

Approved: February 10, 1994
Date

MINUTES OF THE SENATE COMMITTEE ON ASSESSMENT AND TAXATION.

The meeting was called to order by Chairperson Audrey Langworthy at 11:08 a.m. on February 9, 1994 in Room 519-S of the Capitol.

Members present: Senator Langworthy, Senator Tiahrt, Senator Martin, Senator Bond, Senator Corbin, Senator Feleciano Jr., Senator Hardenburger, Senator Lee, Senator Reynolds, Senator Sallee, Senator Wisdom

Committee staff present: Tom Severn, Legislative Research Department
Chris Courtwright, Legislative Research Department
Bill Edds, Revisor of Statutes
Don Hayward, Revisor of Statutes
Elizabeth Carlson, Committee Secretary

Conferees appearing before the committee: Senator Don Sallee

Others attending: See attached list

APPROVAL OF MINUTES

Senator Tiahrt moved to approve the minutes of February 9, 1994. Senator Sallee seconded the motion. The motion carried.

INTRODUCTION OF BILLS

Senator Martin requested the introduction of a bill concerning income taxation of retirement benefits.

Senator Martin moved to introduce this bill. The motion was seconded by Senator Corbin. The motion carried.

SB 637--SPECIAL FUEL EXEMPTION PERMIT, FEE

Senator Don Sallee had requested the introduction of SB 637 and he explained to the committee the reason for it. (Attachment 1) He said according to this bill the application could be taken by the dealer at the time of distribution of heating oil to the customer. He said this would make it easier for the people who use oil for heating. Many of the customers in his district are elderly and this would help them.

There were questions from the committee if this would cause a large loss of revenue. Senator Sallee said this would only apply for individuals who are using oil for heating. He did not think it would be a problem since there are not a large number of people still using heating oil. The permit is granted for three years.

Senator Sallee moved to pass SB 637 favorably. The motion was seconded by Senator Feleciano. The motion carried.

SB 620--REFUNDS OF PROTESTED PROPERTY TAX; INTEREST; ATTORNEY FEES AND COURT COSTS

Senator Langworthy asked for discussion on SB 620. She asked Senator Sallee if he was willing to have the bill modified and he said he was. The committee had questions regarding the interest issues and they said this should be looked at. The statement was made that the counties do not want to be put in a position to have to come up with the interest. However, many people have been delayed in the appeals process and often there is a large amount of money involved. There should be some way to expedite these matters so that it would not

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ASSESSMENT AND TAXATION, Room 519-S
Statehouse, at 11:08 a.m. on February 9, 1994.

be such a lengthy process. There were questions whether or not the delays were caused by the counties or the Board of Tax Appeals. There should be some way of putting pressure to get these cases settled. There was discussion of the bill to reorganize the Board of Tax Appeals and maybe at that time there could be a time limit put on the settlement of the appeals process. The Board of Tax Appeals should be looked at also. The committee felt the theory behind the bill is good but it does not solve the entire problem.

Senator Sallee said if he was given some time he may be able to work something out in the bill.

The discussion ended on **SB 620**.

The meeting adjourned at 11:40 a.m.

The next meeting is scheduled for February 10, 1994.

DATE: 2-8-94

[illegible]

STATE OF KANSAS

DON SALLEE
SENATOR, FIRST DISTRICT
ATCHISON, BROWN, DONIPHAN, JACKSON
AND POTTAWATOMIE COUNTIES
R.R. 2
TROY, KANSAS 66087



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS
CHAIRMAN: ENERGY AND NATURAL RESOURCES
CHAIRMAN: JOINT COMMITTEE ON RULES
AND REGULATIONS
MEMBER: AGRICULTURE
ELECTIONS
TAX
STATE RULES AND REGULATIONS

February 9, 1994

Honorable Senators Langworthy, Chairperson, Tiahrt, Bond, Corbin,
Hardenburger, Reynolds, Sallee, Martin, Feleciano, Lee, Wisdom
Senate Assessment and Taxation Committee
Statehouse
Topeka, KS 66612

Dear Senators:

I wish to thank you for the opportunity to appear before you concerning
Senate Bill No. 637.

This problem developed when home heating oil was classified the same as
diesel fuel and taxed as motor fuels used on the highway.

Senate Bill 637 simplifies the permitting process. It does this by
allowing the dealer to hand deliver the necessary form, obtain their
signature and fill it out for them, thereby relieving them of the necessity
of paying the tax as well as relieving them of paying the \$10 fee. Many of
these customers are elderly and without this bill the conditions of
complying work a considerable hardship on them.

Don Sallee
State Senator
District One

DS:cw

*Senate Assess + Tax
February 9, 1994
attach 1-1*