

Approved: 05-02-08

Date

MINUTES OF THE SENATE COMMERCE COMMITTEE

The meeting was called to order by Chairperson Karin Brownlee at 8:15 A.M. on March 26, 2008 in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Jennifer Thierer, Kansas Legislative Research Department
Kathie Sparks, Kansas Legislative Research Department
Norm Furse, Revisor of Statutes
Jason Long, Revisor of Statutes
Jackie Lunn, Committee Assistant

Conferees appearing before the committee:

Laura Gorley, Finance Director, City of Gardner
Dottie Riley, Kutak Pock LLP
Tom Riederer, President, Johnson County Economic Development Council
Peter Solie, Gardner Area Chamber of Commerce
Bill Crandall, the Allen Group
Joseph Erskine, Deputy Secretary of Finance & Administration, KDOT
Chris Butierrez, President, SmartPort
Stuart Little, Johnson county Board of County Commissioners
Bryan DeMars, Concerned Citizen of Gardner

Others attending:

See attached list.

To read testimony submitted by conferees go to

<http://skyways.lib.ks.us/government/KansasSenateCommerceCommittee>.

HB 2771--Concerning age discrimination

SB 612--Discrimination in employment; victims of domestic violence and sexual abuse; authorizing enforcement and rules and regulations authority for the secretary of labor.

HB 2315--Secretary of state; registration of home inspectors.

SB 525--Kansas investments in major products and comprehensive training act (IMPACT) amendments.

SB 501--Establishment of the Kansas Tourism Corporation

SB 693--Creating the Kansas intermodal transportation revolving fund; financing of intermodal transportation projects

Chairperson Brownlee called the Committee attention to **HB 2771** stating it was on age discrimination and that **SB 612** which was also a discrimination bill involving victims of domestic violence and sexual abuse which was passed out of our Committee was have difficulties getting out of the House and she would like to roll **SB 612** into **HB 2771**.

Senator Jordan made a motion to roll SB 612 into HB 2771. Senator Schodorf seconded. Motion carried.

Senator Reitz made a motion to pass HB 2771 out favorably as amended. Senator Emler seconded. Motion carried.

Chairperson Brownlee moved the Committee attention to the tourism bill, **SB 501**, stating it looked as though it would not get out of the House and there might be something the Committee could do but could address that issue later. The discussion moved to **SB 525** which still hasn't been passed out of the Senate but she stated leadership had been meeting and might be ready to move it out. The fiscal note on **SB 525** was discussed and the fact that if they bring it down that might not be adequate for the aircraft industry.

Chairperson Brownlee called on Jason Long, Revisors Office, to explain the new balloon on **HB 2315**. Mr. Long presented written copy (Attachment 1) which can be found in its entirety on the link listed on page 1 of these minutes. Mr. Long reviewed the balloon for the Committee.

Chairperson Brownlee called on a representative of the Secretary of State's office and she stated that they are not an enforcement agency but they were fine with the registration and she would like to look at the fiscal impact. The enforcement was discussed and it was noted that the AG's office would be the enforcer.

Senator Barone suggested to move forward with the bill and it would go to conference and that would give the Secretary of State's office time to study the bill.

Senator Schodorf made a motion to approve the balloon on HB 2315. Senator Jordan seconded. Motion carried.

Senator Reitz made a motion to move the bill out favorably as amended. Senator Emler seconded. Motion carried.

Chairperson Brownlee then turned the Chair over to Senator Jordan and he called the Committee's attention to **SB 693**. He opened the hearing on the bill and introduced Laura Gorley, City of Gardner, to give her testimony as a proponent of the bill. Ms. Gorley presented written testimony (Attachment 2) which can be found in its entirety on the link listed on page 1 of these minutes.

Chairperson Jordan introduced Dottie Riley, Kutak Rock LLP, to give her testimony as a proponent of **SB 693**. Ms. Riley presented written testimony (Attachment 3) which can be found in its entirety on the link shown on page 1 of these minutes.

Chairperson Jordan introduced Tom Riederer, President, Johnson County Economic Development Council, to give his testimony as a proponent of the bill. Mr. Riederer presented written testimony (Attachment 4) which can be found in its entirety on the link shown on page 1 of these minutes.

