

## 2019 SPECIAL COMMITTEE ON JUDICIARY

### Committee Recommendations

#### Legislative Response to *Hodes & Nausser, MDs, P.A. v. Schmidt*, No. 114,153

It is the recommendation of the Special Committee on Judiciary that Kansas voters be provided the opportunity to adopt a constitutional amendment that would reverse the holding of the Kansas Supreme Court in *Hodes v. Nausser, MDs, P.A. v. Schmidt* regarding the existence of a right to an abortion under the Kansas Constitution.

#### Supreme Court Selection Process

It is the recommendation of the Special Committee on Judiciary that the Legislature continue to study the issue to consider:

- 1) Whether the makeup of the Supreme Court Nominating Commission should be changed as to the apportionment of the number of attorney-elected members to the number of lay members;
- 2) Whether the current selection method should be retained with the addition of requiring Senate confirmation of the Governor's nominee; or
- 3) Whether the current selection method should be replaced with a model that abolishes the use of a nominating commission.

#### Legislative Response to *Hilburn v. Enerpipe Ltd.*, No. 112,765

It is the recommendation of the Special Committee on Judiciary that the Legislature continue to evaluate the ramifications of the *Hilburn* decision prior to determining what, if any, action to take.