

## SENATE JUDICIARY COMMITTEE

## MINUTES OF MEETING

APRIL 9, 1975

The meeting was called to order at 8:10 a.m. Senator Close was in the Chair:

PRESENT:            Senator Close  
                   Senator Wilson  
                   Senator Bryan  
                   Senator Sheerin  
                   Senator Dodge  
                   Senator Foote  
                   Senator Hilbrecht

## ABSENT:

SB 415 Defines adulterated, misbranded drugs and devices to include those drugs, devices deemed adulterated, misbranded under federal law.

Senator Dodge moved a "do kill",  
 Seconded by Senator Hilbrecht,  
 Motion carried unanimously. Senators Wilson, Bryan and Sheerin were absent from the vote.

SB 407 Prescribes conditions precedent to tort actions against present and former public officers and employees and provides public defense of such actions.

Senator Close read to the Committee the amendments as proposed in the meeting of April 4, 1975.

After a brief discussion, Senator Hilbrecht moved an "amend and do pass",  
 Seconded by Senator Dodge,  
 Motion carried unanimously. Senators Wilson and Bryan were absent from the vote.

SB 391 Prohibits certain acts respecting birth certificates.

Senator Close read to the Committee the amendments proposed the the meeting of April 3, 1975.  
 Senator Wilson recommended amending the bill further by changing the term "the birth certificate" to "a birth certificate". The Committee concurred with the amendment.

Senator Hilbrecht moved an "amend and do pass",  
 Seconded by Senator Dodge,  
 Motion carried unanimously.

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SB 369 Limits deficiency collectible upon repossessed vehicles.

Senator Close read to the Committee the amendments as proposed in the meeting of April 3, 1975.

Senator Hilbrecht informed the Committee that he spoke with Frank Daykin in regard to the proposed amendments. He stated that it was Mr. Daykin's intent to take the provisions of the Uniform Commercial Code insofar as they apply to this type of disposition, including any limitations of the Code.

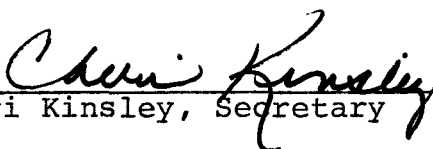
Mr. Daykin was called in to discuss this matter with the Committee. In response to a question by the Committee, Mr. Daykin stated that "time price differential" is a term of art applied only where there is a retail installment sale, whereas a "credit service charge" is a charge made for the extension of credit, whether it is a financing charge, denominated interest, a carrying charge, etc. The "credit service charge" would include interest, and if there were any, any points upon, for example, a loan secured.

It was the decision of the Committee to give the bill to Mr. Daykin for further amendments.

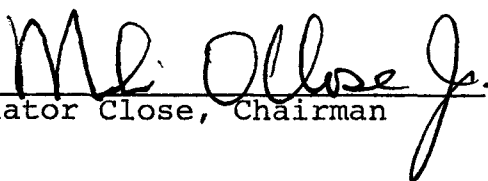
There was no action taken at this time.

There being no further business the meeting was adjourned.

Respectfully submitted,

  
Cheri Kinsley, Secretary

APPROVED:

  
Senator Close, Chairman