

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairperson John Vratil at 9:37 a.m. on February 7, 2001 in Room 123-S of the Capitol.

All members were present except: Sen. Umbarger (excused)

Committee staff present:

Gordon Self, Revisor
Mike Heim, Research
Mary Blair, Secretary

Conferees appearing before the committee:

Elwaine Pomeroy, Kansas Credit Attorneys Association and Kansas Collectors
Association, Inc.
Gerald Goodell, Kansas Judicial Council
Laura Howard, Assistant Secretary of Health Care Policy, SRS

Others attending: see attached list

SB 136—re: wage garnishment; assignment of account

Conferee Pomeroy testified in support of **SB 136**, a bill which amends current law regarding wage garnishment by removing language that prohibits non-governmental assignees of collection accounts from using wage garnishments as a method of collection and allows private companies who were not parties to an original action to utilize wage garnishment for the collection of judgments. He discussed examples of arrangements this bill addresses. (attachment 1) Discussion followed.

SB 137—enacting the Kansas estate tax apportionment act

Conferee Goodell testified in support of **SB 137**, a bill which replaces all previous estate tax provisions with a method of apportioning and assessing estate taxes between all of the decedent's beneficiaries, whether the parties' testamentary interest is a probate or non-probate interest. He called the bill the "default" statute and stated it was fair and equitable to all parties involved. (attachment 2) Discussion followed.

SB 119—concerning mental health; re: screenings and placements

Conferee Howard testified in support of **SB 119**, a bill which she stated extends to CINC cases, juvenile offender cases and misdemeanor cases the requirement that community mental health screenings occur prior to admission to state psychiatric hospitals. She detailed the process by which this is carried out. She further stated that the bill would add liability protections for mental health professionals and she discussed several other language changes in the bill. (attachment 3)

SB 74—concerning certain law enforcement officers of the state and certain political subdivisions thereof; concerning Native American Indian tribal law enforcement officers

The Chair distributed a balloon amendment on SB 74 submitted by Natalie Haag of the governor's office which addressed the issue of tribal law enforcement agencies or law enforcement officers of those agencies assisting a state, county or city law enforcement agency or law enforcement officer of that agency. She proposed a change at line 15 to replace the language "is requested" with "receives a direct request" and she offered further language proposing a waiver of sovereign immunity for tribal law enforcement when assisting city, county, or state law enforcement agencies. Lengthy discussion followed. Senator Adkins made a motion to amend the bill by striking "is requested" at line 15 and adding the language "receives a direct request". Senator Schmidt seconded. Following clarifying discussion, Senator Oleen made a substitute motion to report the bill out favorably as it is, Senator Haley seconded. On the vote being four yeas and four nays, the Chair voted yea and the motion carried.

The meeting adjourned at 10:34 a.m. The next scheduled meeting is February 8, 2001.