

MINUTES OF THE SENATE COMMITTEE ON COMMERCIAL AND FINANCIAL INSTITUTIONS

The meeting was called to order by Senator Neil H. Arasmith at
Chairperson

9:00 a.m./~~p.m.~~ on January 11, 1984 in room 529-S of the Capitol.

All members were present except:

Committee staff present:

Bill Wolff, Legislative Research
Myrta Anderson, Legislative Research
Bruce Kinzie, Revisor of Statutes

Conferees appearing before the committee:

None

The Chairman asked staff to begin a review of bills in committee which included bills held from last session and two interim bills.

Staff called the committee's attention to SB 206 and explained that this is a plain language bill and involves a concept which has been around for several years. It deals with the requirement that nontechnical language be used in tenant contracts.

Staff explained that SB 213 concerns a consumer savings disclosure act and parallels the Truth in Lending Act for borrowers. The Chairman reminded the committee that this bill was promoted by Professor Morse of Kansas State University.

Staff continued with an explanation of SB 291 supported by the Kansas Trial Lawyers and which would amend the existing Unfair Practices Act. Staff noted that on page six of the bill, subsection (b), an individual is given remedy over and above administrative remedy.

Next to be reviewed was SB 413 which was introduced at the request of the Securities Commissioner. Staff said that on page two language is deleted regarding the transfer of stock but that the real substance of the bill is found on pages three, four, and five.

Staff informed the committee that SB 419 was introduced to deal with a situation that has been reoccurring since 1980. It pertains to the requirement that notice be given to a buyer when a seller changes credit terms.

Regarding SB 434, staff explained that this bill had been heard during the last session and recommended favorably. However, it was rereferred to the committee due to the fact that adjournment came before it could be placed on the calendar last session. The bill was requested by the Independent Insurance Agents and deals with liability for agents who sell excess lines.

Staff continued with a review of the first interim bill, SB 471, which amends the UCCC and which concerns creditors, such as hospitals, which allow after-the-fact payments by installments with no written agreement. Staff noted that on page five of the bill language was borrowed from the Truth in Lending Act to define "creditor". The purpose here was to allow hospitals to be exempt from the UCCC.

Last to be reviewed was SB 472, the second interim bill amending the UCCC. This bill is a clean-up of the UCCC and contains several changes. Staff called the committee's attention to each of the changes.

With the review of the bills completed, the Chairman announced that the committee would be meeting next week possibly on Tuesday and Wednesday.

The meeting was adjourned.

