

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

Held in Room 519 S, at the Statehouse at 11:00 a. m. on March 20, 19 78.

All members were present except: Senators Steineger, Everett and Gaar

The next meeting of the Committee will be held at 1:30 a. m. on March 20, 19 78.

~~These minutes of the meeting held on xxxxxxxxxxxxxxxxxxxxxxxx 19xx were considered, corrected and approved xxx~~

  
Chairman

The conferees appearing before the Committee were:

- Representative Richard Brewster
- Greg Bangs - Kansas Home Builders Association
- Vernon S. Jarboe - President, Whelan's, Inc.
- Melvin H. Clingan - R. L. Sweet Lumber Company, Mission Woods, Kansas
- Jim Turner - Kansas Savings and Loan League
- Charles Nicolay - Association of General Contractors of Kansas
- Lance Burr - Kansas Association of Realtors
- Mike Muscheites - Mid-America Lumbermen's Association

Staff present:

- Art Griggs - Revisor of Statutes
- Jerry Stephens - Legislative Research Department
- Cynthia Burch - Legislative Research Department

House Bill 2814 - Location of sale of real estate by counties for delinquent taxes. Representative Brewster, the author of the bill, testified in support of it. He explained that this simply would permit judicial foreclosure sales to be held some place besides the front steps of the county courthouse. The courthouse steps are dangerous in bad weather, and the lobby is too small to hold the crowds that sometimes attend such sales.

House Bill 3005 - Liens, service of lien statements. Representative Brewster testified in support of this bill. He explained that the notice provisions would be deemed satisfied if the individual received a copy of the lien statement. He stated that he would have no objection to restoring the stricken language in lines 30 and 37. Committee discussion with him followed.

Substitute for House Bill 2717 - Liens on residential property, warning statements. Representative Brewster testified in support of the bill.

Vernon Jarboe testified in support of the bill, but urged amendments to it. He feels that it could include building material suppliers. He referred to a letter which had previously been

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 Senate Committee on Judiciary March 20, 1978.Sub. HB 2717 continued -

sent to all committee members in which suggested amendments were presented. He would like to see the notification provisions changed so that the notification could be placed on invoices.

Greg Bangs testified the Kansas Home Builders Association support the suggested changes presented by Mr. Jarboe. He urged the bill be amended to provide that the request would have to be in writing.

Melvin H. Clingan, of the R. L. Sweet Lumber Company, testified that they support the position of Mr. Jarboe. He stated that he would oppose the bill unless there were amendments.

Jim Turner of the Kansas Savings and Loan League testified that the league supports the bill, and hopes that the bill will not be loaded up with amendments which would kill the bill. He reminded the committee that the subject of lien notices had been before the legislature for a long time, and that this is an acceptable method of dealing with the problem.

Charles Nicolay testified that the Associated General Contractors of Kansas support the bill and the proposed amendments suggested by Mr. Jarboe.

Lance Burr of the Kansas Association of Realtors testified in support of the bill. He suggested that the criminal penalties be reduced from a class A misdemeanor to a class C misdemeanor.

Mike Muscheites, of the Mid-America Lumbermen's Association, testified that this bill would be helpful in stopping the fly by night operators.

House Bill 2714 - Aggravated interference with parental custody. Following committee discussion, Senator Parrish moved to report the bill favorably; Senator Hess seconded the motion, and the motion carried.

House Bill 2759 - Children and minors, period of minority. Following committee discussion, Senator Hess moved to amend the bill by striking the sexist language; Senator Parrish seconded the motion, and the motion carried. Senator Parrish moved to report the bill favorably as amended; Senator Burke seconded the motion, and the motion carried, with Senator Gaines being recorded as voting "No."

House Bill 2888 - Crime of hypnotic exhibition. Following committee discussion, it was agreed that the chairman should ask the

## CONTINUATION SHEET

Minutes of the Senate Committee on Judiciary March 20, 19 78.

HB 2888 continued -

author to appear.

House Bill 2776 - Procedure for claims against cities. Following committee discussion, Senator Gaines moved to report the bill favorably; Senator Mulich seconded the motion, and the motion carried, with Senators Hess and Hein recorded as voting "No."

House Bill 2929 - Sub. for HB 2929; Mob actions, liability of cities. Following committee discussion, Senator Gaines moved to report the bill adversely; Senator Simpson seconded the motion, and the motion carried.

The chairman announced that there would be a working session this afternoon at 1:30 in room 522.

The meeting adjourned.

These minutes read and approved  
by the committee on 4-24-78.

GUESTS

## SENATE JUDICIARY COMMITTEE

NAME	ADDRESS	ORGANIZATION
Bruce Musgrave	9712 W 93 Overland Park	R L Sweet Lumber Co.
M. H. Clingan	Mission Woods, Ks.	"
Aug Pung Mike Moseherles	KS H-B A S-P. K 4126 West 94th Terrace Prairie Village, Ks	K H B A MID-AMERICAN LUMBERMENS ASSOC
John W Bick	116 W Chase Burlingame, Ks.	John W Bick Lumber Co.
Vernon A Jarboe	3111 W 32 Topeka	Whelan's Inc.
Jim Turner	Topeka	KSLL
Charles Higley	Topeka	Asso. General Court's
Bill Ferry	"	Governor's Office

# R.L. SWEET LUMBER COMPANY

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 TELEPHONE: (913) 236-6000

SHIP TO:

SOLD TO:

DELIVERED ON ORDER NO.

ACCOUNT NO.

JOB NO.

ORDER DATE	DELIVERY DATE	INVOICE DATE	SOLD BY	CHG.	C.O.D.	DEL.	TAKE

TERMS: THIS INVOICE DUE 1ST.  
 PAYABLE 10TH FOLLOWING  
 DATE OF PURCHASE

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