

MINUTES OF THE SENATE COMMERCE COMMITTEE

The meeting was called to order by Chairperson Karin Brownlee at 4:30 P.M. on April 28, 2006 in Room 231 N of the Capitol.

All members were present except:

David Wysong- unexcused
Susan Wagle- excused

Committee staff present:

Helen Pedigo, Revisor of Statutes
Jackie Lunn, Committee Secretary

Conferees appearing before the committee:

Others attending:

See attached list.

Chairperson Brownlee announced to the Committee the first business of the day is a confirmation hearing to replace a board member on the Kansas Bioscience Authority Board.

Chairperson Brownlee introduced Dr. Smilor and asked him to tell the Committee about himself and give his background. Dr. Smilor stated he feels, because of his background, he can make a significant contribution to the Bioscience Authority and that he can bring an important and unique prospective to its efforts. Dr. Smilor stated he is excited for personal and professional reasons. Personally, serving on the Board of the Bioscience Authority will allow him to give something back to a community and region that has provided great opportunities for him and his family. He stated he had the great good fortune to work in this region from 1992 to 2000 as Vice President for the Kauffman Center for Entrepreneurial Leadership at the Kauffman Foundation. He stated he was privileged to work with Mr. Kaufman for a year and a half before his death in 1993. Dr. Smilor stated he then went on to help build the Kauffman foundation into the nationally prominent organization it has become supporting entrepreneurship. He stated Mr. Kauffman had a passion for entrepreneurship and Dr. Smilor stated he has that same passion. Dr. Smilor stated Mr. Kauffman was also a good salesman. He convinced Dr. Smilor to give up his tenure in the Graduate School of Business at the University of Texas and join him in the entrepreneurial adventure of building an entirely new kind of philanthropy. Dr. Smilor stated his wife, Judy, was a real estate agent in Kansas and Missouri during those same years and it was a very rewarding experience for her. He also stated he had developed lasting friendships here in Kansas and also has a continuing stake in the region. His oldest son, Matthew lives in Overland Park and in his house he has a permanently reserved bedroom for his father and mother. His youngest son, Kevin, will graduate from the University of Kansas in just a few weeks. His sons accompanied him to the meeting today.

Dr. Smilor stated the mission of the Kansas Bioscience Authority is extremely compelling to him; to make Kansas the most desirable state in which to conduct, facilitate, support, fund and perform bioscience research development and commercialization; to make Kansas a national leader in biosciences and to create new jobs, foster economic growth, advance scientific knowledge and improve the quality of life for the citizens of the state of Kansas. Dr. Smilor thinks it is a grand and achievable mission. He is convinced that bioscience will be the driver for economic competitiveness and economic development in the 21st century. For over 25 years he has been involved in advancing entrepreneurship in accelerating commercialization and in promoting economic development nationally and internationally.

At the University of Texas at Austin from 1979 to 1992 he helped build the IC² Institute and served as its Executive Director from 1986 to 1992. The institute became one of the foremost centers in the world for technology based economic development. From 1992 to 2000 he helped start, with Mr.

Kauffman and others, building the Kauffman Center for Entrepreneurial Leadership. In the process the Kauffman Foundation became the most significant force for understanding and advancing entrepreneurship in the United States. Since 2001 Dr. Smilor has served as Executive Director of the Beyster Institute at the Rady School of Management at the University of California at San Diego. The Beyster Institute is a leading educational, training and consulting organization promoting and implementing entrepreneurship and employee ownership world wide. They are now active in about 25 countries around the world. The Beyster Institute is headquartered in LaJolla, California with offices in Washington, D.C., Moscow, Russia and in Manama, Bahrain. Dr. Smilor is now overseeing economic development projects in the Middle East and North Africa for the United States Department of State and in Russia for the United States Agency for International Development. Through his practice, research, consulting and publishing, he has come to understand and apply the dynamics for the development of technology centers. Just as importantly he has come to realize and help implement the power of entrepreneurship in small and large enterprises especially around the opportunities that come with innovative technology. For Dr. Smilor, entrepreneurship and especially technology entrepreneurship is more than starting a company, licensing the technology or commercializing the product. Entrepreneurship is about hope and opportunity; it is about job creation and wealth creation; it's about economic vitality and community well-being; it's about creativity and innovation in practice; and it's about self reliance and self determination. Dr. Smilor stated that is why he has devoted his career to this field. In closing, Dr. Smilor stated if the Committee concurs with his nomination, he will do his best to bring his knowledge, his experience, his networks and his passion to help achieve the mission of the Kansas Bioscience Authority.

Upon conclusion Dr. Smilor stood for questions. Senator Kelly entered asking what Dr. Smilor could add to the Bioscience Authority. Dr. Smilor responded stating he brings a strategic view on technology based economic development. He understands the technology trends and the commercialization process and can bring that knowledge to the Bioscience Authority. Senator Reitz entered asking where he grew up and Dr. Smilor stated he grew up in Cleveland, Ohio he left for Austin, Texas when he was 18 to the University of Texas. Senator Reitz wanted to know why Dr. Smilor finds Kansas and the Bioscience Authority interesting. Dr. Smilor responded stating this is a chance for Kansas to seize an opportunity and he would like to be a part of that. Chairperson Brownlee asked how he could contribute to the practical side. He stated he had been involved in several entrepreneurship personal ventures and some have succeeded and some have not, but he has learned from both. Senator Kelly entered the discussion asking how he knew Michael Dell. Dr. Smilor stated while he was at the University of Texas he invited Michael Dell to speak to his MBA classes. Michael Dell was only twenty-one at the time and was making \$50 million a year. He invited him as a role model. Michael Dell sparked the imagination. Over the years they have stayed in touch. Senator Reitz entered the discussion stating that Kansas needs someone with original ideas and that is what the Committee is looking for in this position on the Bioscience Authority. (Attachment 1)

Chairperson Brownlee closed the confirmation hearing.

Senator Schodorf made a motion to recommend the confirmation Dr. Smilor to the Kansas Bioscience Authority. Senator Kelly seconded. Motion carried.

Chairperson Brownlee opened the hearing on **Sub HB 2012-Sub for H 2012 by Committee on Economic Development--Tax increment financing; sales tax and revenue bonds; requirements and limitations.**

Chairperson Brownlee introduced Gary Anderson from the Law Firm of Gilmore and Bell, legal council for the city of Olathe. (Attachment 2) Current law provides that a building or structure that is financed by STAR bonds or TIF that is owned by a city cannot be leased to any other party. The proposed amendments would provide an exception for a professional sports facility. This proposed change would allow a city to put the risk of the operation and maintenance of that facility on the team and not on the city. They are asking to change the STAR bond language to allow a sports facility that is financed by STAR bonds or TIF to be turned over to another party to be maintained.

