

MINUTES OF THE HOUSE COMMITTEE ON ASSESSMENT AND TAXATIONThe meeting was called to order by Representative Jim Braden at
Chairperson9:00 a.m./~~xxx~~ on February 14, 1983 in room 519-S of the Capitol.All members were present ~~except~~

Committee staff present:

Wayne Morris, Research Department
Tom Severn, Research Department
Don Hayward, Revisor of Statutes' Office
Nancy Wolff, Secretary to the Committee

Conferees appearing before the committee:

The meeting was called to order by the Chairman. The minutes of February 2, 3, 4, and 7, were approved subject to corrections on February 2 and February 7.

Bill Edds, on behalf of the Department of Revenue appeared to review HB 2216. HB 2166 would amend K.S.A. 12-191 regarding the effective date for a city sales tax in an area annexed by a city levying such a tax. Under the bill, a city sales tax would not become effective in the annexed area until the first of the month following the 30th day after the date that the governing body provided the Department of Revenue with a certified copy of the annexation ordinance and a map of the city detailing the annexed area.

Mr. Edds then reviewed HB 2217, which was a committee bill requested by the Department of Revenue relating to the various refund funds of the Department. If the Department is not receiving a sufficient amount of money into the various funds, this bill would allow them to request additional money be transferred from the State General Fund. It would increase the limitation on the Inheritance Tax Abatement Refund Fund from \$15,000 to \$50,000; the local alcoholic liquor refund fund shall be a maximum of \$10,000, and the legislation also creates the local alcoholic liquor refund fund; and in the case of the Privilege Tax Refund Fund would allow the Director of Taxation to have an amount sufficient to cover needed refunds transferred from the General Fund.

Representative R. Frey made a motion that HB 2216 be reported favorable for passage and Representative Aylward seconded the motion.

Representative Spaniol made a substitute conceptual motion that HB 2216 be amended so that in the event an annexation ordinance is contested by a court action, the city retailers' sales tax would be deferred until the matter is resolved. The motion died for lack of a second. The Committee felt that this matter would not come about as the legislation would only go into effect at such time as an annexation proceeding is complete by the city.

Representative Barkis made a substitute motion that HB 2216 be reported favorable for passage and be placed on the Consent Calendar. Representative Rolfs seconded the motion. Motion carried.

Representative R. Frey made a motion that HB 2217 be reported favorable for passage and Representative Roe seconded the motion.

Representative Rolfs expressed a concern, and stated that he was opposed to the motion, due to the fact that the state is currently having problems and this legislation could possibly reduce the State General Fund even lower than it already is. Mr. Edds responded that it would be the practice of the Department to draw the funds down to a minimum amount by the end of the year.

The Chairman then called for the vote on the motion to report HB 2217 favorable for passage. The motion carried. Representative Rolfs voted "No".

Representative V. Miller made a motion that HB 2166 be reported favorable for passage. HB 2166 is the bill that would increase the levy limit for regional libraries from 1/2 to 3/4 mill. Representative Wunsch seconded the motion. The motion carried. Representative Leach abstained from the voting as he serves on the Board for one of the regional libraries, and Representative Frey voted "No".

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ASSESSMENT AND TAXATION,

room 519-S, Statehouse, at 9:00 a.m./~~p.m.~~ on February 14, 1983.

Don Hayward presented an amendment to HB 2141 (Attachment I) which would change the language to include any severed mineral interest and make notification to the landowner of record only when the mineral rights are to be sold due to non-payment of taxes. Representative V. Miller made a motion to adopt the amendment to HB 2141 and Representative Leach seconded the motion. Motion carried.

Representative Wunsch made a motion to report HB 2141 adversely as amended, Representative King seconded the motion. The motion carried.

The Committee turned the discussion to HB 2020 which would suspend the levy limitations for one year and would then be raised sufficiently to compensate for the farm machinery and aircraft exemptions.

Representative Rolfs made a conceptual motion to include a sunset in HB 2020 that would take effect on December 31, 1986. Representative Frey seconded the motion. Motion carried.

Representative King made a motion to report HB 2020 favorable for passage as amended and Representative Schmidt seconded the motion.

Representative Barkis made a substitute motion to delete "in the aggregate" on line 025 of HB 2020. Representative King seconded the motion. The motion carried.

Representative King made a motion to report HB 2020 favorable for passage as amended and Representative Schmidt seconded the motion. The motion failed.

Representative Erne made a motion to report HB 2020 adversely as amended and Representative Spaniol seconded the motion.

Representative Leach made a substitute motion that HB 2020 be tabled. Representative Schmidt seconded the motion. The motion carried.

The meeting was adjourned.

HOUSE BILL No. 2141

By Representative Shelor

1-28

ATTACHMENT I

0016 AN ACT relating to property taxation; providing for notice to
0017 landowner of delinquent taxes on a mineral interest. severed

0018 *Be it enacted by the Legislature of the State of Kansas:* severed mineral interest

0019 Section 1. Whenever property taxes levied against any oil or
0020 gas leasehold interest or well become delinquent, the county subject to sale for delinquent taxes

0021 treasurer of the county in which such property is located shall clerk

0022 provide to the landowner of record of the land which is subject to
0023 such leasehold or on which such well is situated written notifi- severed mineral interest

0024 cation of such delinquency. sale

0025 Sec. 2. This act shall take effect and be in force from and after
0026 its publication in the statute book.

ATTACHMENT I
(2-14-83)