

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY

The meeting was called to order by Representative Bob Frey at  
Chairperson

3:30 ~~AM~~/p.m. on March 26, 1984 in room 526-S of the Capitol.

All members were present except:

Representatives Blumenthal, Cloud, Douville and Vancrum were excused.

Committee staff present:

Jerry Donaldson, Legislative Research Department  
Mike Heim, Legislative Research Department, was excused  
Mary Ann Torrence, Revisor of Statutes' Office  
Nedra Spingler, Secretary

Conferees appearing before the committee:

Janet Williams, Kansas Public Disclosure Commission  
John Peterson, Kansas Association of Professional Psychologists

The Committee discussed and took action on several bills.

SB 492 - Outside interests of state personnel.

Janet Williams, Kansas Public Disclosure Commission, explained amendments suggested by Senator Ron Hein and written by her office (Attachment No. 1). Legislation passed in 1983 resulted in a large increase in the number of state employees required to file disclosure statements although the estimate has been lowered to 6,500 from 12,000 to 13,000. The amendments would further reduce this number. A member objected to the wording, "including but not limited to", in regard to ministerial functions in the second balloon, page 4, as being too broad in scope. Ms. Williams said this was Senator Hein's suggestion and not the Commission's. In regard to returning provisions to basing filings on a dollar amount received, she said the number required to file would be 25,000 instead of 6,500 and the Commission prefers the position filing.

Representative Miller moved to adopt all amendments with the exception of the final sentence in the second balloon on page 4, seconded by Representative Schweiker. Representative Duncan made a substitute motion to adopt all amendments except the entire second balloon, page 4, seconded by Representative Campbell. Representative Duncan believed ministerial functions would have to be defined by rules and regulations as it was not known what this meant. The vote on the substitute motion failed to carry.

It was noted the stricken language in subsection (b), page 4 of the proposed amendments, should be reinstated. By removing this language, state employees would be able to serve as consultants without filing statements. Representative Miller agreed and requested that his motion be divided for separate votes on the amendment. The Chairman clarified that the original motion now excludes lines 150-152. The vote on the motion carried. The second part of the motion to strike, on line 156, "consultant" failed to carry. Representative Miller moved to report SB 492, as amended, favorably, seconded by Representative Ediger. Motion carried.

SB 678 - Increase in marriage license fees to fund domestic abuse programs.

Information regarding the Battered Women's Task Force, Kansas City, Kansas, and a letter from Friends of Yates Branch endorsing the bill (Attachment No. 2) was furnished by Representative Justice.

Representative Duncan said HB 2830 (Attachment No. 3) was passed by the Ways and Means Committee as a way to clean up accounts using marriage license fees. Portions of SB 794, in Committee, pertaining to K.S.A. 23-109 also addressed marriage license fees. He moved to amend HB 2830 into SB 678, seconded by Representative Solbach. It was noted this motion would change the percentage going to four different funds with the domestic violence programs receiving 20.7%, but more money would be collected. There would be no decrease in the amount going to the Children's Trust Fund. Consolidating the bills had been recommended in order to cut down on the number of fee bills and to avoid conference committees.

The vote on the motion carried. Representative Duncan moved to report SB 678, as amended, favorably, seconded by Representative Wagon. Motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY,

room 526-S, Statehouse, at 3:30 ~~xxx~~/p.m. on March 26, 1984

Representative Duncan moved to reconsider the vote to report SB 678 out of Committee, seconded by Representative Solbach. Representative Duncan said the policy decision regarding which agency would administer funds for the program should be considered. The motion to reconsider carried. Representative Solbach made a conceptual substitute motion that the funds be administered by the Crime Victims Reparations Board which may adopt rules and regulations, seconded by Representative Buehler. A member did not want to jeopardize the bill by changing the agency and questioned if the Crime Victims Reparations Board had the personnel, established criteria, or written procedures to administer the funds. It was noted the Board now makes grants to victims and that procedure can be used for granting funds for shelters. The Chairman said Senator Winter had no objection to either agency administering the funds. The vote on the substitute motion carried. Representative Duncan noted that, under present wording in Section 4(d), there was no guarantee that the Crime Victims Reparations Board would adopt rules and regulations. He moved to change "may" to "shall" on line 95, seconded by Representative Wunsch. Motion carried. Representative Solbach moved to report SB 678, as further amended, favorably, seconded by Representative Miller. Motion carried.

