

Approved

Fred Kerr
Date

2/28/84

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS

The meeting was called to order by Senator Fred Kerr at
Chairperson

10:00 a.m./p.m. on Thursday, February 23, 1984, 19 in room 423-S of the Capitol.

All members were present except: Senator Ross Doyen (E)

Committee staff present: Raney Gilliland, Research Department
Jim Wilson, Revisor's office

Conferees appearing before the committee:

Bud Grant, KCCI

Senator Arasmith moved the February 22, 1984 minutes be approved, seconded by Senator Karr. Motion carried.

SENATE BILL 674 - Senator Kerr called attention to the letter received from the Capitol City Office Products Inc. (See Attachment 1) relative to Senate Bill 674.

Senator Kerr called on Senator Arasmith to explain this bill. Senator Arasmith stated a similar bill was introduced in 1980, a portion was passed in 1982 but this particular phase was not enacted. The bill would allow assessment of court costs against the defendant in case the plaintiff has to go to court to collect the debt; as of now, the merchant has to charge it off.

Bud Grant stated KACI supports this bill which he feels will be of significant benefit to small businesses, and that it would encourage the debtor to pay his obligation to avoid being brought into court and paying the costs.

Senator Karr questioned the complexity of the language in lines 52 through 62. Revisor Wilson stated these lines point out the prerequisites to be met before a suit could be brought. He stated the clauses could be numbered, if the committee deemed that advisable. Senator Arasmith stated he would have no objection to such a clarification. After further discussion, Senator Allen moved Senate Bill 674 be recommended favorably for passage, seconded by Senator Warren. Motion carried.

Senator Kerr pointed out the bills to be heard beginning Tuesday of next week.

The meeting was adjourned.

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Capitol City Office Products Inc.

February 21, 1984

Senator Fred A. Kerr, Chairman
Statehouse
Topeka, Kansas 66612

Dear Senator Kerr:

I am writing you to ask for your support of Senate Bill #674 concerning taxation and billing of court costs.

As a small Kansas retailer, I feel very strongly that if we extend credit to a consumer or if a consumer issues a worthless check to us and it then becomes necessary to take them to court to collect the money due us, we should also be awarded court costs and attorney's fees for collection of money rightfully due us.

I appreciate your support and positive vote on Senate Bill #674.

Yours truly,

Ronald F. Miller
Exec. Vice President

vlf

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Atch. 1