

Approved: 3-8-94
Date

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson David Corbin at 10:00 a.m. on February 25, 1994 in Room 423-S of the Capitol.

All members were present except:

Committee staff present: Raney Gilliland, Legislative Research Department
Jill Wolters, Revisor of Statutes
Lila McClafin, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Chairperson Corbin continued the Committee discussion on SB 600 - concerning the term of exemption of certain property contiguous to dams and reservoirs. Staff was called on to review a balloon draft (Attachment 1) of the amendments suggested at the meeting of February 24. Committee discussion followed.

A motion was made by Senator Steffes to adopted the amendments as presented in the balloon draft. Senator Downey seconded the motion. Discussion followed on the balloon. The consensus of the Committee was that it would not be right for a project that came on line during the 10 years to receive only a portion of the ten year exemption. Senator Steffes withdrew his motion, and Senator Downey withdrew her second. A conceptual motion was made by Senator Sallee to amend the bill to exempt the easements which were originally exempted pursuant to subsections (a) and (b) prior to the 1994 tax year shall be exempt for the taxable years 1994 through 2003. Any easements which are granted an exemption in tax years 1994 through 2003 shall be exempt for a period of 10 years after the date of the original certification of the project. The motion was seconded by Senator Downey. Committee discussion followed. A member of the Committee recommended a summer interim. The question was called for and the motion carried.

The Chairperson opened the Committee discussion on SB 689 - concerning the water protection fee; regarding commercial fish farming. Committee consensus was to keep the bill in committee.

The meeting adjourned.

The next meeting will be scheduled for the week of March 7, 1994.

GUEST LIST

COMMITTEE: Senate Agriculture

DATE: 2/25/94

[illegible]

SENATE BILL No. 600

By Committee on Agriculture

1-25

AN ACT relating to property taxation; concerning the term of exemption of certain property contiguous to dams and reservoirs; amending K.S.A. 79-201g and repealing the existing section.

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

Section 1. K.S.A. 79-201g is hereby amended to read as follows: 79-201g. The following described property, to the extent herein specified, shall be and is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas:

(a) All real property which is contiguous to and a part of the same tract of land upon which a dam or reservoir has been constructed and certified by the chief engineer of the division of water resources in compliance with requirements and specifications prescribed by K.S.A. 82a-405 *et seq.*, and amendments thereto, in an amount equal to the increase in the value of such real estate resulting from the construction of such dam or reservoir and in addition thereto an amount computed according to the following schedule:

First ten acre-feet of storage capacity.....	\$100 per acre-foot
Next five acre-feet of storage capacity	300 per acre-foot
Next five acre-feet of storage capacity	200 per acre-foot
Next five acre-feet of storage capacity	100 per acre-foot
Remaining acre-feet of storage capacity	50 per acre-foot

The total amount of the exemption for any single tract of land shall not exceed ~~five thousand dollars (\$5,000)~~ \$5,000 or ~~forty percent (40%)~~ 40% of the assessed value thereof whichever is the lesser. No exemption shall be granted hereunder unless the landowner shall apply to the chief engineer of the division of water resources for certification of any dam or reservoir within one year after actual completion thereof. ~~Such exemption shall be applicable to such property for a period of ten (10) years each taxable year that such dam or reservoir is maintained in a condition satisfactory to the chief engineer after the original certification of the dam or reservoir; and~~

(b) All real property which is contiguous to and a part of the same tract of land upon which a dam or reservoir has been constructed and certified by the chief engineer of the division of water

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Attachment 1
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1 resources in compliance with requirements and specifications pre-
2 scribed by K.S.A. 82a-405 *et seq.*, and amendments thereto, the
3 owner of which at the time of such certification donated to the state
4 or to any of its agencies or subdivisions land or easements or right-
5 of-way for such erection or maintenance of such dam or reservoir
6 in an amount equal to twice the assessed value of the land or ease-
7 ments or right-of-way donated. Such exemption shall be based upon
8 a specific description of the land donated, excluding any land the
9 elevation of which is higher than the top of the dam, as prepared
10 and provided by the chief engineer and the assessed value thereof,
11 as determined by the county assessor *appraiser*, for the year in
12 which the exemption is first granted. No exemption shall be granted
13 hereunder unless the landowner shall apply to the chief engineer of
14 the division of water resources for certification of such dam or res-
15 ervoir and a description of the land donated within five (5) years
16 after actual completion of the dam or reservoir or within two (2)
17 years after such land is listed for taxation if such land was exempt
18 from taxation under the laws of the state of Kansas at the time of
19 the completion of the dam or reservoir whichever is later. ~~Such~~
20 exemption shall be applicable to such property for a period of
21 twenty (20) years after the original certification of such dam or
22 reservoir by the chief engineer except that if the landowner
23 shall apply for such exemption more than two (2) years after
24 the actual completion of the dam or reservoir such exemption
25 shall be applicable to such property for a period of twenty (20)
26 years after the date of the actual completion of the dam or
27 reservoir ~~each taxable year that such dam or reservoir is maintained~~
28 ~~in a condition satisfactory to the chief engineer after the original~~
29 ~~certification of the dam or reservoir.~~

30 The provisions of this section shall apply to all taxable years com-
31 ~~mencing after December 31, 1974.~~

32 Sec. 2. K.S.A. 79-201g is hereby repealed.

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

(c) Real property which was originally exempted pursuant to subsections (a) and (b) prior to the 1994 tax year shall be exempt for the taxable years 1994 through 2003, as long as such dam or reservoir is maintained in satisfactory condition to the chief engineer, and real property which is granted an exemption in tax years 1994 through 2003 shall be exempt for taxable years ending before January 1, 2004, as long as such dam or reservoir is maintained in satisfactory condition to the chief engineer. Nothing in this subsection shall be deemed to require a refund of property tax imposed upon real property the exemption for which is restored pursuant to this subsection.

The provisions of this section shall expire on January 1, 2004.