

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

Held in Room 519 S, at the Statehouse at 11:00 a.m./~~p.m.~~, on February 7, 1978.

All members were present except: Senator Steineger

The next meeting of the Committee will be held at 11:00 a.m./~~p.m.~~, on February 8, 19 78.

~~These minutes of the meeting held on [redacted] were considered, corrected and approved.~~

  
Chairman

The conferees appearing before the Committee were:

Thomas H. Graber - Judge 19th Judicial District

Staff present:

- Art Griggs - Revisor of Statutes
- Paul Purcell - Legislative Research Department
- Jerry Stephens - Legislative Research Department

Senate Bill 212 - Age of juveniles subject to the provisions of the Kansas Juvenile Code.

Senate Bill 553 - Juvenile code revision.

Senate Bill 761 - Juvenile code, juveniles committing certain crimes may be prosecuted like adults.

Senate Bill 825 - Juvenile code revision.

Judge Graber testified with regard to the juvenile code bills, and made specific recommendations for amendments to SB 553. He also made comments with regard to SB 825, SB 212, and SB 761. Discussion followed between Judge Graber and members of the committee.

Senator Parrish moved that the minutes for January 18, 19, and 20 be approved; Senator Hess seconded the motion, and the motion carried.

A proposal from the Securities Commissioner for the committee to introduce a bill was presented; Senator Everett moved that the committee introduce such a bill; Senator Parrish seconded the motion, and the motion carried.

Senate Bill 551 - Annual hearings for persons committed after a finding of not guilty because of insanity.

Following committee discussion, Senator Gaines moved that the bill be reported favorably; Senator Berman seconded the motion. Further committee discussion followed. With the consent of his

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.

SB 551 continued -

second, Senator Gaines withdrew his motion. Senator Everett moved that the bill be amended to provide that the hearing would be held in the county where the person is hospitalized, although it would be before the sentencing judge; Senator Berman seconded the motion. Senator Hein made a substitute motion to provide that both the hearing and the judge be in the county where the person is hospitalized; Senator Simpson seconded the motion. The substitute motion carried. Senator Simpson moved to report the bill favorably as amended; Senator Hein seconded the motion, and the motion carried.

Senate Bill 552 - Court costs in criminal actions.

Following committee discussion, Senator Simpson moved to report the bill favorably; Senator Hess seconded the motion, and the motion carried.

Senate Bill 585 - Liability for rendering emergency care.

Following committee discussion, Senator Everett moved that the bill be reported adversely; Senator Berman seconded the motion, and the motion carried.

Senate Bill 587 - Crimes and punishments, sexual exploitation of a child.

Following committee discussion, during which it was pointed out there was similar bill in the House, the committee requested the staff to do research on the question of the constitutionality of the bill.

Senate Bill 550 - Mentally ill persons.

Senator Berman moved that the bill be reported adversely. Following further committee discussion, Senator Gaines moved to strike sections 2 and 3 of the bill; Senator Parrish seconded the motion. Senator Allegrucci made a substitute motion to amend the bill to allow persons between 14 and 18 years of age to sign themselves into the hospital; if they signed themselves in, they could also sign themselves out. Senator Hess seconded the motion, and after further discussion, the substitute motion carried. Senator Simpson moved to report the bill favorably as amended; Senator Parrish seconded the motion, and the motion carried.

Senate Bill 583 - Requirements with regard to applications to determine whether a person is a mentally ill person.

The author of the bill, Senator Simpson, explained the bill. Following committee discussion, Senator Simpson moved to report the bill favorably; Senator Hess seconded the motion, and the motion carried.

Senate Bill 474 - Relating to promoting obscenity.

Following committee discussion, the staff was requested to check on the constitutionality of the bill.

Meeting adjourned.

These minutes were read and approved  
by the committee on 2-21-78.

2-7-78

GUESTS

SENATE JUDICIARY COMMITTEE

NAME	ADDRESS	ORGANIZATION
Thomas H. Graber	Sumner county Courthouse Wellington, Kan.	19 <sup>th</sup> Judicial Dist.
Louis Bradbury	" "	" " "
Ann Hebeiger	Overland Park	Z. W. U. K.
Gen. A. Newkay	Topeka	Junior League of Topeka
Jeff Wampler	Manhattan	Ks. Farm Bureau
James H. Hays	Topeka	Div. of the Budget
Page Wilson	Topeka	WIBW
James Hall	T-Town	WREN
Ellen Richardson	Box 5314 Topeka	Ks Children's Service League
Cynthia Robinson	Box 5314 Topeka 66605	Kansas Children's Lobby
B Sabal	Topeka	SLB
Louis Frydman	Laurien u	
Steve Starr	Topeka	T.P.O