SB 642 - Conditions for release on bond.

Representative Solbach moved to report the bill adversely, seconded by Representative Whiteman. Motion carried.

SB 692 - Restrictions on granting diversion of criminal charges.

Representative Miller moved to amend line 66 by striking "C" and adding "or" after "A" which would leave the provision to apply only to Class A or B felonies. He believed some C felonies involving arson should be eligible for diversion. The motion was seconded by Representative Knopp. Representative Whiteman made a substitute motion to report the bill adversely, seconded by Representative Solbach. Following discussion, the vote on the substitute motion failed to carry. The vote on the motion to amend carried.

Representative Knopp moved to amend the bill to exempt diversions on a motor vehicle case, DWI, or reckless driving. He believed a few years later on, these cases should be eligible for diversion. The motion was seconded by Representative Miller. Representative Solbach made a substitute motion to strike lines 60-64, reletter the subsections, and reinsert lines 32 through 35, seconded by Representative Justice. The substitute motion carried. Representative Miller moved to report the bill, as amended, favorably, seconded by Representative Matlack. Representative Solbach made a substitute motion to reinstate the stricken language in lines 53-59, seconded by Representative Matlack. The substitute motion carried. Representative Miller moved to report SB 692, as amended, favorably, seconded by Representative Matlack. Motion carried.

HCR 5059 - Memorializing Congress to enforce antitrust laws regarding vertical price fixing.

Representative Duncan moved to adopt the resolution, seconded by Representative Buehler. Motion carried.

SB 801 - Peace bond procedures.

Representative Justice moved to report the bill favorably, seconded by Representative Erne. Motion carried.

SB 232 - Treatment act for drug abusers.

John Peterson, Kansas Association of Professional Psychologists, offered amendments (Attachment No. 4) which would add psychologists as being allowed to evaluate a person's need for treatment and rewords the definition of "psychologist". Representative Duncan moved to adopt the amendments, seconded by Representative Solbach. Motion carried.

Staff noted several amendments that were needed for consistency and to track with the alcohol treatment act. Representative Solbach moved to amend line 284 to change 5 days to 72 hours, seconded by Representative Wunsch. Motion carried. Representative Duncan moved to strike Section 5, seconded by Representative Solbach. Motion carried. Representative Duncan moved, seconded by Representative Solbach, to take "medical" out on line 934 and insert "treatment" and to do this in other appropriate places. Motion carried. Representative Wunsch moved to report SB 232, as amended, favorably, seconded by Representative Justice. Motion carried.

The meeting was adjourned at 5:15 p.m.

Attachment # 1

**SENATE BILL No. 492**

By Special Committee on Conflict of Interest and Ethics

Re Proposal No. 54

12-20

0019 AN ACT relating to conflicts of interests; concerning disclosure  
0020 of and limitations relating to certain outside interests;  
0021 amending K.S.A. 46-249 and K.S.A. 1983 Supp. 46-229, 46-248,  
0022 46-282, 46-284, 46-285 and 46-286 and repealing the existing  
0023 sections.

46-283,

0024 *Be it enacted by the Legislature of the State of Kansas:*

0025 Section 1. *From and after July 1, 1984, K.S.A. 1983 Supp.*  
0026 *46-229 is hereby amended to read as follows: 46-229. "Substan-*  
0027 *tial interest" means any of the following:*

0028 (a) ~~The ownership within the preceding 12 months by~~ *If an*  
0029 *individual or an individual's spouse, either individually or col-*  
0030 *lectively of, has owned within the preceding 12 months a legal or*  
0031 *equitable interest exceeding \$5,000 or 5% of any business,*  
0032 *whichever is less; the individual has a substantial interest in*  
0033 *that business.*

