

Approved April 8, 1987  
Date

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Robert Frey at  
Chairperson

8:00 a.m./~~p.m.~~ on April 2, 1987 in room 514-S of the Capitol.

~~All~~ members ~~were~~ present ~~except~~: Senators Frey, Hoferer, Burke, Gaines, Langworthy, Parrish, Steineger, Talkington and Yost.

Committee staff present:

Mike Heim, Legislative Research Department  
Jerry Donaldson, Legislative Research Department  
Gordon Self, Office of Revisor of Statutes

Conferees appearing before the committee:

House Bill 2170 - Periodic review of placements of children in need of care.

Senator Parrish moved to amend the bill by striking subsection (b) in line 47 and insert "the goals are no longer viable, the court shall hold a hearing pursuant to subsection (c)". Senator Hoferer seconded the motion, and the motion carried.

Senator Parrish moved to report the bill favorably as amended. Senator Hoferer seconded the motion, and the motion carried.

House Bill 2265 - Boating under the influence of alcohol or drugs.

Senator Hoferer moved to amend the bill by striking subsection (e) lines 90, 91 and 91. Senator Burke seconded the motion, and the motion carried.

Senator Hoferer moved to amend the bill by striking Section 4 to eliminate the preliminary screening test. Senator Talkington seconded the motion, and the motion carried.

Following committee discussion, Senator Hoferer moved to report the bill favorably as amended. Senator Burke seconded the motion, and the motion carried.

House Bill 2419 - Pretrial screening panel, liability actions against professionals.

Senator Hoferer moved to amend the bill by striking lines 36 through 39. Senator Talkington seconded the motion, and the motion carried.

Senator Talkington moved to report the bill favorably as amended. Senator Burke seconded the motion, and the motion carried.

House Bill 2462 - Termination of parental rights and relinquishment of child.

Senator Parrish moved to reconsider the actions of the committee to report the bill favorably as amended. Senator Burke seconded the motion, and the motion carried.

Senator Parrish moved to amend the bill in subsection (g) to provide the clerk of the district court shall provide a copy of the final order of adoption and a copy of the social assessment and report

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY,  
room 514-S, Statehouse, at 8:00 a.m./~~xxx~~ on April 2, 1987

House Bill 2462 continued

pertaining to any adoption of a minor, except stepparent adoptions, to the Secretary of Social and Rehabilitation Services. Senator Burke seconded the motion, and the motion carried.

Senator Talkington moved to reconcile the conflict with another bill. Senator Burke seconded the motion, and the motion carried.

Senator Hoferer moved to report the bill favorably as amended. Senator Burke seconded the motion, and the motion carried.

House Bill 2463 - Protection from abuse act amendments.

Senator Parrish moved to amend the bill by striking "legal" in line 41. Senator Hoferer seconded the motion, and the motion carried.

Senator Hoferer moved to amend the bill in line 86 by changing 10 days to 20 days. Senator Parrish seconded the motion, and the motion carried.

Senator Hoferer moved to report the bill favorably as amended. Senator Parrish seconded the motion, and the motion carried.

House Bill 2472 - Limit on noneconomic damages in personal injury actions.

Senator Talkington moved to amend the bill to reinsert "noneconomic loss" in lines 26, 27, 32, 35 and 39 and leave the other House language. Senator Gaines seconded the motion, and the motion carried.

Senator Talkington moved to report the bill favorably as amended. Senator Gaines seconded the motion, and the motion carried.

House Bill 2025 - Punitive damage awards in civil actions.

Senator Yost passed out balloon copies of two proposed amendments. Following explanation of the amendments and committee discussion, Senator Yost moved to amend the bill in line 25 by removing "same trier of fact" and inserting "court" and wherever appropriate. Senator Talkington seconded the motion, and the motion carried.

Senator Yost moved to amend the bill in subsection (g) by changing the dollar amount to five million dollars. Senator Gaines seconded the motion, and the motion carried.

Following considerable committee discussion, Senator Hoferer moved to report the bill favorably as amended. Senator Gaines seconded the motion.

Senator Yost made a substitute motion to amend the bill by adding subsection (h) as indicated in the balloon copy and adding, the state shall not be a party to the proceedings. Senator Gaines seconded the motion. On a vote of our in favor of the motion and three opposed, the motion carried.

Senator Talkington moved to report the bill favorably as amended. Senator Gaines seconded the motion, and the motion carried.

The meeting adjourned.

A copy of the guest list is attached (See Attachment I).

GUEST LIST

COMMITTEE: SENATE JUDICIARY COMMITTEE

DATE: 4-2-87

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
KEITH R LANDOIS	TOPEKA	CHRISTIAN SERVICES Commission on Publications For Kansas
Darlene Stearns	Topeka	: CCLK
Jim Edwards	"	KOCE
Jon Josseland	Wichita	Wichita Chamber
RON CACHES	WICHITA	BONAR
KEVIN ROBERTSON	TOPEKA	KS CONSULTING ENG.
George Biber	Topeka	KS Consulting Engineer
Les JAW	"	KCCF
LARRY E. CLINE	DODGE CITY	KS FARM BUREAU
Martin Fisher (Lorenburgs)	Topeka	KMS
Bill Ackert	Topeka	KTCA
Paul E. Fleener	Manhattan	Kansas Farm Bureau
ED BRUSKE	TOPEKA	KCCI
LAM CORNISH	"	KS Assoc P/C Ins.
Richard Mason	"	KTCA
Tom Bell	Topeka	KHA
Ron Smith	"	KCB A
Stenn Cozzell	Topeka	Alliance 7 Am Ins
Bill Henry	Topeka	KS Engineering Society

Atch. I  
Senate Judiciary  
4-2-87