

Approved  
Date: February 2, 2001

## MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson John Vratil at 9:40 a.m. on February 1, 2001 in Room 123-S of the Capitol.

All members were present except: Senator Haley (excused)

Committee staff present:

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

Conferees appearing before the committee:

Natalie Haag, Chief Legal Counsel, Office of the Governor  
Randy Hearrell, Executive Director, Kansas Judicial Council  
Peter Cotorceanu, Judicial Council, Probate Law Committee

Others attending: see attached list

Minutes of the January 30 and 31, 2001 meetings were approved on a motion by Senator Donovan, seconded by Senator O'Connor. Carried.

### **SB 97—concerning the signing of certain documents issued or made by the governor**

Conferee Haag testified in support of **SB 97**, a bill which modifies the current statute relating to the signing, by the governor, of warrants and requisitions for the detention and transportation of fugitives across state lines. This bill would allow the governor to designate a person to execute the documents or to authorize the use of an electronic signature on these documents. (attachment 1) Discussion followed.

### **SB 98—concerning the publication of proclamations issued by the governor**

Conferee Haag testified in support of **SB 98**, a bill which amends current law relating to the execution, by the governor, of proclamations for various special events which are to be published in the state register. Except for those required by law, the amendment would eliminate the requirement that all proclamations be published in the state register. (attachment 2)

### **SB 30—concerning wills, trusts and other instruments; re: invalidity of certain provisions, exceptions**

Conferee Hearrell stated that the Judicial Council's Probate Law Committee is requesting the language submitted in New Section II of **SB 30** be stricken pending further work by the Committee. There was consensus to amend this portion of **SB 30**. (attachment 3)

Conferee Cotorceanu testified in support of **SB 30**, a bill which closes loopholes in current law relating to the preparation and execution of wills and makes the statute parallel the disciplinary rule in the Kansas Rules of Professional Conduct. The Conferee cited case law to describe how the language in current law has been misconstrued. He detailed other provisions in the law. (see attachment 3)

### **SB 26—concerning Kansas standard asset seizure and forfeiture act; re: civil remedies**

The Chair reviewed **SB 26**. Several Committee members expressed concerns about this bill questioning the need for it. Following discussion, Senator Adkins moved to table the bill, Senator O'Connor seconded. Carried.

### **SB 27—concerning corrections; re: transfer of offenders**

The Chair reviewed **SB 27**. Following discussion there was general consensus that the revisor would write a balloon amendment to the bill to make several changes recommended by the Committee.

The meeting adjourned at 10:30 a.m. The next meeting is February 2, 2001.