0034 (b) ~~the receipt in the preceding calendar year by~~ *If an indi-*  
0035 *vidual or an individual's spouse, either individually or collec-*  
0036 *tively of, has received during the preceding calendar year com-*  
0037 *pensation which is or will be required to be included as taxable*  
0038 *income on federal income tax returns of such the individual and*  
0039 *spouse in an aggregate amount of \$2,000 from any business or*  
0040 *combination of businesses; the individual has a substantial*  
0041 *interest in that business or combination of businesses.*

0042 (c) ~~the receipt~~ *If an individual or an individual's spouse,*  
0043 *either individually or collectively, has received in the preceding*  
0044 *12 months by an individual of goods or services, without rea-*  
0045 *sonable and valuable consideration, goods or services having an*

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0046 aggregate value of \$500 or more from any person known to have a  
0047 special interest; *the individual has a substantial interest in that*  
0048 *person.*

0049 (d) *The holding of If an individual or an individual's spouse*  
0050 *holds the position of officer, director, associate, partner or pro-*  
0051 *prietor of any business, the individual has a substantial interest*  
0052 *in that business, irrespective of the amount of compensation*  
0053 *received by the individual holding any such position; or indi-*  
0054 *vidual's spouse.*

0055 (e) *If an individual's individual or an individual's spouse*  
0056 *receives compensation which is a portion or percentage of each*  
0057 *separate fee or commission paid to a business or combination of*  
0058 *businesses, such the individual has a substantial interest in any*  
0059 *client or customer who pays fees or commissions to such the*  
0060 *business or combination of businesses from which fees or com-*  
0061 *missions such the individual or the individual's spouse, either*  
0062 *individually or collectively, received an aggregate of \$2,000 or*  
0063 *more in the preceding calendar year.*

0064 *As used in this subsection, "client or customer" means a*  
0065 *business or combination of businesses.*

0066 Sec. 2. K.S.A. 1983 Supp. 46-248 is hereby amended to read  
0067 as follows: 46-248. The statement of substantial interests re-  
0068 quired by K.S.A. 46-247 ~~to~~ through 46-252, ~~inclusive~~, and  
0069 amendments thereto, shall include the substantial interests of  
0070 the individual making the statement. Campaign contributions  
0071 reported in compliance with the campaign finance act shall not  
0072 be included in this statement. ~~Such~~ The statement shall include  
0073 the information required by K.S.A. 46-229, and amendments  
0074 thereto, in such detail and form as is required by the commission.

0075 (a) The statements of substantial interest shall be filed at the  
0076 following times *by the individuals specified in K.S.A. 46-247 and*  
0077 *amendments thereto:*

0078 (1) *For individuals who are specified in K.S.A. 46-247, and*  
0079 *amendments thereto, except candidates, annually on an individ-*  
0080 *ual, other than a candidate, who is appointed or takes office on*  
0081 *or before April 30 in any year, annually between April 15 and*  
0082 *April 30, inclusive, so long as the act applies to the individual or*

0083 if the;

0084 (2) for an individual, other than a candidate, who is ap-  
0085 pointed after April 30 in any year, such statement shall be filed  
0086 within 15 days after such the appointment and annually thereaf-  
0087 ter between April 15 and April 30, inclusive, so long as the act  
0088 applies to the individual;

0089 ~~(2)~~ for individuals who become candidates; (3) for an indi-  
0090 vidual who becomes a candidate on or before the date pre-  
0091 scribed by K.S.A. 1982 Supp. 25-205; and amendments thereto,  
0092 such statements shall be filed on the date prescribed by K.S.A.  
0093 1982 Supp. 25-205 and amendments thereto or within 10 days  
0094 thereafter, or if the unless within that period the candidacy is  
0095 officially declined or rejected; or

0096 (4) for an individual who becomes a candidate after the date  
0097 prescribed by K.S.A. 1982 Supp. 25-205, then and amendments  
0098 thereto, within five days of becoming a candidate, unless within  
0099 such that period the candidacy is officially declined or rejected.

