MINUTES OF THE SENATE JUDICIARY COMMITTEE

The Chairman called the meeting to order at 9:30 a.m. on January 11, 2012, in Room 548-S of the Capitol.

All members were present.

Committee staff present:
   Jason Thompson, Office of the Revisor of Statutes
   Katherine McBride, Office of the Revisor of Statutes
   Robert Allison-Gallimore, Kansas Legislative Research Department
   Lauren Douglass, Kansas Legislative Research Department
   Theresa Kiernan, Committee Assistant

Conferees appearing before the Committee:
   None

The Chairman introduced Katherine McBride, who is a new member of the staff serving the Judiciary Committee. The Chairman noted while Katherine is new to the Committee this is her second year working for the Legislature as a member of the Office of the Revisor of Statutes.

The Chairman recognized the following persons for the purpose of making requests for the introduction of bills:

Nancy J. Strouse, Kansas Judicial Council, who requested seven bills which would:
   • Revoke an ex-spouse’s inheritance rights upon divorce.
   • Amend K.S.A. 23-201 relating to marital property and clarifying that a spouse’s creditors cannot reach assets given to the other spouse in circumstances where no fraud on creditors was involved.
   • Amend the probate code, relating to the delivery of wills to the court and filing of wills to preserve them for probate.
   • Amend several provisions of the Kansas Uniform Trust Code: Create a procedure for filing a claim against a trust in a probate proceeding; eliminate the presumption that a spendthrift provision is a material purpose of trust; and delete the requirement that a taxpayer ID number be included in a certification of trust.
   • Make clean-up amendments and policy recommendations of the Criminal Recodification Commission.
   • Amend the juvenile offender code to include provisions relating to probable cause determinations in juvenile offender proceedings.
   • Repeal the June 30, 2013, sunset provision for the Commission on Judicial Performance.

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.
Minutes of the Senate Judiciary Committee at 9:30 a.m. on January 11, 2010, in Room 548-S of the Capitol.

Patrick Vogelsberg, KCDAA, who requested three bills which would:
- Amend the felony murder statute; concerning lesser included offenses in jury instructions
- Amend the criminal procedure relating to speedy trial provisions; concerning the allotment of time among the parties
- Amend K.S.A. 21-5909 to include the Secretary of SRS and other mandatory reporters

Helen Pedigo, Special Counsel to the Chief Justice of Supreme Court, who requested four bills which related to:
- Extending the judicial branch surcharge
- Malpractice liability screening panels
- Wage and non-wage garnishments
- Sources for jury pool lists

Ed Klumpp, KPA, KSA and KCP, who requested two bills which related to:
- Forfeiture of vehicles used in felony attempts to elude a law enforcement officer
- Civil process fees under K.S.A. 28-110

Kevin Barone, The Capitol Lobby Group, who requested a bill to amend K.S.A. 22-2802 and 22-2801a relating to appearance bonds and surety agents.

Megan Henry, Office of the Attorney General, who requested two bills relating to:
- Sexually violent predator cases; concerning expert testimony and evaluations
- Unlawful sexual relations; concerning foster parents and foster children

The next meeting is scheduled for January 12, 2012.

The meeting was adjourned at 9:55 a.m.