

Approved 4-26
Date

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs

The meeting was called to order by Senator Edward F. Reilly, Jr. at
Chairperson

1:30 ~~am~~/p.m. on April 25, 1990 in room 254-E of the Capitol.

All members were present ~~except~~:

Committee staff present:

Mary Galligan, Legislative Research
Deanna Willard, Committee Secretary

Conferees appearing before the committee:

Senator Jack Steineger
Mark Wettig, Department of Revenue

Senator Steineger made a request for a bill introduction that would amend SB 332, KSA 79-1460. He said lawmakers thought they were voting a one-year moratorium on property tax, but that in many counties, county assessors have sent out new valuation notices which have increased valuation over last year. He said this amendment to SB 332 would clearly state what most thought was the case. For the year 1990, county appraisers may not increase valuations unless they are occasioned by (1) new construction on property, or (2) change of use. Otherwise, the appraiser must make application to the Board of Tax Appeals. (Attachment 1)

A motion was made by Senator Vidricksen and seconded by Senator Strick to introduce the bill. The motion carried.

The Chairman requested of the Senate President that the bill be referred to this committee.

Mark Wettig, Department of Revenue, made a bill request for a technical amendment to the commercial driver's license act. (Attachment 2)

A motion was made by Senator Bond and seconded by Senator Yost that the bill be introduced and sent directly to the Senate Committee of the Whole. The motion carried.

Action on: SB 69 - an act concerning bingo

A motion was made by Senator Anderson and seconded by Senator Strick to amend into SB 69 the provisions of SB 609 which has been tabled in the House. The motion carried.

The meeting was adjourned at 2:00 p.m.

SENATE BILL NO. _____

By Committee on

AN ACT concerning property taxation; concerning the valuation of property for purpose of taxation for the year 1990; concerning 1990 change of value notices of real property; amending; amending K.S.A. 79-1460, as amended by section 5 of 1990 Senate Bill No. 332, and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 79-1460, as amended by section 5 of 1990 Senate Bill No. 332, is hereby amended to read as follows: 79-1460. The county appraiser shall notify each taxpayer in the county annually on or before April 1 for real property and May 1 for personal property, by mail directed to the taxpayer's last known address, of any change in the classification or appraised valuation of the taxpayer's property, ~~except that, for tax year 1990, such notices shall be mailed on or before April 16 for real property, and the valuation for all real property shall not be increased and notices need not be sent unless such notice is requested by the taxpayer or an increase in the appraised valuation of the real property occurs due to a specific review thereof, including an individual physical inspection of such property by the county or district appraiser provided that no such inspection shall be required to change the valuation of land devoted to agricultural use.~~ For the purposes of this section and in the case of real property, the term "taxpayer" shall be deemed to be the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk. Such notice shall specify separately both the previous and current appraised and assessed values for the land and buildings situated on such lands, ~~in the year following the year in which valuations~~

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~~for-tangible-property-established-under-the-program-of--statewide reappraisal--are-applied-as-a-basis-for-the-levy-of-taxes, and-in each-year-thereafter, such-notice~~ and shall include the most recent county sales ratio for the particular subclass of property to which the notice relates, except that no such ratio shall be disclosed on any such notices sent in any year when the total assessed valuation of the county is increased or decreased due to reappraisal of all of the property within the county. Such notice shall also contain a statement of the taxpayer's right to appeal and the procedure to be followed in making such appeal. Failure to receive such notice shall in no way invalidate the classification or appraised valuation as changed.

New Sec. 2. (a) Notwithstanding any other provision of law no county appraiser shall certify an appraised value of any real property upon the appraisal rolls for the levy of taxes for the tax year 1990 which exceeds the appraised value of such real property utilized for the levy of taxes for tax year 1989, unless such increase in valuation is due to improvements made in or upon such property or change in use thereof. The correction of an error in valuation or other circumstances increasing the value of any such property shall be approved by the state board of tax appeals after notice to the taxpayer and hearing thereon. County appraisers are hereby authorized to make application to the state board of tax appeals for such purposes.

(b) Any notice mailed to a taxpayer for tax year 1990 increasing the valuation of real property over the valuation for such property utilized for the purpose of the levy of taxes in tax year 1989 is hereby declared to be void unless such notice reflects an increase in valuation for such property due to improvements constructed thereon, a change in use or the correction of an error in valuation approved by the board of tax appeals upon submission thereof by the county appraiser.

Sec. 3. K.S.A. 79-1460, as amended by section 5 of 1990 Senate Bill No. 332, is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

BILL NO. _____

AN ACT amending the uniform commercial driver's license act; amending K.S.A. 1989 Supp. 8-2,132 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 1989 Supp. 8-2,132 is hereby amended to read as follows: 8-2,132. (a) On and after April 1, 1992, except when driving under a commercial class A, B or C or class A or B instruction permit or a valid class C license and accompanied by the holder of a commercial driver's license valid for the vehicle being driven, no person may drive a commercial motor vehicle unless the person has a valid commercial driver's license and is in immediate possession thereof and applicable endorsements valid for the vehicle they are driving, except that no person charged with violating this subsection shall be convicted if such person produces in court or the office of the arresting officer a driver's license issued to such person and valid at the time of the arrest.

(b) No person shall drive a commercial motor vehicle while their driving privilege is suspended, revoked or canceled, while subject to a disqualification or in violation of an out-of-service order.

(c) Any commercial driver in violation of this section shall be guilty of a class B misdemeanor.

Sec. 2. K.S.A. 1989 Supp. 8-2,132 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

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