

MINUTES OF THE HOUSE TAXATION COMMITTEE
MEETING AT THE RAIL

The meeting was called to order by Chairman Richard Carlson at 12:30 p.m. on March 24, 2009, at the rail of the Capitol.

All members were present except Representatives George, Hayzlett, Kleeb, Peck, Powell and Wolf.

Committee staff present:

Gordon Self, Office of the Revisor of Statutes

Scott Wells, Office of the Revisor of Statutes

Kathy Beavers, Committee Assistant

HB 2388 - Qualifying investments under the county business restoration assistance program.

The committee met to discuss **HB 2388**.

Representative Dillmore made a motion to move **HB 2388** favorably for passage. Representative Menghini seconded the motion; the motion carried. Representative Dillmore made a motion to reconsider. Representative Menghini seconded the motion. The motion carried. Representative Goico made a motion to amend **HB 2388** by changing the date on page 2, line 25, to strike 2008 and insert 2010 (Attachment 1). Representative Dillmore seconded the motion. The motion carried. Representative Menghini made a motion to move, as amended, **HB 2388**, favorably for passage. Representative Dillmore seconded the motion. The motion carried.

The meeting was adjourned at 12:40 p.m.

1 adopted by the secretary of revenue, the job restoration assistance pay-
2 ment shall be for the purpose of assisting the business recover from the
3 damages sustained from the storm on May 4, 2007.

4 (e) As used in this section:

5 (1) "Business facility" means a building or structure used in business
6 operations located within the county;

7 (2) "business machinery and equipment" means the real and tangible
8 personal property permanently and physically located at a business facility
9 and used in the business operations and shall not include (A) mobile
10 equipment, such as motor vehicles, or (B) any items held for sale, such
11 as business inventory;

12 (3) "qualifying business" means a business that was in existence and
13 in operation providing goods or services within a county, which was struck
14 by the tornado and other severe weather in Kansas on May 4, 2007, which
15 had damage and destruction to governmental buildings and facilities to
16 the extent that there was a complete interruption of all governmental
17 services provided by a major town and the county government, and which
18 suffered a major loss of the property tax base for the county of 25% or
19 more, and that was damaged by the tornado and other severe storms that
20 struck Kansas on May 4, 2007; and

21 (4) "qualifying job" means a job with a qualifying business that was
22 lost as a result of damage sustained by the tornado and other severe
23 storms that struck Kansas on May 4, 2007, that is restored and filled by
24 an employee hired back in the county between May 4, 2007, and June
25 30, ~~2008~~, and shall not include any part-time job that provides the em-
26 ployee with less than 20 hours per week of paid employment.

27 (f) In accordance with the provisions of this section, the secretary of
28 revenue shall adopt policies and procedures for the implementation and
29 administration of the county business restoration assistance program and
30 shall present such information to the state finance council requesting
31 approval to make expenditures from the state emergency fund for assis-
32 tance payments under the program in accordance with the proposed im-
33 plementation and administration of the program. Upon approval of the
34 state finance council by the affirmative vote of the governor and by a
35 majority vote of the legislative members of the state finance council, act-
36 ing on this matter which is hereby characterized as a matter of legislative
37 delegation and subject to the guidelines prescribed in subsection (c) of
38 K.S.A. 75-3711c, and amendments thereto, and subject to the limitation
39 that not more than \$5,000,000 may be approved by the state finance
40 council to be expended from the state emergency fund for such payments,
41 the director of the budget shall certify to the director of accounts and
42 reports the amount approved by the state finance council for expenditure
43 by the department of revenue for such assistance payments from the state

2010