

MINUTES OF THE SENATE JUDICIARY COMMITTEE

The meeting was called to order by Chairperson Jeff King at 10:45am on Thursday, February 11, 2016, 346-S of the Capitol.

All members were present except:

Senator Carolyn McGinn – Excused

Senator Pat Pettey – Excused

Committee staff present:

Robert Gallimore, Legislative Research Department

Jason Thompson, Office of Revisor of Statutes

Lauren Douglass, Legislative Research Department

Suzanne Nelson, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Senator Oletha Faust-Goudeau, 29th District, Wichita, KS;

Kathy Armstrong, Assistant Director of Legal Services, Department for Children and Families (DCF);

Kasey Rogg, Deputy General Counsel, DCF;

Representative Marc Rhoades, 72nd District, Newton, KS;

Senator Mary Pilcher-Cook, 10th District, Shawnee, KS;

Jaime Rogers, Prevention and Protection Services, Interim Director, DCF;

Senator Forrest Knox, 14th District, Altoona, KS;

Kathy Winters, Private Citizen, State of Kansas;

Others in attendance:

[See Attached List](#)

Hearing on: SB315 — Limiting number of foster children in a home.

Chair King called the meeting to order and opened the hearing on **SB315**.

Jason Thompson gave an overview of the bill and stood for questions. There were none.

Senator Oletha Faust-Goudeau presented testimony supporting **SB315**. She believes limiting the number to six children under a single foster home, licensing, and criminal background checks with screening for domestic abuse and neglect will work toward achieving the physical, emotional, and mental wellbeing of children placed in foster care. She further related that **SB315** will increase accountability because it mandates routine inspections of foster homes. ([Attachment 1](#))

Senator Faust-Goudeau answered questions from Senators Haley, Bruce, and Petersen.

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Kathy Armstrong gave neutral testimony regarding the bill. She related that existing regulations already embody some of the language in this bill, but the regulations allow for exceptions. The current regulation allows for the flexibility to keep sibling groups together, if found to be in the best interest of the children. She explained that this bill, as written, would require a split of the siblings, which would further traumatize children, and would also require more frequent moves to meet the 30 day requirement. ([Attachment 2](#))

Kasey Rogg presented neutral testimony regarding **SB315**. He related that current regulations already limit the number of children placed in a care home. There may be a maximum of four children in foster care, with a maximum of six children in the home, including the foster parents' own children under age 16. No more than two children in the home may be under the age of 18 months. There is also a stringent exception determination process on a case-by-case basis and if the exception is granted, it expires in six months and the process must begin again. ([Attachment 3](#))

Ms. Armstrong and Mr. Rogg answered questions from Senators Smith, Haley, and Pilcher-Cook.

There being no further questions and no other oral or written proponent, opponent, or neutral testimony, Chair King closed the hearing on **SB315**.

The Chair turned the committee's attention to **SB394** and opened the hearing.

Hearing on: SB394 — Enacting the supporting families act, relating to temporary care for children.

Jason Thompson presented an overview of the bill, then answered a question from Senator Knox.

Representative Rhoades testified in support of **SB394**. He reviewed the potential impacts on families and children in the community and the benefits to Kansans including reduction in Child Protective Services' caseloads, cost savings, and stronger families. ([Attachment 4](#))

Senator Mary Pilcher-Cook presented testimony in favor of the bill. She related that this bill would help struggling families who have no support network gain assistance from other volunteer Kansas families acting in a hosting and supporting role. She further explained that this legislation does not take away any parental rights, but rather gives them another source of support from a volunteer family. ([Attachment 5](#))

Jaime Rogers gave proponent testimony for **SB394**. She related that this bill, the Supporting Families Act, codifies in statute the practice that allows parents to execute a power of attorney to delegate a "host" family the care and custody of their child(ren) for up to one year with a possible extension for an additional year. ([Attachment 6](#))

The proponents answered several questions from Senator Knox and Chair King.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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Chair King pointed the committee to the written-only proponent testimony of Andrew Brown, Sr. Fellow, Foundation for Government Accountability. ([Attachment 7](#))

There being no other oral or written proponent, opponent, or neutral testimony, Chair King closed the hearing on **SB394**.

The Chair turned the committee's attention to **SB410** and opened the hearing.

Hearing on: SB410 — Establishing a CARE family pilot program for foster care.

Jason Thompson gave an overview of **SB410**, then answered questions from Senators Knox, Haley, and Pilcher-Cook.

Senator Forrest Knox testified in support of this bill. He related that the provisions of this bill provide a completely different approach intended to get more people to step up and volunteer to help kids. He explained that **SB410** does not change the present foster care system in any way, but rather is about meeting the needs of vulnerable children in Kansas who have lost their families. Senator Knox urged favorable consideration and passage. ([Attachment 8](#))

Kathy Winters spoke in favor of the bill. She explained that volunteer foster parents' intentions are typically genuine and not tainted by their own agenda or benefit. She continued that these volunteer families would have no incentive to pursue placement or adoption of children, but rather would have a desire to help children and their families in a temporary, difficult and stressful time in their lives. Ms. Winters answered questions from Senator Haley. ([Attachment 9](#))

Due to time constraints, Chair King announced that **SB410** will be recessed and continued on Monday, February 15, 2016. Senator Knox will stand for questions on Monday, along with the other conferees and testimony to be held over.

Possible action on bills previously heard

There was no action on any bills today.

The Chair announced a full schedule next week with meetings on every day except Friday. The meeting adjourned at 12:10 pm. The next meeting will be Monday, February 15, 2016.