Upon the conclusion of Mr. Anderson's testimony there was discussion with the Committee. Senator Jordan entered the discussion regarding the 11th hour attempt to change STAR bonds. Michael Wilke, the City Manager of Olathe, entered the discussion and stated the reason for the 11th hour is because, about two weeks ago, the city of Olathe found out that they were on the short list in the running for a professional soccer team. The city of Olathe had made the proposal about two to three months earlier. The City of Olathe is trying to put together a package with STAR bonds and/or TIF as an incentive. Senator Jordan asked Mr. Wilke if the Hunt Group would be turning ownership over to another party. The Committee was told that the Hunt Group would be involved in some way with the soccer stadium and the professional soccer team long term. Senator Jordan and Mr. Wilke discussed the project with Mr. Wilke stating it was very early and he could not divulge a lot of information. Senator Reitz entered the discussion with concerns that if the Committee changed the language they would be setting the stage for other projects of a similar nature wanting something else in STAR bonds changed. Senator Kelly entered the discussion voicing her concerns regarding the risks of a professional team picking up and leaving the area or not being successful. She stated she is more interested in the youth soccer complex. Mr. Wilke stated that major league soccer has markets where they get very good attendance. He also stated there are several new professional soccer stadiums that have been built strictly for professional soccer and they are doing quite well. Mr. Wilke stated that the professional soccer league has taken several steps to be a viable force. Senator Schodorf entered the discussion asking Mr. Wilke if there were three sites in Kansas that were under consideration for the new soccer stadium and professional soccer team. Mr. Wilke stated it had been narrowed down to three sites all in Johnson County. He further stated that the youth soccer complex would be a major draw. Senator Barone entered the discussion regarding the statement Mr. Wilke made earlier that the city of Olathe wanted to pass the risk of maintaining and operating the stadium to another party. Mr. Wilke stated they had a league and ownership group willing to take on that responsibility but it could not be done under the present rules of STAR bonds. Senator Barone and Mr. Wilke discussed the risks with undertaking and maintaining the project. Senator Barone stated he has concerns with the 11th hour attempt to get STAR bonds changed while the project is in such early stages. Mr. Wilke stated they will need about 100 acres to support a professional soccer stadium along with a youth soccer complex. Senator Kelly entered the discussion with concerns regarding changing the STAR bonds at this late date in the session and she feels the proposal should come from the Department of Commerce.

Senator Brownlee entered the discussion stating that she needed to make an announcement to the Committee that it is rumored that one of the people that might be involved in the ownership is married to her cousin but that is not who contacted her about this issue. Due to that fact, she turned the meeting over to Senator Jordan, the co-chair.

Chairperson Jordan asked how the T-Bones stadium was financed. Mr. Gary Anderson answered that the stadium was financed privately. Senator Brownlee entered the discussion regarding the property taxes and what would be taxable. She stated that the Committee had spent a lot of time and effort to write a universal STAR bond policy and every year they were being asked to make changes. Senator Barone entered the discussion stating he wished the proposal had come earlier in the session because he would like to pursue this project in depth. Senator Emler entered the discussion stating he feels that when decisions are made too fast sometimes mistakes are made. He stated that the Committee needs more time for this issue. Chairperson Jordan entered stating that since Senator Brownlee had recused herself from voting on this issue, they did not have a quorum so they would not be able to take any action on this bill today.

Chairperson Jordan adjourned the meeting at 5:35 p.m. with not further meetings scheduled for this session.



KTEC

KANSAS
TECHNOLOGY
ENTERPRISE
CORPORATION

March 20, 2006

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate is the Kansas Technology Enterprise Corporation's appointment to the Kansas Bioscience Authority Board as pursuant to law.

Please let me know if you have any questions or if I can be of further assistance.

Best regards,

Tracy B. Taylor
KTEC President & CEO
(785) 296-3583
ttaylor@ktec.com

Senate Commerce Committee

April 28, 2006

Attachment 1-1

Senate Confirmation Information Summary

Prepared and submitted by the Kansas Technology Enterprise Corporation

Appointee: Dr. Raymond W. Smilor, Ph.D

Position: KTEC Appointed Board Member for the Kansas Bioscience Authority

Appointment Date: March ___, 2006

Expiration Date: March 15, 2010

Term Length: 4 Years

Statutory Authority: K.S.A. 74-99b

Statutory geographic representation Requirements: N/A

Statutory party affiliation requirement: N/A

Statutory industry or occupation requirements: Eight of the members of the board shall be representatives of the general public who are recognized for outstanding knowledge and leadership in the fields of finance, business, bioscience research, plant biotechnology, basic research, health care, legal affairs, bioscience manufacturing or product commercialization, education or government.

Salary: N/A

Predecessor: Stephen O'Connor, Ph.D.

Board Composition Prior to Confirmation of New Appointee:

Senator Jim Barone
Clay Blair, D. Ed. – Chair
Dr. David Franz
Dan Glickman
Dr. Victoria Franchetti Haynes
Dr. Robert Hemenway
Sandra Lawrence
Dr. Stephen O'Connor
Bill Sanford
Dolph C. Simons, Jr.
Dr. Jon Wefald

(for Appointments Office use only)

KBI Check: NA In Process Complete

KANSAS GOVERNOR SEBELIUS APPOINTMENT QUESTIONNAIRE

Position for which you are applying: Kansas Biosciences Authority Board Member

Full Name (please include title and middle name): Dr. Raymond W. Smilor

Home Address: 2470 DARLINGTON ROW, La Jolla, CA 92037 San Diego
(City, State, Zip) (County)

Business Address: 1241 CAVE STREET, La Jolla, CA 92037 San Diego
(City, State, Zip) (County)

Business Name: Bayster Institute, University of California, San Diego

Position Title: Executive Director

Home Phone: 858/729-0800 Business Phone: 858/822-6016 Cell Phone: 858/682-3465

Facsimile No: 858/822-6001 E-Mail Address: rsmilor@baysterinstitute.ucsd.edu

Driver's License No: CA: D3884501 Social Security No: 284-42-7533

Date of Birth: 5/17/47 Place of Birth: Cleveland, Ohio Kansas resident? no

Registered Voter? yes Party Affiliation: ---

Congressional District: --- Kansas Senate District: --- Kansas Representative District: ---

Do you have the legal right to live and work in the United States? yes

Education: PhD, 1978, University of Tx at Austin; M.A., 1972, University of Tx at Austin; BA, 1968, St. Edward's Univ., Austin, Tx

Employment Experience: 1978-1992 Univ. of Tx at Austin; 1992-2000 Ewing Marion Kauffman Foundation; 2001-Present, Bayster Institute

Do you hold any professional licenses? If so, please provide numbers: ---

What special skills could you bring to this position? Experience in entrepreneurship; Tech transfer + commercialization; economic development

Previous government appointments: ---
(Please provide dates)

EXPERIENCE AND AFFILIATIONS (Note: All yes answers require a detailed response. Attach a separate sheet if necessary.)

