

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Elwaine F. Pomeroy at
Chairperson

10:00 a.m./~~pm~~ on February 29, 1984 in room 514-S of the Capitol.

~~All~~ members ~~were~~ present ~~except~~ were: Senators Pomeroy, Winter, Burke, Feleciano, Gaar, Gaines, Hess, Mulich, Steineger and Werts.

Committee staff present: Mary Torrence, Office of Revisor of Statutes
Mike Heim, Legislative Research Department
Jerry Donaldson, Legislative Research Department

Conferees appearing before the committee:

Judge Robert Jones, Overland Park
Elizabeth Taylor, Kansas Association of Domestic Violence Programs

Senate Bill 785 - Expunged convictions; use of fact of no recorded conviction in certain actions.

Judge Robert Jones testified he had requested the bill because the present expungement law makes no provision to protect people when they are sued, because a plaintiff can allege he never was charged with a crime. The chairman inquired if the wording of this bill accomplishes the intent? Judge Jones replied, yes.

Senate Bill 802 - Taking runaways into custody.

No conferees appeared on the bill. The bill was requested by Judge Elwell in Douglas County. Committee discussion followed.

Senate Bill 801 - Peace bond procedures.

This bill was introduced at the request of Senator Steineger.

Elizabeth Taylor testified her organization is in support of the bill.

Senate Bill 785 - expunged convictions; use of fact of no recorded conviction in certain actions.

Senator Hess moved to report the bill favorably; Senator Winter seconded the motion, and the motion carried.

Senate Bill 801 - Peace bond procedures.

The chairman reviewed the bill. Senator Feleciano moved to amend the bill in line 37 by striking "the first day of the next term" and inserting "a day certain", in line 42, strike "next term" and insert "time specified in the recognizance", and in line 45, strike "appear" and insert "at the time specified". Senator Gaines seconded the motion, and the motion carried. Senator Feleciano moved to report the bill favorably as amended; Senator Gaines seconded the motion, and the motion carried.

Senate Bill 802 - Taking runaways into custody.

Senator Winter moved to amend the bill in line 92 by adding a period after "child" and striking lines 93 and 94. Senator Feleciano seconded the motion, and the motion carried. Senator Hess moved to report the bill favorably as amended; Senator Winter seconded the motion, and the motion carried.

Senate Bill 795 - Judicial council recommendations relating to court of appeals.

Senator Hess moved to reconsider the action on Senate Bill 795; Senator Gaines seconded the motion, and the motion carried. Following committee discussion,

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Senate Bill 795 continued

Senator Hess moved to set the Chief Justice salary at sixty thousand dollars and the cost of living apply to those figures; the effective date of the bill be when printed in the Kansas Register and apply June 17, 1984. Senator Gaar seconded the motion, and the motion carried. Senator Winter moved to report the bill favorably as amended; Senator Steineger seconded the motion, and the motion carried.

Senate Bill 717 - Foreign corporation's application to do business and name used.

The chairman reviewed the bill. Senator Steineger moved to report the bill favorably; Senator Mulich seconded the motion, and the motion carried.

Senate Bill 361 - Surrogate motherhood, restrictions and limitations thereon.

Senator Hess moved to report the bill adversely; Senator Winter seconded the motion, and the motion carried.

Senate Bill 615 - Grandparents' rights to visit child in need of care. The chairman reviewed the bill. Senator Winter moved to amend the bill conceptually in lines 65 through 69 to award visitation to persons the judge finds in the best interests of the child. Senator Gaar seconded the motion, and the motion carried. Senator Winter moved to report the bill favorably as amended; Senator Gaar seconded the motion, and the motion carried.

Senate Bill 614 - Preferences in awarding custody of children in need of care.

The chairman reviewed the bill. Senator Steineger moved to report the bill adversely. Senator Mulich seconded the motion, and the motion carried. The committee would like reflected in the minutes the bill was reported adversely for the reason, that is the present public policy of the state, and we assume the judges are doing it.

Senate Bill 761 - Amendments to code for care of children and juvenile offenders code.

Senator Winter moved to report the bill adversely. Senator Winter withdrew his motion. Senator Winter moved to amend the bill by striking Sections 3 and 4 and make appropriate changes in the repealer and the title, and include exception in the general appeal provision for the proceedings in the two codes. Senator Steineger seconded the motion, and the motion carried. Senator Winter moved to report the bill favorably as amended; Senator Hess seconded the motion, and the motion carried.

Senate Bill 644 - Payment for care of juvenile offenders.

Senator Winter moved to report the bill favorably; Senator Gaar seconded the motion, and the motion carried.

Senate Bill 669 - Child abuse investigations conducted on school premises or alleging abuse by school personnel.

Senator Steineger moved to report the bill adversely; Senator Mulich seconded the motion. Following committee discussion, Senator Winter moved to amend the bill by striking lines 77 through 82. Senator Werts seconded the motion, and the motion carried. Senator Winter moved to report the bill favorably as amended; Senator Gaines seconded the motion, and the motion carried.

Senator Gaar moved to approve the minutes of February 9 and 10, 1984; Senator Winter seconded the motion, and the motion carried.

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Senate Bill 232 - Treatment act for drug abusers.

Following committee discussion, the consensus of the committee was to change the definition on page 3 of the bill that will appear in the committee report.

The meeting adjourned.

GUESTS

SENATE JUDICIARY COMMITTEE

NAME	ADDRESS	ORGANIZATION
Judge Robert Jones	O.P. Ks.	None
Karen D Crisp	1436 Bynum #36 Topeka	WUNS
Linda Schmidt	1903 Lower Liberty Ave St Topeka	Widowhood - Nursing Student
Ivish Codu	2113 Potomac Dr. #6 Topeka	WU Nursing Student
Brenda Bridges	136 NE 58 Topeka KS	WU Nsg Student
KEITH R LANDIS	TOPEKA	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
Elizabeth Jaylov	Topeka	Ks Am Domestic Viol Prog
Tom Fritzylen	Lawrence	Sun. Hess
Nancy Kell	Topeka	WU NS
Claudine Meara	Topeka	WU Nursing Student
Mary Baundron	Topeka	WU Nursing Student
Bryan W Raymont	Topeka	WU Nsg Student
January H. Scott	"	KOPPA
Joan Clare	"	KCOAA
Marjorie Van Buren	"	OJA
Kis Nelson	Lawrence	Sen Heringer