

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Lance Kinzer at 3:30 p.m. on March 3, 2009, in Room 143-N of the Capitol.

All members were present except:

Representative Annie Kuether- excused  
Representative Joe Patton- excused  
Representative Jeff King- excused  
Representative Jason Watkins

Committee staff present:

Melissa Doebelin, Office of the Revisor of Statutes  
Matt Sterling, Office of the Revisor of Statutes  
Jill Wolters, Office of the Revisor of Statutes  
Athena Andaya, Kansas Legislative Research Department  
Jerry Donaldson, Kansas Legislative Research Department  
Sue VonFeldt, Committee Assistant

Conferees appearing before the committee:

Representative Rardin  
Whitney Damron, Kansas Bar Association  
Mary Ralston, Chief, Driver Control Bureau, Division of Vehicles, Department of Revenue

Others attending:

See attached list.

The hearing on **HB 2266 - Service members; relating to civil relief, enacting the Kansas military service relief act** was opened.

Melissa Doebelin, Staff Revisor, presented the Committee with an overview of the bill.

Representative Rardin, appeared before the committee as a proponent. He stated this bill was designed to recognize the extraordinary contribution that members of the Kansas National Guard and Reservists make when called to duty. He explained many times they sustain major pay cuts for extended periods of time while on active duty status which can result in financial hardship. He asked that Section 12 on the last page be removed to allow this bill to only focus on members of the Kansas National Guard and Reservists. He also stated this bill was patterned after a State of Washington law. ([Attachment 1](#))

Opponents: None

The hearing on **HB 2266** was closed.

The hearing on **SB 156 - Close corporations; increasing the limit on the number of stockholders in a close corporation** was opened.

Whitney Damron, on behalf of the Kansas Bar Association spoke as a proponent to the bill which increases the allowable number of members of a close corporation in K.S.A. 17-7207(b) from thirty to thirty-five. He further explained several years ago the Legislature adopted changes to the corporate code and this section was inadvertently overlooked during the drafting process. The change was made to K.S.A. 17-7202(a), but the change was not carried forward to 17-7207(b). This bill will coordinate the number of allowable members in a close corporation to other Kansas statutes and the U.S. Securities Act of 1933. ([Attachment 2](#))

Opponents: None

The hearing on **SB 156** was closed.

The hearing on **SB 158 - Allowing offenders in violation of a traffic citation to be issued a restricted driver's license** was opened.

## CONTINUATION SHEET

Minutes of the House Judiciary Committee at 3:30 p.m. on March 3, 2009, in Room 143-N of the Capitol.

Melissa Doeblin, Staff Revisor, presented the Committee with an overview of the bill.

There were no proponents appearing before the Committee.

### Proponent-Written Only

Roger Werholtz, Secretary, Kansas Department of Corrections, provided written testimony in support of this bill. (Attachment 3)

Judge Phil Journey, Wichita provided the Committee with written testimony in support of this bill as amended. (Attachment 4)

A joint letter of written testimony in support of the bill was received from the following Presiding Judges: Karen Arnold-Burger, Overland Park; Randy McGrath, Lawrence; Steve Ebberts, Topeka; Brenda Stoss, Salina; Jennifer Jones, Wichita; Maurice Ryan-Unified Government-Wyandotte County. (Attachment 5)

Mary Ralston, Chief, Driver Control Bureau, Division of Vehicles, Department of Revenue appeared as neutral on this bill and stated they could administer the bill in its current form. (Attachment 6) She stated that based upon a person's driving record, restricted driving privileges may not always be granted for the purpose set out in the bill, therefore she did request a balloon to amend the bill to clarify that the \$25.00 application fee is "non refundable". (Attachment 7)

The hearing on **SB 158** was closed.

### **SB 132-Enacting business entity transaction act.**

Melissa Doeblin provided an overview of the bill and provided copies of Balloon 1 and explained the technical changes. (Attachment 8)

Representative Kleeb moved SB 132 be passed favorably with amendments. Representative Brookens seconded the motion.

Representative Brookens asked about the change requested by Diane Minear, Assistant Secretary of State, on the day the bill was heard, which referred to Page 6, Section 10, Line 24 to add "insurance companies organized. After additional research, it was determined this change was not necessary.

Motion carried.

The next meeting is scheduled for March 4, 2009.

The meeting was adjourned at 4:10 p.m.