

Approved: March 24, 1999  
Date

MINUTES OF THE SENATE COMMERCE COMMITTEE.

The meeting was called to order by Chairperson Alicia Salisbury at 8:00 a.m. on March 23, 1999 in Room 123-S of the Capitol.

All members were present except:

Committee staff present:

Lynne Holt, Legislative Research Department  
Bob Nugent, Revisor of Statutes  
Betty Bomar, Committee Secretary

Conferees appearing before the committee:

Nancy Moneymaker, Overland Park  
Patricia S. Ireland, Overland Park  
Craig Volland, Spectrum Technologists  
Debbie Ingold, League of Women Voters of Johnson County  
Marion R. Hughes, Mission Hills  
Timothy C. Liebert, CFO, Sampler Stores, Inc.  
James W. Bouska, Johnson County  
Jim DeHoff, Kansas AFL CIO

Others attending: See attached list

**HB 2166 - Projects of statewide as well as local importance; maximum bond maturity**

Nancy Moneymaker, resident of Overland Park and owner of 40 acres north of Sunflower Army Ammunition Plant, appeared on behalf of herself and the Sunflower Neighbors Group, and testified in opposition to **HB 2166**. Ms. Moneymaker questioned the tourist dollars projected to be spent and the hi-tech industries that are purported to be attracted to the Sunflower site; voiced concerns regarding environmental cleanup, air quality, noise and water rights; as well as the state and county paying for roads, infrastructure and modification of the K-10, Lexington Avenue interchange. The problem of low unemployment was raised as was accessibility to the proposed project. Mr. Moneymaker further questioned the projected attendance figures. Ms. Moneymaker stated the State of Kansas should remove their proposal to pay fair market value for the entire plant and allow the General Service Administration (GSA) to parcel out the Public Benefit Conveyances and return the land to a natural state in remediated condition at a cost to the Army and not the citizens of Kansas or Johnson County. (Attachment 1)

Patricia S. Ireland, Overland Park, testified in opposition to **HB 2166**, stating she is in support of the Sunflower site being utilized for parks and university research and to preserve the land. Alternatives to the Oz project should be made and allow time for notice and public input. The project was decided without a planning process and input that thousands of acres of Sunflower should be used for economic development in addition to Oz. In talking to the Army and GSA officials, there are only a few thousand acres of contaminated land which is not contiguous; however, if the state, county and city wanted to use the remaining 5,000 or more acres for parks, reserves, and education that land could be turned over to the state soon, for which 100% of the cost could be waived by the federal government as the land was for public use. The Oz project will have a negative impact as it will lower the quality of life, increase traffic and is a leap frog development which hurts both Kansas City and Douglas County. (Attachment 2)

Craig Volland, Spectrum Technologist, an environmental consulting firm in the Kansas City area, testified in opposition to **HB 2166**, stating the bill facilitates the transfer of property from the U.S. Department of the Army to the State of Kansas whereupon the state will transfer the property to the developers of the proposed 'Oz Entertainment Complex, with the stipulation that the Oz developers will be responsible for the clean up of extensive contamination on the site that is currently a liability of the

CONTINUATION SHEET

MINUTES OF THE SENATE COMMERCE COMMITTEE, Room 123-S of the Statehouse, at 8:00 a.m. on March 23, 1999.

U. S. Government. Mr. Volland raised public health concerns including airborne contamination and surface water contamination due to the toxic compounds which are acknowledged to be present on the site; and stated **HB 2166** contains a provision that requires the site developer to obtain prepaid financial assurance that the site will be remediated, but it doesn't say when. The clean-up, in case of default, may be delayed beyond the 2026 date originally projected by the Army. Kansas is knowingly accepting ownership of a property known to be seriously contaminated by industrial wastes. Can the state use the innocent landowner defense or any other defense to avoid liability for the clean-up, or excessive delay of the clean-up in case of default?

The Environmental Assessment (EA) incorrectly assessed the air quality impacts of the property. As it analyzed the problem only to the year 2004, it failed to consider the high probability of induced, leapfrog development, failed to address the regional air quality impact, and failed to note that the metropolitan area will shortly be in violation of the new air quality standards for ozone which became effective September 16, 1997. Mr. Volland stated his concern as to the water rights that may be sold in total by the state or subdivided and sold with the resultant parts retaining the same seniority as the whole. The projected use of the property for development does not qualify under federal law for treatment as a public benefit discount conveyance, thus the sale to the state must be negotiated at appraised market value, and the value of these high priority water rights must be figured in for the transaction to the legal

Mr. Volland stated there are too many unanswered questions concerning the proposed disposal of the Oz property to the State of Kansas and its ultimate disposition with the Oz developers. **HB 2166** should be tabled and the proposal subjected to an independent analysis over the coming year. (Attachment 3)

Debbie Ingold, President, League of Women Voters of Johnson County, stated the League is not appearing as opponents or proponents of **HB 2166**, but to raise concerns and questions about the bill. The Johnson County Board of County Commissioners adopted a plan for the use of the land at the Sunflower Army Ammunition Plant on February 4, 1999, calling for a planned community after environmental remediation for the entire site of 9,065. In reconciling **HB 2166** with the League's support for the adopted land use plan, the following questions are submitted for the Committee's study and consideration: 1) What procedure is required for resubmission of the redevelopment plan if the developer's plan does not meet EPA standards for environmental remediation? 2) Shouldn't EPA standards be provided as a guarantee to residents and taxpayers that the area is safe before any building takes place? 3) Are the water rights transferred with the property to a private developer? 4) What is the procedure for local units of government to obtain from the developer the areas that would not be in the immediate plans of the developer and can local units of government be able to acquire land from the developer at a reasonable price? 5) Is the future developer required to honor previous Army contracts such as sewer and water treatment utilities leased to the City of DeSoto and Kansas Wastewater, Inc.; and 6) What are the assurances to the citizens of Kansas and Johnson County as to the financial stability of the proposed project. (Attachment 4)

Marion R. Hughes, Mission Hills, testifying in opposition to **HB 2166**, stated with so little public support and so much opposition to the Oz project, it is troubling to see how the project continues to progress with official support. An EPA official overseeing the clean-up is concerned how the Oz development would affect the quality of drinking water, air, groundwater run-off, wildlife habitat, and increased traffic and urban sprawl. A vote against this project allows an opportunity to explore other options for the use of this property. (Attachment 5)

Timothy C. Liebert, CFO, Sampler Stores, Inc., testified in opposition to **HB 2166**, stating Kansas tax policies constitute selective discrimination and subsidize special interests at the expense of the general taxpaying community. This proposed legislation is a slap in the face to all business owners in Kansas who have risked their own money, developed their own businesses and markets, and paid more than their fair share of taxes over the years.