- 1. Military Service: List rank, date, and type of discharge from active service: *NO*
- 2. Government Experience: List on a separate sheet any experience or association with local, state or federal government (exclusive of elective public office but including advisory, consulting, honorary, or other part-time service or positions), with dates of service: *see separate sheet*
- 3. Elective Public Office: List on a separate sheet all elective public offices sought and/or held with dates of service: *NONE*
- 4. Honors and Awards. List on a separate sheet all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognitions for outstanding service or achievements: *see separate sheet*
- 5. Organization Affiliations. List on a separate sheet all local, state, and national civic, cultural, educational, charitable, or work-related organizations you have been associated with in the past ten years. Include any position held in the organization and the dates of service. *see separate sheet*
- 6. Organization Restrictions: To your knowledge, is any organization listed above restricted on the basis of race, color, religion, sex, national origin, disability, marital status, or veteran status? If yes, please describe: No Yes _____
- 7. Issues. Have you ever been publicly identified, in person or by organizational membership, with a particularly controversial national or local issue? If so, please describe. No Yes _____
- 8. Submission of views. Have you ever submitted oral or written views to any governmental authority, whether executive or legislative, or to the news media on any particular controversial issue other than in an official governmental capacity? If yes, please describe. No Yes _____
- 9. Associations. Have you ever had any association with any person, group, or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for the position to which you seek to be appointed? If yes, please describe. No Yes _____
- 10. Opposition. Do you know of any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If yes, please identify and explain the basis for the potential attack on a separate sheet. No Yes _____
- 11. Miscellaneous. List on a separate sheet any factors, other than the information provided above, which particularly qualify you or are relevant to the position to which you are seeking appointment? Include any special skills. *see list of books for areas of expertise*

Experience and Affiliations

2. Government Experience

I have served as the principal investigator and project manager on a number of government contracts. These include the following:

- **The U.S. Russia Investment Fund.** This is a multi-year project with funding from the U.S. Agency for International Development to promote entrepreneurship in Russia.
- **Middle East Training in the U.S. (MEET U.S.).** This is a multi-year contract to promote entrepreneurship in the Middle East and North Africa.
- **South Asia Professional Exchange and Training Program (SAPET).** This was a project to train faculty from India, Pakistan, Sri Lanka and Bangladesh on how to teach entrepreneurship.
- **Agency for International Development Projects.** I have also participated in several projects sponsored by the Agency for International Development to promote entrepreneurship in countries such as Egypt, the Republic of Georgia, and Kazakhstan.

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4. Honors and Awards

Teaching Innovation Award, Graduate School of Business, The University of Texas at Austin

Chosen Entrepreneur of the Year in Austin for educational programs and other activities in support of entrepreneurship. Inducted into the Entrepreneur of the Year Institute

Adjunct Professor of Entrepreneurial Studies, Bond University, Gold Coast, Queensland, Australia

Presented Teaching Excellence Award from School of Business at Bond University for MBA course on Entrepreneurship

Member (representing the U.S.) of the Scientific Committee for the Advanced School, Managing Innovation and Technology (ASMIT) Tecnopolis, Bari, Italy

The Judson Neff Centennial Fellowship, IC² Institute (appointed by the President of the University)

Appeared in *Who's Who in the South and Southwest*

U.S. Small Business Administration Grant for research on new business incubators

Doctoral Dissertation Fellowship in Natural Resources from Resources for the Future, Inc., Washington, D.C.

5. Organizational Affiliations

- Ewing Marion Kauffman Foundation, 1992-2000
- Foundation for Enterprise Development, 2001-Present
- San Diego Community Foundation, 2004-Present

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11. Miscellaneous Books

- Daring Visionaries: How Entrepreneurs Build Companies, Inspire Allegiance and Create Wealth*, (Adams Media, 2001)
- Entrepreneurship 2000*, co-editor, (Upstart, 1997)
- Leadership and Entrepreneurship*, co-editor, (Quorum, 1996)
- Technology Transfer in Consortia and Strategic Alliances*, co-editor, (Savage, MD: Rowman & Littlefield, 1992).
- The Technopolis Phenomenon: Smart Cities, Fast Systems, Global Networks*, co-editor, (Savage, MD: Rowman & Littlefield, 1992).
- University Spin-Off Companies: Economic Development, Faculty Entrepreneurs And Technology Transfer*, co-editor, (Savage, MD: Rowman & Littlefield, 1990).
- Customer-Driven Marketing: Lessons from Entrepreneurial Technology Companies*, editor, (Lexington Books, D.C. Heath and Company, 1989. (Second Printing, 1990).
- Pacific Cooperation and Development*, co-editor, (New York: Praeger Publishing Company, 1988).
- Creating the Technopolis: Linking Technology Commercialization and Economic Development*, co-editor, (Cambridge, MA: Ballinger Publishing Company, 1988).
- The New Business Incubator: Linking Talent, Technology, Capital and Know-How*, co-author, (Lexington, Books, 1986). (Translated into Japanese and published in Japan by Parr Research Institute, 1988). (Third printing in the United States, 1989).
- The Art and Science of Entrepreneurship*, co-editor, (Boston, MA: Ballinger Publishing Company, 1986).
- Managing Take-Off in Fast Growth Companies: Innovation in Entrepreneurial Firms*, co-editor, (New York: Praeger Publishing Company, 1986). (Translated into Japanese and published in Japan by CBS Publications, 1987).
- Financing and Managing Fast Growth Companies: The Venture Capital Process*, co-author, (Lexington, MA: Lexington Books, D.C. Heath and Company, 1985).
- Improving U.S. Energy Security*, co-editor, (Boston, MA: Ballinger Publishing Company, 1985).
- Corporate Creativity: Robust Companies and the Entrepreneurial Spirit*, co-editor, (New York: Praeger Publishing Company, 1984).

