

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Mike O'Neal at 3:30 p.m. on March 22, 2004 in Room 313-S of the Capitol.

All members were present except:
Representative Dan Williams- excused

Committee staff present:
Jill Wolters, Revisor of Statutes
Diana Lee, Revisor of Statutes
Jerry Ann Donaldson, Kansas Legislative Research Department
Cindy O'Neal, Secretary

SB 424 - transfer of property into a trust affect of insurance coverage, homestead exemption, redemption rights and due on sale clause

A balloon was provided, that was agreed to by the Kansas Bar Association, Kansas Bankers Association Trust Division and Columbian Title. (Attachment 1)

Representative Loyd made the motion to adopt the balloon. Representative Owens seconded the motion. The motion carried.

Representative Goering made the motion to report SB 424 favorably for passage, as amended. Representative Loyd seconded the motion. The motion carried.

SB 343 - repeals K.S.A. 2003 supplement 65-441a concerning hospitals

The subcommittee recommended that the provided balloon addressed health care decisions being made by a surrogate when an agent is not available, be included into the bill. (Attachment 2)

Representative Long-Mast made the motion to adopt the balloon. Repreentative Crow seconded the motion. The motion carried.

Representative Patterson made the motion to report SB 343 favorably for passage, as amended. Representative Goering seconded the motion. The motion carried.

SB 28 - professional corporation law of Kansas

Chairman O'Neal announced that there are several parties which have not worked out their differences with regard to the bill and the committee would no longer hold up the bill. He also suggested that they might want to consider amending in **HB 2156 - professional corporation may include physician assistants.** (Attachment 3)

Representative Long-Mast made the motion to include "advanced registered nurse practitioners". It was pointed out that in order to be an advanced registered nurse practitioners one must be a registered nurse and they are already covered in the proposed bill. The Representative withdrew her motion.

Representative Pauls suggested adding after "license" "or registering or certification persons" Representative Long-Mast made the motion to amend in the balloon and Representative Pauls' suggestion. Representative Loyd seconded the motion. The motion carried.

Representative Long-Mast made the motion to report SB 28 favorably for passage, as amended. Representative Swenson seconded the motion. The motion carried.

SB 432 - Kansas Law Enforcement Training Center - law enforcement required to disclose criminal

CONTINUATION SHEET

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records

Representative Loyd made the motion to allow a Finney County resident, who is a citizen of another country, and working for the Garden City Police Department, to attend the KLETC. Representative Goering seconded the motion. The motion carried.

Representative Loyd made the motion to have the statute reflect that the central repository is to retain information on all law enforcement agents and that it would be accessible to any law enforcement agents when they are assessing a new hire for employment purposes. A terminated officer would have access to his employment record, similar to the same language as teachers accessing their personnel file. Representative Jack seconded the motion. The motion carried.

Representative Crow made the motion to include the Kansas Department of Corrections into the bill. Representative Goering seconded the motion. The motion carried.

Representative Jack made the motion to specify the amount of immunity one would have when releasing employment records and refer to K.S.A. 44-119a. Representative Newton seconded the motion. The motion carried.

Representative Loyd made the motion to report **SB 432** favorably for passage. Representative Goering seconded the motion. The motion carried.

SB 19 - mandatory retirement age

The subcommittee recommended that the Judicial Council study the issue of judicial evaluation and report back to the committee. They had no recommendations on extending the retirement age.

Representative Pauls made the motion to strike the evaluation section of the bill leaving only the mandatory retirement provisions applying to district court judges. Representative Jack seconded the motion. The motion failed 4-8.

SB 423 - wage garnishment; assignment of account

Representative Patterson made the motion to remove **SB 423** from the table. Representative Long-Mast seconded the motion. The motion failed 6-8.

SB 28 - professional corporation law of Kansas

Representative Loyd made the motion to have the committee reconsider it's action on **SB 28**. Representative Jack seconded the motion. The motion carried.

Representative Long-Mast made the motion to include occupational therapist into the bill. Representative Crow seconded the motion. The motion carried.

Representative Long made the motion to report **House Substitute SB 28** favorably for passage. Representative Loyd seconded the motion. The motion carried.

The committee meeting adjourned. The next meeting was scheduled for March 23, 2004.