

Approved: April 7, 2000

Date

MINUTES OF THE HOUSE KANSAS 2000 COMMITTEE.

The meeting was called to order by Chairperson Kenny Wilk at 1:45 p.m. on March 15, 2000 in Room 526-S of the Capitol.

All members were present except: Representative Gwen Welshimer - excused
 Representative Al Lane - excused

Committee staff present: Julian Efird, Legislative Research Department
 Jim Wilson, Revisor of Statutes
 Janet Mosser, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list.

Chairperson Wilk opened the meeting to discussion of the minutes for January 27 and February 1, 2, 3, 8, 9 and 10 which were distributed at the March 13th meeting. Representative Horst moved to approve the minutes. The motion was seconded by Representative Gatewood. The motion carried.

Chairperson Wilk directed the committee's attention to **HB 3006 - Private attorney retention sunshine act**. Jim Wilson, Revisor of Statutes, reviewed the contents of the bill. Representative Sharp moved to amend **HB 3006** to include the changes included in the balloon distributed to the committee at yesterday's meeting. The motion was seconded by Representative Gatewood. Discussion followed. The motion carried.

Representative Gregory made a conceptional motion to require a provision be placed in all future contracts that states that any fee amount awarded in excess of \$1000 per hour and paid by someone other than the state be remitted to the state treasurer. The motion was seconded by Representative Wagle. Discussion followed. Representative Gregory withdrew the motion. The second was withdrawn by Representative Wagle.

Representative Gregory moved to require a provision be placed in all future contracts that states that the amount paid to attorney's shall be reduced to an amount equivalent to \$1000 per hour and any excess funds over \$1000 be remitted to the state treasurer. The motion failed due to lack of a second.

Representative Carmody made a conceptional motion to include an additional provision like a provision in the Code of Civil Procedure that says that in any action in which the state of Kansas or any state agency is a defendant and a contract for legal services is to be entered into in accordance with this section, the district court may continue the action at any stage of the proceedings to provide an extension of time in order to provide the time required for the state or the state agency to comply with the provisions of this section. The motion was seconded by Representative Campbell.

Discussion followed.

Representative Campbell made a substitute motion that included the motion by Representative Carmody with the addition that, in any case the court does not grant an extension then **HB 3006** does not have to be complied with. The motion was seconded by Representative Carmody. Discussion followed. The motion carried.

Representative Kirk moved to report **HB 3006** as amended favorable for passage. The motion was seconded by Representative Gregory. Discussion followed. The motion carried.

Chairperson Wilk recognized Representative Sloan. Representative Sloan moved to remove from the table the substitute for **SB 40**. The motion was seconded by Representative Wagle. Discussion followed. The Chair ruled that it appeared that the motion carried. Division was requested. The division was seven in favor and seven against. The Chair voted in favor of the motion to break the tie. The motion carried with a vote of eight to seven.

CONTINUATION SHEET

Discussion followed.

The committee was back on the motion by Representative Alldritt to report House substitute for **SB 40** favorable for passage and which was seconded by Representative Horst. Discussion followed. Representative Alldritt withdrew the motion. The second was withdrawn by Representative Horst.

Discussion followed.

Representative Sloan moved to report the substitute for **SB 40** favorable for passage. The motion was seconded by Representative Horst.

Representative Kirk made a substitute motion to amend by including the provisions of **HB 3018**. Chairperson Wilk stated his intent to find an exempt bill to include similar issues. Representative Kirk withdrew the motion for consideration at another time.

Discussion followed.

Chairperson Wilk adjourned the meeting at 2:53 p.m.

The next meeting is scheduled for March 16, 2000.