

MINUTES OF THE SENATE ASSESSMENT AND TAXATION COMMITTEE

The meeting was called to order by Chairman Barbara Allen at 10:40 A.M. on January 24, 2005 in Room 519-S of the Capitol.

Committee members absent: Senator Derek Schmidt - excused

Committee staff present: Chris Courtwright, Kansas Legislative Research
Martha Dorsey, Kansas Legislative Research
Gordon Self, Revisor of Statutes Office
Nancy Kirkwood, Secretary

Conferees appearing before the committee: Jerry, Slaughter, Kansas Medical Society
Terry Roberts, Kansas State Nurses Assn
Kathy Porter, Judicial Branch
Kathy Damron, Kansas Assn of Realtors
Jim Clark, Kansas Bar Assn
Jane Hart, Kansas Trial Lawyers
Sharon Munk, Kansas Pet Breeder
Written testimony
Trudy Aron, American Institute of Architects
Becky Mosshart, USDA and KAHD licensed kennel, Nashville, KS
Marlee Carpenter, The Kansas Chamber
E-mails
Bruce Marcotte, Concordia, KS
David Gebers, Belleville, KS
Rose Gebers, Belleville, KS
Velma Kirk, Belleville, KS
Janie Marcott, Belleville, KS
M. A. Phillips, Florence, KS
Melody Cassell, Wichita, KS
Charla Cassell, Belleville, KS
Crystal Cassell, Lawrence, KS
Mike Regnier, Marion, KS
Jack Regnier, Marion, KS
Lyle Hanschu, Lost Springs, KS
Ryon Lindgren, Marion, KS
Ray Lindgren, Marion, KS
Kara Lindgren, Marion, KS
Karole Lindgren, Marion, KS
Rocky Lindgren, Marion, KS

Others attending: See attached list.

Continued hearing on:

SB 15 – Delinquent taxes and returns; professional license issuance and renewal

Chairperson Allen brought the committee's attention to the continued hearing on **SB 15** by recognizing Jerry Slaughter, Kansas Medical Society, appearing as a neutral conferee. Jerry asked the committee to consider extending the time frames set out in the bill. The initial notification by licensing agencies to the Secretary should be not less than 120 days prior to the expected issuance of the renewal license (Attachment 1).

There being no others to testify as neutral to **SB 15**, the Chair moved to the opponents of the bill.

Opponent Kathy Porter, Office of Judicial Administration, testified the Supreme Court has serious concerns about the constitutional implication inherent in **SB 15** (Attachment 2).

CONTINUATION SHEET

MINUTES OF THE Senate Assessment and Taxation Committee at 10:30 A.M. on January 24, 2005 in Room 519-S of the Capitol.

Kathy Damron , representing the Kansas Association of Realtors, spoke in opposition to **SB 15**. Kathy stated the Realtors and other professional licensees included in **SB 15** should not be denied their ability to practice their profession should they find themselves in dispute with the Department of Revenue regarding taxes owed to the state (Attachment 3).

The Chair recognized Jim Clark, Legislative Counsel, Kansas Bar Association. Jim addressed the committee in opposition to **SB 15** (Attachment 4).

Russell Peterson spoke in opposition to **SB 15** on behalf of the Kansas Trial Lawyers Association. Russell stated the KTLA believes that inclusion of attorneys in the provision of **SB 15** violates a ruling of the Kansas Supreme Court which gives exclusive power over the admission and disbarment of a practicing lawyer to the courts (Attachment 5).

Chairperson Allen recognized opponent Sharon Munk, Licensed Pet Breeder , to the Committee. Sharon asked on behalf of the Kansas Pet Professionals that the committee contemplate each of the licensing bodies individually, and that the Committee remove from the bill the licensing bodies that have a trickle down effect on more than just the person who is delinquent (Attachment 6).

Chairperson Allen asked the Committee to note written testimony in opposition to **SB 15** as well as the e-mails it has received. They are as follows:

Trudy Aron, Executive Director, AIA (Attachment 7); Marlee Carpenter, The Kansas Chamber (Attachment 8); Terri Roberts, Kansas State Nurses Association (Attachment 9); Kevin Robertson, Kansas Dental Association, (Attachment 10); Pam Scott, Kansas Funeral Director Association, (Attachment 11); Becky Mosshart, USDA and KAHD licensed kennel, (Attachment 12); e-mails from: Bruce Marcotte, Concordia, KS (Attachment 13); David Gebers, Belleville, KS, (Attachment 14); Rose Gebers, Belleville, KS, (Attachment 15); Velma Kirk, Belleville, KS, (Attachment 16); Janie Marcott, Belleville, KS, (Attachment 17); M. A. Phillips, Florence, KS, (Attachment 18); Melody Cassell, Wichita, KS, (Attachment 19); Charla Cassell, Belleville, KS, (Attachment 20); Crystal Cassell, Lawrence, KS, (Attachment 21); Mike Regnier, Marion, KS, (Attachment 22); Jack Regnier, Marion, KS, (Attachment 23); Lyle Hanschu, Lost Springs, KS, (Attachment 24); Ryon Lindgren, Marion, KS, (Attachment 25); Ray Lindgren, Marion, KS, (Attachment 26); Kara Lindgren, Marion, KS, (Attachment 27); Karole Lindgren, Marion, KS, (Attachment 28); Rocky Lindgren, Marion, KS, (Attachment 29);

The Chair asked for any others wanting to testify as opponents . There being none, the Chair closed the hearing on **SB 15**.

Secretary Wagon asked the Committee for another week before it began working **SB 15**. She stated the Department needed more time to work on organizational structure issues. Secretary Wagon asked the Chair if it would benefit the committee to provide a flow chart on who would be affected, how it works, and what the time lines are. Chairperson Allen welcomed any information the Department could provide, and stated the Committee had no plans to work **SB 15** this week.

At the hearing on January 20, 2005, the Chair requested the Department of Revenue to provide tax clearance information for states. Secretary Wagon stated the Department had made the request and would make it available to the Committee as soon as it is received. The Department had furnished Senator Apple his request for the fiscal note on trust taxes. The Chair said the Committee would be furnished copies of the request of Senator Apple.

Chairperson Allen asked for bill introductions. Senator Apple asked for a committee bill stating Miami County had passed a quarter cent sales tax for improvement of roads and bridges. When the journal came out the language needed clarification. Senator Apple moved to introduce legislation, seconded by Senator Donovan. The motion carried.

The meeting adjourned at 11:30 a.m. The next scheduled meeting is Tuesday, January 25, 2005.