

MINUTES OF THE SENATE ASSESSMENT AND TAXATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 10:34 a.m. on January 26, 2011, in Room 152-S of the Capitol.

All members were present except:
Sen. Bob Marshall - excused

Committee staff present:
Gordon Self, Office of the Revisor of Statutes
Scott Wells, Office of the Revisor of Statutes
Chris Courtwright, Kansas Legislative Research Department
Michel Wales, Kansas Legislative Research Department
Mary Jane Brueck, Committee Assistant

Conferees appearing before the Committee:
John Federico, Federico Consulting

Others attending:
See attached list.

Chairman Donovan opened the meeting with a quorum of committee members present. He asked if there were objections to hearing introduction of bills as the first order of business. Hearing no objection, he introduced John Federico, of Federico Consulting. Mr. Federico is representing General Motors, and requesting a bill for tax credit for consumers who buy their electronic vehicles. Pat Apple requested a bill for the County Treasurer of his county. The Treasurers are looking into taxes related to re-subdivided property. Chairman Donovan said this bill will be introduced without exception.

Returning to the Confirmation Hearing, Chairman Donovan called Nick Jordan to the microphone. He spoke to the committee about being the Secretary of Revenue. He wants to create additional business for the state through economic development bills. He introduced people who are a part of the Kansas Department of Revenue: Dave Corbin; David Crouser, the new General Council for the department; Richard Cram; Jeannine Koranda, Public Information Officer; and Chad Bettis, Chief of Staff. (Attachment 1) Sen. Bruce moved for the conformation of Nick Jordan. Sen. Lynn seconded the motion. The motion carried.

The next meeting is to be announced in the Senate Calendar. It will probably be next Tuesday.

The meeting was adjourned at 10:43 a.m.

Senate Confirmation Information Summary

Prepared and Submitted by the Office of Governor Sam Brownback

Appointee: Nick Jordan

Position: Secretary of Revenue

Expiration Date: N/A

Term Length: POG

Statutory Authority: K.S.A. 75-501

Party Affiliation: R

- Statutory geographic representation Requirements (insert any that apply)

Congressional District: 3

County: Johnson County

Size Requirement *(if any)*:

Other, specify:

- Statutory party affiliation requirement: N/A
- Statutory industry or occupation requirements: N/A

Salary: 107,990

Predecessor: Joan Wagnon

Board Composition Prior to Confirmation of New Appointee:

Joan Wagnon, Secretary of Revenue

Sn. Assmnt & Tax
1-26-11

Attachment # 1

Nick Jordan

Office: (913) 671-3314
Cell: (913) 908-5677
Home: (913) 631-1377

7013 Albervan
Shawnee, Kansas 66216
nljordan@everestkc.net

Executive Profile

Former state Sen. Nick Jordan has extensive experience in public service, executive management, and the private sector, in organizations ranging from small to large.

Prior to joining Cohen-Esrey Real Estate Services, a national leader in commercial and multi-family real-estate solutions, Nick represented the people of the 10th District in the Kansas Senate for 13 years. Along with his wife and daughter, he also has launched a number of successful businesses, including Walls of Clay paint-on-pottery studios and the Australian Trading Company. His family continues to operate Walls of Clay in Shawnee, Kan., and Nick has worked as a consultant to numerous communities in strategic planning for economic development and tourism.

Nick was the founding president of the Overland Park Convention and Visitors Bureau. During his tenure, travel and tourism grew into a multi-million dollar industry in Overland Park, and Nick was invited regularly to speak about the city's success around the nation. This led to Nick's inclusion on a mural at the Overland Park Chamber of Commerce depicting the city's leaders and founding fathers.

While in the Senate, Nick served as co-chairman of the Commerce Committee and as a member of the Assessment and Taxation; Public Health and Welfare; Ways and Means; and Health Care Strategies committees. He was chairman of the Joint Economic Development Committee and a member of the Joint Committee on Kansas Security, Legislative Post Audit, Confirmation Oversight, and the Special Committee on Financial Institutions and Insurance.

