

MINUTES OF THE SENATE COMMERCE COMMITTEE

The meeting was called to order by Chairman David Wysong at 4:45 p.m. on March 19, 2009, in Room 431-N of the Capitol.

All members were present.

Committee staff present:

Ms. Margaret Cianciarulo, Committee Assistant
Mr. Norm Furse, Office of the Revisor of Statutes
Mr. Ken Wilke, Office of the Revisor of Statutes
Mr. Reed Holwegner, Kansas Legislative Research Department
Mr. Julian Efird, Kansas Legislative Research Department

Conferees appearing before the Committee:

Mr. Terry Holdren, National Director of Government Relations, Kansas Farm Bureau

Others attending:

Please see attached list.

Hearing and possible action on SB324 - an act concerning the Kansas commission on rural policy.

Upon calling the meeting to order, Chairman Wysong call on Mr. Terry Holdren, National Director of Government Relations, Kansas Farm Bureau (KFB) and asked him to explain the bill. Highlights included:

- hopefully, the Committee would find the bill to be a technical correction to a certain extent.
- legislation in the 2008 Session establishing the Kansas Commission on Rural Policy which KFB envisioned their company as an active participant, assisting in the Committee in the development of policy that would address the challenges if population decline and economic inactivity faced by many rural communities across the State.
- two problems that have arisen and two reasons for the bill which will help him explain **SB324**:

Reason 1. Regarding the bill handout, he referred to the strike through on all three pages, indicating:

- A. the largest part found in sub paragraph (b) (3) beginning on page 1, lines 43 through 14 of page 2
- B. and the part that requires senate confirmation of appointees

He offered the makeup of the board including 12-members appointed by the governor and legislative leaders, with three ex-officio members including the Secretary of Commerce, the Secretary of Agriculture, and the Director of Kansas, Inc. He went on to say originally KFB thought senate confirmation would be a good idea, however, a couple of years previous to last year, legislation was enacted requiring an extended process before confirmation could occur, including KBI background checks, in addition 80 some odd appointments are made in a given year (board, and commissioners, etc. in legislative cycles). So the reason for the strike through is to get these appointees in their seats as commissioners and to allow them to begin work. They would still be appointed by legislative leaders and still serve for a term of up to four years.

Reason 2. Is a small change occurring in the explanation clause of the statute found on line 20 of page 2, the original sunset of the bill would have been June 30, 2011 but KFB added a year because they basically lost a year in terms of these "commissioners" inability to begin functioning.

Lastly, he said KFB strongly supports this clarification and requests favorable action at the Committee's earliest convenience. A copy of his testimony is (Attachment 1) attached hereto and incorporated into the Minutes.

The Chair thanked Mr. Holdren and stated two things:

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1. It is his opinion that KFB does not want senate confirmation, so he is going to disagree with this part of the bill as they do not make laws as they are recommendation type organization

2. Basically, KFB wants to add another year onto the authority to have the commission running.

The Chair then recognized Mr. Ken Wilke, Office of the Revisor of Statutes, who stated the Committee needs to amend K.S.A. 2008 sub 7999e-03 because this requires the 2009 commission perform several duties, one of which is making a report to the legislature.

As there were no questions, comments, or further discussions, the Chair asked if there was a motion. Senator Lynn made a motion to pass favorably SB324 as amended. It was seconded by Senator Kelsey and the motion passed.

Hearing and possible final action on SB329 - an act concerning the repeal of the Kansas home inspectors professional competence and financial responsibility act

The next order of business was a hearing on **SB329** and the Chair stated he would like to entertain the motion of Senator Wagle's suggestion to have this bill passed out of Committee and put below the line. Senator Wagle also suggested putting it in another bill. The Chair then asked Mr. Wilke if procedurally, can the Committee members pass this bill with their approval to put it into another bill, without meeting again or do they need to meet a the rail?

Mr. Wilke offered:

1. The Committee could pass as is or let it sit there.

2. Look for a suitable House vehicle to put the contents of this bill into but still have number 1 if you cannot find anything.

Senator Kelsey made a motion to pass out SB329 favorably. It was seconded by Senator Schodorf and the motion passed.

Chairman Wysong then recognized Senator Reitz who asked the Chair if he had any plans for **SB258**? The Chair said no but he had visited with Senator Hensley and is leaving it up to him as to what he wants to do, but as it is, the bill is in a subcommittee.

Adjournment

As there is no further business, the Chair adjourned the meeting. The time was 4:55.

The next meeting is on call of the Chair.

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