2003 HOUSE JUDICIARY COMMITTEE

Representative Michael R. O'Neal - Chairperson

Representative Doug Patterson - Vice Chairperson

Representative Jan Pauls - Ranking Minority Member

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Representative Marti Crow
Representative Paul Davis
Representative Jeff Goering
Representative Jeff Jack
Representative Tom Klein
Representative Peggy Long
Representative Ward Loyd
Representative Dean Newton
Representative Tim Owens
Representative Rick Rehorn
Representative Dale Swenson
Representative Jim Ward
Representative Dan Williams
Representative Kevin Yoder

STAFF

Jill Wolters - Office of Revisor of Statutes

Jerry Ann Donaldson - Legislative Research Department

Cindy O'Neal - Committee Secretary

2003 HOUSE JUDICIARY COMMITTEE

Member Attendance Record

| Meeting Date | 1/15 | 1/16 | 1/23 | 1/27 | 1/28 | 1/29 | 2/3 | 2/4 | 2/5 | 2/6 | 2/10 | 2/11 | 2/12 | 2/13 | 2/17 | 2/18 | 2/19 | 2/20 | 2/24 | 2/25 | Number Absent |
|----------------------------------|------|------|------|------|------|------|-----|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------------------|
| Representative Marti Crow | X | X | X | X | X | X | X | Х | Х | X | Х | Х | Х | Х | Х | Х | Х | X | Х | Х | |
| Representative Paul Davis | X | X | X | X | X | X | X | X | Х | Е | X | Х | X | Е | Х | Х | X | X | X | X | 3 |
| Representative Jeff Goering | X | X | X | X | X | X | Е | X | X | X | X | X | X | Х | Х | Х | X | X | X | X | 1 |
| Representative Jeff Jack | X | X | X | X | Е | X | Е | X | X | X | X | X | X | X | X | X | X | X | X | X | 3 |
| Representative Tom Klein | X | X | X | X | X | X | X | X | X | X | X | X | X | X | Х | X | X | X | X | X | 1 |
| Representative Peggy Long | X | X | X | X | X | X | X | X | Е | X | X | X | X | X | X | Е | X | X | X | X | 2 |
| Representative Ward Loyd | X | X | X | X | X | X | X | X | X | X | Е | X | X | Х | Х | Х | X | X | X | X | 3 |
| Representative Dean Newton | X | X | X | X | X | X | X | X | X | X | X | X | Е | X | Е | X | X | X | X | X | 4 |
| Representative Michael R. O'Neal | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | 1 |
| Representative Tim Owens | Х | X | X | Е | X | X | X | X | X | X | X | X | X | X | X | X | X | Е | Е | X | 4 |
| Representative Doug Patterson | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | 2 |
| Representative Jan Pauls | Х | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | |
| Representative Rick Rehorn | Х | X | X | Е | X | X | X | X | X | X | X | X | Е | X | X | X | X | X | X | X | 4 |
| Representative Dale Swenson | Х | X | X | Е | Е | Е | X | Е | Е | Е | X | X | X | X | X | X | E | Е | X | X | 13 |
| Representative Jim Ward | X | X | Е | X | Е | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | 2 |
| Representative Dan Williams | Х | x | X | Е | X | X | Е | X | X | X | E | Е | X | X | X | Е | E | Е | E | Е | 15 |
| Representative Kevin Yoder | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | |
| | | | | | | | | | | | | | | | | | | | | | 4 |
| * Temporary Member | | | | | | | | | | | | | | | | | | | | | |
| X-Present | | | | | | | | | | | | | | | | | | | | | |
| E - Excused | | | | | | | | | | | | | | | | | | | | | |

