

Approved February 23, 1988
Date

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Robert Frey at
Chairperson

10:00 a.m. ~~pm~~ on February 19, 1988 in room 514-S of the Capitol.

~~All~~ members ~~were~~ present ~~except~~: Senators Frey, Hoferer, Burke, Feleciano, Langworthy, Parrish, Steineger, Talkington, Winter.

Committee staff present:

Gordon Self, Office of Revisor of Statutes
Mike Heim, Legislative Research Department
Jerry Donaldson, Legislative Research Department

Conferees appearing before the committee:

House Bill 2240 - Forfeitures; controlled substances, simulated controlled substances and drug paraphernalia.

Staff reported the bill does not have a printing error, but there is a problem with the language. Another bill will be drafted for the committee to consider and to make amendments.

Senate Bill 443 - Consumer credit code, prohibiting rule of 78's.

Staff explained technical problems in the bill. Senator Feleciano moved to amend the bill to reference how the rebate should be done according to actuarial method. Senator Parrish seconded the motion. The motion carried. Senator Feleciano moved to report the bill favorably as amended. Senator Burke seconded the motion. Senator Feleciano made a substitute motion to amend the bill in subsection 3 by striking lines 59 through 74 and renumber remaining sections. Senator Burke seconded the motion. The motion carried. Senator Feleciano moved to report the bill favorably as amended. Senator Burke seconded the motion. The motion carried.

Senate Bill 458 - Establishment of municipal courts for certain counties.

Staff reported the draft of the bill is about completed and will be ready first part of next week.

Senate Bill 535 - Debtor's right to action on credit agreement.

The chairman reviewed the bill. Considerable committee discussion followed. Senator Talkington made a conceptual motion to amend the bill to establish requirement of all agreements contain notice this represents the entire agreement and no oral agreements can be enforced in a court. Senator Hoferer seconded the motion. Following committee discussion, the motion carried. Senator Winter moved to amend the bill in Section 2 to provide the agreement is in writing, and is signed by the party to be charged. Senator Parrish seconded the motion. The motion carried. Senator Talkington moved to report the bill favorably as amended. Senator Langworthy seconded the motion. The motion carried.

The meeting adjourned.

A copy of the guest list is attached (See Attachment I).

