

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairman John Vratil at 9:36 A.M. on February 9, 2007, in Room 123-S of the Capitol.

All members were present except:

Terry Bruce arrived, 9:38 A.M.

Les Donovan- excused

Derek Schmidt- excused

Committee staff present:

Athena Anadaya, Kansas Legislative Research Department

Bruce Kinzie, Office of Revisor of Statutes

Nobuko Folmsbee, Office of Revisor of Statutes

Karen Clowers, Committee Assistant

Conferees appearing before the committee:

John C. Peterson, Kansas Land Title Association

Others attending:

See attached list.

Chairman Vratil opened the hearing on **SB 58--Conveying trust property.**

John Peterson appeared in support, indicating the bill would clarify the legislative intent regarding conveyance of trust property (Attachment 1).

Written testimony in support of **SB 58** was submitted by:

James W. Clark, Kansas Bar Association (Attachment 2)

There being no further conferees, the hearing on **SB 58** was closed.

Senator Vratil indicated that he had referred this bill to the Judicial Council's Probate Law Advisory Committee after it was filed and had received a reply indicating the committee had reviewed the bill and saw no problem with it whatsoever. The Chairman noted that since this was a straightforward bill with no opposition that the committee would work the bill today.

Senator Bruce moved, Senator Umbarger seconded, to recommend **SB 58** favorably for passage. Motion carried.

Chairman Vratil indicated that Senator Bruce had introduced a bill concerning judges and billing process with respect to class action suits. Senator Bruce moved, Senator Vratil seconded, to revoke the bill. Motion carried.

The Chairman called for final action on **SB 17--Docket fees; eliminating certain funds from receiving part of docket fees.**

Senator Vratil distributed a balloon amendment he had developed by working with interested parties. The amendment addresses concerns presented during testimony on January 18 (Attachment 3). The balloon retains each one of the funds currently in existence but requires appearance year before the appropriate legislative committees to report on funds used and budgets for the upcoming year. The balloon has the support of all of the affected agencies. Following discussion, Senator Umbarger moved, Senator Goodwin seconded, to adopt the balloon amendment presented. Motion carried.

Following further discussion, several committee members indicated they would like to delay final action to a later date.

CONTINUATION SHEET

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The Chairman called for final action on **SB 32--Health care; medical assistance repayment; discretionary trusts.**

Senator Vratil distributed a balloon amendment recommended by Mr. John Mize during his testimony on January 29 (Attachment 4). Senator Journey moved, Senator Bruce seconded, to adopt the balloon amendment. Motion carried.

The bill will be further considered at a later date.

The Chairman called for final action on **SB 35--DUI, computation of time to request administrative hearing.**

Senator Journey distributed a balloon amendment (Attachment 5). Following discussion, Senator Vratil moved, Senator Journey seconded, to amend SB 35 as reflected in Senator journey's balloon with the exception of subsection (a) and subsection (e) and give the staff latitude to make any technical changes and include the narrative. Motion carried.

Senator Journey moved, Senator Bruce seconded, to recommend SB 35 as amended favorably for passage. Motion carried.

The meeting adjourned at 10:30 A.M. The next scheduled meeting is February 12, 2007.