

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Chairman Don Dahl at 9:00 A.M. on February 14, 2006 in Room 241-N of the Capitol.

All members were present except:

Patricia Kilpatrick- unexcused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research Department

Norm Furse, Office of Revisor of Statutes

Renae Jefferies, Office of Revisor of Statutes

June Evans, Committee Secretary

Conferees appearing before the committee:

Tom Martin, landlord and attorney, Kansas City

Ed Jaskinia, The Associated Landlords of Kansas

Others attending:

See attached list.

The Chairman stated that **HB 2658 - Gift certificates, restrictions** had a hearing on January 31 and requested to hear what the wishes of the Committee were on this bill.

Representative Huff, sponsor of the bill, distributed a balloon which he and the Kansas Restaurant and Hospitality Association had agreed on (Attachment 1).

Staff reviewed the balloon stating it looks like there are a lot of changes but there really aren't that many.

Representative Huff stated the peanut of the bill was still intact.

Ron Hein, representing the Kansas Restaurant and Hospitality Association agreed.

Representative Schwab shared a letter he had received from Store Financial Services stating this bill would severely and adversely impact their company to effectively operate in Kansas. Representative Schwab suggested waiting until next week on passing **HB 2658** out after talking to Store Financial Services (Attachment 2).

Representative Schwab moved and Representative Masterson seconded to Table **HB 2658**. A Division was called - 5 Yeas and 11 Nays. The motion failed.

Representative Ruff moved and Representative Johnson seconded to adopt the amendment to **HB 2658** as submitted. The motion carried.

Representative Burgess moved to strike on page 1, line 18, " a gift certificate or gift card shall not be redeemable for cash". The motion failed for lack of a second.

Representative Pauls moved and Representative Ruff seconded to amend lines 15 and 16 "if the gift certificate is lost, damaged or stolen, it can be replaced by the holder". The motion failed.

Representative Burgess moved and Representative Garcia seconded to replace on page 1, line 17, "A gift certificate or gift card shall not be redeemable for cash" with "merchant shall not be required to redeem a gift card for cash". The motion carried.

Representative Masterson said he thought the state was regulating where they don't need to be regulating.

Representative Schwab said he was concerned McDonalds would quit selling intrastate gift cards. Representative Schwab would just like to slow this process down until Store Financial Services could come and give testimony. Recommend to Table or have a sub-committee appointed to study this bill.

CONTINUATION SHEET

MINUTES OF THE House Commerce and Labor Committee at 9:00 A.M. on February 14, 2006 in Room 241-N of the Capitol.

The Chairman appointed a sub-committee to study **HB 2658**: Chairman, Representative Schwab; Representative Garcia and Representative Huntington.

The Chairman opened the hearing on **HB 2839 - Residential landlord and tenant act; evictions, disposition of possession.**

Tom Martin, Attorney and landlord, testified as a proponent to **HB 2839**. The Chairman requested he provide written testimony in more detail (Attachment 3).

Ed Jaskinia, representing the Associated Landlords of Kansas testified in a neutral position. The Landlord Tenant Act is the best in America and this legislation is not needed.

No one appeared in opposition to **HB 2839**.

The Chairman closed the hearing on **HB 2839**.

The meeting adjourned at 10:35. The next meeting will be February 15, 2006.