

Approved: July 13, 2012

(Date)

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Kinzer at 3:30 PM Thursday, March 8, 2012 in 546-S of the Capitol.

All members were present except:

Mitch Holmes
Pat Colloton
Jan Pauls

Committee staff present:

Katherine McBride, Office of Revisor of Statutes
Jason Thompson, Office of Revisor of Statutes
Lauren Douglass, Kansas Legislative Research Department
Robert Allison-Gallimore, Kansas Legislative Research Department
Nancy Lister, Committee Assistant

Conferees appearing before the Committee:

Helen Pedigo, for Judge Nancy Parrish, Chief Judge 3rd Judicial District
Sandy McCurdy, Clerk of the District Court, 10th Judicial District
Kathy Taylor, Kansas Bankers Association
Koleen Noseskabel, Clerk of the District Court, 26th Judicial District

Others in attendance:

See attached.

Chairman Kinzer advised he appreciated everyone's flexibility in meeting in Rm. 546-S, as another committee needed a larger committee room due to anticipated audience. Chairman Kinzer stated he will try to work **SB 322** and **SB 422** on Monday. The Committee can anticipate working bills all next week and can anticipate long days next week. Chairman Kinzer also announced he is replacing Representative Bruchman with Representative Rubin on the current Subcommittee. Representative Brookens announced the Subcommittee would be meeting tomorrow at 1:30 p.m. in Room 159-S.

Chairman Kinzer opened the hearing on **SB 330—Relating to malpractice liability screening panels**. Katherine McBride provided a brief overview of the bill content.

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 HOUSE JUDICIARY Committee at 3:30 PM on Thursday, March 8, 2012 in 546-S of the Capitol.

Helen Pedigo testified in support of **SB 330** on behalf of Chief Judge Nancy Parrish, Third Judicial District, Shawnee County, Kansas. **SB 330** merely would allow any district court judge- not just the chief judge- to convene a professional malpractice screening panel. She has written testimony that has been supplied to the Committee. (Attachment 1)

Chairman Kinzer closed the hearing on **SB 330** and opened the hearing on **SB 366-Relating to attachment and garnishment**. Katherine McBride provided an overview of the bill content.

Sandy McCurdy testified in support of **SB 366** stating she was Clerk of the District Court in the 10th Judicial District and was appearing on behalf of the District Court Clerks and Administrators. The Clerks are trying to streamline the wage garnishment procedures with the non-wage garnishment procedures. In their first attempt, there were problems with the Kansas Bankers Association, but they have worked with the KBA to include language that would alleviate the bank's liability concerns. The changes will save the clerks a significant amount of time. (Attachment 2)

Kathy Taylor testified as neutral on **SB 366** stating they have worked with the District Court Clerks organization to add language that will make the KBA feel more comfortable with the process. Attached to her testimony was the proposed change to amend the Kansas statutes K.S.A. 60-733(a) and K.S.A. 61-3506(a). (Attachment 3)

Chairman Kinzer advised the Committee there is written testimony in opposition to **SB 366** submitted by Don Astle, Attorney, on behalf of the Kansas Credit Attorney Association. (Attachment 4)

Chairman Kinzer closed the hearing on **SB 366** and opened the hearing on **SB 367-Expanding jury pools to include Kansas income tax filers**. Katherine McBride provided an overview of the bill content.

Koleen Nosekabel testified in support of **SB 367** stating the District Court Clerks and Administrators would like to expand the jury pool to include tax filers. This information is updated yearly and would provide more accurate address information than the Department of Motor Vehicles, whose information is only updated every six years. Jury questionnaires returned as non-deliverable because of insufficient addresses, or the person has moved is an overwhelming expense in postage, supplies, and labor to the county and state. Currently, returns due to bad addresses are estimated at 30 to 50 percent statewide. (Attachment 5)

Chairman Kinzer closed the hearing on **SB 367**.

The next hearing is scheduled for March 12, 2012. The meeting was adjourned at 3:40 p.m.

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