

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Mike O'Neal at 3:30 P.M. on January 18, 2005 in Room 313-S of the Capitol.

Committee members absent: Dean Newton- excused
Jim Ward- excused
Kevin Yoder- excused
Marti Crow- excused
Michael Peterson- excused
Pat Colloton- excused
Paul Davis- excused

Committee staff present: Jerry Ann Donaldson, Kansas Legislative Research

Conferees appearing before the committee:

Representative Sydney Carlin
Randy Hearrell, Kansas Judicial Council
Scott Schneider, City of Wichita
Marlee Carpenter, Kansas Chamber of Commerce
Ron Hein. RJ Reynolds

Representative Carlin requested a bill which would mandate that all court proceedings in sole legal custody cases must be done in open court. Representative Jack made the motion to have the request introduced as a committee bill. Representative Owens seconded the motion. The motion carried.

Randy Hearrell, Kansas Judicial Council, appeared before the committee to request three bills:

1. Proposed Revision of the Kansas Code for Care of Children
2. Dram Shop legislation
3. Changes in 60-303 & 60-304 of the civil code by replacing "certified mail" and "return receipt delivery" with "delivery with return receipt" (Attachment 1)

Representative Jack made the motion to have the requests introduced as committee bills. Representative Owens seconded the motion. The motion carried.

Scott Schneider, City of Wichita, requested a bill to allow municipal courts to collect the recovery of collection costs. Representative Jack made the motion to have the request introduced as a committee bill. Representative Owens seconded the motion. The motion carried.

Marlee Carpenter, Kansas Chamber of Commerce, requested two bills:

1. Expanding Appeal Bond legislation to include all business
2. Collateral Source Rule

Representative Jack made the motion to have the requests introduced as committee bills. Representative Owens seconded the motion. The motion carried.

Ron Hein, RJ Reynolds, made a bill request to expand Appeal Bond Legislation to include affiliated companies. Representative Jack made the motion to have the request introduced as a committee bill. Representative Owens seconded the motion. The motion carried.

The committee meeting adjourned at 4:00 p.m. The next meeting is scheduled for January 19, 2005, at 3:30 p.m. in room 313-S.



KANSAS JUDICIAL COUNCIL

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MEMORANDUM

TO: House Judiciary Committee
FROM: Kansas Judicial Council - Randy M. Hearrell
DATE: January 18, 2005
RE: Judicial Council Bill Requests*

The Judicial Council requests the introduction of three bills by the House Judiciary Committee. They are:

1. Introduction of the proposed Revised Kansas Code for Care of Children. This bill proposes repeal of the existing Kansas Code for Care of Children, which is over 20 years old, and its replacement with the proposed revised code. The proposed code was prepared at the request of the Legislature and is the work of the Judicial Council Juvenile Offender/Child in Need of Care Advisory Committee. The Committee was large and included representatives from the bench, bar, Legislature, prosecution, academia, CASA, JJA, KCSL and SRS. The proposed revised code includes numerous technical and organizational changes. The proposed revised code also includes a number of both major and minor policy changes, which are identified and discussed in the general comments to the proposed code and in the comments to the individual sections. The Judicial Council is also requesting introduction of a proposed Revised Kansas Juvenile Justice Code in the Senate.
2. A bill dealing with the serving of alcoholic liquor or cereal malt beverages which gives aggrieved parties a cause of action against on premises licenses under certain circumstances (called a dram shop law). The bill is similar to 2004 Substitute for House Bill No. 437.
3. A bill to amend sections 60-303 and 60-304 of the civil code to replace existing references to "certified mail" and "return receipt delivery" with reference to "delivery with return receipt".

* Proposed Judicial Council Legislation is posted at www.kscourts.org/council/

House Judiciary
1-18-05
Attachment 1