

Approved March 27, 1990
Date

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY

The meeting was called to order by Michael R. O'Neal at
Chairperson

2:00 ~~xxx~~/p.m. on March 30, 1990 in room 423-S of the Capitol.

All members were present except:

Committee staff present:

Jerry Donaldson, Legislative Research Department
Jill Wolters, Revisor of Statutes Office
Mary Jane Holt, Committee Secretary

Conferees appearing before the committee:

Paul Shelby, Office of Judicial Administrator

DISCUSSION AND CONSIDERATION OF BILLS:

SB 772 Limitations on amounts of disposable earnings subject to garnishment

Paul Shelby, Office of Judicial Administrator, stated SB 772 updates the garnishment forms to conform to the federal mandated new hourly minimum wage increases.

Representative Snowbarger moved to strike all references to April 1991 in the forms. Representative Whiteman seconded the motion. The motion passed.

Representative Snowbarger moved and Representative Whiteman seconded to report SB 772, as amended, favorably for passage. The motion passed.

SB 536 Standard and considerations in termination of parental rights of child in need of care

The Committee discussed amending SB 536 by inserting on page 2, a new subsection, "In considering a statement from a person licensed to practice medicine and surgery, the court shall require that the statement include information explaining the frequency and duration of medical care rendered to the child and not withstanding the provisions of K.S.A. 1989 Supp. 60-427 and amendments thereto, the reasons for making such a statement".

Representative Sebelius moved to adopt the new subsection. Representative Everhart seconded the motion. The motion passed.

Representative Snowbarger moved to amend SB 536 to include K.S.A. 1989 Supp. 38-1502 which defines a child in need of care, with the addition of "(11) is born as a result of an attempted abortion and who exhibits any sign of a live birth as defined in K.S.A. 65-2401 and amendments thereto". Representative O'Neal seconded the motion. The motion failed.

Representative Sebelius moved and Representative Everhart seconded to report SB 536, as amended, favorably for passage. The motion passed.

SB 431 Enacting the Kansas adoption and relinquishment act

The Committee discussed Sec. 34. Sec. 34 was added by the Interim Committee and provides health insurance benefits for children from the moment of birth with respect to a newly born child of the insured or subscriber, as well as a child adopted within 90 days of birth. Such benefits also provide delivery expenses at birth of the birth mother of a child adopted within 90 days of birth of such child by the insured or subscriber.

SB 431 was referred to the Insurance Committee as well as the Judiciary Committee. It is the recommendation of the Insurance Committee that Section 34 be removed from the bill since it mandates health insurance coverage. The Insurance Committee will be studying mandated insurance during the interim.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY,
room 423-S, Statehouse, at 2:00 ~~am~~ p.m. on March 30, 1990

Representative Sebelius moved to remove "on the record" from New Sec. 4 and New Sec. 14. Representative Everhart seconded the motion. The motion passed.

Representative Vancrum moved to amend New Sec. 5 by adding "Unless the minor parent shall otherwise so elect, the petitioner or child placing agency shall provide independent legal counsel to the minor parent at such petitioner's or child placing agency's sole expense". Representative Everhart seconded the motion. The motion passed.

Representative Snowbarger moved to delete the language in New Sec. 6 and insert "Any consent or relinquishment given by the mother before 12 hours after the birth of a child is voidable". Representative Vancrum seconded the motion. The motion passed.

Representative Snowbarger moved and Representative Everhart seconded to delete the Senate amendments to New Sec. 11(a). The motion passed.

Representative O'Neal moved to delete subsection (c) of New Sec. 11. Representative Jenkins seconded the motion. The motion passed.

Representative Snowbarger moved and Representative Vancrum seconded to delete the fines in New Sec. 13 (d). The motion passed.

Representative Snowbarger moved to strike in New Sec. 16(b)(3) "if the child was a resident prior to receipt of custody by the agency". Representative Everhart seconded the motion. The motion passed.

Representative Snowbarger moved and Representative Jenkins seconded to add to line 31, New Sec. 16(3)(c), "or where the child resides". The motion passed.

Representative Snowbarger moved and Representative Vancrum seconded to amend New Section 18, line 37 by striking "or" and adding after the word guardian the words "or agency". The motion passed.

Representative Solbach moved to delete Sec. 34. Representative Snowbarger seconded the motion. The motion passed.

Representative Solbach moved and Representative Whiteman seconded to report SB 432, as amended, favorably for passage. The motion passed.

The Committee meeting was adjourned at 3:45 p.m.