

Approved:

Date

MINUTES OF THE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Roger Reitz at 9:30 a.m. on January 30, 2012 in Room 159 S of the Capitol. The minutes of the previous meetings were read. Senator Marshall moved to approve the minutes. Senator Kultala seconded the motion. The minutes were approved.

All members were present except:

Senator Pete Brungardt, excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Jill Shelley, Kansas Legislative Research Department
Laura Jurgensen, Kansas Legislative Research Department
Noell Memmott, Committee Assistant

Conferees appearing before the committee

Mary Buhl, Assistant County Counselor, Johnson County
Cindy Harmison, Lenexa City Attorney
Kathleen A. Taylor, Kansas Bankers Association
Kathryn Myers, Assistant County Counselor Johnson County
Janis Lee, Kansas State Court of Tax Appeals
Luke Bell, Vice President of Governmental Affairs, Kansas Association of Realtors
Daniel Murray, Kansas State Director National Federation of Independent Business

Senator Huntington gave brief remarks on **SB 346–Sale of property for delinquent taxes; changes.** Mike Heim, revisor explained the bill deals with judicial closure with taxes and limits who can purchase at tax sale. Mary Buhl, Assistant County Counselor, Johnson County, testified in support of **SB 346.** She noted the bill is intended to assist Kansas counties with the collection of delinquent real estate taxes by amending existing statutes. These statutes relate to who can bid at delinquent real estate tax foreclosure auctions, and to whom the successful bidder may deed the property. (attachment 1) Cindy Harmison, Lenexa City Attorney gave examples of the negative impacts of the current law as amended in 2003. **SB 346** would prevent mortgage holders from bidding at tax auction. (attachment 2) Kathleen Taylor representing Kansas Bankers Association spoke in opposition to **SB 346.** The Kansas Bankers Association believe it is unlawful to prohibit a party with a valid, consensual interest in real state, from participating in a process to protect its interest in that property. (attachment 3)

The hearing was closed.

The hearing opened on **SB 347–Court of tax appeals; filing fees; municipalities exemption.** Mike Heim reviewed the bill. Kathryn Myers, Assistant County Counselor, Johnson County, Kansas testified in favor of **SB 347.** The bill would ensure consistency by extending the exemption from filing fees to all state courts. (attachment 4) Janis Lee, Chief Hearing Officer, Kansas State Court of Tax Appeals testified as a neutral party. She noted if the bill were to be approved, the Court would be left with two options:

To again increase the filing fees for those entities who will be left to bear the burden; or, Cut staff dramatically, resulting in the potential of not having an independent and impartial arbitrator, COTA available in a timely fashion to the taxpayers of Kansas which would be very detrimental to the taxpayers of our state. (attachment 5)

Luke Bell, Vice President of Governmental Affairs, Kansas Association of Realtors testified in opposition to **SB 347.** He testified that if the bill would pass, **SB 347** would provide local governments with a “free pass” in deciding whether or not to make appeals to the Kasas Court of Tax Appeals. At the same time, filing fees on taxpayers ould most likely need to be significantly increased in order to compenstate for the loss in funding from filing fees fro the Kansas Court of Tax Appeals resulting from the exemption fro local governments. (attachment 6) Written testimony in opposition to **SB 347** was submitted by Daniel Murray, Kansas State Director, National Federation of Independent Business.

The hearing was closed.

The meeting was adjourned at 10:30 a.m.

The next meeting will be Tuesday, January 31st.

CONTINUATION SHEET

Minutes of the Senate Local Government Committee at 9:30 a.m. on February 22, 2011 in Room 159 S of the Capitol.