0100 (b) Individuals who become subject to paragraph ~~(1)~~ of sub-  
0101 section (a) ~~(1)~~ or ~~(2)~~ and who have on file a statement of sub-  
0102 stantial interests pursuant to this act for the current year shall not  
0103 be required to file any additional statement of substantial inter-  
0104 ests for that period.

0105 (c) If an individual serves in more than one capacity for  
0106 which a statement of substantial interests is required to be filed  
0107 pursuant to this act, such the individual shall be required to file  
0108 only a single statement of substantial interests for all capacities  
0109 for which a statement is required to be filed.

0110 (d) The statements required by this section to be filed shall  
0111 be filed with the secretary of state in all cases.

0112 Sec. 3. K.S.A. 46-249 is hereby amended to read as follows:  
0113 46-249. The statement of substantial interests required by K.S.A.  
0114 46-247 to through 46-252, inclusive, shall be dated and signed by  
0115 the individual making the statement and shall contain substan-  
0116 tially the following:

0117 STATEMENT OF SUBSTANTIAL INTERESTS

0118 \_\_\_\_\_ (name)

0119 (office or position of employment for which this statement is filed)

0120 \_\_\_\_\_

0121 (address)

0122  
0123  
0124  
0125  
0126  
0127  
0128  
0129  
0130  
0131  
0132

(body of statement in form prescribed by commission)

"I declare that this statement of substantial interests (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that intentional failure to file this statement as required by law or intentionally filing a false statement is a class A B misdemeanor."

(date of filing)

(signature of person making the statement)

0135 Sec. 4. ~~From and after July 1, 1984~~, K.S.A. 1983 Supp. 46-  
0136 282 is hereby amended to read as follows: 46-282. "Designee"  
0137 means:

0138 (a) Any state officer, employee or member of any agency,  
0139 department, division, bureau or other unit of state government  
0140 who holds a position: (1) Defined as a major policy making  
0141 position; (2) responsible for contracting, purchasing or procure-  
0142 ment, *except persons whose sole responsibility is the purchasing*  
0143 *of gasoline or emergency repair for a state vehicle assigned to*  
0144 *them for their use;* (3) responsible for writing or drafting speci-  
0145 fications for contracts; (4) responsible for awarding grants, ben-  
0146 efits or subsidies ~~except persons performing purely ministerial~~  
0147 ~~functions in the awarding of grants, benefits or subsidies under~~  
0148 ~~entitlement programs;~~ or (5) responsible for inspecting, licens-  
0149 ing; or regulating any person or entity, ~~and~~.

0150 (b) ~~any state officer or employee who in the preceding 12~~  
0151 ~~months while a state officer or employee has been a consultant~~  
0152 ~~for any person or entity other than the state for compensation.~~

0153 "Designee" does not include any driver's license examiner of  
0154 the department of revenue;

0155 ~~Sec. 5.~~ ~~From and after July 1, 1984~~, K.S.A. 1983 Supp. 46-  
0156 284 is hereby amended to read as follows: 46-284. "Consultant"  
0157 means an ~~expert individual~~ who is called on for professional or  
0158 technical advice or opinions.

0159 ~~Sec. 6.~~ ~~From and after July 1, 1984~~, K.S.A. 1983 Supp. 46-  
0160 285 is hereby amended to read as follows: 46-285. (a) The head of  
0161 every state agency shall submit a list of designees under ~~their~~ *the*  
0162 *agency head's* jurisdiction, identifying the positions, names and  
0163 home mailing addresses of all designees of that agency to the  
0164 commission annually between March 15 and March 31. ~~Such,~~  
0165 *inclusive.* The agency head may prepare and submit a separate  
0166 list for each department, division, bureau or other unit within

, or persons whose sole responsibility relating to purchasing or procure-  
ments includes such transactions pursuant to pre-existing state contracts;

, nor does it include any person performing ministerial functions. Minis-  
terial functions include but is not limited to reviewing for compliance  
pursuant to pre-established guidelines.

