

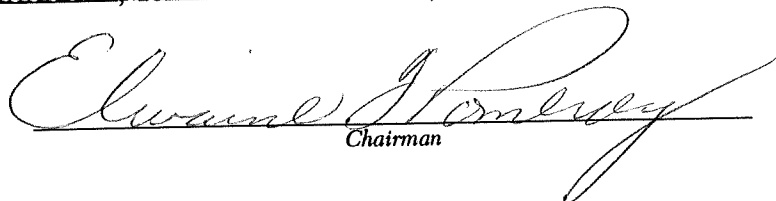
MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

Held in Room 519 S, at the Statehouse at 10:00 a. m./~~p.m.~~, on January 26, 19 79.

All members were present except: Senators Gaar and Hein

The next meeting of the Committee will be held at 10:00 a. m./~~p.m.~~, on January 29, 19 79.

~~These minutes of the meeting held on XXX were considered, corrected and approved.~~


Chairman

The conferees appearing before the Committee were:

- Frank L. Gentry - Kansas Hospital Association
- James D. Wallace - Independent Insurance Agents of Kansas
- Jerry Palmer - Kansas Trial Lawyers Association
- Frank A. Bien - League of Kansas Municipalities

Staff present:

- Art Griggs - Revisor of Statutes
- Jerry Stephens - Legislative Research Department
- Wayne Morris - Legislative Research Department

Senate Bill 76 - Enacting the tort claims act. Mr. Frank Gentry testified that he was not appearing either as a proponent or an opponent, but wanted to raise the issues of whether or not the act should apply to all public hospitals, some public hospitals, or no public hospitals, and also how the bill would fit into the medical malpractice legislation passed several years ago. Committee discussion with him followed.

Mr. Jim Wallace testified that one problem area in the bill is on page 7, lines 253 to 255. Committee discussion with him followed.

Jerry Palmer testified in support of the bill, and stated he feels it is a good bill and a workable bill. He presented several suggestions which he feels would make it a better bill. Committee discussion with him followed.

Mr. Frank Bien testified; a copy of the material distributed by him is attached hereto. He discussed the various amendments he urged the committee to consider; committee discussion with him followed.

The chairman announced that there would be one further day devoted to hearings on this bill several weeks from now, at which time the fiscal study commissioned by the League of Municipalities will be presented, and a statement will be presented by the Kansas Bar Association, as well as any further testimony

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.

CONTINUATION SHEET

Minutes of the Senate Committee on Judiciary January 26, 1979.

interested groups have to offer.

Senator Berman moved that the minutes of January 22 and 23 be approved; Senator Mulich seconded the motion, and the motion carried.

The meeting adjourned.

These minutes were read and approved by the committee on 2-12-79.

GUESTS

SENATE JUDICIARY COMMITTEE

NAME	ADDRESS	ORGANIZATION
C. Whelan	545-N Statehouse	Legis' Rsrch
Jan Bounce	Topeka	Topeka Police Dept.
Mary Ellen Coakle	Wichita	City of Wichita
Cindy Schwartz	Karris News Service	
Ed Mastor	League of Municipalities	
Jon Kessler	Intern to Don Allegrucci	
Jim Weisgerber	League of KS Municipalities	
Frank L. Gentry	Topeka	KS Hospital Assoc
Jerry A. Kuhn	Topeka	KS Total Lung Cancer Assn
Frank A. Bean	Topeka	KS League of Municipalities
Willie K. Lamm	Topeka	League of KS Municipalities
Ken Klein	"	KS Bar Assn.
Pat Anderson	"	AP
Jim Wallau		Ind IN: Agts
Kathleen Odious	Topeka	KTLA
Charles V. Hamm	State Office Bldg Topeka	S.R.S.
Martin Hoover	Topeka	Dad's Central
Jim Kist	Wichita Eagle-Beacon	