Members of the media considered Nick the "go-to guy" for economic development in the legislature. With former state Rep. Kenny Wilk and others, he co-authored the Kansas Economic Growth Act, a highly successful bioscience and entrepreneurship initiative heralded as a cornerstone of the 21st century Kansas economy. In addition to creating the Kansas Bioscience Authority, the act produced the Kansas Center for Entrepreneurship to boost small businesses and start-ups in the state, providing special assistance to rural and distressed areas. Throughout his Senate tenure, Nick played a significant role in writing and implementing economic growth policies designed to unleash the great potential of Kansas entrepreneurs.

Highlights

- The Kansas Economic Growth Act has been recognized nationally as innovative and exemplary by groups such as the U.S. Small Business Administration and BIO, and its results speak volumes. Bioscience jobs and investments in Kansas have increased significantly, and a site selection magazine this year ranked Kansas 5th in the nation for biotechnology strength.
- Nick received the Governor's Tourism Award presented by the Kansas Association of Broadcasters. He was a two-term president of the Travel Industry Association of Kansas, chairman of the Kansas Council on Travel and Tourism, and vice chairman of the National Conference of State Legislatures' economic development committee.

- As a member of the International Association of Convention and Visitors Bureaus, Nick participated in the development of an executive certification program through the University of Calgary, and he chaired the association's Continuing Education Committee.
- Nick has served on the boards of directors of the Kansas Downtown Development Association; Kansas Technology Enterprise Corporation; and Johnson County Community College Foundation.
- Nick is a proud recipient of the Guardian of Small Business Award presented by the National Federation of Independent Business, and he was as a member of U.S. Sen. Pat Roberts' advisory committee on science, technology and the future.
- Nick chaired the Senate President's Special Task Force for K-12 Education and the Joint Committee on Math and Science Education. He authored legislation creating the Kansas Academy for Mathematics and Science at Fort Hays State University.
- Nick is known for his consensus-building and interpersonal skills, and he has a passion for promoting economic growth in urban, suburban, and rural Kansas.

Career History and Education

| | |
|--|-------------------------------------|
| Director of Tax Credit Equity <i>Cohen-Esrey Real Estate Services</i> | 2009 to Present Mission, Kan. |
| Senator <i>Kansas Senate</i> | 1995 to 2008 Topeka, Kan. |
| Owner and President <i>Walls of Clay</i> | 1993 to Present Shawnee, Kan. |
| Senior Pastor <i>Full Faith Church of Love</i> (2,000 attendees; church staff of 12; K-12 private school with 600 students) | 1993 to 1995 Shawnee, Kan. |
| President <i>Overland Park Convention and Visitors Bureau</i> | 1983 to 1993 Overland Park, Kan. |
| Director of Marketing <i>Grand American Hotel Corporation</i> | 1980 to 1983 Overland Park, Kan. |
| Assistant Director of Marketing <i>Radisson Muehlebach Hotel</i> | 1974 to 1980 Kansas City, Mo. |
| Director of Sales and Marketing <i>Glenwood Manor Hotel</i> (Started as busboy in the hotel restaurant and went on to several management positions before becoming director of sales and marketing.) | 1964 to 1974 Overland Park, Kan. |
| Graduate of Shawnee Mission West High School | 1967 Overland Park, Kan. |



Kansas Senate

CONFIRMATION OVERSIGHT COMMITTEE APPOINTMENT QUESTIONNAIRE

Full Name: Nicholas "Nick" Jordan

(please include title and middle name along with any names previously used)

Home Address: 7013 Albervan

(Street Address)

Shawnee, KS. 66216

(City, State, Zip)

Driver's License Number [REDACTED]

Social Security Number [REDACTED]

Position to which Appointed: Secretary of Revenue

Appointing Authority: Governor

* Information on this page will not be made public but is used by the KBI and Department of Revenue.