2003 HOUSE JUDICIARY COMMITTEE

Member Attendance Record

| Meeting Date | 3/5 | 3/6 | 3/10 | 3/11 | 3/12 | 3/13 | 3/17 | 3/18 | 3/19 | 3/20 | 3/24 | 3/25 | |
|----------------------------------|-----|-----|------|------|------|------|------|------|------|------|------|------|--|
| Representative Marti Crow | X | X | X | X | X | X | X | X | X | X | X | X | |
| Representative Paul Davis | X | X | X | X | X | X | X | X | X | Е | X | X | |
| Representative Jeff Goering | X | X | X | X | X | X | X | X | X | X | X | X | |
| Representative Jeff Jack | X | X | X | X | Е | X | X | X | X | X | X | X | |
| Representative Tom Klein | X | X | X | X | X | X | X | X | X | Е | X | X | |
| Representative Peggy Long | X | X | X | X | X | X | X | X | X | X | X | X | |
| Representative Ward Loyd | X | X | X | X | X | Е | X | X | Е | X | X | X | |
| Representative Dean Newton | X | X | X | Е | X | X | X | X | X | Е | X | X | |
| Representative Michael R. O'Neal | X | X | X | X | X | X | X | X | X | Е | X | X | |
| Representative Tim Owens | X | X | X | X | X | X | X | X | Е | X | X | X | |
| Representative Doug Patterson | X | Е | X | X | X | X | X | X | X | X | E | X | |
| Representative Jan Pauls | X | X | X | X | X | X | X | X | X | X | X | X | |
| Representative Rick Rehorn | X | X | X | X | Е | X | X | X | X | Е | X | X | |
| Representative Dale Swenson | Е | Е | Е | Е | X | X | Е | X | X | X | X | X | |
| Representative Jim Ward | X | X | X | X | X | X | X | X | X | X | X | X | |
| Representative Dan Williams | X | Е | E | Е | X | X | Е | X | X | Е | E | X | |
| Representative Kevin Yoder | X | X | X | X | X | X | X | X | X | X | X | X | |
| * Temporary Member | | | | | | | | | | | | | |
| X-Present | | | | | | | | | | | | | |
| E - Excused | | | | | | | | | | | | | |

$\frac{2003}{\text{HOUSE JUDICIARY COMMITTEE}}$

COMMITTEE ACTION INDEX

| BILL NUMBER | SUBJECT | DATE OF HEARING/ DISCUSSION | DATE OF FINAL ACTION BY FULL COMMITTEE |
|--------------------|---|--|--|
| HB 2031 | Repealing the statute concerning wills containing formula marital clauses | 1-23-03 | 1-28-03 BP & Placed on Consent Calendar |
| HB 2032 | Amendments to the Kansas Eminent Domain Act | 1-23-03 | 2-13-03 BPA |
| НВ 2033 | Protection from abuse & stalking; requiring the acts to have occurred within one year of filing the petition | 1-29-03 | 2-24-03 No Action Taken |
| HB 2034 | Kansas Power of Attorney Act | 1-28-03 | 2-13-03 BPA |
| НВ 2039 | Illegal aliens may obtain a drivers license if such person has an internal revenue service taxpayer identification number | 2-11-03 | |
| Substitute HB 2039 | Illegal aliens may obtain a drivers license | | 2-25-03 BP |
| HB 2068 | Tort claims liability; immunity; fire control and rescue equipment. | 2-05-03 | 2-13-03 BPA |
| НВ 2074 | The state waives its sovereign immunity rights allowing state employees to sue under certain federal laws. | | |
| HB 2081 | Prohibiting operation of oil and gas wells in violation of certain standards. | 2-18-03 | |
| HB 2100 | Home inspections; contractual language limiting liability void | 2-04-03 | 2-13-03 BPA |
| HB 2133 | Municipal courts collecting fines and court costs. | 2-05-03 | 2-24-03 BPA |
| HB 2139 | Diet programs, consumer protection | 2-06-03 | 2-13-03 No Action Taken |
| HB 2140 | Physical fitness centers, consumer protection | 2-06-03 | 2-13-03 No Action Taken |
| HB 2142 | Nonpartisan selection of district court judges; retention in office; a vote by registered lawyers and qualified electors. | 2-17-03 Cancelled Hearing | |
| HB 2154 | Construction contracts; indemnification agreements | 2-10-03 | 2-25-03 BP |
| HB 2156 | Professional corporation may include physician assistants. | 2-12-03 | |
| HB 2165 | Civil liability for worthless checks, definition of giving a worthless check | 2-12-03 | 2-12-03 BP |
| HB 2198 | Eliminating caps on punitive, wrongful death and non-economic damages | | |
| HB 2205 | Real estate transactions; disclosures relating to special assessments and fees | 2-20-03 | 2-25-03 BPA |
| HB 2215 | Increasing claim limit in small claims court from \$1,800 to \$5,000 | 2-19-03 | 2-24-03 BP Failed 2-25-03 Tabled |
| НВ 2217 | Ignition interlock devices, certificate requirements | 2-18-03 | 2-24-03 2-25-03 BPA |
| HB 2275 | Protection from abuse orders; costs and attorney fees | | |
| НВ 2282 | Alleviation of financial liability of oil and gas industry for actions taken under regulatory control | 2-18-03 Cancelled Hearing Hold till next session | |

