



Testimony to Senate Federal and State Affairs Committee

SB 86 – Kansas Transparency Act

February 11, 2015

James Franko, Vice President and Policy Director

Chairman Ostmeyer and members of the Committee:

We appreciate the opportunity to provide this testimony today in support of SB 86, which would allow citizens to get live broadcasts of some committee meetings.

While we fully support this concept, we also encourage you to expand the proposal before you today to, 1) more rapidly make this service available, and, 2) ensure that all legislative proceedings are available for broadcast.

Our recommendation to expand the bill to include all committee rooms plus the House and Senate floor would certainly increase the fiscal note, but we also have a recommendation to fully fund the cost. The Department of Revenue has a group of funds with cash balances set aside to make a variety of tax refunds; the collective total is \$1.349 million. The balances in these funds are not necessary because tax refunds are netted against tax receipts rather than being considered an 'expense' to the Department. The full balance of these funds could be swept into the General Fund without any impact on the operations of the Department of Revenue. I would also point out that the Department of Revenue has previously indicated that the fund balances could be zeroed out and swept into the General Fund without impacting department operations, provided that KDOR is given statutory authority to write refund checks directly against the General Fund.

KDOR Tax Refund Cash Reserves

Fund Name	FY2014
PRIVILEGE TAX RFD FD	\$ 100,000
CIGARETTE TAX REFUND FD	\$ 10,000
MOTOR-VEHICLE FUEL TAX RFD FD	\$ 300,000
INCOME TAX REFUND FD	\$ 802,072
SALES TAX REFUND FD	\$ 100,000
COMPENSATING TAX REFUND FD	\$ 10,000
ALCOHOLIC LIQUOR TAX REFUND FD	\$ 10,000
MOTOR CARRIER TAX REFUND FD	\$ 5,000
TOBACCO PRODUCTS REFUND FD	\$ 1,000
BINGO REFUND FD	\$ 1,000
ESTATE TAX ABATEMENT RFND FD	\$ 10,000
Sum of Funds	\$ 1,349,072

Source: Kansas Department of Administration

Much of the important work of the Legislature is done in committees. In fact, many bills never make it to the House or Senate floor because of action taken in committees. The citizens of Kansas have a right to know exactly what takes place in this building and you have the technology and funds to provide them with the transparency they deserve.

I would also offer that much of the debate in the current legislative session revolves around budgetary issues and we are sensitive to any call for increased spending. However, a basic transparency measure of letting anyone in the state watch or listen to what their government is doing is a bargain. The fiscal note accompanying this bill is \$111,000 over FY16 and FY17. According to Gov. Brownback's January budget proposal total SGF expenditures in these same years are approximately \$6.2 billion. Comparing \$111,000 to \$6.2 billion is hardly a rounding error while the proposed changes I indicated earlier amount to not much more. Every dollar counts but, again, Kansans should be able to know what is going on with the legislature without traveling to Topeka or relying on media.

We hope you will pass SB 86 out of committee favorably as suggested and thank you again for this opportunity.