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(for Committee use only)

KBI Check: N/A ☐ In-Process ☐ Complete ☐

DOR Check: N/A ☐ In-Process ☐ Complete ☐

This Questionnaire is to be fully completed by each appointee appearing before the Senate Confirmation Oversight Committee (Committee) and returned to the Committee Chairman's Office. A meeting of the Committee to consider an appointee will not be scheduled until a completed questionnaire and other forms are received by the Chairman. Please answer each question completely to the best of your knowledge. Should a question not be applicable, please so state. Hand-written responses are strongly discouraged. If filling out this form electronically, "☐" should be replaced with "X" by the appropriate response on the form. Please contact your appointing authority if you have questions when completing the form.

Full Name: Nicholas "Nick" Jordan

(please include title and middle name along with any names previously used)

Position to which Appointed: Secretary of Revenue

Appointing Authority: Governor

Home Address: 7013 Albervan

Shawnee, KS. 66216

(Street Address)

(City, State, Zip)

Business Name: Walls of Clay

Cohen-Esrey Real Estate Services

Business Address: 16625 Midland Dr. Shawnee, KS.66217

6800 W. 64th St., Ste. 101 Overland Park, KS. 66202

(Street Address)

(City, State, Zip)

Position Title: Owner

Director of Tax Credit Equity

Home Phone: (913) 631-1377

Business Phone: (913) 248-1117

Cell Phone: (913) 908-5677

Fax Number:

E-Mail Address: njordan@everestkc.net

Kansas resident? ☒ Yes / ☐ No Date of Birth: 12/02/1949

Place of Birth: Kansas City, MO.

Registered Voter? yes

Party Affiliation: Republican

Congressional District: 3 Kansas Senate District: 10

Kansas Representative District: 17

Do you have the legal right to live and work in the United States? ☒ Yes / ☐ No

Please answer the following questions numbered 1 – 43. Each question MUST BE ANSWERED ON THIS ORIGINAL FORM. If the answers the question are provided on your resume, please state "See Resume" or if you supply additional attachment(s) with answers, please state "See Attachment(s)" on this form.

1. What is your educational background? Shawnee Mission West High School - in hotel management at age 19 and took college level courses thru Amer. Hotel/Motel Assn.
2. Describe your employment experience. Include any expertise related to the position to which you were appointed. Have held numerous management positions in large and small organizations and small business owner. Tax policy is extremely important to economic growth and business.

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3. List any professional licenses that you have obtained and include the number for each license.
None
4. Why do you feel you are a good candidate for the position to which you have been appointed?
Economic growth and tax policy have been integral in private business and as an elected official.
5. What do you see as the purpose or mission of the role to which you have been appointed?
To promote an economic growth tax policy for the State of Kansas and carry out statutory duties.
6. **Military Service:** List rank, date and type of discharge from active service.
☒ None
7. **Government Experience:** List any experience or association with local, state or federal government (exclusive of elective public office but including advisory, consulting, honorary, appointed or other part-time service or positions) and include dates of service.
☐ None Numerous commissions and boards including KTEC Board - 2004 to 2008, Tourism Commission - numerous terms, numerous local commissions and boards.
8. **Elective Public Office:** List all elective public offices sought and/or held with dates of service.
☐ None Kansas Senate from 1995 - 2008, Candidate for Congress 2008
9. **Campaigns:** Have you ever played a role or held a position in a political campaign? If so, please identify the candidate(s), the dates of the campaign and describe your involvement.
☐ No ☒ Yes My Senate campaigns - appt. in 1995, campaigns in 1996, 2000, 2004 and Congressional campaign - 2008. Have helped others in campaigns. Precinct committeeman - 2000-2006
10. **Honors and Awards:** List all scholarships, fellowships, honorary degrees, honorary society memberships and any other special recognition for outstanding service or achievements.
☐ None Guardian of Small Business - NFIB, Governor's Tourism Award - KS. Assn. of Broadcasters. Several industry recognitions in travel industry.
11. **Organization Affiliations:** List all civic, cultural, educational, charitable, or work-related organizations that you have been associated with in the past ten years. Include any position held in the organization and the dates of service.
☐ None Several area chamber of commerces, Overland Park and Shawnee Rotary Club, Board of Shawnee Community Services, Travel Industry Assn. of KS., Johnson County Community College Foundation.
12. **Organization Restrictions:** To your knowledge, is any organization listed above restricted on the basis of race, color, religion, sex, national origin, disability, marital status or veteran status? If so, please describe.
☒ No ☐ Yes
13. **Issues:** Have you ever been publicly identified, in person or by organizational membership, with a particularly controversial national or local issue? If so, please describe.
☒ No ☐ Yes
14. **Submission of Views:** Have you ever submitted oral or written views to any governmental authority, whether executive or legislative, or to the news media on any particularly controversial issue other than in an official governmental capacity? If so, please describe.
☒ No ☐ Yes
15. **Associations:** Have you ever had any association with any person, group or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for the position to which you seek to be appointed? If so, please describe.
☒ No ☐ Yes