| HB 2290 | Amendments to the uniform trust code; qualified beneficiary, definition; creditor's claim against settlor; duty to inform | 2-24-03 | |
|--------------------|---|------------------------|---|
| НВ 2291 | District magistrate judges do not have jurisdiction over petitions to terminate parental rights | 2-17-03 | |
| НВ 2292 | Providing immunity from liability for licensees participating in a program that provides alcohol level indicators | 2-18-03 | |
| HB 2293 | Sheriff's fee for service of process | 2-20-03 | 2-24-03 BPA |
| НВ 2294 | Construction defects; contractor's right to cure prior to filing a civil action; criminal penalties | 2-20-03 | |
| Substitute HB 2294 | Construction defects; contractor's right to cure prior to filing a civil action; criminal penalties | 2-24-03 | 2-25-03 BP |
| HB 2296 | Dram shop law; server permits; alcohol server education program | | |
| НВ 2297 | Garnishment; release of funds if no order to pay issued | 2-20-03 | 2-24-03 BPA |
| HB 2305 | Adoption, requiring the medical care facility to recognize a power of attorney by the birth mother regarding custody of the child | | |
| НВ 2306 | Adult care homes, prohibited use of inspection reports | | |
| НВ 2307 | Elimination or reassignment of district magistrate judge positions upon vacancy | 2-17-03 2-24-03 | |
| Substitute HB 2307 | Reassignment of district magistrate judges | | 2-25-03 BP |
| HB 2331 | Back child support owed does not go dormant | 2-19-03 | |
| HB 2341 | Judicial performance evaluation process | 2-17-03 | |
| HB 2342 | District court judges & district magistrate judges who are elected will not have party affiliations | 2-17-03 | |
| HB 2347 | Kansas Uniform Securities Act | 2-19-03 3-5-03 | 3-10-03 Tabled |
| HB 2351 | Identity theft; certificates for repair of damage credit | 2-24-03 | |
| HB 2360 | Failure to pay child support, administratively suspend drivers' license and distraint motor vehicle | | |
| HB 2380 | Reno and Douglas county district attorney added to statutes concerning elections and surety bonds | | |
| HB 2381 | Participation, requirements and rights of jurors | | |
| HB 2382 | UCC Securities interest in oil & gas production | Hold till next session | |
| HB 2404 | Mortgagee allowed to bid in sale of real estate for delinquent taxes. | 3-13-03 | 3-17-03 BPA |
| НВ 2418 | Delay of phased in increase of court of appeals to 14 judges | 3-6-03 | 3-11-03 No Action Taken 3-24-03 BPA 3-25-03 Committee reconsidered it's action BPA |

| HB 2446 (Exempt) | Eliminate requirement of one judge per county; reassigned based on caseload as determined by supreme court and authority to replace district court judge position with magistrate | | |
|------------------|---|--------------------|--|
| HB 2450 (Exempt) | Child care licensing requirements; exceptions. | | |
| HCR 5016 | Concurrent resolution urging study and recommendations regarding internet and other sales of wines not available in Kansas | 3-18-03 | 3-19-03 BP |
| | SENATE BILLS | | |
| SB 15 | Warning to tenants relating to termination notices with new conditions not contained in rental agreement | 3-13-03 | 3-17-03 BPA |
| SB 16 | Application requirements for drivers' licenses and identification cards. | 2-11-03 | 2-13-03 BPA |
| SB 17 | Appointment of clerks and nonjudicial personnel by the chief judge of each judicial district | 3-6-03 | 3-11-03 BP |
| SB 18 | Issuance of executions and orders of sale | 3-6-03 | |
| Substitute SB 18 | Reassignment of District Magistrate Judges | | 3-18-03 BP 3-7-03 Re-referred to Judiciary |
| SB 19 | Mandatory retirement age of 75 for judges and justices | 3-6-03 | 3-24-03 BP Failed |
| SB 21 | Nomination and selection of justices and judges | 3-6-03 | 3-11-03 BPA |
| SB 28 | Professional corporation law of Kansas | 3-19-03 | |
| SB 29 (Exempt) | Corporation code amendments | | |
| SB 34 | Charitable health care provider under tort claims act. | 2-03-03 | 2-03-03 BP |
| SB 36 | Membership and duties of the judicial council | 3-11-03 | 3-24-03 BPA |
| SB 37 | Receipts from an interest in minerals and other natural resources pursuant to the uniform principal and income act | 3-11-03 | 3-18-03 BP |
| SB 48 | Appeal bonds in litigation involving signatories or successors of the tobacco litigation agreement. | 3-12-03 | 3-25-03 Motion to BP failed |
| SB 61 | Enacting the Uniform Athlete Agents Act | 3-17-03 | 3-19-03 BPA |
| SB 70 | Repeal SRS pass through assistance to family | 3-12-03 | 3-24-03 BP |
| SB 71 | Kansas payment center; removal of sunset provision. | 3-12-03 | 3-17-03 BPA |
| SB 91 | Law enforcement training center, qualifications and officer training requirements | 3-20-03 | 3-25-03 BP |
| SB 110 | Criminal and civil penalties for unlawful acts relating to securities. | 3-10-03 | 3-25-03 BPA |
| SB 206 | One year time limitation on writs of habeas corpus | 3-13-03 3-20-03 | 3-25-03 BP |