

MINUTES OF THE HOUSE COMMITTEE ON ASSESSMENT AND TAXATIONThe meeting was called to order by Representative Jim Braden at
Chairperson11:45 a.m./~~p.m.~~ on April 25, 1984 in room 526S of the Capitol.

All members were present except: Representative Larry Erne.

Committee staff present:

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

Conferees appearing before the committee:

The Chairman offered a brief explanation of Senate Bill No. 866 which amends K.S.A. 12-197 to add a new subsection (b) to the statute. The new subsection authorizes the City of Anthony to adopt an ordinance pledging, for a time certain, all or a portion of any revenues from a city sales tax for the operation and maintenance of a hospital district of which the city is a part. The new subsection further provides that any ordinance adopted to repeal the revenue pledge is not subject to K.S.A. 12-137, the statute which concerns ordinances relating to the levying of taxes under the home rule authority of cities.

Representative Rolfs made a motion that Senate Bill 866 be amended by the contents of the attached committee report. (Exhibit I) Representative Aylward seconded the motion. The motion carried.

Representative King made a motion that Senate Bill No. 866 be reported favorable for passage as amended and Representative Ott seconded the motion. The motion carried.

The Chairman then called for discussion on Senate Bill No. 875 which would amend K.S.A. 1983 Supp. 12-191 regarding the situs of cable television services for purposes of local sales taxation. Under the bill, the situs of the cable television service would be the situs of the subscriber billed therefor. Currently, such services are deemed to have a situs at the place of business. The provisions of S.B. 875 are identical to those of H.B. No. 2973 (as amended by the House) which had been stricken from the Senate calendar.

Representative Rolfs made a motion that Senate Bill No. 875 be reported favorable for passage and Representative King seconded the motion. The motion carried.

The Chairman then asked the committee to discuss House Bill No. 876 which would amend the Kansas Retailers' Sales Tax Act regarding the sales tax treatment of purchases by political subdivisions other than schools or educational institutions, and to grant a sales tax refund for the sales tax paid on certain manufacturing machinery and equipment.

Representative Crowell made a motion that Senate Bill No. 876 be reported favorable for passage and Representative Ott seconded the motion.

Representative Jarchow made a substitute motion that Senate Bill No. 876 be amended to exempt food at the grocery store and raise the sales tax by 1/2 percent. The motion would also do away with the \$20 credit for poor food purchasers. The motion was seconded by Representative Reardon. The motion failed.

The Chairman then called for the vote on the original motion to report Senate Bill No. 876 favorable for passage. The motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ASSESSMENT AND TAXATION,
room 526S, Statehouse, at 11:45 a.m. ~~p.m.~~ on April 25, 1984.

Representative Aylward made a motion that Senate Bill No. 871 be removed from the table for discussion. Representative Fry seconded the motion. Senate Bill 871 would amend K.S.A. 79-1412a to prohibit the use of guides promulgated by the Director of Property Valuation on or after August 26 in establishing values for any property in the current tax year, unless the County Board of Equalization determines and certifies to the county appraiser that the change is in the best interest of the county and taxing subdivisions and that the change will not disrupt the orderly and timely execution of budgetary and taxing procedures. When put to a vote, the motion failed.

Representative Rolfs made a motion that Senate Bill 817 be removed from the table for discussion and Representative Vancrum seconded the motion. Senate Bill 817 would enact a new statute to impose a tax lien on personal property which is used for ubsiness purposes when that property is voluntarily surrendered or transferred after the property has been assessed for property tax purposes (January 1) but before the property tax has been paid. The county treasurer would immediately issue a tax warrant for such property and the sheriff would collect the warrant. The lien would expire in three years if the taxes were still uncollected after that time. When put to a vote, the motion passed.

Representative Vancrum made a motion that Senate Bill 817 be reported favorable for passage and Representative Aylward seconded the motion. The motion carried.

The meeting was adjourned.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Assessment and Taxation

Recommends that Senate Bill No. 866

"AN ACT concerning cities and counties; relating to the Kansas retailers' sales tax; amending K.S.A. 12-197 and repealing the existing section."

Be amended:

On page 1, by striking all in lines 21 through 40; in line 41, by striking all before "for" and inserting a new section as follows:

"Section 1. The city of Anthony, Kansas, may expend money from its general fund";

Also on page 1, in line 43, by striking all following the period; by striking all in lines 44 and 45;

On page 2, by striking all in line 46;

By renumbering section 3 as section 2;

In the title, in line 17, following "concerning", by inserting "certain"; also in line 17, by striking all following "cities"; by striking all in line 18; in line 19, by striking all before the period and inserting "; authorizing the expenditure of general fund money for certain purposes"

And the bill be passed as amended.

Chairperson