

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:36 A.M. on February 21, 2006, in Room 123-S of the Capitol.

All members were present,

Terry Bruce arrived, 9:38 a.m.
Kay O'Connor arrived, 9:39 a.m.
Phil Journey arrived, 9:40 a.m.
Barbara Allen arrived, 9:41
David Haley arrived, 10:07 a.m.

Committee staff present:

Mike Heim, Kansas Legislative Research Department
Helen Pedigo, Office of Revisor of Statutes
Karen Clowers, Committee Secretary

Others attending:

See attached list.

The Chairman called for final action on **SB 507--Jury fee.**

The Chairman reviewed the bill and results of the hearing heard on February 16.

Senator Goodwin moved, Senator Bruce seconded, to recommend SB 507 favorably for passage as amended in Senator Goodwin's proposed balloon. Motion carried.

The Chairman called for final action on **SB 337--Compensation for certain judicial branch employees, docket fees.**

The Chairman reviewed the bill and results of the hearing heard on February 14. The Chairman proposed that the committee might consider directing excess monies collected toward the court's technology fund and used to fund free electronic access to court records across the State of Kansas.

Senator Schmidt indicated that the subject of judicial pay raises had already passed the Senate and questioned why the issue was being revisited. The Chairman indicated that **SB 296** received substantial Senate support last year which provides a \$9,000 annual pay increase for all judges and that the bill is currently in the House Appropriations Committee. **SB 337** is a result of the Interim Judiciary Committee this past summer. Senator Schmidt indicated that **SB 296** concerning judicial pay raises is alive and well and he was not sure that re-stating the issue was necessary.

Senator Schmidt moved, Senator O'Connor seconded, to amend SB 337 by striking Sections 8 and 9 from the bill and inserting the operative language of SB 353 authorizing electronic access to court records with the understanding that should the motion prevail, further work on the language from SB 353 would be required. Motion carried.

Senator Schmidt moved, Senator Donovan seconded, to obligate the monies generated by the docket fees collected and deposit them into the court's technology fund to be used for the purpose of establishing, operating and maintaining a system of free, internet electronic access to court records that are otherwise publically available. Motion carried.

Senator Schmidt moved, Senator Donovan seconded, to recommend SB 337 as amended favorably for passage. Motion carried.

The Chairman called for final action on **SB 505--Electronic access to court records; exemption from fees.**

Senator Donovan moved, Senator Goodwin seconded, to adopt the amendment recommended by the Board on Indigent Services in their testimony at the hearing on February 14. Motion carried.

The Chairman indicated a proposed amendment from Whitney Damron on behalf of the Kansas Information Consortium to delete language regarding INK (Kansas Information Network) (Attachment 1).

CONTINUATION SHEET

MINUTES OF THE Senate Judiciary Committee at 9:36 A.M. on February 21, 2006, in Room 123-S of the Capitol.

Senator Bruce moved, Senator Schmidt seconded, to strike Section 4 of the bill. Motion carried.

Senator Goodwin moved, Senator Donovan seconded, to favorably recommend **SB 505** as amended for passage. Motion carried.

The Chairman called for final action on **SB 361--Kansas air quality act, appeal agency action to court of appeals.**

The Chairman reviewed the bill and results of the hearing including a proposed amendment by Sunflower Electric during the hearing on February 7.

Senator Donovan moved, Senator Schmidt seconded, to replace the word “exclusive” with the word “original” on page 1, line 31 of the bill. Motion carried.

Senator Bruce moved, Senator Donovan seconded, to recommend **SB 361** as amended favorably for passage. Motion carried. Senator Haley voted no and requested his vote recorded.

The Chairman called for final action on **SB 380--Amendments to the residential landlord and tenant act; inventory of premises, security deposit, automatic renewal clauses.**

Senator Umbarger provided a balloon amendment regarding several changes and provided explanations for each change (Attachment 2).

Senator Umbarger moved, Senator Schmidt seconded, to adopt the balloon amendment. Motion carried.

Senator Umbarger moved, Senator seconded, to recommend **SB 380** as amended favorably for passage. Motion carried.

The meeting adjourned at 10:22 a.m. The next scheduled meeting is February 22, 2006.