

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Lance Kinzer at 3:30 p.m. on February 5, 2009, in Room 143-N of the Capitol.

All members were present except:

Representative Jason Watkins- excused
Representative Kay Wolf- excused
Representative Kevin Yoder- excused

Committee staff present:

Melissa Doeblin, Office of the Revisor of Statutes
Matt Sterling, Office of the Revisor of Statutes
Athena Andaya, Kansas Legislative Research Department
Sue VonFeldt, Committee Assistant

Conferees appearing before the committee:

None

Others attending:

See attached list.

HB 2110 - Increase in property damage amount in actions involving negligent motor vehicle operation.

Representative Kuether made the motion to report HB 2110 favorably for passage. Representative Colloton seconded the motion.

Representative Whitham proposed an amendment to adopt balloon (Attachment 1) which deletes section (d) that provides for an annual CPI-U adjustment. Representative Jack seconded the motion.

The committee had requested the revisors office to review the statutes to determine if the consumer price index clause was uniform with others and if it was a common practice to include such a clause. Melissa Doeblin and Matt Sterling reported back that the clause took from similar statutes, but there were only a handful of instances where a similar clause was used.

Representative Whitham moved to adopt the balloon. The motion carried.

Representative Colloton made the motion to report HB 2110 favorably for passage as amended. Representative Brookens seconded the motion. The motion carried.

HB 2111- Removing sunset provision from Kansas commission on judicial performance statutes; retaining increase in docket funds to fund commission.

Randy Hearrell, Kansas Judicial Council provided testimony in relation to a question regarding the number of website hits that arose during the hearing on February 4, 2009. They provided a breakdown of the total number of 107,422 website hits and the 1,739,881 total Web page hits by month, however the number of unique website hits were not available. (Attachment 2).

Representative Crow made the motion to report HB 2111 favorably for passage. Representative King seconded the motion.

Representative Patton made the motion to extend the sunset provision to June 30, 2012. Representative Talia seconded.

Representative Brookens suggested extending the sunset by four years instead of two. Representative Pauls suggested it is cleaner not to have a sunset provision.

Representative Whitham made a substitute motion to leave sunset provision in and extend the date to June

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30, 2014. Representative Talia seconded the motion.

Representative King recommended having the sunset date on the year before an election instead of on an election year, such as 2013 or 2015.

Representative Whitham, with permission of the second, corrected his substitute motion to June 30, 2013 as the sunset date. Motion carried.

Representative Pauls made the motion to report **HB 2111** favorably for passage as amended. Representative Goyle seconded the motion. Motion carried.

The next meeting is scheduled for February 9, 2009.

The meeting was adjourned at 03:55 p.m.