MINUTES OF THE SENATE COMMITTEE ON JUDICIARY			
Held in Room 519 S, at the Statehouse at 11:00 a.m. ARKNOK on March 7, 19 78.			
All members were present except: Senator Gaar			
The next meeting of the Committee will be held at 11:00 a.m./pxxx, on March 8, 19 78.			
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The conferees appearing before the Committee were:			

Representative Phil Martin Bill Griffin - Attorney General's Office

# Staff present:

Art Griggs - Revisor of Statutes Jerry Stephens - Legislative Research Department Cynthia Burch - Legislative Research Department

House Bill 2326 - Criminal procedure allowing court to impose conditions on the release of a defendant found not quilty by reason of insanity. Representative Martin appeared in support of his bill. A copy of his statement is attached hereto. discussed the reentry program to ease the transition back into society for persons hospitalized after being found not guilty by reason of insanity. Committee discussion with him followed.

Following further committee discussion, Senator Burke moved to amend the bill in line 108 by changing "may" to "shall"; Senator Parrish seconded the motion, and the motion carried. Senator Burke moved to report the bill favorably as amended; Senator Parrish seconded the motion, and the motion carried.

Senator Mulich introduced his son, Michael, who was serving as a page in the committee.

House Bill 2525 - Consumer protection act. Bill Griffin appeared in support of the bill. He stated the amendments were requested so as to eliminate duplication of law suits. Committee discussion The discussion included the changes in lines with him followed. 74 and 75, and whether those changes would eliminate the opportunity for an aggrieved consumer to recover; and also suggested amendments to line 53. Mr. Griffin was requested to give consideration to proposed amendments to the bill and advise the committee tomorrow as to his position on such changes.

continued -

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# CONTINUATION SHEET

Minutes of theSenate	Committee on Judiciary	March 7	, 19_78
Williates of the	Committee on		,

The chairman announced that the traditional dinner party will be held at his home for committee members, staff, and spouses or friends thereof, on March 16 at 6:45~p.m.

The meeting adjourned.

These minutes were read and approved by the committee on 4-24-78.

### GUESTS

### SENATE JUDICIARY COMMITTEE

NAME

ADDRESS

ORGANIZATION

Mown (. Uhrholy
Phil Wather
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Bill Mulfin Mike Hrynewich

Bob Hautsook Charles Dens

Ben Weill Vetheen Selsetien Lowvener

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KTLA

STATE OF KANSAS

PHIL MARTIN
REPRESENTATIVE 114TH DISTRICT
PORTIONS OF EDWARDS, PAWNEE AND
STAFFORD COUNTIES
P. O. BOX 275, R. R. 2
LARNED, KANSAS 67550



COMMITTEE ASSIGNMENTS
CHAIRMAN: RULES AND JOURNALS
MEMBER: WAYS AND MEANS
JUDICIARY

TOPEK

HOUSE OF REPRESENTATIVES March 7, 1978

The Honorable Elwaine F. Pomeroy Chairman, Senate Judiciary Committee Statehouse Office 141 N Topeka, Kansas 66612

RE: House Bill 2326 Release Procedures

Mr. Chairman and Committee Members:

House Bill 2326 proposes substantive amendments to K.S.A. 1977 Supp. 22-3428 regarding procedures for release of a defendant found not guilty by reason of insanity. In the following paragraphs, I will briefly outline the purpose, intent and potential effect of the proposed legislation.

#### PRESENT LAW:

Court must determine whether involuntary patient (previously found not guilty by reason of insanity) continues to be a danger to himself, herself or others. If Court finds patient is not a danger to self or others the patient must be discharged.

#### ISSUE:

Should an involuntary patient who is functioning relatively well in the structured environment of a hospital be discharged into the community without supportive programs?

### AREAS OF CONCERN:

- Difficulty definition of danger to self or others.
- 2. Caution of Court and Professionals.
- 3. Prolonged involuntary committment.
- 4. Protection of patient and society.

#### Continued

# PURPOSE OF HOUSE BILL 2526:

Establish a system whereby a patient may be directed to assume certain responsibilities in returning to society. Provide a means for professional assistance to a patient during the period of readjustment in the community. Implement procedures for public protection to avoid repetitive crimes against persons.

HOUSE ACTION:

House Bill 2326 passed in the House on a vote of 110-13-1.

ASSISTANCE:

The bill under consideration was amended with the assistance of the Johnson County District Attorney and has been reviewed by various professionals, certain interest groups and interested individuals.

PHIL MARTIN, Representative 114th District