16. **Opposition:** Do you know of any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If so, please identify and explain the basis for the potential attack.
☒No ☐Yes
17. **Miscellaneous:** List any factors, other than the information provided above, which particularly qualifies you or is relevant to the position to which you are seeking appointment? Include any special skills.
☐None Have dealt with tax issues in business and served on the KS. Senate Tax Committee
18. **Relationship to Governmental Employees:** Are you or your spouse or other close family members related to any state governmental official or employee? If so, please provide details.
☒No ☐Yes
19. **Compensation:** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with the State of Kansas? If so, please explain.
☐No ☒Yes Kansas State Senator
20. **Business Relationships:** Describe any business relationship, dealing or financial transaction which you have had during the last five years, whether for yourself, on behalf of a client or acting as an agent, which you believe may constitute an appearance of impropriety or result in a potential conflict of interest in the position to which you want to be appointed. If none, please so state.
☒None
21. **Transactions with Officials:** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with any state government official? If so, please explain.
☒No ☐Yes
22. **Spouse or Other Family Members:** If the nature of employment for your spouse or other close family member is related in any way to the position to which you have been appointed, please indicate the employer, the position and the length of time it has been held. If not, please so state.
☒No ☐Yes
23. **Lobbying Activities:** Describe any lobbying activity during the past ten years in which you and/or your spouse have engaged for the purpose of influencing the passage, defeat or modification of any legislative or administrative action. Lobbying activity includes any activity performed as an individual or agent of another individual, or of any organization that involves direct communication with an official in the executive branch of state government or any official of the legislative branch. If none, please so state.
☐None 2009 Legislative session worked on behalf of a economic growth bill.
24. **Regulated Activities:** Describe any interest that you, your spouse or other close family member may have (whether as an officer, owner, director, trustee, or partner) in any corporation, firm, partnership or other business enterprise and any non-profit organization or other institution that is regulated by or receives direct financial benefits from any department or agency of the State of Kansas. If none, please so state.
☒None

25. **Other:** Please describe any other matter in which you are involved that is or may be incompatible or in conflict with the discharge of the duties of the position to which you have been appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position. If none, please so state.
☒None
26. **Conflict of Interest:** How would you resolve any potential conflicts of interest that, while maybe unforeseen at this point in time, could arise?
Abstain from participation
27. **Citations:** Have you ever been cited for a breach of ethics for unprofessional conduct, or been named in a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, please provide details.
☒No ☐Yes
28. **Convictions:** Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a traffic infraction? (Please include any offenses of driving under the influence, operating while impaired, reckless driving, or the equivalent offenses in other states.) If so, please explain.
☒No ☐Yes
29. **U.S. Military Convictions:** Have you ever been convicted by any military court? If so, please provide details.
☒No ☐Yes
30. **Imprisonment:** Have you ever been imprisoned, been on probation or been on parole? If so, please provide details.
☒No ☐Yes
31. **Agency Proceedings/Civil Litigation:** Are you presently, or have you ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If so, please provide details.
☒No ☐Yes
32. **Agency Proceedings and Civil Litigation of Affiliates and Family:** a.) Is your spouse or other close family member currently, or ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If so, please provide details.
☒No ☐Yes
- b.) Has any business in which you, your spouse, close family member or business associate are or were an officer, director or partner been a party to any administrative agency proceeding or civil litigation relevant to the position to which you are seeking appointment? If so, please provide details. (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member, or business associate were an officer of that business.)
☒No ☐Yes

