

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Fred Patton at 3:30 pm on Monday, May 18, 2020, in room Remote Meeting: <http://sg001-harmony.sliq.net/00287/Harmony/en/PowerBrowser/PowerBrowserV2/20200518/-1/9534> or <https://youtu.be/sFvVjoDKv1M> of the Capitol.

All members were present

Committee staff present:

Jason Thompson, Office of Revisor of Statutes
Kathi Rakestraw, Committee Assistant
Milesha Segun, Legislative Research Department
Natalie Nelson, Legislative Research Department
Natalie Scott, Office of Revisor of Statutes
Robert Gallimore, Legislative Research Department

Conferees appearing before the Committee:

Derek Schmidt, Attorney General, State of Kansas
Will Lawrence, Chief of Staff, Governor Laura Kelly

Others in attendance:

No list available

Discussion of COVID-19 liability and concerns and possible legislation to mitigate liability.

(Continued from previous meeting)

Chairperson Patton opened the meeting and took roll call for attendance. All membership and staff were present.

Natalie Scott reviewed the KOMA guidelines for audio/video meetings.

There has been two more written testimonies provided for this topic. They were emailed to all the membership.

Proponent Written

- Mike O'Neal on behalf of the Kansas Policy Institute & Kansas Justice Institute ([Attachment 1](#))

Opposition Written

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 Monday, May 18, 2020, in room Remote Meeting: <http://sg001-harmony.sliq.net/00287/Harmony/en/PowerBrowser/PowerBrowserV2/20200518/-1/9534> or <https://youtu.be/sFvVjoDKv1M> of the Capitol.

- Maren E. Turner, Ph.D., M.S., State Director, AARP of Kansas ([Attachment 2](#))

Review and Discussion of State of Disaster Emergencies (KSA 48-924), Emergency Orders and Proclamations (KSA 48-925), and Other Related Issues

Since Governor Kelly first invoked the authority on March 12, 2020, Attorney General Derek Schmidt and his office has had the opportunity to look closely at provisions of the Kansas Emergency Management Act. A.G. Schmidt covered nine points that he feels deserves the committee's attention. He explained each point in detail. He later offered a written document with an outline of the nine points. ([Attachment 3](#))

Will Lawrence discussed three points which he had been asked to address. ([Attachment 4](#))

- What is the current status of the Governor's emergency declaration?
- Under current law, what happens moving forward with the current declaration and what happens once the current declaration expires? How does this impact federal funding and emergency orders?
- Any recommended changes to current law and/or concerns with making changes? (Short-term only. A more comprehensive review would need to be done in a future legislative session).

Representative Garber asked if he could have a definition of "at risk". Mr. Lawrence indicated he would email the current definition from KHDE to the membership.

Representative Humphries asked if he could address additional leniency that local officials could have in their specific counties due to minimal COVID-19 cases being identified. Mr. Lawrence indicated that he would check into that and get back with the committee.

Chairperson Patton suggested the membership listen to the Senate Judiciary Committee that would be meeting tomorrow.

Chairperson Patton adjourned the meeting at 5:00 pm.