Sec. 5. K.S.A. 1983 Supp. 46-283 is hereby amended to read as follows:  
46-283. "Major policy making" position means (a) the administrative head  
or heads or executive of a state agency, (b) the head of each department,  
division, bureau or other major administrative unit within a state agency,  
~~and (c) persons exercising similar authority to the foregoing.~~

Sec. 6.

Sec. 7.

0167 ~~their~~ *the agency head's* jurisdiction. ~~Such~~ *The* agency head shall  
0168 attach to each list an organizational chart for the agency, depart-  
0169 ment or division to which that list corresponds and shall certify  
0170 the list to be correct. ~~Such~~ *The* agency head shall notify the  
0171 commission of the name, home address and position of any new  
0172 designee under ~~such person's~~ *the agency head's* jurisdiction  
0173 within 10 days of appointment. The commission may request the  
0174 head of a state agency to make additions to or deletions from the  
0175 list.

0176 (b) The commission shall transmit promptly copies of all lists  
0177 received under this section to the secretary of state.

0178 ~~Sec. 7.~~ *K.S.A. 1983 Supp. 46-286 is hereby amended to read*  
0179 *as follows: 46-286. (a) No state officer or employee may accept a*  
0180 *position with an outside organization which is licensed by,*  
0181 *inspected by or is regulated by the agency in which the state*  
0182 *officer or employee is employed, in the officer's or employee's*  
0183 *official capacity, shall participate directly in the licensure,*  
0184 *inspection or administration or enforcement of any regulation*  
0185 *of or in any contract with any outside organization with which*  
0186 *the officer or employee holds a position.*

0187 (b) This section shall not apply to ~~appointed or elected~~  
0188 ~~members of a state board, council or commission, except that no~~  
0189 ~~member of such board, council or commission shall participate in~~  
0190 ~~any license, inspection or contract on behalf of their state board,~~  
0191 ~~council or commission with any outside organization with which~~  
0192 ~~such member is associated the holding of a position as a member~~  
0193 ~~of an advisory board, council or commission of an outside~~  
0194 ~~organization or of a position of a voluntary or charitable nature~~  
0195 ~~if the advisory, voluntary or charitable position is taken without~~  
0196 ~~any expectation or acceptance of remuneration other than re-~~  
0197 ~~imbursement of necessary and actual expenses.~~

0198 ~~Sec. 8.~~ *K.S.A. 46-249 and K.S.A. 1983 Supp. 46-229, 46-248,*  
0199 *46-282, 46-284, 46-285 and 46-286 are hereby repealed.*

0200 ~~Sec. 9.~~ *From and after July 1, 1984, K.S.A. 1983 Supp.*  
0201 *46-229, 46-282, 46-284 and 46-285 are hereby repealed.*

0202 ~~Sec. 10.~~ *This act shall take effect and be in force from and*  
0203 *after its publication in the statute book Kansas register.*

Sec. 8.

Sec. 9

, 46-282

Sec. 10

Sec. 11.



STATE OF KANSAS • HOUSE OF REPRESENTATIVES

NORMAN E. JUSTICE

Representative Thirty-fourth District, Wyandotte County  
506 Washington Blvd., Kansas City, Kansas 66101

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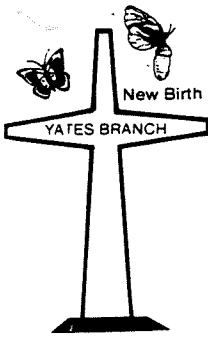
**memorandum**

This is pertaining to SB <sup>6</sup>278 from the  
Friends of Yates Branch Inc., 644 Quindaro  
Blvd., Kansas City, Kansas.

Norman E. Justice

*Atch. 2*





# Friends of Yates Branch Inc

644 Quindaro Blvd  
Kansas City, Kansas 66101  
(913) 321-1566

Norman Justice  
President

LaDora Murphy  
Executive Director

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March 22, 1984

Representative Norman Justice  
State Capital  
Topeka, Kansas 66612

Dear Representative Justice;

We are writing in regards to Senate Bill <sup>6</sup>278. This Bill proposes to increase marriage license fees in order to provide funding for victims of domestic violence. The need for services for victims of domestic violence is evident in Kansas' high assault and homicide rate with those related to domestic violence of women and children.

