

MINUTES OF THE SENATE COMMITTEE ON COMMERCE.

The meeting was called to order by Chairperson Senator Karin Brownlee at 11:10 a.m. on March 30, 2001 in Room 527-S of the Capitol.

All members were present except: Senator Kerr (Excused)
Senator Wagle (Excused)

Committee staff present: April Holman, Legislative Research Department
Bob Nugent, Revisor of Statutes
Lea Gerard, Secretary

Conferees appearing before the committee: Representative Annie Kuether
George Barbee, Travel Industry of Kansas
Ron Hein, Kansas Restaurant and Hospitality Association

Others attending: See Attached List

HB 2515–Cities and Counties; convention and tourism committees.

April Holman, Legislative Research Department briefed the committee members on **HB 2515** stating that it relates to convention and tourism committees. The bill would give a governing body of a city or county which levies a transient guest tax the option of establishing a convention and tourism committee. Current law requires local governing bodies which levy transient guest taxes to establish such committees. The bill would allow the governing body to establish the method for appointing members to the committee and to set the length of an appointee's term of office, but not to exceed four years.

George Barbee, representing the Travel Industry Association of Kansas testified in support of **HB 2515**. The statutes were not uniform and equal and there are a number of things that are going on out in the state that causes problems with trying to conform with the law as it is. The changes in this bill will make it permissive for cities and counties the option of establishing a convention and tourism committee.

Representative Annie Kuether testified in support of **HB 2515** stating it would amend K.S.A. 12-1695 from shall to may establish a convention and tourism committee to make recommendations concerning the programs and expenditures for promotion of conventions and tourism. It also allows that if the governing body decides to appoint a committee it shall appoint 10 members (Attachment 1).

Ron Hein, representing the Kansas Restaurant and Hospitality Association testified in opposition to **HB 2515**. The law permits to the extent that the local community can charter out from underneath the existing law regarding transient guest tax because it is not meaningful and applicable throughout the state. This bill would appear to change shall to may and make it permissive with a simple majority of a governing body do the same thing that can be done with a charter ordinance. The Hospitality Association is concerned about the concept of not having input from people who best know this industry when cities and counties are making decisions on the use of monies and how the program fund work.

There being no further conferees to appear before the Committee, Chairperson Brownlee closed the public hearing on **HB 2515**.

An amendment was offered on **HB 2515** which would impose a moratorium on the enactment of franchise or right-of-way ordinances which substantially modify the relationship between telecommunications providers and municipalities as they existed on January 01, 2001. Municipalities would be permitted to enact franchise or right-of-way ordinances or agreements with new telecommunications providers if the terms and conditions are consistent with those in place with other providers before December 31, 2000. Under the bill, representatives of municipalities and telecommunication providers would be required to confer and report their progress to the Joint Committee on Economic Development 3 times before December 31, 2001.

Senator Barone moved, seconded by Senator Emler that **HB 2515** be amended to include the moratorium and reporting provisions for telecommunications franchise and right-of-way issues. Motion carried.

Senator Steineger moved, seconded by Senator Jordan that **HB 2515** be reported favorably for passage as amended. Motion carried.

Meeting adjourned at 11:45 a.m.