33. **Other Litigation:** a.) Other than the litigation described in question 32, have you or any business which you are or were an officer, director, or partner been a plaintiff or a defendant in a civil lawsuit? If so, please describe.
☒No ☐Yes
b.) Are you aware of any pending or anticipated litigation against you or any business in which you are an officer, director, or partner? If so, please describe.
☒No ☐Yes
34. **Drivers License:** Has your driver's license ever been suspended or revoked? If so, please describe.
☒No ☐Yes
35. **Parking Tickets:** Do you have outstanding parking tickets from any jurisdiction that have remained unpaid for more than 60 days? If so, please explain.
☒No ☐Yes
36. **Security Clearance Denial:** Have you ever been denied a military or other governmental clearance? If so, please explain.
☒No ☐Yes
37. **Firings:** a.) During the past ten years, have you been fired from a job for any reason? If so, please explain.
☒No ☐Yes
b.) During the past ten years, have you quit a job after being told that you would be fired? If so, please explain.
☒No ☐Yes
c.) During the past ten years, did you leave a job by mutual agreement because of specific problems? If so, please explain.
☒No ☐Yes
38. **Alimony and Child Support:** Are you now, or have you ever been, delinquent in the payment of alimony or child support? If so, please explain.
☒No ☐Yes
39. **Consumption of Alcohol:** Have you ever or are you currently abusing alcohol? If so, please explain.
☒No ☐Yes
40. **Controlled Substances:** Have you ever or are you currently engaged in the illegal use of a controlled substance or abusing the use of a prescribed controlled substance? If so, please explain.
☒No ☐Yes
41. **Physical Examination:** If you receive a conditional offer of appointment or employment, would you be willing to take a physical examination, which may include a drug test?
☐No ☒Yes

Governmental Delinquencies: Are you delinquent in the payment of any obligation owed to the federal or state government or any political or taxing subdivision or any instrumentality thereof? (Include delinquencies in the payment of: Income, property, or other taxes; exactions, fees or special assessments; loans, including any defaults, on or under loans which are or were made by, guaranteed, insured or subsidized by any unit of government or instrumentality thereof; overpayment of benefits; required payments into or under governmental programs; payments under a diversion arrangement or other repayment schedule.) If applicable, please state whether such delinquency is under formal appeal.

☒ No ☐ Yes

43. **Other:** Please provide any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment. If none, please so state.

☒ None

Please include resume and completed Statement of Substantial Interest not more than twelve months old.

REFERENCES

Name: Lee Harris Knows you how?: Business

Address: 6800 W. 64th St., Ste. 101 Overland Park, KS. 66202
(City, State, Zip)

Home Phone: _____ Business Phone: (913) 671-3300

Name: Jeff Melcher Knows you how?: Business

Address: 2000 Merriam Lane Kansas City, KS. 66106
(City, State, Zip)

Home Phone: _____ Business Phone: (913) 262-3888

Name: Mike Blake Knows you how?: Friend

Address: 20825 W. 94th St. Lenexa, KS. 66220
(City, State, Zip)

Home Phone: (913) 780-4461 Business Phone: _____

Name: Dr. Russ Wismer Knows you how?: Friend

Address: 12812 W. 82nd St. Lenexa, KS. 66215
(City, State, Zip)

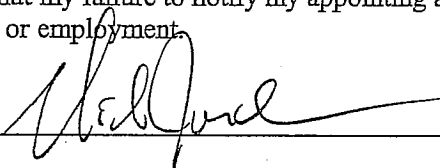
Home Phone: _____ Business Phone: (913) 268-7770

AUTHORIZATION AND CERTIFICATION:

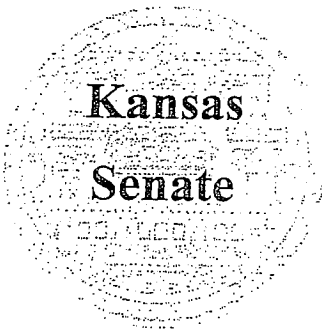
The facts set forth in my application are true and complete. False statements, answers, or omissions on this application shall be sufficient cause for nonconsideration or for dismissal after appointment or employment. I also recognize that my selection is based on receipt of satisfactory information from former employers and references, and upon my ability to perform the essential elements, with or without reasonable accommodations, for the position for which I am applying. I herein authorize investigation, without liability, of the information supplied by me in this application for employment or appointment including academic, occupational, health, law enforcement, and government records. I also authorize listed employers and references, without liability, to make full response to any inquiries in connection with this application for appointment or employment. I understand and agree that the terms, conditions, compensation, benefits, hours, schedule, and duration of my appointment or employment may be determined, changed, or modified from time to time at the will of the appointing authority or designee without limitation or condition. I FURTHER CERTIFY THAT I HAVE READ THE FOREGOING PARAGRAPH AND KNOWINGLY MAKE THIS AUTHORIZATION BY SETTING FORTH MY SIGNATURE.

I understand that if I am required to be registered, licensed, or certified by federal or state law or regulation for the position I seek, I will notify the appointing authority immediately if any investigation, limitation, or cancellation of my registration, licensure, or certification occurs. If any investigation, probation, limitation, or cancellation occurs, I understand that my failure to notify my appointing authority as described above will result in the termination of my appointment or employment.

Signature



Date 12/01/2010



CONFIRMATION OVERSIGHT COMMITTEE

Acknowledgment of Release of Tax and Criminal Records Information Form

I, Nicholas "Nick" Jordan acknowledge that as part of the
(print name)

Senate Confirmation Oversight Committee process I will:

- be subject to a criminal records background investigation by the Kansas Bureau of Investigation; and
- have my tax records released by the Kansas Department of Revenue.

Such information will not be released to the general public, but will be made available for review at the appropriate time by:

- Myself;
- My appointing authority;
- Chairperson of the Senate Confirmation Oversight Committee; and
- The Vice Chair of the Senate Confirmations Oversight Committee.

By signing the "Authorization and Certification" section (on page 8) of the Senate Confirmation Oversight Committee questionnaire, the Kansas Department of Revenue will be authorized to release my tax information and the Kansas Bureau of Investigation will be authorized to conduct a criminal background investigation on me and provide that information to the appropriate individuals.

Signature

A handwritten signature in black ink, appearing to read "Nick Jordan", is written over a horizontal line.

Date 12/01/2010

Form 08/08



Sec. of St. bar code

KANSAS GOVERNMENTAL ETHICS COMMISSION

STATEMENT OF SUBSTANTIAL INTERESTS FORM

INSTRUCTIONS. This statement (pages 1 through 4) must be completed by individuals who are required to do so by law. Any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 785-296-4219.

A. IDENTIFICATION: PLEASE TYPE OR PRINT

JORDAN NICK M
 Last Name First Name MI
 JORDAN LINDA
 Spouse's Name
 7013 Albervan
 Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number
 Shawnee, KS. 66216
 City, State, Zip Code
 913-631-1377 913-908-5677
 Home Phone Number (include area code) Business Phone Number (include area code)

B. THIS FORM IS REQUIRED TO BE FILED BECAUSE YOU ARE:

(check one or more of the following)

- ☐ 1. State Elected Official (Governor, Lt. Governor, Attorney General, Commissioner of Insurance, State Treasurer, Secretary of State, State Senator, State Representative, Member of State Board of Education, or District Attorney);
- ☐ 2. Appointed Member of a State Board, Council, Commission or Authority;
- ☒ 3. Appointed State Position is Subject to Senate Confirmation;
- ☐ 4. Employee of a State Agency or University;
- ☐ 5. General Counsel for State Office;
- ☐ 6. Candidate for State Office;
- ☐ 7. Other (Contractor / Member of Compact).

List Name of Agency, Board, University or Elected Position (You may use abbreviations but not acronyms)

Revenue

Secretary

Agency

Division if applicable (May use acronyms)

Position

* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

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Rev. 3/2006