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CONFLICTS OF INTEREST: (Yes answers require a detailed response. If necessary, use a separate sheet.)

12. Relationship to governmental employees. Are you or your spouse or other close family members related to any state governmental official or employee? If yes, please provide details. No Yes _____
13. Compensation. During the past five years have you or your spouse or other close family members received any compensation or been involved in any financial transaction with the State of Kansas? If yes, please explain. No _____ Yes My son, Kawn, served as an intern for KTEC in the summer of 2005.
14. Business relationships. Describe on a separate sheet any business relationship, dealing, or financial transaction which you have had during the last five years, whether for yourself, on behalf of a client, or acting as an agent, which you believe may constitute an appearance of impropriety or result in a potential conflict of interest in the position to which you want to be appointed. If none, please so state. None
15. Transactions with officials. During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with any state government official? If yes, please explain on a separate sheet. No Yes _____
16. Spouse or other family members. If the nature of employment for your spouse or other close family member is related in any way to the position to which you want to be appointed, please indicate the employer, the position, and the length of time it has been held. If it is not, please so state. no
17. Lobbying activities. Describe briefly on a separate sheet any lobbying activity during the past ten years in which you have engaged for the purpose of influencing the passage, defeat, or modification of any legislative or administrative action. Describe briefly any lobbying activity during the last ten years in which your spouse has engaged for the purpose of influencing the passage, defeat, or modification of any legislative or administrative action that is related in any way to the position to which you are seeking appointment. (Lobbying activity includes any activity performed as an individual or agent of another individual, or of any organization that involves direct communication with an official in the executive branch of state government, or any official of the legislative branch.) If none, please so state. none
18. Regulated activities. Describe on a separate sheet any interest that you, your spouse, or other close family member may have (whether as an officer, owner, director, trustee, or partner) in any corporation, firm, partnership, or other business enterprise and any non-profit organization or other institution that is regulated by or receives direct financial benefits from any department or agency of the State of Kansas. If none, please so state. None
19. Other. Please describe on a separate sheet any other matter in which you are involved that is or may be incompatible or in conflict with the discharge of the duties of the position to which you seek to be appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position. If none, please so state. None

ETHICAL MATTERS: (Yes answers require a detailed response. If necessary, use a separate sheet.)

20. **Citations.** Have you ever been cited for a breach of ethics for unprofessional conduct by, or been named in a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If yes, please provide details.
No Yes _____
21. **Convictions.** Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a minor traffic offense? (Minor traffic offenses do not include the Kansas offenses of driving under the influence, operating while impaired, reckless driving, or the equivalent offenses in other states.) If yes, please explain.
No Yes _____
22. **U.S. Military convictions.** Have you ever been convicted by any military court? If yes, please provide details. No Yes _____
23. **Imprisonment.** Have you ever been imprisoned, been on probation, or been on parole? If yes, please provide details. No Yes _____
24. **Agency proceedings: Civil Litigation.** Are you presently, or have you ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If yes, please provide details.
No Yes _____
25. **Agency proceedings and civil litigation of affiliates and family.** Has any business in which you, your spouse, close family member or business associate are or were an officer, director or partner been a party to any administrative agency proceeding or civil litigation relevant to the position to which you are seeking appointment? If yes, please provide details. (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member, or business associate were an officer of that business.)
No Yes _____
26. **Other litigation.** Other than the litigation described above, have you or any business in which you are or were an officer, director, or partner been a plaintiff or a defendant in a civil lawsuit? If yes, please describe. Is anyone currently threatening to sue you or any business in which you are an officer, director, or partner? If yes, please describe. No Yes _____
27. **Drivers license.** Has your drivers license ever been suspended or revoked? If yes, please describe. No Yes _____
28. **Parking tickets.** Do you have outstanding parking tickets from any jurisdiction in Kansas that have remained unpaid for more than 60 days? If yes, please explain. No Yes _____
29. **Security clearance denial.** Have you ever been denied a military or other governmental clearance? If yes, please explain. No Yes _____

- 30. **Firings.** During the past ten years, have you been fired from a job for any reason? Did you quit after being told that you would be fired, or did you leave by mutual agreement because of specific problems? If yes, please provide details. No Yes _____
- 31. **Alimony and child support.** Are you now, or have you ever been delinquent in the payment of alimony or child support? If yes, please provide details. No Yes _____
- 32. **Consumption of alcohol.** Are you currently abusing alcohol? No Yes _____
- 33. **Controlled substances.** Are you currently engaged in the illegal use of a controlled substance or abusing the use of a proscribed controlled substance? If yes, please describe. No Yes _____
- 34. **Physical examination.** If you receive a conditional offer of appointment or employment, would you be willing to take a physical examination, which may include a drug test? No _____ Yes
- 35. **Other.** Please provide any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment.

FINANCIAL MATTERS: (Yes answers require a detailed response. If necessary, use a separate sheet.)

- 36. **Delinquencies.** Are you delinquent on any federal, state, or local debt? (Include delinquencies for income, property, or other taxes; governmental loans; overpayment of benefits; required payments into or under governmental programs; and other debts or required payments to the government; plus any defaults on or under loans which are or were guaranteed, insured, or subsidized by any unit of government.) If yes, please provide details on a separate sheet of paper. No Yes _____

REFERENCES/SIGNIFICANT SUPPORTERS (elected officials, community leaders, friends, etc.)

- Name: Judith Cone Relationship to you: VP - Kuyfman FN
Worked together
- Telephone: 816-932-1041
- Name: Dr. Robert Sullivan Relationship to you: Dean - Rady Bus. School, UCSD
Work together
- Telephone: 858-822-0830
- Name: Ron Kessler Relationship to you: Community Leader
Worked together
- Telephone: 512-370-3280
- Name: Bob Kelly Relationship to you: Pres. - San Diego FN
I served on a task force.
- Telephone: 619-235-2300

AUTHORIZATION AND CERTIFICATION:

The facts set forth in my application are true and complete. False statements, answers, or omissions on this application shall be sufficient cause for nonconsideration or for dismissal after appointment or employment. I also recognize that my selection is based on receipt of satisfactory information from former employers and references, and upon my ability to perform the essential elements, with or without reasonable accommodations, for the position for which I am applying. I herein authorize investigation, without liability, of the information supplied by me in this application for employment or appointment including academic, occupational, health, law enforcement, and government records. I also authorize listed employers and references, without liability, to make full response to any inquiries in connection with this application for appointment or employment. I understand and agree that the terms, conditions, compensation, benefits, hours, schedule, and duration of my appointment or employment may be determined, changed, or modified from time to time at the will of the appointing authority or designee without limitation or condition. I FURTHER CERTIFY THAT I HAVE READ THE FOREGOING PARAGRAPH AND KNOWINGLY MAKE THIS AUTHORIZATION BY SETTING FORTH MY SIGNATURE.

