

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Mike O'Neal at 3:30 p.m. on March 15, 2004 in Room 313-S of the Capitol.

All members were present except:

Representative Dan Williams- excused

Committee staff present:

Jill Wolters, Revisor of Statutes

Diana Lee, Revisor of Statutes

Jerry Ann Donaldson, Kansas Legislative Research Department

Cindy O'Neal, Secretary

SB 317 - eliminating the requirement subpoenaed business records be held indefinitely by the clerk of the district court.

A balloon was provided to the committee with technical amendments proposed by the Revisor. (Attachment 1) Representative Patterson made the motion to adopt the balloon. Representative Owens seconded the motion. The motion carried.

Representative Jack made the motion to amend in the provisions of **HB 2655 - civil procedure for limited actions**. Representative Pauls seconded the motion. The motion carried.

Representative Loyd made the motion to amend in the provisions of **HB 2565 - clarifying amendments to the civil liability worthless check statute**. Representative Owens seconded the motion. The motion carried.

Representative Patterson made the motion to report **SB 317** favorably for passage, as amended. Representative Jack seconded the motion. The motion carried.

SB 256 - victim compensation for residents who are victims of crimes committed outside the United States

A balloon was provided making it clear that the provisions would not apply to those who are members of the United States Armed Forces while on active duty and included some technical amendments. (Attachment 2) Representative Pauls made the motion to adopt the balloon. Representative Yoder seconded the motion. The motion carried.

Representative Long-Mast made the motion to make the bill retroactive by adding "death occurring after January 1, 2001." Representative Goering seconded the motion. The motion carried.

Representative Long-Mast made the motion to report **SB 256** favorably for passage, as amended. Representative Davis seconded the motion. The motion carried.

SB 436 - statute of limitations on childhood sexual abuse extended to 30 years.

The committee felt that the current statute of limitations was working fine and didn't believe that it needed to be extended. They viewed Kansas as one of the more liberal states in the country with the tolling provision of three years after the person "has knowledge" that the act has happened. Therefore, they suggested that no action be taken on the bill.

HB 2614 - counties may pay district magistrate judges supplemental salary

Representative Patterson made the motion to report **HB 2614** favorably for passage. Representative Owens seconded the motion.

Representative Patterson made the substitute motion to amend the provisions of **HB 2614** into **SB 354**. Representative Long-Mast seconded the motion. With permission of the second Representative Patterson withdrew his substitute motion. The original motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE JUDICIARY COMMITTEE at 3:30 p.m. on March 15, 2004 in Room 313-S of the Capitol.

SB 460 - taxpayer identification cannot be used to obtain drivers' licenses or other identification cards

Representative Long-Mast made the motion to report SB 460 favorably for passage and be place on the Consent Calendar. Representative Owens seconded the motion.

Representative Klein made the substitute motion to strike Section 2 of the bill. Representative Rehorn seconded the motion. The motion carried.

Representative Yoder made the motion to report SB 460 favorably for passage, as amended. Representative Newton seconded the motion. The motion carried.

SB 423 - wage garnishment; assignment of account

Representative Swenson made the motion to table the bill. Representative Long-Mast seconded the motion. The motion carried.

SB 298 - creation of docket fee for garnishments

A balloon was provided which address issues the committee and conferees had with Senate amendments. (Attachment 3)

Representative Jack made the motion to table the bill. Representative Swenson seconded the motion. The motion carried.

The committee meeting adjourned. The next meeting was scheduled for March 16, 2004.