

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Vice Chairman Terry Bruce at 9:35 A.M. on March 19, 2008, in Room 123-S of the Capitol.

All members were present except:

John Vratil- excused  
David Haley arrived, 9:44 A.M.

Committee staff present:

Bruce Kinzie, Office of Revisor of Statutes  
Athena Andaya, Kansas Legislative Research Department  
Karen Clowers, Committee Assistant

Conferees appearing before the committee:

Representative Terri Huntington  
Representative Jason Watkins  
Richard Routman  
Kenn Frederick  
Jim Parker, Prairie Trace Community Association

Others attending:

See attached list.

The Vice Chairman opened the hearing on **Sub. HB 2826–Enacting the homeowners' association act.**

Representative Terri Huntington testified in support, stating with an aging population, more and more Kansas residents are choosing to live in maintenance free developments resulting in large maintenance funds governed by a board of directors (Attachment 1). The bill attempts to solve a series of problems incurred by residents of these associations whose boards circumvent the bylaws by directing home associations to abide by their bylaws, hold open meetings and elections, and provides a method for the Attorney General's office to mediate disputes. Representative Huntington distributed a balloon amendment providing clarifying language that Homeowners Association cannot change declarations, covenants, or bylaws of the association without the approval of voting homeowners (Attachment 2).

Richard Routman appeared in support, suggesting several clarifying amendments to the bill (Attachment 3).

Kenn Frederick spoke in favor, stating the need for protection of property owners, (Attachment 4).

Jim Parker testified in opposition, providing several concerns with the bill especially regarding renters or lessees, mediation costs to associations, and notification to homeowner associations regarding enactment of the bill (Attachment 5).

Written testimony in support of **Sub. HB 2826** was submitted by:

Representative Jason Watkins (Attachment 6)

There being no further conferees, the hearing on **Sub. HB 2826** was closed.

The Vice Chairman provided a summary of the Subcommittee Report on **HB 2617–Mandatory implied consent testing for serious injury and fatality accidents.** The committee discussed the report.

The Vice Chairman called for final action on **HB 2188–Professional screening panels.** Senator Bruce reviewed the bill and noted a technical correction that was required.

Senator Journey moved, Senator Donovan seconded, to amend HB 2188 by inserting a period, "." on page 5, line 8. Motion carried.

Senator Haley moved, Senator Lynn seconded, to recommend HB 2188 as amended, favorably for passage. Motion carried.

The Vice Chairman called for final action on **Sub. HB 2545–Controlled substances, ecstasy.** Senator Bruce

CONTINUATION SHEET

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reviewed the bill.

Senator Journey moved, Senator Donovan seconded, to recommend **HB 2545** favorably for passage. Motion carried.

Vice Chairman Bruce polled the committee regarding attendance to Thursdays's scheduled committee meeting. Since a quorum will not be present, he announced the meeting for Thursday, March 20, 2008 will be canceled.

The meeting adjourned at 10:30 A.M. The next scheduled meeting will be March 24, 2008.