

MINUTES OF THE HOUSE COMMITTEE ON TAXATION

The meeting was called to order by Vice Chairperson Gary Hayzlett at 3:45 p.m. on April 27, 1996 in Room 313-S of the Capitol.

All members were present except: Rep. Empson

Committee staff present: Chris Courtwright, Legislative Research Department
Tom Severn, Legislative Research Department
Don Hayward, Revisor of Statutes

Conferees appearing before the committee: none

Others attending: None available

Vice Chairperson Hayzlett opened the floor for action on:

S.B. 447 - Adult care home property tax exemption

This bill expands the property tax exemption to accommodate Villa St. Joseph Home in Johnson County, a skilled nursing facility.

Moved by Representative Larkin, seconded by Representative Aurand, to insert the provisions of H.B. 2823 relating to the requirement that a county appoint a full-time appraiser. On voice vote, the motion carried.

Moved by Representative Larkin, seconded by Representative Aurand, to insert the provisions of H.B. 3049 relating to determining the cost of certain business machinery and equipment purchased used when the original cost is not known. There was a question of staff, who said that the only policy change was in lines 22 and 26 of the bill as printed, and that all of the other changes were "clean-up." On voice vote, the motion carried.

Moved by Representative Franklin, seconded by Representative Vickrey, to incorporate the provisions of S.B. 438, exempting nursery machinery and equipment from property tax. On division, the motion carried 9 - 8.

Moved by Representative McKinney to incorporate the provisions of H.B. 2786 relating to the burden of proof for appraisals. He withdrew his motion.

Moved by Representative Graeber, seconded by Representative Donovan, to insert the floor amendment to S.B. 454 that dealt with the burden of proof issue. Following discussion, Representative Graeber modified his motion, with the consent of Representative Donovan, to remove that part of the language binding the State Board of Tax Appeals by stipulation. On voice vote, the motion carried.

Representative Pugh moved to insert the provisions of Senate Bill 425 relating to a local option sales tax authority for Wabausee County for a refuse transfer station. Following discussion about a sales tax amendment to Senate Bill 447, the motion was withdrawn.

Moved by Representative Graeber, seconded by Representative Mays, to insert the language of H.B. 2625 concerning the appraisal of homestead properties. Representative McKinney suggested additional language to remove such properties from the sales ratio study. Representative Graeber suggested that such sales probably would be excluded by the county appraiser. On voice vote, the motion carried.

Moved by Representative Powell, seconded by Representative Pottorff, to insert the language of original S.B. 41, which also was part the amendments to S.B. 275, that require payment of 12 percent interest on refunds of property tax ordered by the State Board of Tax Appeals or a court.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON TAXATION, ROOM 519-S Statehouse, at 9:00 a.m. on April 27, 1996.

Substitute motion by Representative Larkin, seconded by Representative McKinney, to recommend that S.B. 447 be passed as amended. On division, the substitute motion failed 8 -12.

Substitute motion by Representative Vickrey, seconded by Representative Larkin, to insert the language of H.B. 2596 which permits payment of the uncontested portion of the property tax bill, with interest on any additional tax paid later. On division, the motion carried 13 - 7.

Moved by Representative Pettey, seconded by Representative Goodwin, to insert the provisions of H.B. 2513, authorizing a Wyandotte county land bank.

Substitute motion by Representative Aurand, seconded by Representative Powell, to recommend S.B. 447, as amended, for passage. . Staff was asked if the property tax exemption language of S.B. 447 relating to adult care homes was retroactive to 1985. Staff responded that the language was effective as of 1985. Representative Aurand withdrew his motion, with the consent of Representative Powell.

On voice vote, Representative Pettey's motion authorizing a Wyandotte county land bank carried.

Vice-Chairman Hayzlett relinquished the chair to Chairman Kline.

Moved by Representative Graeber, seconded by Representative Powell, to insert the provisions of H.B. 2655 to exclude transportation, sales tax, and installation from "retail cost when new." Following discussion about the current year's appraisals, Representative Graeber modified his motion, with the consent of Representative Powell, to make the change effective 1997. Staff was asked if the bill applied only to property purchased after the effective date and staff responded that it applied to everything as of the effective date. On voice vote, the motion carried.

Moved by Representative Pettey, seconded by Representative Goodwin, to amend S.B. 447 as discussed during the hearing in the committee. On voice vote, the motion carried.

Moved by Representative Hayzlett, seconded by Representative Aurand, to insert the provisions of H.B. 2706, to permit certain exempt property to be leased to more kinds of health care providers while retaining its property tax exempt status. On voice vote, the motion carried.

Moved by Representative Graeber, seconded by Representative Larkin, to insert the provisions of S.B. 539, extending the local property tax lid, for one year. On voice vote, the motion carried.

Moved by Representative Donovan, seconded by Representative Franklin, to recommend S.B. 447, as amended, for passage. On voice vote, the motion carried.

The next meeting is scheduled for April 29 , 1996.

Adjournment.