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If the legislature wants to pass this legislation, make it fair to all business owners who have visions of developing projects in the state by allowing all future sales taxes accruing to increasing their businesses to accrue to their own accounts. On the basis of elementary due diligence examination, the Oz proposal should be tabled without further consideration. When a governmental agency wants to develop a property which it owns, the usual procedure is to issue a "call for proposals". This has not been done. Mr. Liebert questions the viability of Wizard of Oz as a theme park concept, much of the merchandise is now mass marketed at the discount stores and specialty items are available at Warner retail stores.

Of the thirty TIF projects reviewed by the city auditor in Kansas City, the average return in benefits to the community were only 20% of projects. TIF projects rarely work. That is because they are projects that cannot bear the scrutiny of private investment and cannot stand alone in competition with the free market place. They drain taxpayer dollars and drain the capital markets of money better spent elsewhere. Mr. Liebert urged the committee to, at a reasonable time period, allow experienced developers to prepare competitive proposals. There is no need for revenue bonds to finance the Oz project nor is there a need for sales tax subsidies. (Attachment 6)

James W. Bouska, Overland Park, submitted written testimony opposing passage of **HB 2166**. (Attachment 7)

James DeHoff, Kansas AFL- CIO, submitted written testimony supporting the passage of **HB 2166**. (Attachment 8)

The meeting adjourned at 9:00 a.m.

The next meeting is scheduled for March 24, 1999.





Madame Chair and members of the Senate Committee,

I'm Nancy MoneyMaker, wife and mother. My husband, kids and I reside in Overland Park, Kansas and we also own 40 acres north of Sunflower Army Ammunition Plant.

I was encouraged to speak on behalf of the Sunflower Neighbors Group, which is 110 families strong and was formed in 1981. I need to include that due to the late hour last night that I completed this, I did not get final approval for all of the comments. Though I do believe they would be acceptable to the Group.

I have tried to listen with an open ear and tried to be convinced that this is the best use of the Sunflower property. I've attended all public meetings of the G.S.A. since the Army deemed Sunflower excess and even attended the last two Restoration Advisory Board meetings to try and get a handle on this process. I have been told quite a few times that our 40 acres could stand to make us a lot of money in the future as a parking lot. But as a citizen of the State of Kansas, a citizen of the County of Johnson, and a landowner near Sunflower I have not heard many positions relating to this development to stand behind. I have also had a time keeping up with all the changing numbers in all areas relating to the Oz project.

First I will address the reasons I am told the State of Kansas would find this type of development attractive.

1. Tourist dollars
2. Attract hi-tech industries to Kansas

**Tourist dollars:**

People may visit once for curiosity, but the cost of entry and the cost of merchandise due to the sales tax increase will make further visits out of the question.

Tourist attractions should be planned out completely. All the possibilities should be considered, not mandated by a private company who threatens to go elsewhere at every turn.

**Ability to attract other hi-tech industries to the Sunflower site:**

The main focal point of the park seems to be the Omnimax in which the visitors have the feeling of being above the action of the story of The Wizard of Oz. This does not seem like a huge high-tech accomplishment. I have not heard of anything that would keep our college graduates at the Oz theme park instead of going to other states or draw hi-tech industry in as we have been told.

Another point needs to be brought up that this particular group has never put anything together before.

Those are the benefits that have been communicated to me. Now I will present potential problems and concerns relating to an Oz development.

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Attachment # 1-1 thru 1-6

## Environmental issues:

I do know that this plant was originally established in 1941 on 10,747 acres with the operator, Hercules Powder Company contracted the next year. During World War II over 200 million pounds of propellants were produced, with peak employment reaching 12,067.

- At that time nitroglycerine was produced manually. Chutes attached to the buildings were provided so that if something went wrong with the mixture one was to fly down the chute, quick. Sometimes the mixture blew up the building, quick.
- Control and labeling of substances was not as stringent as it is now. Many containers weren't labeled. Spills occurred as can be expected with 12,067 workers and producing propellant manually. The pay was good even if the work and health risk was lousy.
- More recently, many contaminated structures are being dealt with by burning them down because they contain explosive residue. These structures are roofed with asbestos & tar material. Burning takes place only on a windless day. This is so that the asbestos will not float away once the tar matrix is burned off. As we all know in Kansas, the wind can pick up unexpectedly and in documented instances this is exactly what happened. A smoke plume has then drifted off-site of Sunflower with floating sheets of high concentration asbestos, now that the tar has been burned off. This has happened to the south and east and west of Sunflower onto private land.

I have no doubt that there are lots of other instances like these few that I know of and I mention these examples only to make you aware of the difficulty in the clean up of the plant. Recent clean-up has been done with the EPA having a hands-on presence. When Oz Entertainment takes title my understanding is that the EPA will take a step back and the Restoration Advisory Board will be dissolved. I believe that after title transfer to Oz, the KDFRA and the EPA should continue with a close hands-on approach to working with Oz and the remediation.

Oz says that they can clean up the entire plant for 40 million dollars which is down from the original 60 million talked about a month ago. This would require the Oz Entertainment Company to hire the lowest bidder in all bids, not necessarily the best for the job of remediation.

Sunflower houses very toxic compounds including nitroguanidine, nitroglycerin, chromium, lead, nitrocellulose (propellant fragments picked up by hand), plastic, dioxins/furans, diethylphthalate, beryllium, dioxane, nitric acid, acids, laboratory wastes, cadmium, mercury, ammonia, iron, nitrogen and asbestos.

I have been told that all remediation will be in-situ stabilization or excavation and stabilization meaning landfilled on-site or burned. **There is no plan to take any of the contaminants off of the Sunflower property.** Development will carry on, on top of landfills containing these hazardous wastes.

Air quality changes due to such a proposed development needs to be addressed more, considering that 3 of 6 ozone monitors in the area failed the new standard in 1998.

Federal highway appropriations are tied to these new standards. What has Oz done to address air quality?

I have been quite impressed by the number of people that Oz adds to their team. All these people seem to be financial people who stand to gain substantially if the theme park succeeds and lose nothing or little if it fails. I would like to see some remediation specialists touted in this team.

I would like for you to question what controls are being placed on the clean up, what guarantee do we have that our children working at this theme park are safe from contamination?

#### **Army responsibilities:**

They are responsible for cleaning up the entire Sunflower plant to industrial standards. I am told that the difference between industrial and unrestricted clean-up could be the difference between taking off 1" of top soil to 6" of top soil. The State of Kansas should consider letting the Army proceed with this style of cleanup in 30 years compared to the 20 year clean-up schedule of Oz.