I understand that if I am required to be registered, licensed, or certified by federal or state law or regulation for the position I seek, I will notify the appointing authority immediately if any investigation, limitation, or cancellation of my registration, licensure, or certification occurs. If any investigation, probation, limitation, or cancellation occurs, I understand that my failure to notify my appointing authority as described above will result in the termination of my appointment or employment.

Signature *Roy W. Paul* Date 3/17/06

Please attach a copy of your resume if you have not previously provided one to the Appointments office.
see attached.



Raymond W. Smilor, Ph.D.

As an author, public speaker, investor, consultant, and teacher, Dr. Ray Smilor is an internationally recognized expert in entrepreneurship. He is executive director of the Beyster Institute at the Rady School of Management at the University of California, San Diego. The Institute also has offices in Washington, D.C., Moscow, Russia, and Manama, Bahrain. The Institute is a leading education, training and consulting organization focusing on entrepreneurship and employee ownership.

Ray was vice president of the Kauffman Center for Entrepreneurial Leadership at the Ewing Marion Kauffman Foundation in Kansas City, Missouri, from its startup in 1992 through 2000, helping to build one of the most prominent organizations promoting entrepreneurship in the United States.

He made the entrepreneurial leap to the Kauffman Center from The University of Texas at Austin, where he earned his Ph.D. in U.S. History. At UT, he became a tenured professor in the Graduate School of Business, developed one of the most prominent entrepreneurship curriculums in the country, and served for seven years as executive director of the university's internationally recognized think-tank, the IC2 Institute.

Ray has published extensively. His writings range from referred articles in academic journals to opinion pieces in popular magazines and trade publications. His work has been translated into a number of languages, including Japanese, French, Italian, Russian, and Korean. His practice, research and writing encompass the areas of entrepreneurship, economic development, and technology transfer and commercialization. His most recent of fifteen books is *Daring Visionaries: How Entrepreneurs Build Companies, Inspire Allegiance and Create Wealth*.

He has consulted with and made presentations to a range of companies, including IBM, 3M, Bell Helicopter, The Boston Financial Group, and Frito-Lay, as well as entrepreneurial associations such as the Entrepreneur of the Year Institute, Young Presidents' Organization, and Entrepreneurs' Organization, and also government organizations such as the U.S. Department of Commerce, Small Business Administration, and Minority Business Development Agency.

He is a sought-after motivational speaker, teaches and lectures internationally, and works with a range of startup and growth companies. He also serves as the program manager and principal investigator on major U.S. government contracts to promote entrepreneurship globally, including in Russia, the Middle East and North Africa, and South Asia. He was selected as an Entrepreneur of the Year in 1990 for his activities in support of entrepreneurship and inducted into the Entrepreneur of the Year Institute.

Ray has been married to his entrepreneurial partner in life, Judy, for 36 years, and together they have raised (and been raised by) their two sons, Matthew (26) and Kevin (23).

Mar 28-06 THU 03:57 PM SENATE PRESIDENT

FAX NO, 7852986718

P. 08

STATE OF KANSAS



Sec. of St. bar code

KANSAS GOVERNMENTAL ETHICS COMMISSION

STATEMENT OF SUBSTANTIAL INTERESTS FORM

INSTRUCTIONS: This statement (pages 1 through 4) must be completed by individuals who are required to do so by law. Any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and "Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 785-296-4219.

A. IDENTIFICATION: PLEASE TYPE OR PRINT

Smilor, Raymond W. Last Name, First Name MI

Smilor, Judy Spouse's Name

2470 DARLINGTON ROW Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number

La Jolla, CA 92037 City, State, Zip Code

858-729-0800 Home Phone Number (include area code) 858-822-6016 Business Phone Number (include area code)

B. THIS FORM IS REQUIRED TO BE FILLED BECAUSE YOU ARE:

(check one or more of the following)

- 1. State Elected Official (Governor, Lt. Governor, Attorney General, Commissioner of Insurance, State Treasurer, Secretary of State, State Senator, State Representative, Member of State Board of Education, or District Attorney);
2. Appointed Member of a State Board, Council, Commission or Authority;
3. Appointed State Position is Subject to Senate Confirmation;
4. Employee of a State Agency or University;
5. General Counsel for State Office;
6. Candidate for State Office;
7. Other (Contractor / Member of Compact).

List Name of Agency, Board, University or Elected Position (You may use abbreviations but not acronyms)

Kansas Biosciences Authority Board Member Agency Division if applicable (May use acronyms) Position

The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

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SSI of: [REDACTED]

C. OWNERSHIP INTERESTS: List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks, mutual funds or retirement accounts in which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here _____

	BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTEREST HELD	PERCENT OF OWNERSHIP INTERESTS	HELD BY WHOM
1.	Management Strategies Group 2770 Doolittle Rd, San Diego	Consulting	Sole Proprietorship	100%	Ray Smiley
2.	American Century - Kansas City Mutual Funds • 067195001	⊕		98,582.00	Ray Smiley
3.	• 067195002			33,987.00	"
	• 085792002			22,022.00	"
4.	• 085792001			827.00	"
5.	Scelus Morris Harris - Houston, Tx Mutual Funds • A9J-006767	⊕		993,583.00	"
6.	• A9J-006775			22,248.00	"
	• A9T-027069			2,204.00	"
7.	Dell Corp - Austin, Tx Stock - 20,000 shares	⊕		600,000.00	"
8.	SAK Corp - San Diego, CA Stock - 2738 shares	⊕		120,253.00	"
9.	Raymond & Judy Smiley Trust Family trust - San Diego	Family trust	Home, ins, etc	100%	"
10.					

D. GIFTS OR HONORARIA: List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here _____

	NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1.	Syracuse University	Syracuse, NY	Ray Smiley
2.			
3.			

