

MINUTES OF THE HOUSE JUDICIARY COMMITTEE

The meeting was called to order by Chairman Lance Kinzer at 3:30 p.m. on January 12, 2011, in Room 346-S of the Capitol.

All members were present.

Committee staff present:

Jill Wolters, Office of the Revisor of Statutes
Matt Sterling, Office of the Revisor of Statutes
Tamera Lawrence, Office of the Revisor of Statutes
Lauren Douglass, Kansas Legislative Research Department
Sue VonFeldt, Committee Assistant

Conferees appearing before the Committee:

Corey Peterson, Associated General Contractors of Kansas
Nancy J. Strouse, Kansas Judicial Council

Others attending:

See attached list.

Chairman Kinzer welcomed all the new members for the 2011 Session and provided a brief overview of the Committee Rules and some insight on expectations from the Judiciary Committee.

Chairman Kinzer proposed the Committee adopt the following requests for bill introductions without objection unless a specific request for a motion/vote is made.

Representative Patton requested a bill to amend the Open Records Act that would allow email addresses and cell phone numbers to not be subject to publication unless used for political or lobby issues.

Representative Colloton requested a bill to cover, under the Kansas Tort Claims Act, ultrasound technologists who assist doctors at charity clinics.

Corey Peterson, Associated General Contractors of Kansas, requested a bill concerning civil procedure, relating to remote claim liens on commercial property; establishing a state construction registry; amending K.S.A. 60-1103, 60-1110 and 60-111 and repealing the existing sections. ([Attachment 1](#))

Nancy Strouse, Kansas Judicial Council, presented the following request for bills : ([Attachment 2](#))

1. A bill proposing amendments to the Rules and Regulations Filing Act relating to “exempt” rules and agency guidance documents.
2. A bill proposing amendments to the Kansas Power of Attorney Act intended to prevent financial exploitation of persons who execute durable powers of attorney.
3. A bill amending the Uniform Trust Code to add a new amendment drafted and approved by the Uniform Law Commissioners, which clarifies when a trustee has an insurable interest in the life of the settlor of a trust.
4. A bill based on a Uniform Probate Code provision that will revoke the inheritance rights of divorced spouses.

Lauren Douglass, House Judiciary Committee member from the Kansas Legislative Research Department, presented a summary of the Special Committee on the Judiciary Interim study assignment resulting in the following conclusions and recommendations: ([Attachment 3](#))

- Recommend, by consensus, to request the Senate Public Health and Welfare Committee provide a status report during the 2011 Legislative Session to a joint meeting of the House and Senate Judiciary Committees on the newly enacted legislation (2010 **HB 2323**) to determine if additional recommendations are needed relating to criminal background checks on individuals and entities associated with adult care home facilities.

CONTINUATION SHEET

Minutes of the House Judiciary Committee at 3:30 p.m. on January 12, 2010, in Room 346-S of the Capitol.

- Recommend the Kansas Judicial Council's approach to an apology law, 2010 **SB 374**, as introduced, be adopted.
- Recommend introduction of a House bill on renewal of all the Kansas Open Records Act exceptions scheduled for expiration in 2011, with the additional recommendation that the language in KSA 12-5611 needs to clarify what types of agency actions are covered and should look at penalty provisions for breach of confidentiality in KSA 44-1132, 75-457, and 75-723.

The committee proposed legislation of one House bill for renewal of all the Kansas Open Records Act exceptions scheduled for expiration in 2011.

The next meeting is scheduled for January 18, 2011.

The meeting was adjourned at 4:20 p.m.