#### **Endorsements:**

If I heard right yesterday, the Johnson County lobbyist proclaimed favor with the Oz project which goes in direct contradiction to County Commissioner George Gross' March 13<sup>th</sup>, 1999 article clarifying the county's position on Oz. He wrote, "we have not approved the Oz development nor made any commitments concerning approval of the project."

Mayor Prudden of DeSoto has proclaimed favor with the Oz project. If I heard him right yesterday, DeSoto expects the Sunflower property to be within the DeSoto city limits in the future. I have not heard any statement of this sort from any other governmental agency or private company.

Solomon Brothers has endorsed the Oz project but have a vested interest in that they will receive a commission on the bonds. What they should be telling us is what are the bonds rated at.

#### **Future developments:**

Senator Steineger had a great question yesterday relating to what can be built on the sunflower site. If I heard right, the answer was anything that Oz Entertainment wants to build, including a swine feeding operation. This should be dealt with more extensively.

I again reiterate that this company has not started or finished a single project before this.

#### **Noise:**

For a quiet farming community between KC and Lawrence, noise will play a part in the equation no matter how quiet the Oz developers say it will be.

Nightly 10:00 fireworks will add to the desire of most to not live in the area.

### **Roads & other infrastructure:**

Senator Salisbury asked about modification of the K-10, Lexington Ave. interchange yesterday. At other meetings with Mr. Palmer, he has expressed Oz Entertainment's intentions to pay for an interchange from K-10 directly to the theme park. Now he states that their intentions do not include monetary help in providing this infrastructure. State funds would pay to alter this interchange to accommodate Oz Entertainment's traffic.

Roads will be needed throughout the Sunflower plant as development starts. In Johnson County, CARNIP was passed to address road infrastructure as the need arose. If Oz continues on its present course, the need will arise sooner than later leading to more public subsidies for Oz Entertainment.

In the \$771 million figure given by Oz Entertainment as their portion to develop Phase 1, this included roads, sewers, water, and all infrastructure needed. The state and county, which includes you and me, would be paying for this infrastructure to support the Oz project. Therefore that figure is false and totally misleading. Roads, railroads and all existing infrastructures will be upgraded and maintained out of the taxpayer pocket.

### **Workers:**

The Sunflower area has a low unemployment rate of 2.8 percent. This will affect the hiring of quality construction workers and then affect the hiring of daily workers to man the Yellow Brick Road. Resulting in higher wages to attract the needed workers, hurting the bottom line for all businesses already in the Metropolitan area. Adding to the tight market already noticed after the Missouri casinos opened.

In the current market Oz will be taking workers away from existing paying jobs, hurting industry and in particular the service industry. A theme park, hotel, RV park and golf course are primarily run by service type jobs with a few hi-tech jobs not the other way around.

To keep workers, industries will have to raise wages, further damaging their competitiveness with other areas of the country.

In a down turn, entertainment of this sort would be one of the first family expenses cut. This would leave the Oz developers with no alternative but to cut wages and cut jobs that had been already taken away from one sector.

### **Accessibility:**

Contrary to what the Oz Entertainment tries to say about the accessibility to the Sunflower location, K-10 is not on most travelers beaten path except for University students.

This type of high traffic Oz development should be considered closer to a more major thoroughfare through Kansas like I-70.



**Attendance:**

1996 Harrison Price study estimated that the Oz development will receive 2.6 million visits. Oz tells us they need 2.1 million visitors to break even. Simple math tells us that Oz will be left with little to pay down the bonds.

If I'm not mistaken Oz will need as many visitors per year as the KC Chiefs and KC Royals receive in a good year. They would need this attendance for 20-30 years to pay back these bonds.

**Time factor:**

If we are to believe the developers, this project will have a major impact on the state of Kansas. But the developers have only a schematic 70% complete of one of the four portions of Phase 1. This portion only covers 55 acres. So why do we seem to be rushing to decisions regarding the sale of Sunflower from the State of Kansas to Oz Entertainment and subsequently the hurried passage of bills relating to supporting Oz financially. Oz has not demonstrated much more than a dream of what they are proposing.

Because of the time pressure put on by Oz Entertainment, it seems that no one governmental agency wants to be the one in opposition to the dream and is hurried to make decisions before delving into more facts. Almost forced to vote on major decisions concerning Oz before the public has a chance to catch up.

To make this time factor point clear I'd like you to note the attached web page from Landmark Entertainment Group in Los Angeles, who is somehow affiliated with Oz Entertainment. They have proclaimed the finished Wonderful World of Oz resort and theme park in the heart of Kansas.

If Oz Entertainment is truly serious, they will still be around when session resumes.

**In conclusion:** The State of Kansas should remove their proposal to pay fair market value for the entire plant. Then I am all for letting GSA parcel out the Public Benefit Conveyances and taking their 20 or so years for the Army to clean it up. This is not so far away from the cleanup timetable of 15 years that Oz proposes. Many of the Conveyances are for returning the land to a natural state, letting our children's children enjoy a legacy worth having.

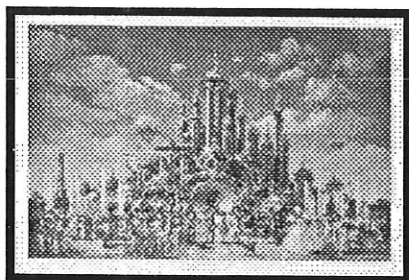
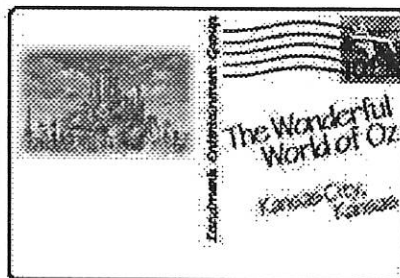
**Fact for thought:** In 1991 the Sunflower Army Ammunition Plant had a replacement value of \$1.9 billion according to the Installation Profile.

**Please attend if you want to get a grasp of the issues from both sides:**

*The Johnson County Commissioners are providing a public discussion meeting tomorrow at 6:30 p.m. at Lexington Trails Middle School near Sunflower. This would be a great time for you to see what is being presented to the public and the public's comments.*

# Landmark Entertainment Group

## The Wonderful World of Oz



In the heart of Dorothy Gale's home state lies a magical resort and theme park devoted to the cherished film. Families will be able to travel "over the rainbow" to destinations like Munchkinland, Yellow Brick Country, The Haunted Forest, The Northern Kingdom and, of course, The Emerald City.