The Rebecca Vincson Center's battered women's program sees the need for increased and expanded services, when women and children seeking shelter from domestic violence are turned away due to the lack of space in the shelter. The number of women and children have more than doubled since 1980 when the shelter began operations. In 1983 we provided shelter to 508 women and children.

Communities cannot meet the needs and demands of victims of domestic violence without financial assistance. It is essential that Senate Bill 278 is passed. Violence in our country is on the increase and all available resources must be mobilized to address one of many social ills, ie. Family Violence.

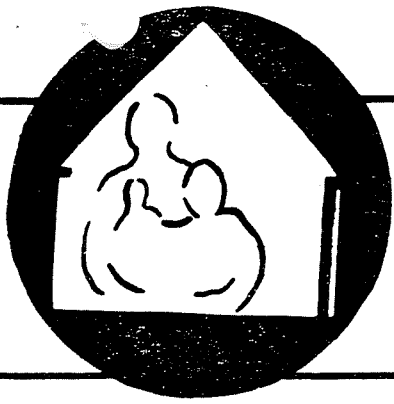
The Friends of Yates on behalf of the Rebecca Vincson Center for battered women appreciates your efforts and support of the above mentioned bill. We hope that you will urge the support of others.

Sincerely,

*Ollie Blade*  
Ollie Blade (SP)

Program Coordinator

*LaDora Murphy*  
LaDora Murphy  
Executive Director



**BATTERED WOMEN 321-0951**  
**TASK FORCE P.O. BOX 1514**  
**KANSAS CITY, KS 66117**

March 21, 1984

Representative Norman Justice  
State Capitol  
Topeka, Kansas 66612

Dear Representative Justice:

Please find enclosed statistical information from Rebecca Vincson Center Battered Women's Program for the year of 1983:

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	January, 1983			
	White	Black	Other	Total
Women	10	4	0	14
Children	<u>8</u>	<u>8</u>	<u>0</u>	<u>16</u>
Total	<u>18</u>	<u>12</u>	<u>0</u>	<u>30</u>

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	February, 1983			
	White	Black	Other	Total
Women	7	0	0	7
Children	<u>6</u>	<u>0</u>	<u>0</u>	<u>6</u>
Total	<u>13</u>	<u>0</u>	<u>0</u>	<u>13</u>

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	March, 1983			
	White	Black	Other	Total
Women	3	5	2	10
Children	<u>5</u>	<u>5</u>	<u>5</u>	<u>15</u>
Total	<u>8</u>	<u>10</u>	<u>7</u>	<u>25</u>

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	April, 1983			
	White	Black	Other	Total
Women	10	5	1	16
Children	<u>5</u>	<u>12</u>	<u>3</u>	<u>20</u>
Total	<u>15</u>	<u>17</u>	<u>4</u>	<u>36</u>

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	May, 1983			
	White	Black	Other	Total
Women	12	8	2	13
Children	<u>9</u>	<u>16</u>	<u>4</u>	<u>29</u>
Total	<u>21</u>	<u>24</u>	<u>6</u>	<u>51</u>

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Statistical information pg. 2

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June, 1983

	White	Black	Other	Total
Women	16	6	0	22
Children	<u>8</u>	<u>10</u>	<u>0</u>	<u>18</u>
Total	<u>24</u>	<u>16</u>	<u>0</u>	<u>50</u>

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July, 1983

Women	11	5	1	17
Children	<u>6</u>	<u>9</u>	<u>3</u>	<u>18</u>
Total	<u>17</u>	<u>14</u>	<u>4</u>	<u>35</u>

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August, 1983

Women	8	14	1	23
Children	<u>14</u>	<u>21</u>	<u>3</u>	<u>38</u>
Total	<u>22</u>	<u>35</u>	<u>4</u>	<u>61</u>

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September, 1983

Women	8	11	1	19
Children	<u>14</u>	<u>21</u>	<u>3</u>	<u>38</u>
Total	<u>22</u>	<u>32</u>	<u>4</u>	<u>57</u>

