

Approved: March 8, 2000

Date

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on February 21, 2000 in Room 313-S of the Capitol.

All members were present.

Committee staff present:

Jerry Ann Donaldson, Legislative Research Department

Jill Wolters, Office of Revisor of Statutes

Cindy O'Neal, Committee Secretary

HB 2685 - Kansas Fair Credit Reporting Act

Staff provided the committee with a balloon amendment which contained the amendments that had been requested and agreed to by all parties testifying on the bill. Except that it deleted the Colorado provisions requiring a free credit report when three inquiries had been made into your account. (Attachment 1)

Representative Loyd made the motion to amend in the balloon. Representative Carmody seconded the motion. The motion carried.

Representative Gregory made the motion to amend the bill by allowing one free notification per year if it's requested. Representative Long seconded the motion. The motion carried.

Representative Kline made the motion to strike subsection (b) on page 28 so there would be no reference to remedies of the violation under the Kansas Consumer Protection Act. Representative Pauls seconded the motion. The motion failed 8-8.

Representative Carmody made the motion to report **HB 2685** favorably for passage, as amended. Representative Gregory seconded the motion. The motion carried.

HB 2905 - Service of Process

Representative Carmody made the motion to adopt technical amendments as needed by the Revisors Office. Representative Crow seconded the motion. The motion carried.

Representative Carmody made the motion to report **HB 2905** favorably for passage, as amended. Representative Gregory seconded the motion. The motion carried.

HB 2907 - Filing of Cross Appeals

Representative Loyd made the motion to report **HB 2907** favorably for passage. Representative Powell seconded the motion. The motion carried.

HB 2894 - Sexual Relations with a Teacher

The committee discussed two options it had when dealing with teachers have consensual sexual relations with a student. They could either go with the bill which would make it a felony or they could mandate that the State Board of Education revoke the teachers licenses. Some members believed that these types of cases could be charged under the rape statute, others felt that a teacher should know better and be subject to harsh penalties.

Representative Flaharty made the motion to report **HB 2894** favorably for passage. Representative Rehorn seconded the motion.

Representative Loyd made the motion to change "privates" to "private" on page 2, line 43 and delete the word "professional" on page 2, line 41. Representative Carmody seconded the motion. The motion carried.

Representative Flaharty made the motion to report **HB 2894** favorably for passage, as amended. Representative Rehorn seconded the motion. The motion carried.

HB 2683 - Collection of Information on Traffic Stops

CONTINUATION SHEET

Representative Carmody provided the committee with a balloon amendment that if adopted would be **House Substitute for HB 2683 (Attachment 2)**. It required the Governor and Attorney General to develop a request for proposal for an independent agency to collect information and report back to the legislature. He made the motion to move the balloon amendment. Representative Ruff seconded the motion. The motion carried.

Representative Carmody made the motion to report **House Substitute for HB 2683** favorably for passage. Representative Rehorn seconded the motion. The motion carried.

HB 2614 - Eavesdropping to include videotaping a person under or through their clothes

Representative Loyd made the motion to report **HB 2614** favorably for passage. Representative Ruff seconded the motion. The motion carried.

The committee meeting adjourned at 5:00 p.m. The next meeting was scheduled for February 22, 2000.