

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Mike O'Neal at 3:30 P.M. on March 6, 2008 in Room 313-S of the Capitol.

All members were present except:

Marti Crow - excused
Ben Hodge - excused
Jason Watkins - excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research
Athena Andaya, Kansas Legislative Research
Jill Wolters, Office of Revisor of Statutes
Jason Thompson, Office of Revisor of Statutes
Cindy O'Neal, Committee Assistant

Conferees appearing before the committee:

Randy Hearrell, Kansas Judicial Council
David Weaver, Kansas State University Foundation
Nick Badgerow, Kansas Judicial Council

The hearing on **SB 433 - uniform prudent management of institutional funds act**, was opened.

Randy Hearrell, Kansas Judicial Council, explained that the new uniform act provides statutory guidelines for management, investment, and expenditure of endowment funds held by charitable institutions. (Attachment #1)

David Weaver, Kansas State University Foundation, commented that the proposed bill encourages that investment decisions should be made with regard to the overall resources of an institution and its charitable purposes. Also, it eliminates the historic dollar value limitation on expenditures, which have become irrelevant because of current economic conditions. The release of donor restrictions for small institutional funds are impractical to manage without incurring disproportionate legal fees. (Attachment #2)

The hearing on **SB 433** was closed.

The hearing on **SB 434 - code of civil procedure, electronically stored information**, was opened.

Nick Badgerow, Kansas Judicial Council, appeared as a proponent of the bill because it would keep the State Rules of Civil Procedure as uniform, as possible, with the Federal Rules of Civil Procedure. (Attachment #3)

The hearing on **SB 434** was closed.

SB 412 - health care; medical assistance repayment; discretionary trust

Representative Pauls made the motion to report SB 412 favorably for passage. Representative Owens seconded the motion. The motion carried.

SB 432 - uniform transfer on death security registration act

Representative Whitham made the motion to report SB 432 favorably for passage and be place on the consent calendar. Representative Owens seconded the motion. The motion carried.

SB 431 - probate, small estates, increasing allowances for spouses and minor children

Representative Pauls made the motion to report SB 431 favorably for passage. Representative Owens seconded the motion. The motion carried.

CONTINUATION SHEET

MINUTES OF THE House Judiciary Committee at 3:30 P.M. on March 6, 2008 in Room 313-S of the Capitol.

SB 435 - amendment to revised Kansas Juvenile Justice code and Kansas code for care of children

Representative Pauls made the motion to report SB 435 favorably for passage. Representative Owens seconded the motion.

Representative Pauls made the substitute motion to adopt the balloon (Attachment #4) which would amend the definition of "commissioner". Representative Owens seconded the motion. The motion carried.

Representative Ward expressed concern with language on page 26, line 16 & 17 which could add the reason of not paying child support to the cause of termination of a case. He made the motion to strike those lines so extended time would not be a factor in the case. Representative Kuether seconded the motion. The motion carried.

Representative Pauls made the motion to report SB 435 favorably for passage, as amendment. Representative Owens seconded the motion. The motion carried.

The committee meeting adjourned at 4:30 p.m. The next meeting was scheduled for March 10, 2008.