Chairperson Jordan introduced Peter Solie, Gardner Chamber of Commerce, to give his testimony as a proponent of **SB 693**. Mr. Solie presented written testimony (Attachment 5) which can be found in its entirety on the link listed on page 1 of these minutes.

Chairperson Jordan introduced Bill Crandall, Allen Group, to give his testimony as a proponent of the bill. Mr. Crandall presented written testimony (Attachment 6) which can be found in its entirety on the link shown on page 1 of these minutes.

Chairperson Jordan introduced Joseph Erskine, Deputy Secretary of Finance and Administration, KDOT, to give his testimony as a proponent of **SB 693**. Mr. Erskine presented written testimony (Attachment 7) which can be found in its entirety on the link shown on page 1 of these minutes.

Chairperson Jordan introduced Chris Gutierrez, President, SmartPort to give his testimony as a proponent of the bill. Mr. Gutierrez presented written testimony (Attachment 8) which can be found in its entirety on the link shown on page 1 of these minutes.

Upon the completion of the testimonies of the proponents of **SB 693**, Chairperson Jordan called the Committee's attention to the "written only" proponent testimony of those listed below and opened the floor for questions and discussion with the proponents of the bill and the Committee.

Stuart Little, Johnson County Board of County Commissioners, (Attachment 9)
David Drovetta, City Council President, City of Gardner, (Attachment 10)

Charles Valenta, Gardner Citizen, ([Attachment 11](#))
Brad Lange, Gardner Citizen, ([Attachment 12](#))
Bob Marcusse, EEO, Kansas City Area Development Council, ([Attachment 13](#))
J. Douglas Bohi, Manager, Genesis Development Team, ([Attachment 14](#))
Trudy Masters-Lange, Gardner Citizen, ([Attachment 15](#))
Pat Burton, Owner, Ironwood Development LLC, ([Attachment 16](#))
Patrick Hubbell, BNSF, ([Attachment 17](#))
Lance Johnson, Developer, Gardner, ([Attachment 18](#))
Phil Perry, Director Governmental Affairs, Home Builders Assoc. of Kansas City, ([Attachment 19](#))

All the testimonies listed above can be found in their entirety on the link shown on Page 1 of these minutes.

A lengthy question and answer discussion session followed. The time frame was discussed and it was noted that the intermodal facility would be completed and in operation at the end of 2010. The shortfall of \$13.9 million was discussed along with the obligation of the State under the bill. There is a \$13 million gap and that was discussed in detail. The number of jobs which will result in this project was discussed and it was noted the starting range of the jobs would be \$13.00 an hour. The discussion continued regarding the obligation of the State.

Upon the conclusion of the questions and answers discussion, Chairperson Jordan introduced Bryan DeMars, a concerned citizen of Gardner, to give his testimony as an opponent of **SB 693**. Mr. DeMars presented written testimony ([Attachment 20](#)) which can be in its entirety on the link shown on page 1 of these minutes.

Upon the completion of Mr. DeMar's testimony, Chairperson Jordan called the Committee's attention to the "written only" opponent testimony of Paul Degener, a concerned citizen of Gardner. ([Attachment 21](#)) which can be found in its entirety on the link shown on page 1 of these minutes.

Chairperson Jordan asked if there was anyone else to testify on **SB 693**, being none, he opened the floor for questions and answers of Mr. DeMars with a short discussion following regarding annexation and abatement.

Chairperson Jordan called on Jason Long, Revisors Office, to explain the balloon **SB 693**. Mr. Long presented written copy of the balloon ([Attachment 22](#)) and Article 11, Section 9 of the Kansas Constitution ([Attachment 23](#)) which can be found in their entirety on the link shown on page 1 of these minutes.

A discussion followed regarding Article 11, Section 9 of the Kansas Constitution.

Chairperson Jordan closed the hearing on **SB 693** and adjourned the meeting at 9:30 a.m. with the next meeting scheduled for March 31, 2008 at 1:00 p.m. in room 431N.