

MINUTES OF THE HOUSE JUDICIARY COMMITTEE.

The meeting was called to order by Chairman Michael R. O'Neal at 3:30 p.m. on March 6, 2003 in Room 313-S of the Capitol.

All members were present except:

- Representative Doug Patterson - Excused
- Representative Dale Swenson - Excused
- Representative Dan Williams - Excused

Committee staff present:

- Jerry Ann Donaldson, Legislative Research Department
- Jill Wolters, Revisor of Statutes
- Cindy O'Neal, Committee Secretary

Conferees appearing before the committee:

- Chief Judge Gary Rulon
- Carol Gilliam-Green, Clerk of Kansas Supreme Court
- Jeanne Turner, Chief Clerk, 5th Judicial District, Emporia
- Kathy Porter, Office of Judicial Administration

Hearing on **HB 2418 - delay of phase-in increase of court of appeals to 14 judges**, was opened.

Chief Judge Rulon stated that in light of the severe budget problems that face the State, the Court does not oppose postponing funding for three additional Court of Appeals judges.

Hearing on **HB 2418** was closed.

Hearing on **SB 21 - nomination & selection of justices & judges**, was opened.

Carol Gilliam-Green, Clerk of Kansas Supreme Court, explained that the Kansas Supreme Court requested the bill to clarify provisions regarding several issues relating to the District Judicial Nominating Commission such as (Attachment 1):

- would use the words "on or before" throughout the statute so as to eliminate confusion as to the actual deadline
- delete the reference to Martindale-Hubble
- gives flexibility as to the place that the meeting could be held
- allow the clerk to arrange organized group meals during the meeting or evening
- lengthen the time for nominating commission to do their work in 45 days instead of 30 days.

Hearing on **SB 21** was closed.

Hearing on **SB 18 - issuance of executions & orders of sale**, was opened.

Jeanne Turner, Chief Clerk, 5th Judicial District, Emporia, commented that the proposed bill would clarify who signs orders of execution and orders of sales. It would simply state that the clerk issues the orders but

CONTINUATION SHEET

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the judge signs them (Attachment 2).

Hearing on **SB 18** was closed.

Hearing on **SB 17 - appointment of clerks & non judicial personnel by the chief judge of each judicial district**, was opened.

Kathy Porter, Office of Judicial Administration, explained that the proposed bill has been around for several years. It would allow the Chief Judge of each judicial district to pick the clerk of the district court and non judicial personnel with the approval of a majority of the other district judges. (Attachment 3)

Hearing on **SB 17** was closed.

Hearing on **SB 19 - mandatory retirement age**, was opened.

Kathy Porter, Office of Judicial Administration, informed the committee that judges are the only state employees in KPERS who have a mandatory retirement age. The proposed bill would move that age from 70 to 75. (Attachment 4)

Hearing on **SB 19** was closed.

The committee minutes from February 10, 11, 12 & 13 were distributed.

The committee meeting adjourned at 4:30 p.m. The next meeting was scheduled for Tuesday, March 10, 2003 at 3:30 p.m. in room 313-S.