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October, 1983

Women	5	8	0	13
Children	<u>5</u>	<u>19</u>	<u>0</u>	<u>24</u>
Total	<u>10</u>	<u>27</u>	<u>0</u>	<u>37</u>

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November, 1983

Women	9	9	1	19
Children	<u>16</u>	<u>25</u>	<u>1</u>	<u>42</u>
Total	<u>25</u>	<u>34</u>	<u>2</u>	<u>61</u>

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December, 1983

Women	8	9	0	17
Children	<u>10</u>	<u>25</u>	<u>0</u>	<u>35</u>
Total	<u>18</u>	<u>34</u>	<u>0</u>	<u>52</u>

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Statistical information pg. 3

Total women and children housed in 1983 - 508

In conclusion the Rebecca Vincson Center provided shelter to 140 women and children 1980, when it began operation.

We hope that this information will be helpful to you.

Sincerely,

Ms. LaDora Murphy  
Executive Director

## HOUSE BILL No. 2830

By Committee on Ways and Means

2-2

0015 AN ACT concerning fees charged for marriage licenses; relating  
0016 to collection and disposition thereof; amending K.S.A. 23-109  
0017 and K.S.A. 1983 Supp. 23-110 and 28-171 and repealing the  
0018 existing sections; also repealing K.S.A. 23-108.

0019 *Be it enacted by the Legislature of the State of Kansas:*

0020 Section 1. K.S.A. 23-109 is hereby amended to read as fol-  
0021 lows: 23-109. Every person who performs a marriage ceremony  
0022 under the provisions of this act shall endorse ~~his or her~~ a  
0023 certificate of the marriage on the license, give the duplicate copy  
0024 thereof to the parties to the marriage, and return the license,  
0025 within ~~ten (10)~~ 10 days after such marriage, to the judge or clerk  
0026 of the district court who issued the same. The judge or clerk shall  
0027 enter the same on the marriage record in ~~his or her~~ the office of  
0028 the district court and shall forward, not later than the third day of  
0029 each month, to the secretary of health and environment the  
0030 license and certificate of marriage, together with a statement of  
0031 the names of the parties and the name and address of the party  
0032 who performed the marriage ceremony and shall remit to the  
0033 secretary of health and environment the ten dollars (\$10) pro-  
0034 vided for in K.S.A. 23-108 and amendments thereto. In case no  
0035 marriage license has been issued by the judge or clerk of the  
0036 district court during the month, the judge or clerk shall promptly  
0037 notify the secretary of health and environment to that effect on a  
0038 form provided for that purpose.

0039 Sec. 2. K.S.A. 1983 Supp. 23-110 is hereby amended to read  
0040 as follows: 23-110. The secretary of health and environment shall  
0041 index all records thus received and, when applied to, shall issue  
0042 a certified copy of the same which shall be prima facie evidence  
0043 in all courts and places of the facts stated therein. For each

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0044 certified copy a fee shall be paid to the secretary in an amount  
 0045 prescribed in accordance with K.S.A. 65-2418 and amendments  
 0046 thereto and to be disposed of in the manner provided therein.  
 0047 The secretary shall keep an accurate account of all fees received  
 0048 from the judges of the district court and all other sources. Such  
 0049 secretary shall remit all moneys received by or for such secretary  
 0050 from the marriage license fee provided for by K.S.A. 23-108 and  
 0051 amendments thereto to the state treasurer at least monthly. Upon  
 0052 receipt of each such remittance the state treasurer shall deposit  
 0053 the entire amount thereof in the state treasury. Of each such  
 0054 deposit, 56% shall be credited to the family and children trust  
 0055 fund and 44% shall be credited to the state general fund. All  
 0056 expenditures from the family and children trust fund shall be  
 0057 made in accordance with K.S.A. 75-5328 and amendments  
 0058 thereto.