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March 22, 1999

Senator Alicia Salsbury  
State Capitol Building  
300 S.W. 10th Avenue  
Topeka, KS 66612  
FAX: (785) 296-6718

Dear Senator Salsbury,

I am writing to express my strong opposition to H.B. 2166 regarding sales tax rebate for the "Land of Oz". I support public use of the Sunflower site for parks and university research and preserve land. (200 opponents to the "Oz" development appeared at the federal environmental impact meeting three weeks ago but unfortunately, these opponents did not know about the House hearing on H.B. 2166).

1. There has not been a thoughtful planning process by our state regarding how to use this precious 9,000 acres because "Oz" came to the forefront at just the time the Sunflower grounds became available. "Oz" at Sunflower just took on a life of its own. A careful look at the alternatives should be made by the state with plenty of time and notice for public input allowed. This current lack of a planning process favors the first alternative that is presented by default rather than the one the majority of citizens would favor if they had an opportunity to chose.

It is not just "Oz" that has been favored without a public planning process. It was decided without a public planning process and input that thousands of acres of Sunflower should be used for economic development in addition to "Oz". It is interesting to note that the State of Wisconsin is requesting a similar 7,000 acres from a federal installation be used for a state park and reservation for Native Americans.

2. I have talked to the Army and G.S.A. officials involved and know that if "Oz" had not come along the Army is obligated by law to clean up the site. There are only 180 acres of contaminated land. Since this contaminated land is not contiguous, a few thousand acres of land would have to be held back for clean-up. However, if the state, county and city wanted to use the remaining 5,000 or more acres for parks, reserves, and education that land could be turned over to the state soon. And since it is for public use, 100% of the costs could be waived by the federal government. Although it could take the Army 10 to 20 years to clean up the contaminated land due to slow funding, the land is not being used now anyway.

Since public use is a higher priority than private use for the federal government, the state and county could agree that the acres to be cleaned up would go to park land, and request it be turned over to the state as it was cleaned.

3. The "Land of Oz" development will have the following negative impact:

a. It will lower the quality of life for surrounding rural residents by bringing noise, traffic and congestion to the now serene setting. This theme park is also not compatible with the nearby K-State Research and Extension Center for Horticulture, Crops and Forestry or the proposed Johnson County park.

b. The increased traffic on Hiway 10, even if Hiway 10 is widened, decreases the quality of life for work and student commuters between Lawrence and Kansas City and for anyone else who travels much on Hiway 10. This is because it is much more stressful to travel on a busier highway such as I-435 or I-35 in Kansas City. (The "Land of Oz" forecasts 7,500 employees alone).

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Attachment # 2-1 thru 2-2

c. A theme park at this DeSoto location is leapfrog development which hurts both Kansas City and Douglas County. Douglas County is impacted (in addition to the increased Hiway 10 traffic) because Sunflower is close to the Douglas County border. Therefore, development at Sunflower will be an impetus for leapfrog development in both Johnson and Douglas County. (It would be ironic for federal land in a rural area to be turned over to the state for economic development when the federal government and city mayors are developing an initiative to preserve the urban core, decrease suburban sprawl and preserve green space by, among other things, the federal government buying large tracts of open space.)

d. A theme park is also not compatible with the suburban nature of much of the remainder of the county.

4. If there is to be theme park in Eastern Kansas, it should be located where there is higher unemployment and easy access by potential employees. Most of the jobs would be for less skilled workers which Johnson County businesses already have difficulty recruiting. Why should the State favor economic development in Johnson County which is in the top ten richest counties in the country and already has extremely low unemployment.

The use of these 9,000 acres is a question of what values to give higher priority. Do you know anyone who says they want a busier highway, more suburban sprawl, a noisier countryside. Don't most people desire less stress, less congestion and more peace, quiet and beauty. Why not have a more balanced approach and not automatically give development priority over these other qualities most people desire.

Using Sunflower as park and preserve land is particularly reasonable since Kansas has the lowest percentage of land of any state set aside for parks and wilderness (.2% according to the Nature Conservancy). Here is an opportunity to preserve 9,000 acres which if not mowed would transform into beautiful prairie grass, cedar and deciduous trees and make a beautiful park and preserve for all of Eastern Kansas (either a state park or adjoining state and county parks). There are no state parks in Johnson or Wyandotte counties. \*

It is proposed that "Oz" and other commercial development be on several thousand acres and a Johnson County park and university research and education be on the remaining acres. Even with parks on some of the land, commercial development, particularly high intensity like "Oz", endangers the quality of life in the surrounding area. Also, by encouraging leapfrog development and increasing traffic stress on K-10, the current plan decreases the quality of life for most people in Douglas and Johnson counties.

Thank you for your consideration.

Sincerely,

  
Patricia S. Ireland

\* DeSoto has requested less than 100 acres for a future school site and this would be compatible with a park and preserve.



# SPECTRUM Technologists

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3-22-99 TESTIMONY TO SENATE COMMERCE COMMITTEE

By Craig Volland, QEP, Spectrum Technologists

Re: HB 2166 & disposition of the Sunflower Army Ammunition Plant, Johnson Co., Ks

My name is Craig Volland, President of Spectrum Technologists, an environmental consulting firm located in Kansas City, Kansas. These comments in opposition to HB 2166 are submitted on behalf of the Kansas Chapter of the Sierra Club and certain other concerned citizens of Johnson County, Ks. My comments are based on the Environmental Assessment (EA) issued in February of 1999 by the General Services Administration.

**Introduction.** HB 2166 facilitates the transfer of property from the U. S. Department of the Army to the State of Kansas whereupon the state will transfer the property to the developers of the proposed Oz Entertainment Complex. The bill contains the stipulation that the Oz developers will be responsible for the clean up of extensive contamination on the site that is currently a liability of the U. S. Government. We have the following concerns with this transaction that are not addressed by HB 2166.

**Public Health Concerns.** For all practical purposes the GSA and the state of Kansas will allow sensitive development to occur *before the full extent of the contamination on the Sunflower site is known and remediation achieved.* Indeed in the area encompassing the proposed Oz Entertainment Complex the full extent of contamination is listed as unknown in 18 of 20 solid waste management units. Further the GSA acknowledges the presence of very toxic compounds such as laboratory wastes and cadmium, mercury and lead (particularly dangerous to children), and chromates (a confirmed carcinogen). Extremely toxic dioxins and furans have also been detected, and the location of some of the original industrial waste treatment ponds is unknown.

**Airborne contamination.** Thus the operation of OZ before the clean up of the facility is complete will expose some 36,000 people per day to fugitive emissions from both active clean up sites and inactive sites, particularly in the summer when hot, dry winds are blowing. Indeed, the Oz complex is downwind of virtually all of the contaminated sites. The reliance on "restricted zones" is not sufficient because a) fugitive dust emissions during construction are virtually impossible to prevent, and b) the extent of the contamination is unknown and may lie beyond the currently designated "restricted areas."

