

MINUTES OF THE SENATE COMMERCE COMMITTEE

The meeting was called to order by Chairman Karin Brownlee at 8:35 A.M. on February 4, 2005 in Room 123-S of the Capitol.

Committee members absent:

Senator Susan Wagle-excused

Committee staff present:

Kathie Sparks, Legislative Research Department

Susan Kannarr, Legislative Research Department

Helen Pedigo, Revisor of Statutes

Jackie Lunn, Committee Secretary

Conferees appearing before the committee:

Martha Neu Smith, Executive Director, Kansas Manufactured Housing Association

Robert Haley, Special Assistant to the President, Kansas Housing Resources Corporation

Others attending:

See attached

Chairperson Brownlee opened the meeting stated the committee would be working SB 4 today and there were balloons to consider. With that said Chairperson Brownlee introduced Martha Neu Smith, Executive Director, Kansas Manufactured Housing Association to explain the balloon they are offering on SB 4.

Ms. Neu Smith referred the committee to a copy of the balloon they have been working on since last Friday. (Attachment 1) Ms. Nu Smith explained the balloon. After explaining the balloon Ms. Neu Smith stated there were still three areas they could not reach an agreement on: the Sunset provision, the right of Inspection and the Dispute Resolution. (Attachment 2) Ms. Neu Smith offered a copy of what they propose for a new Section 10 which is regarding the dispute resolution. (Attachment 3) After a brief summary of the new Section 10, Ms. Neu Smith offered her proposal to the committee.

Upon conclusion of Ms. Neu Smith's proposal, there was some discussion on the Sunset Resolution dispute by the committee.

Chairperson Brownlee introduced Robert Haley, Special Assistant to the President of the Kansas Housing Resources Corporation. Mr. Haley referred to his written testimony (Attachment 4) explaining what the Kansas Housing Resources Corporation is proposing in regard to the three areas in which they are not in agreement. Upon completion of Mr. Haley's summary, he stood for questions from the committee.

There was discussion on the Right of Inspection with Mr. Haley and some discussion on the Dispute Resolution and the Sunset Resolution also.

Chairperson Brownlee proposed an Amendment that would be an alternative to the Sunset provision. (Attachment 5) Chairperson Brownlee briefly summarized the amendment by stating it would require the President of the Kansas Housing Resources Corporation to monitor the progress of the standards obligated by the Federal act and determine whether Kansas was in compliance and report to the Senate Commerce Committee and the House Commerce Committee.

A Motion was made by Senator Barone to adopt amendment presented by Chairperson Brownlee and seconded by Senator Jordan. Motion passed.

Senator Jordan made the motion to accept the New Section 10 submitted by Ms. Neu Smith with a change of language in section c to read "All parties involved in the dispute shall be given an opportunity to be present during the inspection of the home". Senator Barone seconded the motion. Motion passed.

CONTINUATION SHEET

MINUTES OF THE Senate Commerce at 8:35 A.M. on February 4, 2005 in Room 123-S of the Capitol.

Senator Jordan made the motion to accept the technical amendments which would include the words installation, licensed and July throughout. Senator Kelly seconded the motion. Motion passed.

Senator Jordan made the motion to accept the balloon amend with the addition of the change in wording on page 4 which would be a period after thereto with the rest being deleted. Motioned seconded by Senator Barone. Motion passed.

A motion was made by Senator Emler to move SB 4 out of the committee as amended. Motion seconded by Senator Kelly. Motion passed.

Chairperson Brownlee stated that SB 33 needed more time. Chairperson Brownlee has asked the subcontractors to furnish her with a copy of the contracts they were working with. There was some discussion among the committee on the SB 33 retainage issue.

Senator Jordan made the motion to approve the minutes for January 18<sup>th</sup> and January 19<sup>th</sup> with a correction of the spelling of Jon Federico to John Federico on January 19<sup>th</sup> minutes. Motion seconded by Senator Barone. Motion passed.

Chairperson Brownlee announced the committee would not meet on Monday and gave a brief summary of next week's agenda. Meeting adjourned at 9:20 a.m. The next meeting scheduled for Tuesday, February 8, 2005 at 8:30 a.m. in room 123S<sub>2</sub>.