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SSI of: [REDACTED]

E. RECEIPT OF COMPENSATION: List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE ____
If you have nothing to report in Section "E"1, check here ____

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	Bevster Institute	Univ. of CA San Diego	Univ. Institute
2.	Foundation for Enterprise Develp.	1241 Cass St. La Jolla, CA	Private Foundation
3.	U.S. Russia Trust Fund	545 5th Ave, NY, NY	U.S. gov. Enterprise Fund

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.
If you have nothing to report in Section "E"2, check here

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.			
2.			

F. OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS: List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section.
If you have nothing to report in Section "F", check here ____

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.	Foundation for Enterprise Development 1241 Cass St., La Jolla, CA 92037	Trustee/Director	
2.			
3.			
4.			
5.			
6.			
7.			
8.			

SSI of: 

G. RECEIPT OF FEES AND COMMISSIONS: List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "G", check here

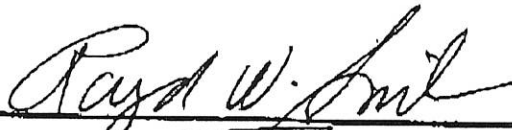
	NAME OF CLIENT/CUSTOMER	ADDRESS	RECEIVED BY
1.			
2.			
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13.			

H. DECLARATION:

I, Raymond W. Smilor, declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

3/17/06

Date



Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES

to Reset Form click here



Return your completed statement to the Secretary of State, Elections Division, Memorial Hall, First Floor, 120 SW 10th, Topeka, Kansas 66612-1594.

Raymond W. Smilor, Ph.D.

Dr. Ray Smilor is Executive Director of the Beyster Institute and the Executive Vice President of the Foundation for Enterprise Development. The Beyster Institute's mission is to advance the use of entrepreneurship and employee ownership to build stronger, higher performing enterprises nationally and internationally. Launched in 2002 by the Foundation for Enterprise Development, the Institute is now part of the Rady School of Management at the University of California at San Diego, serving as its key center for entrepreneurial thought and activity. It is the only such university-based center to integrate both employee ownership and entrepreneurship.

Ray has done extensive research on the development of high technology centers in the U.S., including the development of San Diego as one of the leading life science and biotechnology centers in the nation. His work in San Diego has focused on issues such as the role of the University of California San Diego as a research based university, the impact of the university's medical center, and the emergence of key life sciences research institutions such as the Burham Institute and Salk Institute. In addition, he has assessed the importance of community-based support organizations such as CONNECT and BIOCOM as catalysts for entrepreneurial activity and for technology transfer and commercialization, and he has looked at the factors that have spawned entrepreneurial role models and a steady flow of biotech and life science spin-out and growth companies.

Previously, Ray was vice president of the Kauffman Center for Entrepreneurial Leadership at the Ewing Marion Kauffman Foundation, joining the Foundation soon after its inception. In that capacity, he worked directly with Ewing Kauffman to build one of the most prominent organizations promoting entrepreneurship in the United States.

Before joining the Kauffman Center, Dr. Smilor was a tenured professor at the Graduate School of Business at The University of Texas at Austin, where he became the first director of the school's nationally acclaimed entrepreneurship program and is credited with launching the first intercollegiate business plan competition. To this day, *MOOT CORP* is widely regarded as the world's premier new venture competition.

While on faculty at UT-Austin, Ray also served as the executive director of the IC² Institute, which became an internationally recognized think-tank for technology-based entrepreneurship and economic development. Smilor's tenure at IC² coincided with the Institute's strategic leadership behind the development of the *Austin Technopolis*, a world-renowned model for *intentional* technology-based economic development strategy that has been studied and emulated globally.

Ray is credited by Michael Dell as the person who succeeded, after nearly six months of effort, with convincing George Kozmetsky to meet the 19-year-old entrepreneur and tour the operations of his start-up personal computer company. Kozmetsky, the legendary co-founder of Teledyne, dean of the School of Business at UT-Austin, founder of the IC² Institute and "godfather" of the Austin Technopolis, became Dell's mentor and the first board member of Dell Computer Corporation. Also, Michael Dell was the lead sponsor of Ray's MOOT CORP program and a frequent guest lecturer to his entrepreneurship classes throughout Ray's time at UT-Austin.

Raymond W. Smilor, Ph.D.

Ray has been very involved in the writing and editing of several books and articles on entrepreneurship, economic development, technology transfer and commercialization. His writings range from articles in academic journals to opinion pieces in newspapers and magazines, and his work has been translated into a number of languages, including Japanese, French, Russian and Italian. He is a sought-after motivational speaker, and lectures nationally and internationally to business, government and academic audiences.

He was selected as an Ernst & Young Entrepreneur of the Year in 1990 and inducted into the Entrepreneur of the Year Institute. Dr. Smilor earned his PhD in U.S. History from UT-Austin. His book, *Daring Visionaries: How Entrepreneurs Build Companies, Inspire Allegiance and Create Wealth*, was released in June 2001.

PROPOSED BILL NO. _____

By

AN ACT concerning tax increment financing; relating to definitions; professional sports facility; amending K.S.A. 2005 Supp. 12-1770a and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2005 Supp. 12-1770a is hereby amended to read as follows: 12-1770a. As used in this act, and amendments thereto, the following words and phrases shall have the following meanings unless a different meaning clearly appears from the content:

(a) "Auto race track facility" means: (1) An auto race track facility and facilities directly related and necessary to the operation of an auto race track facility, including, but not limited to, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding (2) hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(b) "Base year assessed valuation" means the assessed valuation of all real property within the boundaries of a redevelopment district on the date the redevelopment district was established.

(c) "Blighted area" means an area which:

(1) Because of the presence of a majority of the following factors, substantially impairs or arrests the development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use:

(A) A substantial number of deteriorated or deteriorating structures;

(B) predominance of defective or inadequate street layout;

(C) unsanitary or unsafe conditions;

(D) deterioration of site improvements;

(E) tax or special assessment delinquency exceeding the fair market value of the real property;

(F) defective or unusual conditions of title including but

Senate Commerce Committee
April 28, 2006
Attachment

not limited to cloudy or defective titles, multiple or unknown ownership interests to the property;

(G) improper subdivision or obsolete platting or land uses;

(H) the existence of conditions which endanger life or property by fire or other causes; or

(I) conditions which create economic obsolescence; or

(2) has been identified by any state or federal environmental agency as being environmentally contaminated to an extent that requires a remedial investigation; feasibility study and remediation or other similar state or federal action; or

(3) a majority of the property is a 100-year floodplain area; or

(4) previously was found by resolution of the governing body to be a slum or a blighted area under K.S.A. 17-4742 et seq., and amendments thereto.

