

## MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Michael O'Neal at 3:30 p.m. On March 13, 2001 in Room 313-S of the Capitol.

All members were present except:

Representative Geraldine Flaharty - Excused  
Representative Andrew Howell - Excused  
Representative Kathe Lloyd - Excused  
Representative Rick Rehorn - Excused  
Representative Clark Shultz - Excused

Committee staff present:

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

Conferees appearing before the committee:

Doug Wareham, Kansas Grain & Feed Association & Kansas Fertilizer & Chemical Association  
Jim Yonally, Kansas Society of Land Surveyors  
Doug Farrar, Kansas Society of Land Surveyors  
Jean Krahn, Executive Director, Kansas Guardianship Program

Committee minutes from February 28, March 1, 5, 6 & 7 were distributed.

Hearings on **Substitute SB 36 - farm animal & field crop & research facilities protection act**, were opened.

Doug Wareham, Kansas Grain & Feed Association & Kansas Fertilizer & Chemical Association, appeared before the committee as the sponsor of the bill. This would make tougher penalties for persons who willfully destroy or damage field crops. The proposed bill is model legislation from Council of State government. (Attachment 1) He showed the committee a segment of 60 Minutes in which the Earth Liberation Front caused \$37 million in damage. Their goal is to inflict economic damages to those companies they believe cause a threat to our environment.

Senator Steve Morris did not appear before the committee but provided written testimony in support of the legislation. He also provided an article written by himself titled Fighting the Wrong Fight. (Attachment 2)

Kansas Grain Sorghum Producers Association also provided a letter in support of the proposed legislation. (Attachment 3)

Hearings on **Substitute SB 36** were closed.

Hearings on **HB 2539 - allowing land surveyors to enter upon property for a land survey**, were opened.

Jim Yonally, Kansas Society of Land Surveyors, appeared as the sponsor of the bill. He commented that it would clarify that a surveyor would be liable for any damages they might cause to property when they are conducting a survey. (Attachment 4)

Doug Farrar, Kansas Society of Land Surveyors, informed the committee that if a surveyor can not get permission to enter from the owner, he must "trespass" to get the survey done. The change would simply state that in these cases entering on land for the reason of surveys would not constitute trespassing. (Attachment 5)

Hearings on **HB 2539** were closed.

Hearings on **HB 2509 - Kansas guardianship program, volunteers under the Kansas Tort Claims Act**, were opened.

Jean Krahn, Executive Director, Kansas Guardianship Program, appeared as a proponent of the bill. She

commented that volunteers are concerned about the type of protection available to them while they serve as a guardian or conservator. This would be a proactive step by including them under the Kansas Tort Claims Act. (Attachment 6)

Hearings on **HB 2509** were closed.

The next committee meeting is scheduled for March 14, 2001.