

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Mike O'Neal at 3:30 P.M. on March 13, 2008 in Room 313-S of the Capitol.

All members were present except:

Representative Paul Davis - excused
Representative Ben Hodge - excused
Representative Jason Watkins - excused
Representative Kevin Yoder - 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:

Alice Adams, Clerk of District Court, Geary County
Phil Fielder, Court Administrator
Leslie Kaufman, Kansas Cooperative Council
Melissa Wangemann, Office of Secretary of State

The hearing on **SB 423 - notice of filing of foreign judgements**, was opened.

Alice Adams appeared before the committee as a proponent of the bill. She explained that it is currently the responsibility of the court to mail the notice of filing of foreign judgements to the judgement debtor. This bill would require the creditor or the creditor's lawyer to file notice with the debtor. (Attachment #1)

The hearing on **SB 423** was closed.

The hearing on **SB 424 - oil & gas leases, distribution of monies deposited with the court**, was opened.

Phil Fielder, Court Administrator, explained that currently when a oil and gas lease is sold and the owner cannot be found the proceeds are deposited with the court to hold. The proposed bill will allow the company purchasing the oil and gas lease to deposit the monies with the Unclaimed Property Act. (Attachment #2)

The hearing on **SB 424** was closed.

The hearing on **SB 448 - applicability of Kansas general corporation code to certain cooperative**, was opened.

Melissa Wangemann, Office of Secretary of State, offered the bill as a clarifying amendment. Without this bill cooperatives have no authority to file corrections or restate articles of incorporations with the Secretary of State. (Attachment #3)

Leslie Kaufman, Kansas Cooperative Council, was supportive of the proposed bill and would like to have the bill pass without any amendments. (Attachment #4)

The hearing on **SB 488** was closed.

The hearing on **SB 499 - UCC secured transactions, striking forms**, was opened.

Melissa Wangemann, deletes financing statement forms that provides private information. New forms have been developed and are now available on the Secretary of State's website. (Attachment #5)

The hearings on **SB 499** was closed.

CONTINUATION SHEET

MINUTES OF THE House Judiciary Committee at 3:30 P.M. on March 13, 2008 in Room 313-S of the Capitol.

The hearing on **SB 450 - cemetery corporations, investment of permanent maintenance fund**, was opened.

Melissa Wangemann removes the authority of cemetery corporations to maintain a permanent maintenance fund to build a mausoleum. (Attachment #6)

The hearing on **SB 450** was closed.

SB 419 - criminal procedure; form and consent of journal entry

Representative Pauls made the motion to report SB 419 favorably for passage, and be placed on the consent calendar. Representative Proehl seconded the motion. The motion carried.

SB 467 - manufactured housing, filing of security notice

Representative Whitham made the motion to report SB 467 favorably for passage and be placed on the consent calendar. Representative Pauls seconded the motion. The motion carried.

SB 418 - Kansas sentencing commission; duty to annually produce official juvenile correctional facility population projections

Representative Pauls made the motion to report SB 418 favorably for passage. Representative Crow seconded the motion.

Members expressed that the Juvenile Justice Authority does not need the Kansas Sentencing Commission's services and therefore should not have to pay for the projections. If the Sentencing Commission wants \$50,000 for three full time employees they should ask for it in their budget.

With permission of the second Representative Pauls withdrew her motion.

The committee meeting adjourned at 4:15 p.m. The next meeting was scheduled for March 17, 2008.