

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson John Barker at 3:30 pm on Thursday, February 11, 2016, 112-N of the Capitol.

All members were present except:

Representative Mark Kahrs – Excused

Committee staff present:

Robert Gallimore, Legislative Research Department

Jason Thompson, Office of Revisor of Statutes

Lauren Douglass, Legislative Research Department

Connie Bahner, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

No conferees present

Others in attendance:

[See Attached List](#)

Possible action on bills previously heard

SB319 - An act concerning civil procedure for limited actions; relating to venue under the small claims procedure act.

Chairperson Barker called for the Committee's pleasure on **SB319**.

*Vice-Chairperson Charles Macheers moved to recommend **SB319** favorably for passage, seconded by Representative John Rubin.*

*Representative John Carmichael moved to amend **SB319** in line 15 by making the bill effective upon publication in the Kansas Register rather than in the statute book, seconded by Representative Dennis Highberger.*

*There being no discussion, Representative Carmichael closed on his motion to amend. A vote was taken, and the amendment to **SB319** was adopted.*

*Vice-Chairperson Charles Macheers moved to recommend **SB319, as amended**, favorably for passage, seconded by Representative John Carmichael. A vote was taken, and **SB319, as amended**, passed favorably.*

SB321 - An act concerning probate; relating to filing of wills.

Chairperson Barker called for the Committee's pleasure in connection with **SB321**.

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 3:30 pm on Thursday, February 11, 2016 in Room 112-N of the Capitol.

Vice-Chairperson Charles Macheers moved to recommend **SB321** favorably for passage, seconded by Representative John Carmichael.

Representative John Carmichael moved to amend **SB321** at line 31 to provide that this legislation will become effective upon publication in the Kansas Register, seconded by Representative John Whitmer.

A vote was taken, and the amendment to **SB321** was adopted.

Vice-Chairperson Charles Macheers moved to recommend **SB321**, as amended, favorably for passage, seconded by Representative Randy Powell.

A vote was taken, and **SB321**, as amended, was favorably passed.

HB2550 - An act concerning the Kansas law enforcement training act; relating to open records; exemptions.

Chairperson John Barker stated that **HB2550** and **HB2555** are two C-POST bills. Both bills were non-controversial and there were no opponents. The Revisor has advised that the two can be combined into one bill. Chairperson Barker is recommending that **HB2555** be added to **HB2550**. Chairperson Barker called for the Committee's pleasure on **HB2550**.

Vice-Chairperson Charles Macheers moved to recommend **HB2550** favorably for passage, seconded by Representative Leslie Osterman.

Representative John Carmichael moved to amend **HB2550** by adding the contents of **HB2555** into it, seconded by Representative John Whitmer.

There being no discussion, Representative John Carmichael closed on his motion.

A vote was taken, and the amendment to **HB2550** was adopted.

Vice-Chairperson Charles Macheers moved to recommend **HB2550**, as amended, favorably for passage, seconded by Representative Erin Davis.

A vote was taken, and **HB2550**, as amended, was favorably passed.

HB2553 - Increasing municipal court assessments and directing to the commission on peace officers' standards and training.

Chairperson Barker called for the Committee's pleasure.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES of the Committee on Judiciary at 3:30 pm on Thursday, February 11, 2016 in Room 112-N of the Capitol.

Vice-Chairperson Charles Macheers moved to recommend **HB2553** favorably for passage, seconded by Representative Erin Davis.

Representative Craig McPherson made a conceptual motion to amend **HB2553** by requiring that the \$22.50 assessment be put into the State General Fund, seconded by Representative Kyle Hoffman.

Representatives Annie Kuether, John Rubin, John Whitmer, John Carmichael, and Leslie Osterman opposed the motion to amend **HB2553**.

Representative Craig McPherson withdrew his motion to amend **HB2553** with the approval of Representative Kyle Hoffman. Chairperson Barker allowed the motion to be withdrawn.

Representative Dennis Highberger stated that he reluctantly supports **HB2553** although he opposes balancing the budget by raising fees on poor people.

Vice-Chairperson Charles Macheers closed on his motion to favorably pass **HB2553**.

A vote was taken, and **HB2553** was favorably passed.

Chairperson Barker stated that hearings were previously held on **HB2062** and **HB2080**, referred to as the revenge porn bills. **HB2124**, a banker's bill dealing with the Uniform Commercial Code, was passed out of the House last year. It was a non-controversial bill. **HB2124** then went to conference committee where the contents were stripped and other language was put in.

Chairperson Barker recommends the Committee revisit that bill by removing the current language in **HB2062** and inserting the language from **HB2124**, as recommended by the Judiciary Committee last session. The Revisor has advised that this can be done.

At Chairperson Barker's request, Jason Thompson, Revisor, gave an overview of **HB2124**. He further advised that a **Senate Substitute for HB2124** was drafted to correct some minor errors in the Uniform Commercial Code ([Attachment 1](#)).

Representative Blaine Finch moved to recommend **HB2062** favorably for passage, seconded by Representative Blake Carpenter.

Representative Blaine Finch moved, seconded by Representative Osterman, to delete the language in **HB2062** and replace it with the language from **Senate Substitute for HB2124**, to create **Substitute for HB2062**, motion carried.

Representative Blaine Finch moved to recommend **Substitute for HB2062** favorably for passage, seconded by Representative Blake Carpenter.

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A vote was taken, and **Substitute for HB2062** was favorably passed.

Chairperson Barker notified the Committee that they would work **HB2080** and **SB159** on Monday because a number of amendments are being prepared.

HB2024 - An act concerning crimes and punishment; relating to domestic battery.

Chairperson Barker called for the Committee's pleasure on **HB2024**. A hearing was held last year, it was worked, amended and passed out. It was sent to Appropriations, and just recently was returned to the Committee.

After some discussion, Representative Annie Kuether moved that the Committee recommend **HB2024** favorably for passage, seconded by Representative Blaine Finch.

Representatives John Rubin, John Whitmer, and John Carmichael support the bill. Representatives James Todd and Erin Davis oppose the bill.

Representative Annie Kuether closed on **HB2024**. A vote was taken, and **HB2024** was favorably passed.

Representative John Rubin voted yes.

There being no further business, the meeting was adjourned at 4:20 p.m.

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