

SB 125 (continued)

Public Defender Systems. The Judicial Council has appointed a committee to study this whole matter, but that committee is not yet ready to make any recommendation concerning the matters dealt with in Senate Bill 125. During discussion, it was the consensus of the committee that the Legislature should wait until the Judicial Council reported to the Legislature, after having requested the Judicial Council to make such a study, with a request that the Council report back to the Legislature prior to the 1979 Session. Senator Hess moved to report the bill unfavorably; Senator Everett seconded the motion, and the motion carried. It was requested that the minutes reflect that the killing of the bill was not a rejection of the concept dealt with by the bill, but simply a desire to wait until the Judicial Council report to the 1979 Session.

Senate Bill No. 176 - Civil actions concerning liability of manufacturers and sellers of products. Following review of the bill, it was noted that the subject matter had been studied by an interim committee, which recommended a bill which was introduced in the House. Also, the interim committee had authorized the preparation of 12 separate bills for study during the interim, and although the interim committee did not recommend the introduction of those 12 bills, it has been indicated that they will be introduced by individuals during this session. It was further noted that the proponents of the legislation seemed to favor dealing with the subject in separate bills. Since the matter will be addressed in other bills, Senator Gaines moved to report the bill unfavorably; Senator Everett seconded the motion, and the motion carried.

Senate Bill No. 212 - Age of juveniles subject to the provisions of the Kansas Juvenile Code. Following a review of the provisions of this bill, it was pointed out that Senate Bill 553 was introduced by the interim committee studying Revisions of the Juvenile Code. The chairman announced that hearings on all bills dealing with Revisions of the Juvenile Code will be held during the week of February 6. At least two days during that week will be devoted to such hearings, and all five days will be used if there are that many persons wishing to appear as conferees.

During the discussions on the Juvenile Code Revisions, Mr. Griggs reported that there had been some consideration during the interim committee of removing status offenders from the Juvenile Code, but that Senate Bill 553 did not provide for that. In order to have that proposal before the committee when the committee considers the Revisions of the Juvenile Code, Senator Parrish moved that the bill be drafted and introduced as a committee bill removing status offenders from the Juvenile Code. Senator Mulich seconded the motion, and the motion carried.

Senate Bill No. 214 - Disclosure of certain arrest and conviction records. Following review of the bill, the author, Senator Hein, indicated that since the interim committee had studied

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the matter and had introduced a bill dealing with expungement, he felt this bill was not needed, and therefore, moved that it be reported adversely. Senator Mulich seconded the motion, and the motion carried.

Senate Bill No. 223 - Establishing a department of justice. Following a review of the provisions of this bill, it was pointed out that the interim had studied the matter, but had made recommendations concerning the bill. Senator Parrish indicated that he would check with other co-sponsors of the bill, and report back as to whether hearings are desired on the bill.

Senate Bill No. 237 - Licensure, regulation and taxation of liquor by the drink. Following review of the bill, the chairman reminded the committee that he had received a letter from Senator Morris, the principal sponsor of the bill, requesting that the bill be held until such time as SCR 1618, a proposed Constitutional Amendment, is considered favorably by the Senate.

Senate Bill No. 282 - Adoption and relinquishment of children, rights of putative father. Following a review of the bill, the chairman announced that he had seen a newspaper report concerning a U.S. Supreme Court Decision which stated that the consent to adoption by fathers of illegitimate children was not required. He requested staff to obtain copies of that decision and distribute it to members of the committee so that they may study it prior to further consideration of this bill.

Senate Bill No. 297 - Natural death act. Mr. Purcell reviewed the provisions of the bill. It was pointed out that there had been an interim study on the subject matter of the bill. The interim committee agreed with the basic concept, although it did not recommend this bill itself. Senator Simpson indicated he would like to have further hearings on the bill.

Senate Bill No. 312 - Interference with parental custody. Following a review of the bill, it was pointed out that the interim committee had studied it and had introduced a bill, which was introduced in the House. Senator Hess moved that the bill be reported unfavorably; Senator Gaines seconded the motion, and the motion carried.

Senate Bill No. 371 - Clients' security fund. Following a review of the bill, the chairman reminded the committee that the committee had introduced this bill at the request of the Kansas Bar Association, but then had been requested by the bar association to take no further action on it. The chairman indicated that he would check with Ken Klein, and Senator Berman was requested to check with Fred Six to see if the bar association desires a hearing on the bill.

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Senate Bill No. 456 - Court costs in the district court. Following a review of the bill, the chairman pointed out that the content of this bill had originally been part of one of the bills introduced last year at the request of the Judicial Council. During last session, the committee felt that this matter was something that needed further study, and consequently these sections were deleted from the Judicial Council bill, and introduced as a separate bill by the Ways and Means Committee at the request of this committee. The matter of docket fees was studied by an interim study, but the interim committee recommended no legislation on the subject. There has been some further interest in the bill, and so it will be held for further hearings.

Senate Bill No. 474 - Relating to promoting obscenity. The staff reviewed the bill, and the chairman announced that a hearing had been scheduled for the bill on January 26.

SCR 1609 - Recommending that the U.S. Congress abolish the Electoral College. Following a review of the resolution, the chairman indicated that he would check with the author of the resolution, Senator Vermillion, to see if he wished further hearing on the matter.

House Bill No. 2278 Forfeiture of appearance bonds, authorizing civil actions thereon. Following review of the bill, the chairman indicated he would contact Representative Ferguson, the author, to see if further hearings were desired.

House Bill No. 2653 - Crime of criminal injury to persons. Following review of the bill, the chairman indicated that this will be set down for hearing.

HCR 5011 - Constitutional amendment relating to removal of justices and judges, amending section 15 of article 3 of the Kansas constitution. Senator Gaines moved that the resolution be reported unfavorably. The chairman announced that the subject matter of the resolution had been dealt with by amendments to Supreme Court Rules, and the chairman read the amendments to rule numbers 602, 605 and 625. Senator Berman seconded the motion, and following committee discussion, the motion carried.

The meeting adjourned.

These minutes were read and approved
by the committee on 1-17-78.

1-11-77

GUESTS

SENATE JUDICIARY COMMITTEE

NAME

ADDRESS

ORGANIZATION

NAME	ADDRESS	ORGANIZATION
Ellen Beckwith	KCSL Box 5314 Topeka	The Children's Service League
Mark L. Smith	500 Capital Topeka	Am. Ins. Assoc.

CONTINUATION SHEET

Minutes of the Senate Committee on Judiciary January 12, 1978

abolishing inter-spousal immunity.

The meeting adjourned.

These minutes were read and approved
by the committee on 1-17-78.