**Surface water contamination.** Usable aquifers do not exist on the property. Groundwater consists entirely of rainfall seeping through the fine grained soils to bedrock. Upon reaching bedrock this groundwater will move with the slope and emerge as undetected seeps or springs into the two major streams that bracket the property. The removal of surface contamination will not address soluble contaminants that decades ago began movement toward the creeks. Thus contamination whose location, extent and toxicity remains to be determined, is likely to leak into Kill Creek which will run through the Oz Entertainment Complex. While it may be possible to keep all the thousands of children

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attending Oz out of Kill Creek with extensive security fences, doing so will essentially inform the public that they are near an unremediated hazardous waste site. Extreme security measures will also be required to keep children of year-around residents out of both creeks. None of this was discussed in the Environmental Assessment.

**Potential Delays in Site Remediation.** The developers of OZ have projected that the cleanup will take 15 years, or until the year 2015. HB 2166 contains a provision that requires the site developer to obtain prepaid financial assurance that the site will be remediated, *but it doesn't say when*. Thus, in case of default, the clean-up may be delayed indefinitely, even beyond the 2026 date originally projected by the U. S. Army. We note that the State of Kansas is knowingly accepting ownership of a property known to be seriously contaminated by industrial wastes. We question whether the State can use the innocent landowner defense or any other defense to avoid liability for the cleanup, or excessive delay of the clean up, in case of default.

**Air Quality Impacts.** The authors of the Environmental Assessment incorrectly assessed the air quality impacts of the property disposal. The error is four-fold. First, the Environmental Assessment analyzes the problem only to the year 2004 which is inconsistent with the air quality conformity horizon in the metro area transportation plan, which is the year 2020.

Secondly, the mobile source emission estimate fails to consider the high probability of induced, leap frog development associated with both the Oz entertainment complex and the Conceptual Land Use Plan approved by the Johnson County Commission. The placement of an all new city, well beyond the urban boundary of Johnson County, is the definition of urban sprawl.

Further, the EA noted that the existing sewage treatment system is subject to serious inflow and infiltration that causes the treatment plant to peak at well beyond it's hydraulic capacity. The EA states that the old system must be enlarged to accommodate OZ, or a new system must be built. It is most likely, in accordance with common design practice, that this new system will be built to also accommodate all other future development in the area over the next 20 years, including Johnson County's Conceptual Use Plan. It is well known that the installation of sewers is the no. 1 inducement to new development, in this case well beyond the existing urban boundary.

Thirdly the EA claims there will be no regional air quality impact. This is a gross error. During the summer ozone season very large quantities of ozone forming chemicals (VOC's and NOX) emitted in Johnson County move across the metro area and cause exceedances on the north side. That's why Johnson County is required to participate in the five county Kansas City Metropolitan Planning Area.

Finally, and most importantly, the EA fails to note that the metropolitan area will shortly be in violation of the new air quality standards for ozone which became effective Sept. 16, 1997. In fact, three of the six ozone monitors in the metro area failed the new standard in 1998. *Thus any new emissions associated with the intensive development of*

*Sunflower will worsen the deterioration of air quality in the Kansas City area.* Industrial development in both Johnson County and Wyandotte Counties will ultimately be retarded, and federal highway disbursements will be threatened. No credible plan with foreseeable financing exists to mitigate this problem with public transit.

**Water Rights.** The U.S. Army at Sunflower holds very senior consumptive water rights equivalent to the usage of a city of 250,000 people. These rights may be sold in total by the state or subdivided and sold with the resultant parts retaining the same seniority as the whole. Subject to certain technical limitations, rights to water from the Kansas River may be moved from the present points of diversion. For example they could be sold to company that wants to build a new power plant a few miles upstream. The owner of these high priority water rights, which happen to lie upstream and up gradient of other users, would be in a position to make substantial profits. The disposition of these rights is currently unknown. The projected use of the property for development does not qualify under federal law for treatment as a public benefit discount conveyance. Thus the sale to the state must be negotiated *at appraised market value*, and the value of these high priority water rights must be figured in for the transaction to the legal.

**Inadequate Assessment of Alternative Plans.** The GSA did not seriously analyze other alternatives to the OZ development plan that may result in lower environmental and economic exposures to the public. These include (1) accelerated cleanup of the property by the responsible party, which is the U. S. government, and then disposal to public bodies for uses eligible for public benefit discount conveyance shown on the attached list and (2) disposal of individual parcels to one or more local public entities over a period of time while clean up by the U. S, government proceeds. Either of these alternatives would vastly reduce the number of people that would routinely be exposed to fugitive emissions during clean up and greatly reduce the rate of increase in vehicle emissions in Johnson County.

**Conclusions.** Too many unanswered questions exist concerning the proposed disposal of the Oz property to the State of Kansas and it's ultimate disposition with the Oz developers. At a minimum HB 2166 should be tabled and the proposal subjected to independent analysis over the coming year.

**EXHIBIT I-2  
PUBLIC BENEFIT CONVEYANCE EXPRESSIONS OF INTEREST FOR  
SUNFLOWER**

Name	Type of Transfer	Amount of Land	Use	Location
Johnson Co. Technical Education Cooperative	Education 40 USC 484 (K)(1)(A)	30-40 ac and a building	Training center in conjunction with DeSoto school system	Unknown
DeSoto Unified School District 232	Education 40 USC 484 (K)(1)(A)	640 ac	Public schools	Unknown
Univ. of Kansas (Lawrence)	Education 40 USC 484 (K)(1)(A)	80-100ac	Use to connect other school property already received from Sunflower	NW corner connecting other KU land
City of DeSoto	Health 40 USC 484 (K) (1)	Water sys, & easements	Upgrade city water system	Entire property
City of DeSoto	Negotiated sale 40 USC 484 (e)(3)(H)	Water rights	Water supply	External to property
City of DeSoto	Negotiated sale 40 USC 484 (e)(3)(H)	Fire station	City repair facility	—
City of DeSoto	Historical 40 USC 484 (K)(3)	160 ac	Old cabin and lake to be added to current city park	Roberts lake
City of DeSoto	Parks & Rec 40 USC 484 (K)(2)	SW corner of plant	Used to spread sludge from city water treatment plant	Captains Creek
City of DeSoto	Health 40 USC 484 (K) (1)	10 ac for water tower	Set new water towers	95th St. & Sunflower Road
Johnson County	Parks & Rec 40 USC 484 (K)(2)	3,500ac	Additional park acreage to include all the flood plain areas and south end of plant	Along floodplain and south end of property
Johnson Co. Extension Agency	Educational 40 USC 484 (K)(1)(A)	160 ac	Training facility to be located next to KSU ag farm	Near K State ag farm, SE corner of property
Johnson Co. Water District 1	Health 40 USC 484 (K) (1)	River water intake	Water intake and water lines to connect to Johnson County water system	—
Johnson Co. Water District 1	Health 40 USC 484 (K) (1)	Surface water rights	All of Sunflower water rights as a no cost transfer	—



