

MINUTES OF THE SENATE ASSESSMENT AND TAXATION COMMITTEE

The meeting was called to order by Chairperson Les Donovan at 9:30 am on Monday, March 16, 2015, 548-S of the Capitol.

All members were present except:

Senator Anthony Hensley – Excused

Committee staff present:

Chris Courtwright, Legislative Research Department

Edward Penner, Legislative Research Department

Adam Siebers, Office of Revisor of Statutes

Judy Seitz, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Carl Miller, Ellsworth County Appraiser

Kimberly Svaty, The Wind Coalition

Jeff Riles, Enel Green Power

Zack Pistora, Kansas for Clean Energy

Others in attendance:

[See Attached List](#)

Hearing on: SB257 — Ten-year limit on property tax exemption for renewable resources or technologies.

Chair Donovan opened the hearing on **SB257**. Adam Siebers briefed the Committee on the bill stating this would amend K.S.A. 79-201 which exempts certain properties from property or ad valorem taxes. Mr. Siebers answered questions.

Chair Donovan spoke in support of **SB257** saying this bill was brought forward because of the current lifetime exemption for wind generation for cell towers. This Committee heard testimony on a similar bill in the 2014 session.

Carl Miller testified in support of **SB257** stating that he is representing Ellsworth, Stafford and Pawnee county appraisers. ([Attachment 1](#)) Mr. Miller is suggesting an amendment to the bill which would clarify and make this statute fair for all Kansas taxpayers and local taxing entities. He also included a page showing Ellsworth County windfarms and the amount that was in lieu of tax payments. Mr. Miller took questions from the Committee.

Kimberly Svaty spoke in opposition to **SB257** saying that this bill would replace the current property tax exemption with a ten-year exemption effective immediately and would jeopardize many long-term purchase power agreements with project offtakers as well as long term donation agreements with host counties. ([Attachment 2](#)) She also said that this bill sends a message to the industry that Kansas is not the place to host the jobs and investment stemming from wind development and component part manufacturing. Ms. Svaty took questions from the Committee.

CONTINUATION SHEET

MINUTES of the Committee on Assessment and Taxation at 9:30 am on Monday, March 16, 2015, 548-S of the Capitol.

Jeff Riles offered testimony in opposition to **SB257** stating that Enel Green Power and like companies have invested billions of dollars in Kansas with the expectation that the basic legal foundations on which these investments were made would not be wiped out. He further stated that this bill seeks to disrupt billions of dollars worth of economic investments that have been placed into Kansas.

[\(Attachment 3 \)](#) Mr. Riles took questions from the Committee.

Zack Pistora testified in opposition to **SB257**. [\(Attachment 4\)](#) He said this bill doesn't reflect the policy that rural Kansas needs and deserves in order to thrive. He also said this is not about the industry; this is about Kansas. Mr. Pistora stood for questions.

Written testimony in opposition to **SB257** was submitted by:

Karin Brownlee, NexEra Energy Resources [\(Attachment 5\)](#)

Janis Hellard, Sumner County Commissioner [\(Attachment 6\)](#)

Rorik Peterson, EDP Renewables [\(Attachment 7\)](#)

Mark Schreiber, Westar Energy [\(Attachment 8\)](#)

Virinder Singh, EDF Renewable Energy [\(Attachment 9\)](#)

Katie McCclain, Invenergy [\(Attachment 10\)](#)

Dean Haselhorst, Ellis County Commissioner [\(Attachment 11\)](#)

Martha McClelland, Ellis County Commissioner [\(Attachment 12\)](#)

Aron Cromwell, Cromwell Solar [\(Attachment 13\)](#)

Kevin Shapland, Grant County Commissioner [\(Attachment 14\)](#)

Carol Voran, Kingman County Commissioner [\(Attachment 15\)](#)

Adjournment

The meeting adjourned at 10:25 am. The next meeting is scheduled for Tuesday, March 17 at 9:30 am. to hear **SB 280 - Sales tax authority for Thomas county for constructing or remodeling of a county jail, law enforcement center, courthouse or other county facility and SB270 - Tax credit for low income students scholarship program act; eligible students.**