(d) "Conservation area" means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors:

(1) Dilapidation, obsolescence or deterioration of the structures;

(2) illegal use of individual structures;

(3) the presence of structures below minimum code standards;

(4) building abandonment;

(5) excessive vacancies;

(6) overcrowding of structures and community facilities; or

(7) inadequate utilities and infrastructure.

(e) "De minimus" means an amount less than 15% of the land area within a redevelopment district.

(f) "Developer" means any person, firm, corporation, partnership or limited liability company, other than a city and other than an agency, political subdivision or instrumentality of the state or a county when relating to a bioscience development district.

(g) "Eligible area" means a blighted area, conservation

area, enterprise zone, historic theater, major tourism area or a major commercial entertainment and tourism area or bioscience development area as determined by the secretary.

(h) "Enterprise zone" means an area within a city that was designated as an enterprise zone prior to July 1, 1992, pursuant to K.S.A. 12-17,107 through 12-17,113, and amendments thereto, prior to its repeal and the conservation, development or redevelopment of the area is necessary to promote the general and economic welfare of such city.

(i) "Environmental increment" means the increment determined pursuant to subsection (b) of K.S.A. 12-1771a, and amendments thereto.

(j) "Environmentally contaminated area" means an area of land having contaminated groundwater or soil which is deemed environmentally contaminated by the department of health and environment or the United States environmental protection agency.

(k) (1) "Feasibility study" means:

(A) A study which shows whether a redevelopment project's, special bond project's or bioscience development project's benefits and tax increment revenue and other available revenues under subsection (a)(1) of K.S.A. 12-1774, and amendments thereto, are expected to exceed or be sufficient to pay for the redevelopment, special bond or bioscience development project costs; and

(B) the effect, if any, the redevelopment project costs, special bond project or bioscience development project will have on any outstanding special obligation bonds payable from the revenues described in subsections(a)(1)(D) and (a)(1)(G) of K.S.A. 12-1774, and amendments thereto.

(2) For a redevelopment project, special bond project or bioscience project financed by bonds payable from revenues described in subsections (a)(1)(D) and (a)(1)(G) of K.S.A. 12-1774, and amendments thereto, the feasibility study must also include:

(A) A description of any project submitted under K.S.A. 12-1771d, and amendments thereto, to satisfy the requirements of paragraph (i) of this section;

(B) a statement of how the jobs and taxes obtained from the project will contribute significantly to the economic development of the state and region;

(C) a statement concerning whether a portion of the local sales and use taxes are pledged to other uses and are unavailable as revenue for the redevelopment project. If a portion of local sales and use taxes is so committed, the applicant shall describe the following:

(i) The percentage of sales and use taxes collected that are so committed; and

(ii) the date or dates on which the local sales and use taxes pledged to other uses can be pledged for repayment of special obligation bonds;

(D) an anticipated principal and interest payment schedule on the bonds; and

(E) following approval of the redevelopment plan, the feasibility study will be supplemented to include a copy of the minutes of the governing body meeting or meetings of any city whose bonding authority will be utilized in the project, evidencing that a redevelopment plan has been created, discussed, and adopted by the city in a regularly scheduled open public meeting.

(3) For a proposed major commercial entertainment and tourism area, the feasibility study must also include:

(A) Visitation expectations;

(B) economic impact;

(C) the unique quality of the project;

(D) the ability of the project to gain sufficient market share to:

(i) Remain profitable past the term of repayment; and

(ii) maintain status as a significant factor for travel decisions;

(E) integration and collaboration with other resources or businesses;

(F) the quality of service and experience provided, as measured against national consumer standards for the specific target market;

(G) project accountability, measured according to best industry practices; and

(H) the expected return on state and local investment that the project is anticipated to produce.

(4) The failure to include all information enumerated in this subsection in the feasibility study for a redevelopment, special bond or bioscience project shall not affect the validity of bonds issued pursuant to this act.

(l) "Historic theater" means a building constructed prior to 1940 which was constructed for the purpose of staging entertainment, including motion pictures, vaudeville shows or operas, that is operated by a nonprofit corporation and is designated by the state historic preservation officer as eligible to be on the Kansas register of historic places or is a member of the Kansas historic theatre association.

(m) "Historic theater sales tax increment" means the amount of state and local sales tax revenue imposed pursuant to K.S.A. 12-187 et seq., 79-3601 et seq. and 79-3701 et seq., and amendments thereto, collected from taxpayers doing business within the historic theater that is in excess of the amount of such taxes collected prior to the designation of the building as a historic theater for purposes of this act.

(n) "Major tourism area" means an area for which the secretary has made a finding the capital improvements costing not less than \$100,000,000 will be built in the state to construct an auto race track facility.

(o) "Real property taxes" means all taxes levied on an ad valorem basis upon land and improvements thereon, except that when relating to a bioscience development district, as defined in this section, "real property taxes" does not include property taxes levied for schools, pursuant to K.S.A. 72-6431, and amendments thereto.

(p) "Redevelopment project area" means an area designated by a city within a redevelopment district.

(q) "Redevelopment project costs" means those costs necessary to implement a redevelopment project plan or a bioscience development project plan, including costs incurred

for:

(1) Acquisition of property within the redevelopment project area;

(2) payment of relocation assistance pursuant to a relocation assistance plan as provided in K.S.A. 12-1777, and amendments thereto;

(3) site preparation including utility relocations;

(4) sanitary and storm sewers and lift stations;

(5) drainage conduits, channels, levees and river walk canal facilities;

(6) street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;

(7) street light fixtures, connection and facilities;

(8) underground gas, water, heating and electrical services and connections located within the public right-of-way;

(9) sidewalks and pedestrian underpasses or overpasses;

(10) drives and driveway approaches located within the public right-of-way;

(11) water mains and extensions;

(12) plazas and arcades;

(13) parking facilities;

(14) landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations and similar amenities; and

(15) related expenses to redevelop and finance the redevelopment project, except that for a redevelopment project financed with special obligation bonds payable from the revenues described in subsections (a)(1)(D) and (a)(1)(G) of K.S.A. 12-1774, and amendments thereto, such expenses shall require prior approval by the secretary of commerce.