**EXHIBIT I-2 (CONTINUED)  
PUBLIC BENEFIT CONVEYANCE EXPRESSIONS OF INTEREST FOR  
SUNFLOWER**

Name	Type of Transfer	Amount of Land	Use	Location
Johnson Co. Water District 1	Health 40 USC 484 (K) (1)	80/100 ac	Land for new water treatment plant	Prefer near existing water lines
Kansas State Univ. (Manhattan)	Educational 40 USC 484 (K)(1)(A)	300 ac	Agricultural research and educational	SE corner of property
U.S. Army Reserve	—	80 ac	—	West side of property
State of Kansas *	Negotiated sale 40 USC 484 (e)(3)(H)	9,500 ac	Development	Entire property
Haskell Indian Nations University	Educational 40 USC 484 (K)(1)(A)	Unknown	Education	Unknown
United Tribe of the Shawnee	Educational 40 USC 484 (K)(1)(A)	40 ac	Education	NE section, old administration buildings
United Tribe of the Shawnee	Health 40 USC 484 (K) (1)	40 ac	Health	NE section, old administration buildings
United Tribe of the Shawnee	Parks & Rec 40 USC 484 (K)(2)	Unknown	Rejected by the Park Service; not qualified	—

Source: General Services Administration, 1998.

*\* Not eligible for discount conveyance*

**3. Public Sales**

Property that is not transferred or conveyed for Federal or local public uses is sold to the public for private use. GSA's public sales are competitive, either sealed bid or auction. GSA prepares an Invitation for Bids which contains a complete description of the property, the terms and conditions of sale, instructions on how to arrange an inspection, and a bid form. The property is advertised for a time before the bid opening or auction date. The extent and forms of advertising vary depending on the property. Newspapers in the area of the property and GSA's mailing list are always used and for larger, more valuable property, advertising might be nationwide and include direct mail and special interest publications, as well as newspapers and the Internet. Invitations for Bids are sent to those who respond to the advertising. The bid opening or auction is open to the public. GSA accepts the highest bid which meets or exceeds its estimate of the property's value.

**E. EARLY TRANSFER PROVISIONS**

In recognition of the lengthy process of site remediation for environmental contamination at military bases closed pursuant to the military base closure process, Congress amended the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) to allow the transfer of federal property prior to the completion of all environmental remediation at federal facilities. Prior to the statutory amendment to

**March 23, 1999**

**TO: Kansas Senate Commerce Committee**

**From: The League of Women Voters of Johnson County**

**RE: House Bill 2166**

Madam Chair and Members of the Senate Commerce Committee:

The League of Women Voters is a nonpartisan organization working to encourage the active and informed participation of citizens in government and to empower citizens to shape better communities. As members of the League of Women Voters of Johnson County, we do not appear as opponents or proponents of HB 2166. However we do have serious concerns and questions about this bill. We solicit your attention to these concerns and respectfully request your assurance that the issues we raise will be addressed.

The LWV has long held a position supporting a countywide land use plan. Johnson County's Planning Department submitted a plan for the use of the land at the Sunflower Army Ammunition Plant on July 23, 1998. The plan was adopted by the Johnson County Board of County Commissioners on February 4, 1999. The plan called for a planned community **after** environmental remediation for the entire site of 9,065 acres.

In attempting to reconcile HB 2166 with our support for the countywide adopted land use plan, we have the following questions that we hope you will give study and consideration to:

**QUESTION No. 1 Referring to Sec. 5[b] of HB 2166** If the developer submits the redevelopment plan to the State authorities and/or to the Board of County Commissioners, and it does not meet EPA standards for environmental remediation for all the area involved, what procedure will be required for resubmission of the redevelopment plan?

**QUESTION NO. 2 Referring to Sec. 5[c]** The State of Kansas and local government is protected from any responsibility for environmental remediation in the redevelopment district. Such environmental remediation will be a monumental task since the U.S. Environmental Protection Agency lists Sunflower as an **EPA superfund site** due to the many hazardous waste sites and ground water contamination.

Shouldn't an EPA standard be provided for in this bill as the required end product in the environmental remediation of the property as a **guarantee** to residents and taxpayers of Kansas? Does the entire area have to meet environmental safe standards before any building takes place?

**QUESTION No. 3** The U.S. Army now holds senior water rights to the property in the Sunflower Ordinance area.

Senate Commerce Committee

Date *3-23-99*

Attachment # *4-1 thru 4-2*

Are these water rights to be transferred with the property to a private developer? If so, would it be more in the public interest that the bill contain a provision that the water rights be transferred to the local county government?

**QUESTION No. 4** Some local units of government in Johnson County (Parks and Recreation and DeSoto School District) had hoped to be able to obtain a portion of this federal land for their own purposes and had at one time asked the county for specific areas.

What would be the procedure for local units of government to be able to obtain from the developer the areas that would not be in the immediate plans of the developer? Could this provision be included in the original feasibility study and the proposed redevelopment plan to be submitted to the State and Board of County Commissioners? Would local units of government be able to acquire land from the developer at a reasonable price?

**QUESTION No. 5** In the past five years the U. S. Army has sold or leased the Sunflower utilities systems that were built for the original plant. In May 1998, the Army leased the sewer and water treatment utilities to the City of DeSoto. A separate wastewater treatment facility, built by the Army in 1992, was leased to Kansas Wastewater, Inc. in 1992 for treating nitrogen.

Will the future developer be required to honor previous Army contracts?

**QUESTION No. 6** We also have great concern for the financial stability of the proposed project.

Since HB 2166 clearly creates a public/private venture, is not the public entitled to know who the committed investors in the Oz project are and what financial guarantees have been obtained to date? We strongly suggest that the public is entitled to full disclosure of all information pertinent to the financial arrangements and stability of this project.

It is the sincere desire of the League of Women Voters of Johnson County that such questions as we have posed be addressed before this legislation is passed, so that real protection exists for the citizens of Johnson County.

Thank you for this opportunity to express our concerns.

Debbie Ingold, President  
League of Women Voters of Johnson County  
Post Office Box 13491  
Overland Park, KS 66282-3491  
(913) 831-2708

Statement to Kansas Senate Commerce Committee 23 March 1999 re Wonderful World of Oz:

I am Marion R. Hughes, 6708 Cherokee Lane, Mission Hills.

