

Approved January 23, 1990
Date

MINUTES OF THE HOUSE COMMITTEE ON JUDICIARY

The meeting was called to order by Michael O'Neal at
Chairperson

3:30 ~~xxx~~ p.m. on January 22, 1990 in room 313-S of the Capitol.

All members were present except: Representatives Buehler, Everhart, Gomez, Moomaw, Peterson, and Snowbarger, who were excused.

Committee staff present:

Jerry Donaldson, Legislative Research Department
Jill Wolters, Revisor of Statutes Office
Mary Jane Holt, Committee Secretary

Conferees appearing before the committee:

Jeanne Kutzley, Assistant Attorney General, Consumer Protection Division
Bud Grant, a member of The Attorney General's Consumer Protection Advisory Council

Hearing On HB 2375 Prohibiting false representations regarding going out-of-business or damaged goods sales

Jeanne Kutzley, Assistant Attorney General, Consumer Protection Division, testified HB 2375 would keep going out-of-business sales from going on forever and would prevent merchants from bringing in additional outside merchandise during a liquidation sale, see Attachment I.

Bud Grant, a member of the Attorney General's Consumer Protection Advisory Council, informed the Committee that he feels strongly that this type of legislation is needed. He asked the Committee to take favorable action on HB 2375.

There being no other conferees, the hearing on HB 2375 was closed.

Hearing on HB 2645 District Court, disposition of money received by the clerk
HB 2646 Municipal Court, right to counsel
HB 2647 Expungement of criminal records
HB 2648 Release prior to trial
HB 2649 Diversion agreements

Jill Wolters, Revisor of Statutes Office explained these five bills are current law. These bills repeal duplicate statutes.

Representative Jenkins moved to report HB 2645, HB 2646, HB 2647, HB 2648 and HB 2649 favorably and that they be placed on the consent calendar. Representative Vancrum seconded the motion. The motion passed.

The Committee meeting was adjourned at 4:05 p.m. The next meeting will be Tuesday, January 23, 1990 at 3:30 p.m. in room 313-S.



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

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TESTIMONY OF
ASSISTANT ATTORNEY GENERAL D. JEANNE KUTZLEY
TO THE HOUSE JUDICIARY COMMITTEE

RE: H. B. 2375

JANUARY 22, 1990

Mr. Chairman and Members of the Committee:

On behalf of Attorney General Stephan and the Consumer Protection Advisory Council I would like to speak on behalf of House Bill No. 2375 and recommend its passage.

When the Consumer Protection Advisory Council was established in 1988, consumers across the state became directly involved in consumer protection issues. One of the priorities established by the council was the "going out of business sale."

The two main purposes of the proposed changes to the Consumer Protection Act are:

- (1) To keep such sales from going on forever; and
- (2) To prevent merchants from bringing in additional outside merchandise during a liquidation sale.

At least twice in the last six months, our office has investigated advertisements placed by merchants which involved "liquidation" sales. A furniture store in Hutchinson

*1/22/90
J. Jud. Com.*

Attachment I

prominently advertised a "relinquishment" sale. The ad stated in large letters "Inventory ordered sold." Additional merchandise was brought in which was not the usual merchandise sold. In a discussion with the owner of the store, he revealed that the sale had been "ordered" by him. He also stated that he was bringing in a cheaper line of merchandise in an effort to expand his customer base. We requested that he change his advertisements to reflect the true nature of the sale.

A shoe store advertised a liquidation sale. It was not revealed to consumers that additional merchandise was brought in by the liquidator.

These advertisements would be specific violations of the Kansas Consumer Protection Act with the additional language recommended by Attorney General Stephan. This bill leaves no doubt as to the kind of sales tactics which would be prohibited.

Attorney General Stephan urges your favorable consideration of House Bill No. 2375.

H.B. 2375

1/22/90
H. Jud Com
Att I

are recorded from antique shows, markets and auctions throughout the country. Prices vary at different locations for different conditions.)
 al econo... (conditions.)
 halfdoll, on... (original box: \$30)
 er basket, Towle, fluted, beaded border,

ribbon had applique work, while others used other techniques.

"They all relate to peace," Evans said.
 Evans said the Ionia church volunteered to put the quilt together and do the hand quilting.
 "It was on a contribution basis on their part. The one unbelievable aspect to this whole thing is no

To have quilt meetings, ... or contes...
 in The Capital-Journal's Quilting column.
 submit information in writing to Anita M...
 Quilting, Topeka Capital-Journal, 616 Jeff
 Topeka, Kansas, 66607. The quilting colun
 the fourth Sunday of each month.

SHOE STORES

QUITTING BUSINESS!

*****HOURS*****

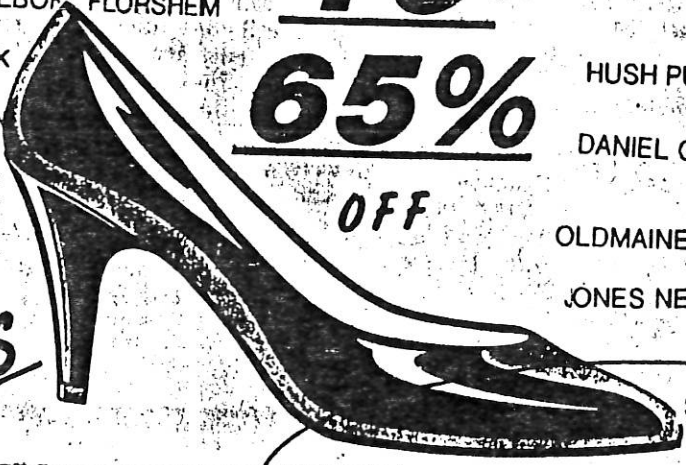
MON. THRU FRIDAY 10 TO 7 SAT 10 TO 6 SUN. 12 TO 5

FOR OVER A QUARTER CENTURY
HAVE BEEN SELLING FAMOUS BRAND SHOES FOR THE ENTIRE FAMILY
BUT DUE TO CIRCUMSTANCES BEYOND OUR CONTROL WE ARE
FORCED TO FILE FOR BANKRUPTCY

- MENS - WOMENS - KIDS -

NIKE . AVIA . JOYCE . DE LISO . IMPO . PROXY .
 NATURALIZER . STRIDE RITE . REEBOK .
 CHEROKEE . SANDPIPERS . GRENDA . WEBBS
 NICKELODEON . FOOTMATES . WEEBOK . FLORSHEM
 COLE HAAN . NUNN BUSH . REEBOK
 ELLESE . HUSH PUPPIES . BOSTONIAN
 DEXTER . ESPRIT

25%
TO
65%
OFF



PENALJO . CLINIC . SELBY . BASS . JASMIN .
 HUSH PUPPIES . EVAN-PICONE . L.A. GEAR .
 DANIEL GREEN . FOOTTHRILLS . REEBOK .
 OLDMAINE TROTTERS . ROCKPORT . 9 WEST .
 JONES NEW YORK . AVENTURA . REVELATIONS
 SRO . FOOT WORKS . VANELI . UNISA

SALE TO THE BARE WALLS

*****NOTICE SALE LOCATION*****

ALL SHOES HAVE BEEN MOVED TO THE OLD LITWINS BLDG.
 AT 5300 W. 21 th ACROSS FROM FAIRLAWN PLAZA

1/20/90
 71 Jha Com

THE ATTORNEY GENERAL'S
CONSUMER PROTECTION ADVISORY COUNCIL

January, 1990

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