

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Senator Vratil at 9:59 a.m. on March 8, 2002 in Room 423 S of the Capitol.

All members were present except: Senator Adkins (excused)  
Senator Schmidt (excused)

Committee staff present:

Gordon Self, Revisor  
Mike Heim, Research  
Mary Blair, Secretary

Conferees appearing before the committee:

Randy Hearrell, Kansas Judicial Council  
Mark Beck, Director of Property Valuation, Kansas Department of Revenue  
Mike Utz, Garden City Police Department  
Senator Ward Loyd  
Jim Kaup, Attorney, City of Garden City, Kansas

Others attending: see attached list

The minutes of the March 7<sup>th</sup>, 2002 meeting were approved on a motion by Senator Haley, seconded by Senator Donovan. Carried.

**SB 522—municipal courts; collection of fines and court costs**

Following a review of **SB 522** by the Chair and discussion by committee, Senator Donovan moved to recommend the bill favorably for passage, Senator Gilstrap seconded. Motion failed.

**SB 297—enacting the Kansas uniform trust code**

Senator Goodwin presented a brief background on the Uniform Trust Code, (attachment 1) and reviewed work done in the subcommittee on **SB 297** applauding the efforts of the Kansas Bankers Association, Probate Division of the Kansas Judicial Council, and the Kansas Bar Association to come to agreement on language in the bill. She briefly discussed the amendments to the bill and stated that the subcommittee recommended the bill favorably for passage. (attachment 2)

Conferee Hearrell reiterated Senator Goodwin's review and briefly discussed the balloon amendments. (attachment 3) Following discussion, Senator Goodwin moved to amend SB 297 as recommended by the subcommittee, Senator Donovan seconded. Carried. Following further discussion, Senator Goodwin moved to pass the bill out favorably as amended, Senator Donovan seconded. Carried.

**HB 2698—concerning real estate validation questionnaires**

Conferee Beck testified in support of **HB 2698**, a bill which amends current law by making a technical adjustment to exclude real estate sales validation questionnaires from being required by transfers of title from a trust. He stated that this bill reduces unnecessary paperwork. (attachment 4)

Written testimony supporting **HB 2698** was submitted by Bob Wunsch, Kingman, Kansas. (attachment 5)

**HB 2769—abatement of common nuisances**

Conferee Utz testified in support of **HB 2769**, a bill which amends the list of unlawful activities considered to be common nuisances, by adding any felony committed for the benefit of, at the direction of, or in association with any criminal street gang, with specific intent to promote, further, or assist in any criminal conduct by gang members. He discussed his agency's problems with increased gang activity in Garden City and urged passage of the bill. (no attachment)

Conferee Representative Loyd testified in support of **HB 2769**. He presented background on this "civil injunctions" bill, discussed why it was necessary, what it would do, and how it related to property law and common nuisance procedures. (attachment 6) He reviewed a detailed outline of certain portions of the bill's provisions. (attachment 7) Lengthy discussion followed.

Conferee Kaup testified in support of **HB 2769**. He discussed Garden City's efforts to deal with the problem of youth gangs and said that while there has been some decrease in the number of gangs much is yet to be

done due to drug trafficking and intimidations. He stated that the bill would expand the range of options available to combat gangs by enabling the use of common nuisance laws against gang activity.(attachment 8)

The meeting adjourned at 11:03 a.m. The next meeting is March 11, 2002.