

MINUTES OF THE SENATE ASSESSMENT AND TAXATION COMMITTEE

The meeting was called to order by Chairman Barbara Allen at 10:40 A.M. on February 2, 2005 in Room 519-S of the Capitol.

All members were present except: Derek Schmidt- excused

Committee staff present:

Chris Courtwright, Kansas Legislative Research
Martha Dorsey, Kansas Legislative Research
Gordon Self, Revisor of Statutes Office
Nancy Kirkwood, Secretary

Conferees appearing before the committee:

Mike Taylor, Unified Government Kansas City, Kansas, Wyandotte County
Bob Vancrum, Greater Kansas City Chamber of Commerce
Randall Allen, Kansas Association of Counties
Senator Pat Apple
Shane Krull, County Administrator, Miami County

Others attending:

See attached list.

Chairperson Allen called the meeting to order. Brad Smoot requested the introduction of a bill on behalf of Las Animas Landfill Gas, LLC of Midland, Texas. Las Animas has an operation in Kansas. The bill would clarify the legislative intent of K.S.A. 79-201 *Eleventh*, regarding the existing tax exemption for the production of landfill gas. Senator Donovan moved to introduce the bills, seconded by Senator Jordan, and the motion carried.

Danielle Noe, Intergovernmental Relations Coordinator, Johnson County, requested the introduction of a bill relating to the tax foreclosure statutes. Senator Jordan moved to introduce the bill, seconded by Senator Donovan, and the motion carried.

Chairperson Allen, on behalf of Gary Anderson, Johnson County, requested the introduction of a bill relating to the Transportation Development District Act. The purpose of the change is to remove the protest period, since the only persons who can protest and vote in an election called as a result of a protest are the owners of property within the district. Under the statute 100% of the property owners have to sign the petition, therefore he feels it would be redundant to give these same people the right to protest. The language was left over from the original bill that allowed less than 100% of owners to petition for creation of the district. Senator Jordan moved to introduce the bill, seconded by Senator Pine, and the motion carried.

Chairperson Allen informed the Committee, tomorrow, February 3rd, is the deadline for requesting committee bills.

Chairperson Allen opened the hearing on **SB 45 -personal judgment against owner for unpaid real property taxes.**

Mike Taylor, Public Relations Director, Unified Government of Wyandotte County, appeared before the committee in support of **SB 45.** His testimony stated SB 45 is about fairness and equity. It is about reducing the property tax mill levy in Wyandotte County and Kansas City and **SB 45** would give the local government an additional tool to collect taxes (Attachment 1).

Chairperson Allen welcomed proponent Bob Vancrum to the Committee. Mr. Vancrum appeared on behalf of the Greater Kansas City Chamber of Commerce, supporting **SB 45.** Mr. Vancrum's testimony reflects **SB 45** would not only benefit the Unified Government of Wyandotte County, it would benefit other local governments as well. **SB 45** would allow local government to obtain a civil judgment for delinquent taxes rather than waiting for foreclosure and a tax sale, which is currently the only option for local governments (Attachment 2).

CONTINUATION SHEET

MINUTES OF THE Senate Assessment and Taxation Committee at 10:40 A.M. on February 2, 2005 in Room 519-S of the Capitol.

Randall Allen, Executive Director, Kansas Association of Counties, presented testimony in support of **SB 45** (Attachment 3).

There being no others wishing to testify as a proponent or opponent to **SB 45**, the Chair closed the hearing.

Hearing on:

SB 105 - countywide retailers' sales tax in Miami County

Chairperson Allen opened the hearing on **SB 105**, countywide retailers' sales tax by county, and recognized Senator Apple. Senator Apple appeared in support of **SB 105** (Attachment 4).

Shane Krull, Miami County Administrator, proponent of **SB 105**, appeared before the Committee. Mr. Krull described the benefits derived from said tax. The renewal of the quarter cent sales tax will continue to fund road and bridge improvements throughout Miami County. The future funds will go toward the payment of nine additional projects (Attachment 5).

There being no others wishing to testify as a proponent or opponent to **SB 105**, the Chair closed the public hearing.

Action on bills

SB 37 - Franchise fee law modifications relating to fee name, extensions and information required

Melissa Wangemann, Deputy Assistant, Secretary of State had distributed to the Committee yesterday, February 1, a copy of her amendments to **SB 37**. The balloon addressed the concerns the Committee raised at the hearing on **SB 37**, and also the concerns of the KCCI. Gordon Self, Revisor of Statutes, stated of the twenty-one amendments, ten are 100% technical and the result of the reconciliation process; eleven are the outcome of discussion that resulted when the bill was heard. Senator Donovan made a motion to adopt the balloon, and move **SB 37** favorably as amended. The motion was seconded by Senator Apple. The motion carried.

SB 105 - countywide retailers' sales tax in Miami County

Senator Jordan moved to pass **SB 105** out favorably. The motion was seconded by Senator Apple. The motion carried

SB 12- an act concerning taxation; relating to collection of delinquent taxes; tax liens

Jay Befort, KDOR, provided a refresher on **SB 12**. Mr. Befort stated **SB 12** is a bill extension of KDOR's lien authority. The bill would give KDOR the authority to attach to equity on personal property for retailers not paying their taxes. Gordon Self, Revisor of Statutes, stated there are two technical amendments to **SB 12** On page 1, line 41, strike *employer* and insert *taxpayer* and the same on page 2 line 1. Senator Lee move to adopt the technical amendments offered by KDOR and pass **SB 12** favorably as amended. Senator Goodwin seconded the motion, and the motion carried.

Approval of minutes

Senator Bruce moved to approve the minutes of January 27, 2005, seconded by Senator Apple. The motion carried.

Chairperson Allen informed the Committee the agenda for next week is uncertain at this time. Monday and Tuesday are on call, Wednesday and Thursday the Committee will meet.

The meeting adjourned at 11:40 a.m.