I represent no one but myself, but I would like to acknowledge the persons who have expressed opposition to the Oz project in letters to the Kansas City Star and the Johnson County Sun, the only local papers I have access to. The Johnson County commissioners have received dozens of letters and 200 phone calls, most in opposition. To my knowledge, there has never been an open forum to address our concerns.

I find it fascinating that there is so little public support and so much opposition, unorganized, I must admit, to this project, and yet it goes rolling along, gathering official support and action day by day, in spite of the fact that the General Services Administration has not yet officially announced which disposal option it will take. Admittedly, in its February Environmental Assessment GSA appeared to be leaning toward conveyance to the state for a public benefit discount conveyance; but it's always possible they might heed the concerns of the Environmental Protection Agency official who is overseeing the clean-up, and decide on a different action. His concerns are how the Oz development would affect the quality of drinking water, air, groundwater run-off, and wildlife habitat, as well as increased traffic and urban sprawl. The GSA official conceded "We're not doing an environmental assessment in the depth you'd expect for major developments. We're not developers."

I would add my own concerns that Oz will offer mostly low-paying, seasonal jobs; noise (would you want to live near a roller coaster?), and a recreational vehicle park adjacent to parklands. The GSA report noted many locations where there were such notations as "additional sampling is required", "the extent of contamination is undetermined", "groundwater, surface water, and soil are media of concern". There was no specific survey made for wetlands, which would be required before any future reuse activity. Only a small portion of the property has been surveyed for prehistoric and historic archaeological resources. The Kansas State Historic Preservation Officer will have 180 days after conveyance of the property to survey the property before any ground-disturbing activities begin. GSA says there will be deed restrictions; is Oz prepared to accept them and do the additional studies?

I feel that letting the Army put the burden of the environmental clean-up on the citizens of Kansas is just another example of an unfunded Federal mandate. If a miracle occurs, and the land doesn't go to Oz, I'd like to see it developed in a similar fashion to the 25,000-acre Joliet Arsenal near Chicago, where most of the property has been set aside for the Midewin National Tallgrass Prairie. The prairie won't be completely restored for another hundred years, but in the meantime it will be used. Wouldn't that be a magnificent gift to give to the people of the twenty-second century!

I do not understand the necessity for such a rush on this project. It has been promoted in this area for many years, only the last several months in Johnson County. Your vote AGAINST this project will give us the opportunity to explore if there are better options out there. One of the mayors in Johnson County described the developers as "... a couple of people who say they dream of a \$700 million project and the only obstacles in their way are the facts that they have no money, no land, no expertise and no track record." If you vote Yes, let's hope he's wrong.

Thank you.

Senate Commerce Committee

Date: 3-23-99

Attachment # 5



Testimony to the Senate Commerce Committee Hearing  
March 23, 1999  
Room 123 Capital Building  
Topeka, Kansas

By: Timothy C. Liebert, CFO  
Sampler Stores, Inc.

Re: Oz Amusement Park Legislation

Company Background

Operated retail stores in Kansas and Missouri for the last ten years dba/Kansas Sampler in Kansas and State Fare and The Sampler in Missouri. Employs 45 full and part time employees year round, 80 employees seasonally. Annual Kansas sales tax: \$160,000, annual property tax: \$50,000. Combined annual payroll taxes: \$70,000.

Taxation Issues for Independent Retail

Tax policy in Kansas has been one of selective discrimination. The independent retail sector currently pays the highest taxes of all companies in Kansas. Not only does it pay full retail sales tax, but it pays the highest property taxes in the state. In a typical mall location, property tax paid out of a store's operating earnings is about 4% of sales. By comparison, large retailers such as Jones receives a subsidy by the State's property tax allocation practices and pay less than a penny of every sales dollar in property tax. For example, our West Ridge Mall in Topeka pays \$10 per square foot in property tax annually compared to \$2 per square foot for Jones. This is because Jones is appraised at \$50 per square foot whereas our space is appraised at \$250 per sq foot even though the stores share a common wall and Jones has marble floors compared to our carpeting. Difficult as it is to believe, the state allows developers to allocate mall income to specific areas creating pockets of high value and low value. This causes the appraisers to value

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the small store areas of a mall at astronomical values and some other areas, such as the department stores as nearly worthless.

As a consequence small, locally owned retail has virtually disappeared from regional malls in the last ten years, just as the department stores have thrived. When you consider retail profits average 2 to 4%, a property tax advantage of 4% makes the difference between thriving and going out of business. For this subsidy to large retail which has caused the disappearance of small, local retail we have the mall developers and the state property tax system to thank; not global competition, not technology, and not large store buying power, not Walmart.

The legislation under consideration is a continuation of the trend to subsidize special interests at the expense of the general taxpaying community. Every time an exemption is issued to a large developer, another nail is hammered into the coffin of small business, and specifically, small retail which is then expected to carry an ever larger burden of the state's spending requirements.

#### Sunflower Property Valuation

9,000 acres times \$25,000 per acre (Johnson County prices of undeveloped residential quality land) equals \$225 million. At a remediation cost of \$100 million, the land comprising the Sunflower property has a net value of \$125 million.

There is no need for revenue bonds to finance this project. There is no need for sales tax subsidies. The remediation costs are self-financing. Given that the Oz developers have stated that they have raised \$17 million in private capital, the expected non-discounted return on the remediation project alone is 1300%.

### Private Enterprise Issues

In the Oz proposal, sales tax dollars on 9,000 acres of prime Johnson County real estate will accrue to the private accounts of the developer. That is, for 31 years (a generation and a half) over the 5% tax collected on all sales revenues will go into the bank accounts of the developers. Although it repays development bonds, not only the real estate developed but all the improvements will belong to the developers, not the taxpayers, not the Kansas Development Finance Commission.

That such a proposal (to use state sales tax to create private wealth) has been made defies belief. That such a proposal has made its way this far in the legislative process is even more difficult to believe.

This proposal is a slap in the face of to all business owners in Kansas who have risked their own money, developed their own businesses and markets, and paid more than their fair share of taxes over the years.

If the legislature wants to pass this legislation, then make it fair to all business owners who have visions of developing projects in the state by allowing all future sales taxes accruing to increasing our businesses to accrue to our own accounts.

### Due Diligence Issues

Has the company developed anything in Kansas?	No.
Has the company developed anything anywhere?	No.
Has the company remediated anything?	No.

Does anyone in the company know anything about remediation? We don't know  
because we don't know who the principals of the company are.

Who are the principals of the company? Don't know.

Are they good guys, bad guys, war heroes, criminals? Don't know.

How much tax has the company paid to Kansas in the past? None.

How much property tax has been paid by the company to Kansas in the past?

None.

Does the company know how to and have a track record of handling trust monies  
properly?

No.

