

MINUTES OF THE HOUSE BUSINESS, COMMERCE AND LABOR COMMITTEE.

The meeting was called to order by Chairperson Al Lane at 9:10 a.m. on February 9, 2000 in Room 521-S of the Capitol.

All members were present except: Rep. Jerry Henry - excused
 Rep. Rick Rehorn - excused
 Rep. Gwen Welshimer - excused

Committee staff present: Bob Nugent, Revisor of Statutes
 Jerry Donaldson, Legislative Research Department
 Dennis Hodgins, Legislative Research Department
 Bev Adams, Committee Secretary

Conferees appearing before the committee: Steve Rarrick, Deputy Attorney General
 Hal Hudson, NFIB
 Terry Humphrey, Kansas Trial Lawyers

Others attending: See attached list

The minutes of February 2 were passed out. They will be approved at the next meeting.

Rep. Grant made a motion to accept the minutes of January 25, 26, and 27 as written. Rep. Ruff seconded the motion. The motion passed and the minutes were approved as written.

Hearing on: HB 2682 - Consumer protection, definition of consumer

The proponent of the bill did not appear and as there were no other proponents, the hearing was cancelled.

Hearing on: HB 2741 - Consumer protection act; redefining the term consumer and expanding available remedies.

Steve Rarrick, Deputy Attorney General, Chief, Consumer Protection Division, appeared as a proponent of the bill on behalf of Attorney General Carla Stovall. The bill would amend the Kansas Consumer Protection Act (KCPA) in two areas 1) the definition of consumer to include husband and wife purchases, whether made as a husband and wife proprietor for business purposes, or simply as a married couple for family purposes and 2) an amendment in the sequestration section of the KCPA to clarify the procedural requirements for sequestering assets and to explicitly create a prejudgment lien in the property sequestered to be applied to any judgment ultimately obtained against the supplier. (See Attachment 1)

Mr. Rarrick concluded his testimony by answering questions from the committee.

Hal Hudson, National Federation of Independent Business, appeared to offer support for **HB 2741**. He believes that the bill would ensure and clarify that small family owned businesses would enjoy protection from those that would seek to commit fraud. (See Attachment 2)

Terry Humphrey, Executive Director, Kansas Trial Lawyers Association (KTL), spoke in support of the bill. KTL is pleased to support the bill which in part expands the definition of "consumer" to include husband and wife business operations. (See Attachment 3)

No others were present to testify for or against the bill and Rep. Ruff closed the hearing on **HB 2741**.

The meeting was adjourned at 9:32 a.m. The next scheduled meeting is February 10, 2000.