

Approved: May 22, 2009

Date

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Thomas C. (Tim) Owens at 9:35 a.m. on February 6, 2009, in Room 545-N of the Capitol.

All members were present except:

Senator Laura Kelly - excused

Senator Terry Bruce - excused

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes

Doug Taylor, Office of the Revisor of Statutes

Athena Andaya, Kansas Legislative Research Department

Jerry Donaldson, Kansas Legislative Research Department

Karen Clowers, Committee Assistant

Conferees appearing before the committee:

Doug Smith, Kansas Credit Attorneys Assn. & Kansas Collectors Assn.

Michael Smith, Assistant Attorney General

Larry Baer, League of Kansas Municipalities

Others attending:

See attached list.

The Chairman reopened the hearing on **SB 134 - Court fees and costs; authorizing supreme court to establish additional charges for court procedures.**

Doug Smith testified in opposition stating concern on several points. Those included:

- The Court's ability to implement new surcharges without public comment or oversight,
- no limit on how the funds may be used,
- no limit on the amount of money that may be raised, and
- no time limit on the surcharge.

Mr. Smith requested a compromise addressing these concerns. (Attachment 1)

There being no further conferees, the hearing on **SB 134** was closed.

The Chairman reopened the hearing on **SB 135 - Kansas open meetings act; interactive communications constituting open meetings.**

Michael Smith appeared in support stating SB 135 would amend the Kansas Open Meetings Act to correct an oversight made during the drafting of the original legislation. The change would clarify that "serial meetings" are prohibited. (Attachment 2)

Larry Baer spoke in favor, stating the technical change in **SB 135** would clear up any confusion regarding the intent of the language in K.S.A. 75-4318(f). (Attachment 3)

Written testimony in support of **SB 135** was submitted by:

Rich Gannon, Kansas Press Association (Attachment 4)

There being no further conferees, the hearing on **SB 135** was closed.

Senator Schodorf, Senator Vratil seconded, to take Emergency Final Action on SB 134.

Senator Schmidt moved, Senator Pilcher-Cook seconded, to amend SB 134 by reducing an incoming judge salaries by 5%. Motion failed.

Senator Vratil moved, Senator Schodorf seconded, to amend SB 134 to make it effective upon publication

CONTINUATION SHEET

Minutes of the Senate Judiciary Committee at 9:35 a.m. on February 6, 2009, in Room 545-N of the Capitol.

in the *Kansas Register*. Motion carried.

Senator Vratil moved, Senator Umbarger seconded, to recommend **SB 134** as amended, favorably for passage.

Senator Schmidt made a substitute motion to postpone indefinitely consideration on **SB 134**, Senator Pilcher-Cook seconded. Motion failed.

Back on the original motion to recommend **SB 134** as amended, favorably for passage. Motion carried.

The Chairman called final action on **SB 68 - Docket fees; prosecuting attorneys' training fund.**

Senator Donovan moved, Senator Schmidt seconded, to recommend **SB 68** favorably for passage. Motion carried.

The next meeting is scheduled for February 7, 2009.

The meeting was adjourned at 10:30 a.m.