 - Who is protected, the enforcement of such protection and support payments

A motion was made by Representative Shriver and seconded by Representative Snowbarger to strike all of Section 1. The motion passed.

Representative Wagnon moved to change lines 59 through 62 to read "Such support payments shall expire 6 months after the date of issuance or on the motion of the plaintiff, the court may extend the same for an additional 6 months. Representative Whiteman seconded the motion. The motion passed.

A motion was made by Representative Whiteman and seconded by Representative Snowbarger to delete Sec. 3 of the bill. The motion passed.

H.B. 2943 - Docket fee not required on appeal in code for care of children

Representative Whiteman moved to insert the word "advance" before the word "docket" on line 30. Representative Solbach seconded. The motion passed.

Representative Kennard moved and Representative Whiteman seconded to report H.B. 2943, as amended, favorable for passage. The motion passed.

The Committee meeting was adjourned at 5:10 p.m. The next meeting will be on adjournment of the House of Representatives, Friday, March 4, 1988.

GUEST REGISTER

DATE March 3, 1988

NAME

ORGANIZATION

ADDRESS

PATRICIA HENSHALL

OJA / SUPREME COURT

TOPEKA

Tom Smith

KBA

||

Jim Clanic

Ricky Ricardo Enterprises

Los Angeles.

HOUSE BILL No. 3052

By Committee on Judiciary

2-24

0017 AN ACT concerning civil procedure and evidence; relating to
0018 collateral source benefits.

0019 *Be it enacted by the Legislature of the State of Kansas:*

0020 Section 1. In any action for personal injury or death, evi-
0021 dence of collateral source benefits received, or evidence of
0022 collateral source benefits which are reasonably expected to be
0023 received in the future, shall be admissible if the total of the
0024 collateral source benefits exceeds \$50,000.

0025 Sec. 2. The provisions of this act shall apply to any action
0026 pending or brought on or after July 1, 1988, regardless of when
0027 the cause of action occurred.

0028 Sec. 3. This act shall take effect and be in force from and
0029 after its publication in the statute book.

; amending section 2 of 1988 House Bill No. 2693 and
section 6 of 1988 House Bill No. 2693 and repealing the
existing sections

Section 2 of 1988 House Bill No. 2693 is hereby amended
to read as follows: Sec. 2.

Section 6 of 1988 House Bill No. 2693 is hereby amended
to read as follows: Sec. 6.

Section 2 of 1988 House Bill No. 2693 and Section 6 of
1988 House Bill No. 2693 are hereby repealed.
Sec. 4

Attachment I

HOUSE BILL No. 3052

By Committee on Judiciary

2-24

0017 AN ACT concerning civil procedure and evidence; relating to
0018 collateral source benefits.

0019 *Be it enacted by the Legislature of the State of Kansas:*

0020 Section 1. In any action for personal injury or death, evi-
0021 dence of collateral source benefits received, or evidence of
0022 collateral source benefits which are reasonably ~~expected~~ to be
0023 received in the future, shall be admissible if the total of the
0024 collateral source benefits exceeds \$50,000.

0025 ~~Sec. 2. The provisions of this act shall apply to any action~~
0026 ~~pending or brought on or after July 1, 1988, regardless of when~~
0027 ~~the cause of action occurred.~~

0028 Sec. 3. This act shall take effect and be in force from and
0029 after its publication in the statute book.

; amending section 2 of 1988 House Bill No. 2693 and repealing the
existing section

Section 2 of 1988 House Bill No. 2693 is hereby amended to read as follows:
Sec. 2.

certain

Sec. 2. Section 2 of 1988 House Bill No. 2693 is hereby repealed.

Attachment II