

Approved: July 13, 2012

(Date)

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Vice-Chairperson Patton at 3:30 PM Friday, March 16, 2012 in 346-S of the Capitol.

All members were present except:

Rob Bruchman
Gene Suellentrop
Annie Kuether
Dan Collins
Annie Tietze

Committee staff present:

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

No Conferees appeared before the Committee.

Others in attendance:

See attached.

Chairman Kinzer noted there was a quorum of Committee members so he began the meeting. The Chairman advised he has been approached by two members of the Committee with regards to two bills that were previously passed out of Committee that are having trouble getting through the Senate and he wants the Committee to have the opportunity to place those in Senate bills. Also, he has one other bill he has considered further that he wants to bring up for the Committee's consideration.

Chairman Kinzer advised Representative Smith has concerns about the fate of **HB 2087--Concerning the protection of rights granted under the constitution**. He proposed using **SB 79** as a vehicle to amend **HB 2087** into.

Representative Smith moved, Representative Hildebrand seconded, to remove the contents of SB 79--Requiring the debt setoff collection assistance fee to be an additional cost to all debts owed to the court. Motion carried.

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 Friday, March 16, 2012 in 346-S of the Capitol.

Representative Smith moved, Representative Hildebrand seconded, to amend **SB 79** to insert the contents of **HB 2087** as passed out as amended by the Committee of the Whole. Motion carried.

Chairman Kinzer stated he had an amendment on **HB 2087**, but since the handouts are not up from the revisor's office yet, he will hold this in abeyance for the time being.

Chairman Kinzer stated **HB 2313—Exhaustion of administrative remedies for patients in the custody of secretary of social and rehabilitation services** is a bill Representative Holmes sponsored, that is struggling. He proposed to insert the bill into the shell of a Senate bill from last year.

Chairman Kinzer moved, Representative Colloton seconded, to delete the contents of **SB 74-Conduct and offenses giving rise to forfeiture; adding electronic solicitation and sexual exploitation of a child**. Motion carried.

Representative Holmes moved, Representative Smith seconded, to amend **SB 74** to insert the entire contents of **HB 2313** as amended and passed out of the House. Motion carried.

Representative Holmes moved, Representative Kelly seconded, to recommend **SB 74** favorably for passage as amended. Motion carried.

Chairman Kinzer stated there is one additional bill he wanted to bring to the Committee's attention, and that is **Sub SB 283—Sheriffs, civil process fees**.

Representative Brookens moved, Representative Smith seconded, to recommend **Sub SB 283** favorably for passage.

Representative Brookens stated he had a balloon amendment that was handed out. (Attachment 1) Representative Brookens worked with Ed Klumpp on the language and he checked with his folks on the language. All of the balloons are on Page two, and there are a ton of balloons that straighten out the language so everyone is fine with it. His balloon does not change the fee, which is \$15 dollars.

Representative Brookens moved, Representative Colloton seconded, to amend **Sub SB 283** with the balloon amendment. Motion carried.

Representative Ryckman moved, Representative Bowman seconded, to amend **Sub SB 283** to change the fee from \$15 dollars to \$10 dollars. Motion carried 10-5.

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Representative Colloton moved, Representative Smith seconded, to make a motion to amend **Sub SB 283** to change the fee from \$10 dollars to \$30 dollars.

Chairman Kinzer stated once we vote on this motion, he will not be entertaining additional motions for \$29 dollars, then someone else wants to offer \$8 dollars. We should have a pretty good sense of what the Committee is thinking after this vote.

Representative Colloton moved, Representative Smith seconded, to make a motion to amend **Sub SB 283** to change the fee from \$10 dollars to \$30 dollars. Motion failed.

Representative Brookens moved to raise the fee from \$10 dollars to \$12 dollars.

Chairman Kinzer stated Representative Brookens' motion was out of order.

Representative Brookens moved, Representative Kelly seconded, to recommend **Sub SB 283** favorably for passage as amended. Motion carried.

Chairman Kinzer stated they now have copies of the proposed amendment on **HB 2087** and copies were handed out. (Attachment 2) The Committee is back on **SB 79**, which is now the vehicle for **HB 2087**.

Chairman Kinzer discussed the intent of the amendment. When the bill was heard on the Senate side, there were some conferees that raised the concern and requested we clarify the provisions of the act do not apply to the internal workings of religious organizations. The Chairman stated it is also his understanding that the proponents of the bill are favorably inclined to this amendment.

Chairman Kinzer moved, Representative Patton seconded, to amend **SB 79** with the balloon amendment. Motion carried.

Representative Smith moved, Representative Brookens seconded, to report **SB 79** favorably as amended. Motion carried.

Chairman Kinzer adjourned the meeting at 3:58 p.m.