Redevelopment project costs shall not include costs incurred in connection with the construction of buildings or other structures to be owned by or leased to a developer, however, the "redevelopment project costs" shall include costs incurred in connection with the construction of buildings or other structures to be owned or leased to a developer which includes an auto race track facility or a professional sports facility. In addition,

for a redevelopment project financed with special obligation bonds payable from the revenues described in subsections (a)(1)(D) and (a)(1)(G) of K.S.A. 12-1774, and amendments thereto, redevelopment project costs shall not include:

(1) Fees and commissions paid to real estate agents, financial advisors or any other consultants who represent the businesses considering locating in a redevelopment district;

(2) salaries for local government employees;

(3) moving expenses for employees of the businesses locating within the redevelopment district;

(4) property taxes for businesses that locate in the redevelopment district;

(5) lobbying costs; and

(6) a bond origination fee charged by the city pursuant to K.S.A. 12-1742, and amendments thereto.

(r) "Redevelopment district" means the specific area declared to be an eligible area in which the city may develop one or more redevelopment projects.

(s) "Redevelopment district plan" or "district plan" means the preliminary plan that identifies all of the proposed redevelopment project areas and identifies in a general manner all of the buildings, facilities and improvements in each that are proposed to be constructed or improved in each redevelopment project area.

(t) "Redevelopment project" means the approved project to implement a project plan for the development of the established redevelopment district.

(u) "Redevelopment project plan" means the plan adopted by a municipality for the development of a redevelopment project or projects which conforms with K.S.A. 12-1772, and amendments thereto, in a redevelopment district.

(v) "Secretary" means the secretary of commerce.

(w) "Substantial change" means, as applicable, a change wherein the proposed plan or plans differ substantially from the intended purpose for which the district plan or project plan was approved.

(x) "Tax increment" means that amount of real property taxes

collected from real property located within the redevelopment district that is in excess of the amount of real property taxes which is collected from the base year assessed valuation.

(y) "Taxing subdivision" means the county, city, unified school district and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created redevelopment district including a bioscience development district.

(z) "Special bond project" means a redevelopment project with:

(1) At least a \$50,000,000 capital investment and \$50,000,000 in projected gross annual sales revenues; or

(2) for areas outside of metropolitan statistical areas, as defined by the federal office of management and budget, the secretary finds:

(A) The project meets the requirements of subsection (g); and

(B) would be of regional or statewide importance. A "special bond project" shall not include a project for a gambling casino.

(aa) "Marketing study" means a study conducted to examine the impact of the redevelopment project or special bond project upon similar businesses in the projected market area.

(bb) "Projected market area" means any area within the state in which the redevelopment project or special bond project is projected to have a substantial fiscal or market impact upon businesses in such area.

(cc) "River walk canal facilities" means a canal and related water features located adjacent to a river which flows through a major commercial entertainment and tourism area and facilities related or contiguous thereto, including, but not limited to pedestrian walkways and promenades, landscaping and parking facilities.

(dd) "Commence work" means the manifest commencement of actual operations on the development site, such as, erecting a building, excavating the ground to lay a foundation or a basement or work of like description which a person with reasonable diligence can see and recognize as being done with the intention

and purpose to continue work until the project is completed.

(ee) "Major commercial entertainment and tourism area" may include, but not be limited to, a major multi-sport athletic complex.

(ff) "Major multi-sport athletic complex" means an athletic complex that is utilized for the training of athletes, the practice of athletic teams, the playing of athletic games or the hosting of events. Such project may include playing fields, parking lots and other developments.

(gg) "Bioscience" means the use of compositions, methods and organisms in cellular and molecular research, development and manufacturing processes for such diverse areas as pharmaceuticals, medical therapeutics, medical diagnostics, medical devices, medical instruments, biochemistry, microbiology, veterinary medicine, plant biology, agriculture, industrial environmental and homeland security applications of bioscience and future developments in the biosciences. Bioscience includes biotechnology and life sciences.

(hh) "Bioscience development area" means an area that:

(1) Is or shall be owned, operated, or leased by, or otherwise under the control of the Kansas bioscience authority;

(2) is or shall be used and maintained by a bioscience company; or

(3) includes a bioscience facility.

(ii) "Bioscience development district" means the specific area, created under K.S.A. 12-1771, and amendments thereto, where one or more bioscience development projects may be undertaken.

(jj) "Bioscience development project" means an approved project to implement a project plan in a bioscience development district.

(kk) "Bioscience development project plan" means the plan adopted by the authority for a bioscience development project pursuant to K.S.A. 12-1772, and amendments thereto, in a bioscience development district.

(ll) "Bioscience facility" means real property and all improvements thereof used to conduct bioscience research, including, without limitation, laboratory space, incubator space,

office space and any and all facilities directly related and necessary to the operation of a bioscience facility.

(mm) "Bioscience project area" means an area designated by the authority within a bioscience development district.

(nn) "Biotechnology" means those fields focusing on technological developments in such area as molecular biology, genetic engineering, genomics, proteomics, physiomics, nanotechnology, biodefense, biocomputing, bioinformatics and future developments associated with biotechnology.

(oo) "Board" means the board of directors of the Kansas bioscience authority.

(pp) "Life sciences" means the areas of medical sciences, pharmaceutical sciences, biological sciences, zoology, botany, horticulture, ecology, toxicology, organic chemistry, physical chemistry, physiology and any future advances associated with life sciences.

(qq) "Revenue increase" means that amount of real property taxes collected from real property located within the bioscience development district that is in excess of the amount of real property taxes which is collected from the base year assessed valuation.

(rr) "Taxpayer" means a person, corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, group or other entity that is subject to the Kansas income tax act, K.S.A. 79-3201 et seq., and amendments thereto.

(ss) "Floodplain increment" means the increment determined pursuant to subsection (b) of K.S.A. 2005 Supp. 12-1771e, and amendments thereto.

(tt) "100-year floodplain area" means an area of land existing in a 100-year floodplain as determined by either an engineering study of a Kansas certified engineer or by the United States federal emergency management agency.

(uu) "Major motorsports complex" means a complex in Shawnee county that is utilized for the hosting of competitions involving motor vehicles, including, but not limited to, automobiles,

motorcycles or other self-propelled vehicles other than a motorized bicycle or motorized wheelchair. Such project may include racetracks, all facilities directly related and necessary to the operation of a motorsports complex, including, but not limited to, parking lots, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility.

(vv) "Professional sports facility" means a professional sports facility and facilities directly related and necessary to the operation of a professional sports facility, including seating, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities and signage, but shall not include the furnishing of suites nor construction of additional buildings separate from a grandstand.

Sec. 2. K.S.A. 2005 Supp. 12-1770a is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.