

MINUTES OF THE House COMMITTEE ON Judiciary

The meeting was called to order by Representative John M. Solbach
Chairperson

3:30 ~~am~~ p.m. on January 22, 1991 in room 313-S of the Capitol.

All members were present except:

Representatives Douville and O'Neal who were excused

Committee staff present:

Jerry Donaldson, Legislative Research Department
Jill Wolters, Office of Revisor of Statutes
Gloria Leonhard, Secretary to the Committee

Conferees appearing before the committee: (No Conferees)

The Chairman called the meeting to order and called for discussion on HB2011. A committee member pointed out the amount of monies to be credited to juvenile detention facilities from the State Gaming Reserves Fund would be increased under Gov. Finney's proposed plan.

The Chairman called for action on the bill.

Rep. Allen moved that HB 2011 be passed. Rep. Gomez seconded the motion. The motion carried.

The Chairman called for Staff review of HB's 2003, 2004, 2005, 2006, 2007, 2008 and 2009.

The Chairman asked the Vice-Chairman to conduct the remainder of the meeting to allow him to return to a select committee meeting in progress.

Revisor's Staff reviewed background intent and deleted language of HB 2003. Staff stated the bill will create a permanent moratorium on prohibiting building of private prisons in Kansas.

Committee discussion followed. A committee member asked if a community can vote on whether a private prison shall be built within the community. Staff noted many conferees had appeared before the interim committee in connection with proposed HB 2003; that many ideas and concerns had been expressed; that many questions remained unanswered. Committee discussion followed, regarding housing of out-of-state inmates in private prisons.

Revisor's Staff reviewed HB 2004, which amends the Kansas parentage act. Staff noted changes in language in lines 32 and 33 and addition of new sub-section (C), page 2, line 21, and new section 3, page 2, line 26 regarding court's authority to make and enforce various orders.

Revisor's Staff reviewed HB 2005 which was requested by the Kansas Psychiatric Society and gives the court the right to terminate parental rights in certain cases. Staff noted new language in (c) line 39. Committee discussion followed. A committee member asked if lack of medical attention will be an issue. Staff stated a sentence may be needed to codify case law. A committee member suggested preparation of a balloon bill. A member asked if clinical psychologists had been excluded. It was noted that fitness of parents and the best interests of the child are to be considered. Staff stated HB 2004 had been requested by John Phillips, SRS, Olathe.

Revisor's Staff reviewed new language contained in HB 2006 regarding charges of court trustees, not to exceed 5% of funds collected.

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

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room 313-S, Statehouse, at 3:30 ~~am~~/p.m. on January 22, 1991

Committee discussion followed. A committee member asked if lowering the 5% had been considered. A member noted the issue raised between SRS system and the court trustees system regarding collections by both systems.

Revisor's Staff reviewed intent of HB 2007 which had been requested by John Phillips, SRS. Staff said the bill authorizes the court to provide children medical support in certain child custody cases. Committee discussion followed.

Revisor's Staff reviewed HB 2008 and noted change of language from "may" to "shall" in Section 1, line 16, the mediation statute; page 2, line 33 - new language regarding child custody and residency; page 5, line 7, new language regarding educational classes. Committee discussion followed. A committee member asked if the issue of how case load could be handled had been addressed.

Revisor's Staff reviewed HB 2009 regarding change of parenting rights and reference to custody in terms of residency. Committee discussion followed. A committee member asked what groups requested the changes.

The meeting was adjourned at 4:40 P.M. The next meeting of the committee is scheduled for Wednesday, January 23, 1991 at 3:30 p.m. in room 313-S.

