

MINUTES OF THE SENATE COMMERCE COMMITTEE.

The meeting was called to order by Chairperson Karin Brownlee at 8:30 a.m. on February 20, 2003 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: April Holman, Legislative Research
Deb Hollon, Legislative Research
Mitch Rice, Revisor of Statutes
Norman Furse, Revisor of Statutes
Jodie Anspaugh, Secretary

Conferees appearing before the committee: Mike Lawless, Mahaffie Stagecoach Stop and Farm Foundation

Others attending: See attached list.

Norman Furse, Revisor of Statutes, explained the amendment to SB 65, regarding venture capital. This amendment clarifies who can be an officer or director of a fund, and replaces “schedule” with “requirements” on page 1, line 40. Senator Brungardt moved to amend the bill. Senator Jordan seconded. The motion carried. Senator Jordan moved to pass the bill out of committee favorable for passage as amended. Senator Emler seconded. The motion carried.

Chairperson Brownlee continued the hearing on SB 134, regarding agritourism. Michael Lawless from the Mahaffie Stagecoach Stop and Farm Foundation testified in opposition to SB 134. (Attachment 1) He is concerned that the bill could leave injured tourists without legal rights. He believes that the Mahaffie Foundation is immune from suits by visitors under current law. He doesn't want to see a visitor injured or killed on the Mahaffie site due to negligent acts and then see the Mahaffie insurance counsel assert immunity with respect to recreational farming or ranching activities. Mr. Lawless recommends the committee consider a State of Kansas sponsored self-insurance pool for tourism. He answered questions about his testimony, regarding liability. Senator Jordan expressed that the intent is not to put people on wild horses, or in pens with buffalo. Bill Kurtis know that people from the east coast would like to experience life in the Midwest. The intent of the bill is to help those who want to make a little extra money and allow visitors on their land. Mr. Lawless responded that those Marcie Penner referenced in her testimony are misinformed about their liability. Most of the examples in her testimony already enjoy immunity.

Leslie Kaufman, State Director of Kansas Farm Bureau, submitted written testimony. (Attachment 2)

Chairperson Brownlee closed the hearing on SB 134. She announced that Commerce Committee will

CONTINUATION SHEET

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start at 8:15 a.m. tomorrow. The Commerce Subcommittee on Workers Compensation will consist of Senators Brownlee, Wagle, Emler, Barone, and another which will be announced soon.

The meeting was adjourned at 9:30 a.m.

The next meeting is scheduled for 8:15 a.m. on February 21, 2003 in room 123-S.