

MINUTES OF THE HOUSE JUDICIARY.

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on January 15, 2002 in Room 313-S of the Capitol.

All members were present.

Committee staff present:

Jill Wolters - Office of Revisor
Jerry Ann Donaldson - Legislative Research Department
Mike Heim - Legislative Research Department
Cindy O'Neal - Committee Secretary

Conferees appearing before the committee:

Randy Hearrell, Kansas Judicial Council

The Chairman introduced committee members and staff and drew the committees attention to the list of committee rules and conferee rules.

He then turned the committees attention to three bill requests from Randy Hearrell, Kansas Judicial Council.

1. Repeal of K.S.A. 59-624 which was "special legislation" relating to the construction of wills containing formula marital clauses.
2. Kansas Eminent Domain Act, amendment to K.S.A. 58-3502 and repeal K.S.A. 58-3505
3. Adoption of the proposed Kansas Power of Attorney Act

Vice-Chairman Patterson made the motion to have the requests introduced as committee bills. Representative Loyd seconded the motion. The motion carried.

Chairman O'Neal received two bill requests:

1. Amendments to the protection from abuse and protection from stalking act, imposing specific time frames. The request came from Charles Harris, Attorney, Wichita, Kansas.
2. Requiring individuals who are under K.S.A. 38-152 & 38-1522 to have no less than 4 hours of training on child abuse and neglect. The request came from Jane Holzrichter, Horizons Mental Health Center, Hutchinson, Kansas.

Vice-Chairman Patterson made the motion to have the requests introduced as committee bills. Representative Owens seconded the motion. The motion carried.

The Chairman announce that the committee would receive, from staff, an overview of the Judiciary Interim Committee Reports. (A book entitled *2002 Interim Committee Reports* can be found in the Kansas Legislative Research Department)

Jerry Ann Donaldson, Legislative Research Department, touched on three issues that were studied.

- **MEDICAID FRAUD AND THEIR IMPACT ON THE STATE** - The interim committee reviewed the report from Legislative Post Audit and took testimony and determined that no credible evidence of substantial Medicaid fraud was presented, therefore, they recommended no action be taken at this time.
- **LICENSURE OF PRIVATE SECURITY GUARDS** - The interim committee heard from several law enforcement related agencies and was concerned about the lack of a statewide uniform

CONTINUATION SHEET

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regulations regarding licesure of security guards and the lack of training for the service that security guards provide. They encouraged local units of government to consider adopting rules and regulations regarding this issue.

- **DRUG COURTS** - After much study, the interim committee acknowledged the value of drug courts as an alternative to incarceration since they would save the state money. However, due to the budget shortfall they encouraged the courts to look for federal funding to aid in such programs.

The interim committee also concluded that the Kansas Sentencing Commission has performed at a meritorious level in providing projections and recommendations regarding alternative sanctions for drug offenders and recommended the introduction of a bill proposed by the Sentencing Commission, to address overcrowding issues, including any retroactivity provisions.

Mike Heim, Kansas Legislative Research Department, touched on two topics:

- **LICENSURE AS BAIL BONDSMEN** - The topic called for a study of the need for background investigations of persons prior to their licensure as private or pocket bondsmen. The interim committee concluded no action was needed. They felt that there was no evidence presented that indicated a change in the law was necessary.
- **RIGHTS OF A NATURAL FATHER IN AN ADOPTION SITUATION & ESTABLISHMENT OF A PUTATIVE FATHER REGISTRY** - The interim committee believed that the putative father issue should be looked at in a broader context of the state's adoption law, parentage law, and other related laws. They encouraged the 2003 Legislature to review the Uniform Parentage Act 2000. They also invited adoption attorneys to make suggestions to the 2003 Legislature in this area.

The committee meeting adjourned at 4:14 p.m. The next meeting was scheduled for January 16, 2003 at 3:30 p.m. in Room 313-S.