

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson Senator Vratil at 9:41 a.m. on March 26, 2002 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:

Chuck Stones, Kansas Bankers Association (KBA)
Matt Goddard, Heartland Community Bankers Association (HCBA)
Don McNeely, Kansas Automobile Dealers Association (KADA)
Representative Deena Horst

Others attending: see attached list

The minutes of the March 25th, 2002 meeting were approved on a motion by Senator Schmidt, seconded by Senator Donovan. Carried.

Final action:

Sub HB 2487—uniform commercial code; re: transactions

HB 2709—uniform commercial code; re: secured transactions

Following review of the bill by the Chair and discussion, Senator Adkins made a motion to direct that a floor amendment be prepared to amend Sub HB 2487 into HB 2709, Senator Goodwin seconded. Carried. The Committee took no action on the bill.

HB 2802—Kansas law enforcement training fund; increasing county and municipal court fees

Senator Goodwin discussed a proposed amendment by the Kansas Judicial Council which would raise docket fees in the criminal, civil and probate area one dollar in each case and fifty cents per case in traffic(attachment 1) Following discussion, Senator Goodwin moved to amend HB 2802 as proposed by the KJC, Senator Vratil seconded. Carried. Following further discussion, Senator Adkins moved to pass the bill out favorably as amended, Senator Donovan seconded. Carried.

Hearing on:

Sub HB 2979—vehicles; storage fees; notice to lien holders

Conferee Stones testified in support of Sub HB 2979, a bill which he stated would “provide that whenever anyone has storage fees that have gone unpaid for 30 days, that person shall provide notice to the owner of the vehicle and any lienholders.” He detailed the requirements of the bill and discussed penalties for failing to meet the requirements. He further discussed two balloon amendments to the bill.(attachment 2)

Conferee Goddard testified in support of Sub HB 2979. He stated that the bill is “designed to protect lenders from being liable for large fees when a borrower abandons a vehicle and it is then stored or otherwise safeguarded by someone else.” He briefly discussed the bill’s requirements and penalties.(attachment 3)

Conferee McNeely testified in support of Sub HB 2979. He briefly reiterated the previous conferees statements.(attachment 4)

Following Pat Barnes’s (KADA) clarification of certain language in the KBA’s balloon amendment, Senator O’Connor moved to recommend Sub HB 2979 favorably as amended in the balloon and by striking the words “by agreement” on pg 1, 1 28 of the bill, Senator Schmidt seconded. Carried.

HB 2399—offender registration

Conferee Representative Horst testified in support of HB 2399, a bill which would require juveniles who commit sexual offense crimes, to be registered with the KBI under the Offender Registration Act. She stated that the intent of the bill is to give judges another option when sentencing juvenile sex offenders. She presented testimony on behalf of a constituent whose family was a victim of this type of crime.(attachment 5) She referenced written testimony from this constituent.(attachment 6) Following discussion, the Chair directed staff to prepare a balloon amendment to give judges discretion to order juvenile sex offenders to register.

The meeting adjourned at 10:24. The next meeting is March 27th, 2002.

