

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson John Vratil at 9:38 a.m. on March 1, 2001 in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Gordon Self, Revisor
Mike Heim, Research
Mary Blair, Secretary

Conferees appearing before the committee:

Bruce Ward, Kansas Judicial Council (KJC)
Elwaine Pomery, Kansas Credit Union Attorneys

Others attending: see attached list

Minutes of the February 28th meeting were approved on a motion by Senator Donovan, seconded by Senator O'Connor. Carried.

Confirmation

A motion to reappoint Paula S. Salazar to the Crime Victims Compensation Board was made by Senator Donovan and seconded by Senator O'Connor. Carried

SB 236—concerning the code of civil procedure; re: garnishment

SB 159—concerning the code of civil procedure for limited actions

Conferee Ward testified in support of **SB 236**, a bill which he stated will amend the provisions of Chapter 60 of K.S.A. to make its garnishment provisions identical to those in Chapter 61 of K.S.A. He further stated that the bill will adopt certain forms to be used in Chapter 60 garnishment proceedings and make a technical amendment to Chapter 60 consistent with a technical amendment to Chapter 61 proposed in **SB 159**. He elaborated on the history of and the need for this bill. (attachment 1) He also offered written testimony on **SB 159**. (attachment 2) Lengthy discussion followed regarding the necessity of listing the large number of forms in both bills. At the request of the Chair, the Conferee clarified the difference between Chapter 60 and 61 explaining that general civil cases can be filed under Chapter 60 while general collection lawsuits can be filed under Chapter 61.

Conferee Pomeroy testified in support of **SB 236**. He stated that having the garnishment provisions of both Chapter 60 and 61 be identical would eliminate confusion on the part of all parties involved with garnishment. Regarding concern over the number of forms in the statute, he supported their presence and cited the number of forms there are in other statutes. (attachment 3) He also provided written testimony in support of **SB 159** and reminded Committee of conceptual amendments he'd offered during testimony on February 13th. (attachment 4) At the request of the Chair, the Conferee agreed to submit the amendments in writing.

SCR 1604—nonpartisan selection of judges

Following the Chair's review of **SCR 1604** Senator Goodwin moved to pass the resolution out favorably, Senator Adkins seconded. Carried on a vote of 6 - 4.

SB 205—re: appearance bonds

SB 341—re: domestic violence

The Chair reviewed **SB 205**. There was general consensus to keep **SB 205** and **SB 341** separate. Senator Goodwin moved to pass **SB 205** out favorably, Senator Adkins seconded. Carried on a vote of 9-1.

The meeting adjourned at 10:15 a.m. The next scheduled meeting is March 5, 2001.

