

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY.

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on January 11, 1995 in Room 313-S of the Capitol.

All members were present.

Committee staff present: Jerry Donaldson, Legislative Research Department
Jill Wolters, Revisor of Statutes
Cindy Wulfkuhle, Committee Secretary

The Committee took requests for introduction of committee bills. Chairman O'Neal stated that he had received two bill requests. The first dealt with the Asset Forfeiture Statute, K.S.A. 65-4173C, and what the funds are used for. The bill would include that proceeds of forfeiture could be used to fund drug and alcohol treatment or education programs.

Chairman O'Neal made a motion to have this bill request introduced as a committee bill. Representative Mays seconded the motion. The motion carried.

A second bill request would amend K.S.A. 60-609 relating to the venue statute. This arose out of a case in Wichita where an attorney argued a change of venue to another district. Plaintiff's counsel claimed negligence against a physician in Saline County and a manufacturer of a medical device and was able to bring suit in any county that the manufacturer did business. This bill request would strike the language in K.S.A. 60-609 referring to "due consideration is to be given to the right of the plaintiff to choose the place of the action." This would leave it to the court to determine in which county the interests of justice would be best served.

Chairman O'Neal made a motion to have this bill request introduced as a committee bill. Representative Graeber seconded the motion. The motion carried.

The committee meeting adjourned at 4:15 p.m. The next committee meeting is scheduled for January 12, 1995.