

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Judiciary** recommends **HB 2101** be amended on page 1, in line 23, by striking "30" and inserting "60"; in line 25, by striking "30-day" and inserting "60-day"; in line 29, by striking "30" and inserting "60";

On page 2, in line 3, by striking "30-day" and inserting "60-day"; in line 11, by striking all following "(e)"; by striking all in lines 12 through 19 and inserting "Any person appointed shall be a person of recognized integrity, character, ability, experience and judicial temperament, to the end that persons serving as judges of the court of appeals will be the best qualified therefor.";

On page 3, in line 5, by striking all following "(a) "; in line 6, by striking "June 30, 2011,"; in line 25, by striking "holding office on June 30, 2011"; following line 38, by inserting:

"Sec. 4. K.S.A. 20-3010 is hereby amended to read as follows: 20-3010. (a) Any person appointed to the office of judge of the court of appeals ~~pursuant to K.S.A. 20-3009 shall commence upon the duties of his or her office on the date such appointment takes effect, and any person so appointed shall have all the rights, privileges, powers and duties prescribed by law for the office of judge of the court of appeals. Any such judge who is so appointed to fill a vacancy or appointed by reason of the expiration of a term of office, shall serve until the second Monday in January following the next general election which occurs after one year in office and shall be eligible to succeed himself or herself~~ be retained in office for a full term of four ~~(4)~~ years as provided in K.S.A. 20-3006, and amendments thereto, for the retention of judges first appointed to the court of appeals.

(b) If a majority of the votes cast and counted at such election is in favor of retaining such judge in office, ~~he or she~~ the judge shall remain in office for a regular term of four years from the second

Monday in January next following such election. Thereafter, such judge shall be subject to retention in office as provided in K.S.A. 20-3006, and amendments thereto. If a majority of the votes cast and counted at such election is against retaining such judge in office, such judge's position on the court of appeals shall become vacant on the second Monday in January next following the election, and a successor shall be appointed pursuant to ~~K.S.A. 20-3007, 20-3008 and 20-3009~~ section 1, and amendments thereto. If such judge does not declare ~~his or her~~ such judge's candidacy for election to ~~succeed himself or herself~~ be retained in office, such judge's position on the court of appeals shall be vacant on the second Monday in January next following such election.";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, following the first "and" by inserting "20-3010"; in line 4 by striking the fourth comma and inserting "and"; also in line 4, by striking "and 20-3010";

And the bill be passed as amended.

Chairperson