

Approved

Thomas F. Walker
Date 4/10/90

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Thomas F. Walker at
Chairperson

8:00 a.m./p.m. on Tuesday, April 3, 1990 in room 522-S of the Capitol.

All members were present except:

Representative Brown - Excused Representative Bowden
Representative D. Miller - Excused Representative McClure

Committee staff present:

Avis Swartzman - Revisor
Julian Efird - Legislative Research
Carolyn Rampey - Legislative Research
Jackie Breymeyer - Committee Secretary

Conferees appearing before the committee:

Chairman Walker called the meeting to order for the purpose of discussion and possible final action on HCR 5063 - amend section 2 of article 3 of the constitution of the state of Kansas relating to the supreme court.

Questions were asked to the effect if this resolution were necessary at this late date; are states moving toward or away from the selection process or the governor making the selection.

Mr. Sloan, office of judicial administration, stated he does not believe he has seen any movement in the last ten years one way or the other.

One of the committee members asked if a motion was in order. The Chairman replied in the affirmative.

Representative Graeber moved the adoption of HCR 5063. Representative Krehbiel gave a second to the motion.

Comments during discussion were: "If it aint broke, don't fix it." Another member agreed stating that if it has worked the last 90 years, why fix it. Another questioned where the impetus for this began. He would support the resolution if there were evidence there was a real need for it. Another member stated that seniority does not of itself lend the best person to the job. Another asked about the police powers of the court and if it polices itself or others do the job.

Mr. Sloan stated that one way is to be chastised; thrown out. Another method is the Commission on Judicial Qualifications. The Board is composed of a group that consists of attorneys, a couple of judges and lay people.

One of the members cited the complaint she receives about people not knowing the judges. She also stated that she would have higher committee status if going on the basis of seniority.

Another member stated a situation where the oldest member becomes mayor. There may be members of bodies that stand above others that do not get the chance to succeed because of this method of seniority.

Another member stated it was a problem no matter which way the matter stood.

Several other comments were made and then the chairman called for action on the resolution.

The motion carried.

The Chairman stated the committee was adjourned until noon.

2.M.