

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Arlen Siegfroid at 1:30 P.M. on February 14, 2007 in Room 313-S of the Capitol.

All members were present except:

Representative Benjamin Hodge- excused

Representative Mike Peterson- excused

Committee staff present:

Kathie Sparks, Kansas Legislative Research Department

Dennis Hodgins, Kansas Legislative Research Department

Mike Heim, Revisor of Statutes Office

Carol Doel, Committee Assistant

Conferees:

Representative Jo Ann Pottorff

Representative Steve Brunk

Bob Keeshan

Brad Post

Reva Wywadis, DRC Resource & Referral

Dick Morrissey, Kansas Department of Health and Environment

Dale Goter, Government Relations Manager - City of Wichita

Others attending:

See attached list

The Chairman opened the floor for bill introductions. Hearing none, the Chair opened the floor for hearing on **HB 2241** - Grandparents have the right to intervene in child custody or visitation litigation to request visitation based upon statutory parameters, and asked Kathie Sparks of Legislative Research to give an explanation of the bill. (Attachment 1)

Chairman Siegfroid recognized Representative Pottorff who stated that there was a bill like **HB 2241** last year.

The bill did not get worked in the committee and was amended on to the foster grandparents bill and for lack of time the bill fell. She urged the passage of **HB 2241**.

Bradley Post, a Kansas practicing attorney came before the committee in support of **HB 2241**. Mr. Post stated that the Kansas legislature and the highest courts of this state have long recognized the importance of the grandparent- grandchild relationship and that this bill closes a loophole, but does not change the existing law. (Attachment 2)

Bob Keeshan, a Topeka Attorney addressed the committee as a proponent of **HB 2241** relating that the passage of this legislature will insure that grandparents can intervene as a matter of statutory right and request visitation rights upon meeting constitutional and statutory requirement of K.S.A. 60-1616. The courts will still be free to exercise its discretion regarding grandparent visitation, but needless procedural disputes will be avoided. (Attachment 3)

Representative Brunk appeared before the committee supporting **HB 2241** for passage. Rep. Brunk stated that this bill helps keep the family unit intact by allowing the grandparents to request visitation rights. It gives the judge an opportunity to consider the best interests of the child when a substantial relationship already exists. (Testimony will be distributed on 2-15-07)

With no other person wishing to address **HB 2241**, Chairman Siegfroid closed the hearing and opened the hearing on **HB 2053** - Licensure of child care facilities by cities, counties and school districts.

Kathie Sparks explained the bill. (Attachment 4)

Representative Otto came before the committee to encourage the support of **HB 2053**. Rep. Otto explained a personal situation in which he lost his wife and was left to raise two little girls. He told of the difficulties

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he encountered in trying to open a Head Start building in his home town. The Representative opined that there was more interest in square footage and self importance than in the safe care of children. (Attachment 5)

Reva Wywadis, Executive Director, ERC Resource & Referral, gave testimony in opposition to **HB 2053**. The bill would give a local entity – school district, city or county governmental body – the authority to regulate child care programs. The purpose of state child care regulations are to set minimum health and environmental safety standards. A minimum standard for educational requirements for child care providers and teachers is also set by these regulations. On behalf of children in Kansas and their families they urge a vote against **HB 2053**. (Attachment 6)

Next to appear in opposition to **HB 2053** was Richard Morrissey, Deputy Director, Division of Health, Kansas Department of Health and Environment. In his testimony, Mr. Morrissey, noted that **HB 2053** proposes to permit the governing bodies of cities, counties and school districts to opt out of state licensure of child care facilities when these entities develop their own local licensure programs and standards. It was further stated that this is a conflict of interest and does not provide children and families with an unbiased consumer protection component that is the heart for any licensing program. (Attachment 7)

Written Testimony was provided in opposition to **HB 2053** by The Saint Francis Academy (Attachment 8), Children's Alliance of Kansas (Attachment 9), Dale Goter, Government Relations Manager, City of Wichita (Attachment 10), and Sandy Jacquot, Director of Law/General Counsel (Attachment 11).

With no other person wishing to speak to the bill, and no further business before the committee, Chairman Siegfried adjourned the meeting.