

Approved: 14 June 1991
Date

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY.

The meeting was called to order by Chairperson Senator Wint Winter Jr. at
10:45 a.m. on March 28, 1991 in room 514-S of the Capitol.

All members were present except: Senator Gaines who was excused.

Committee staff present:

Mike Heim, Legislative Research Department
Gordon Self, Office of Revisor of Statutes
Judy Crapser, Secretary to the Committee

Conferees appearing before the committee:

Chairman Winter called the meeting to order to receive reports from the Judiciary Subcommittees.

Senator Rock presented the Subcommittee on Civil Procedure reports and recommendations as follows:

SB 370 - charitable trusts; amendments conforming to changes in Internal Revenue Code.
be recommended favorable as written;

SB 379- exemption from and assessment of court costs against the state of Kansas
be recommended favorable as written;

HB 2376- permissive joinder of parties.
be amended to apply only to Chapter 61, further amended to strike House amendment which added claimants must "join in the original petition.", and to recommend favorable as amended;

HB 2099 - limitations on amounts of disposable earnings subject to garnishment.
be recommended for placement on the Consent Calendar;

HB 2384- court fees for foreign judgments.
be recommended for placement on the Consent Calendar;

HB 2056 - amending what is on court documents and the duties of the court clerk.
be amended by a retroactive clause so courts could dispose of duplicate copies currently in storage,
and to recommend favorable for passage as amended;

HB 2470 - written contact with court evoking soldiers' and sailors' relief act not deemed an
entry of appearance.
be recommended for placement on the Consent Calendar;

HB 2053 - expanding the definition of qualified person in professional corporations.
be recommended for placement on the Consent Calendar;

HB 2395 - SRS subrogation, attorney fees.
be recommended favorable as written;

HB 2481 - attachment of KPERs for maintenance.
to request the Committee Chairman request KPERs and the Family Law Advisory Committee to
review and return their recommendations to the Committee;

HB 2488 - child support notices to be mailed first class.
be recommended for placement on the Consent Calendar;

HB 2515 - emergency divorce.
be recommended favorable as written;

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY,
room 514-S, Statehouse, at 10:45 a.m. on March 28, 1991.

HB 2054 - real property included in allowance to spouse and minor children in probate.
be amended to clarify language on page 1, line 27 to read "personal or real property.", and to
recommend favorable as amended;

HB 2051 - including alternative dispute resolution fees as allowable costs.
to amend on page 2, lines 8 and 9 to read "from any fund authorized to pay such fees" and to strike
new section 4, and to recommend favorable as amended;

HB 2469 - release of taxes during bankruptcy.
be amended to provide that county's abatement authority be limited to those claims which are
dischargeable in bankruptcy, that the county's action be subject to approval by the State Board of
Tax Appeals and to recommend favorable as amended;

An objection was made to place HB 2470 on the Consent Calendar.

Senator Rock made a motion to adopt the Subcommittee reports to recommend HB 2099, HB 2384, HB 2053 and HB 2488 favorable and they be placed on the Consent Calendar, to adopt the Subcommittee amendments to HB 2376, HB 2056, HB 2054 and HB 2051 and recommend them favorable as amended, and to recommend SB 370, SB 379, HB 2470, HB 2395, HB 2515 favorable for passage. Senator Bond seconded the motion. The motion carried. (HB 2469 and HB 2481 were not acted on in this motion.)

Chairman Winter announced HB 2003 was rescheduled, in the spirit of fairness, for a short hearing from opponents at the next meeting of the Committee. Additional business to be concluded would be reports from the Subcommittee on Criminal Procedure and Consumer Protection and the remaining bills in the Subcommittee on Civil Procedure.

The meeting was adjourned.

(No guest log was taken at this meeting.)