0059 Sec. 3. K.S.A. 1983 Supp. 28-171 is hereby amended to read  
 0060 as follows: 28-171. (a) The judge hearing any probate proceed-  
 0061 ing, *any duties imposed under any statute contained in article 1*  
 0062 *of chapter 23 of the Kansas Statutes Annotated relating to the*  
 0063 *issuance of marriage licenses and recording marriages*, or any  
 0064 proceeding pursuant to *statutes contained in article 29 or article*  
 0065 *30 of chapter 59 of the Kansas Statutes Annotated shall charge*  
 0066 *the following fees:*

0067	Filing all instruments, making all orders, hearing all evidence and	
0068	making all orders and decrees thereon, and all other work re-	
0069	quired to be done in a determination of descent proceeding,	
0070	termination of life estate or joint tenancy proceedings . . . . .	\$25
0072	Filing all instruments, making all orders, hearing evidence and	
0073	making any order or rendering any judgment thereon; appoint-	
0074	ment of personal representative, refusal to grant letters or ap-	
0075	pointment of trustee . . . . .	15
0077	Estates appraised less than \$25,000 . . . . .	50
0079	Estates appraised \$25,000 or more and less than \$60,000 . . . . .	75
0081	Estates appraised \$60,000 or more and less than \$100,000 . . . . .	100
0083	Estates appraised \$100,000 or more . . . . .	125
0085	Filing petition, making all orders, hearing same and decree thereon,	
0086	filing all papers and issuing certified copy of adoption decree,	
0087	and all other work in connection with an adoption . . . . .	25
0089	Filing petition with certified copy of any probate proceedings or	
0090	documents of record, and all work in connection therewith from	
0091	probate court of another county or state . . . . .	5
0093	Taking application, issuing marriage license and recording return	
0094	thereof, and all other work, to be paid when license is issued.	7 17
0096	The filing of final settlements of guardians, conservators or trustees	
0097	and all other instruments, such as making all orders, examining	

0098	or hearing same and making and entering order approving or	
0099	disapproving same, filing receipts and order of discharge; filing	
0100	all instruments, making all orders, hearing evidence and making	
0101	orders thereon, and all other work required for the appointment	
0102	of a guardian of person or conservator of estate, or both . . . .	35
0104	Filing all papers and services in connection with obtaining treat-	
0105	ment for a mentally ill person. . . . .	15
0107	Authentication of any proceedings. . . . .	2
0109	Filing any other instrument not herein provided or making any	
0110	order or rendering judgment thereon, each. . . . .	2

0112 (b) The above costs include the recording of any instrument,  
 0113 order or judgments required by law to be recorded. Filing  
 0114 includes entering in appearance docket and indexing. The judge  
 0115 may require any other papers to be recorded at no additional  
 0116 cost. For any other service required by law but not enumerated  
 0117 in this section, the same fees shall be charged as are prescribed  
 0118 for the clerk of the district court; otherwise, a reasonable charge  
 0119 shall be fixed by the clerk of the court.

0120 (c) The clerk of the court shall remit to the state treasurer at  
 0121 least monthly all fees prescribed by this section. The state  
 0122 treasurer shall deposit the remittance in the state treasury. *Of*  
 0123 *that portion of each remittance which was received by the clerk*  
 0124 *of the court for fees charged for taking applications, issuing*  
 0125 *marriage licenses and recording the return thereof, and other*  
 0126 *work relating thereto, the state treasurer shall credit 33% of*  
 0127 *that portion to the family and children trust fund and shall*  
 0128 *credit the entire all of the remaining amount of the remittance to*  
 0129 *the state general fund.*

0130 Sec. 4. K.S.A. 23-108 and 23-109 and K.S.A. 1983 Supp. 23-  
 0131 110 and 28-171 are hereby repealed.

0132 Sec. 5. This act shall take effect and be in force from and  
 0133 after its publication in the statute book.



by John Peterson  
Kansas Association of Professional Psychologists

--in line 537, after the word "physician" by inserting "or  
psychologist"

--in line 128 by striking all after "person"  
by striking all of line 129 and all of line 130 before the period  
and inserting in lieu thereof "who is a certified psychologist  
pursuant to K.S.A. 74-5301 et seq."

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