How was the proposal financed, by private risk money? No, it was financed by a grant  
from the Kansas City, Kansas taxpayers.

Has the company done anything so far to show it knows how to run a business in Kansas  
profitably, or even unprofitably? No.

Does the proposal stand alone as viable business venture? No.

On the basis of elementary due diligence examination, the Oz proposal should be tabled  
without further consideration.

Competitive Bidding

When a governmental agency wants to develop a property which it owns, the usual procedure is to issue a "call for proposals". In this request, experienced developers are solicited for a wide range of project suggestions. These are reviewed and a "short list" is prepared for further study and public comment. A final project is then selected which provides the greatest merit based upon public comments and detailed scrutiny.

This has not been done. My company, and I suspect dozens of experienced developers would be pleased to submit proposals to remediate the Sunflower property and provide for its development for the public good. We would be pleased to have our proposals compared with that of the Oz developers and an evaluation prepared by the Kansas Development Finance authority or other agency. I strongly suggest that any competing proposal will not require sales tax subsidies for 31 years. Although revenue bonds may be required it is absurd to suggest that not only the developers operating profits but a subsidy of all future state sales taxes would be necessary to remediate and develop the property for residential and associated commercial expansion.

#### Wizard of Oz Theme

Although we have never been asked by anyone to comment of the viability of Wizard of Oz as a theme park concept, my company has many years of experience selling Wizard of Oz merchandise. It comprises about 2% of our sales having, steadily declined over the years. This is because much of the merchandise is now mass marketed at the discount stores and specialty items are available at Warner retail stores. It is not my opinion that there is large demand for this product other than as a theme for parties such as when an Oz play is being performed and there is a need for cast presents. The latest book "Oz principles" will create a short term increased demand in the next six months.



### History of TIF Projects

Of thirty TIF projects reviewed by the city auditor in Kansas City, the average return in benefits to the community were only 20% of projections. TIF projects rarely work. That is because they are projects that cannot bear the scrutiny of private investment and cannot stand alone in competition with the free marketplace. They drain taxpayer dollars and drain the capital markets of money better spent elsewhere.

### Conclusion

I strongly urge the committee to table the bill until a call for proposals has been issued and my company and experienced developers have been given time to prepare competitive proposals. Since my company did not ask for nor did it receive a \$500,000 grant to prepare a proposal, I think it is incumbent upon the committee to set a reasonable time period for proposal generation, particularly since I and others are attempting to run profitable businesses and pay sales and property taxes timely so that our state government can continue functioning properly.

Thank you for your consideration.

SENATE COMMERCE COMMITTEE

STATEMENT OF JAMES W. BOUSKA IN OPPOSITION TO HB 2166

My name is James W. Bouska. I am a retired District Judge of the 10<sup>th</sup> Judicial District of Kansas (Johnson County).

I live at 10230 Rosewood, Overland Park, Kansas 66207. My phone number is (913) 649-3240. My e mail address is jimouska@mindspring.com. My FAX number is 913, 341-5202.

I believe that the proposal to build a "Land of Oz" theme park on the site of the Sunflower Army Ammunition Plant is certainly the silliest idea to ever come down the Kansas Turnpike.

The proposal is based on the book, "The Wonderful World of Oz (1900)," by Lyman Frank Baum, and the MGM movie, "The Wizard of Oz. (1939)." There is nothing positive said about Kansas in the book or in the movie. Each depicts Kansas as a drab, dreary, dismal place with frequent cyclones. In the movie, Dorothy, the heroine, is lifted out of Kansas (in sepia tone) by a "twister" to the Wonderful World of Oz (in Technicolor). It is clear that Oz is not in Kansas; it's someplace else.

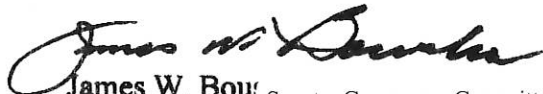
Past attempts to use the "Land of Oz" idea as a public relations aid for Kansas tourism or as a slogan for Kansas car license tags have failed miserably, as well they should have. There is nothing in the book or the movie that promotes Kansas or has a good word to say about Kansas.

Why any Kansas public official would give serious consideration to the Oz development idea, absent self-interest, is surprising. Even if there were some merit to the proposal, there is not enough of the entertainment dollar left in the Greater Kansas City market left to support the Oz project managers, who would have to get in line behind the gambling riverboats, the Chiefs, Worlds of Fun, the Kansas City Zoo and the struggling Royals, Attack and Wizards (!).

To deed public land to the Oz developers (and Oz investors, who are unknown) and to allow them to gamble public bond money on the success of the project on their naked promise to clean up the toxic wastes would be a travesty.

Before giving approval to HB 2166, the Senate should review the history of the relations of the Oz group with Wyandotte County from whom they accepted over \$500,000 in seed money in anticipation of locating an Oz development there.

Respectfully submitted,

  
James W. Bouska

Senate Commerce Committee

Date: 3-23-99

Attachment # 7

# Kansas AFL-CIO

2131 S.W. 36th St.

Topeka, KS 66611

785/267-0100

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President  
**Ron Eldridge**

Executive Secretary  
Treasurer  
**Jim DeHoff**

Executive Vice  
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Earl Kanatzar  
Wil Leiker  
Frank Mueller  
Dwayne Peaslee  
Emil Ramirez  
Craig Rider  
Gary Russell  
Debbie Snow  
Betty Vines*

**Testimony Presented to  
Senate Commerce Committee**

**on  
Tuesday, March 23, 1999  
on HB 2166**

**by  
Jim DeHoff  
Kansas AFL CIO**

Madame Chairperson and Members of the Committee:

My name is Jim DeHoff, Executive Secretary Treasurer of the Kansas AFL-CIO. I appear today on behalf of the 100,000 members that we represent, to urge your support of HB2166.

For the past several years, Kansas has experienced a very good economy. Our members have been virtually assured of good-paying jobs. We are consistently upgrading our training, plus training new workers for the future.

In order to maintain good paying jobs in Kansas, we work very hard to support and encourage new business to locate in Kansas. We feel that the Land of Oz Project will allow Kansas workers to continue to have jobs in the future to support their families. The first phase of the \$618 million dollar project will include the Land of Oz Theme Park, 320 room hotel and a golf course. This is a very large project and will provide approximately 2,204 new construction jobs in the State of Kansas, for the construction period ending memorial day 2002.

On completion of the project, there will be numerous jobs to maintain and run the facilities. The economic impact for the Land of Oz Project will add a lot to the Kansas economy. Passage of HB 2166 will help make this project a reality.

We respectfully urge you to support HB 2166.

Thank you.



Senate Commerce Committee

Date: 3-23-99

Attachment # 8