

Approved March 17, 1986  
Date

MINUTES OF THE Senate COMMITTEE ON Governmental Organization

The meeting was called to order by Senator Vidricksen at  
Chairperson

1:00 ~~am~~/p.m. on March 10, 1986 in room 531N of the Capitol.

All members were present except:

Senator Bogina  
Senator Gaines

Committee staff present:

Julian Efird - Research  
Arden Ensley - Revisor

Conferees appearing before the committee:

Tim Pinnick - City of Lawrence  
Harley Duncan - Secretary of Revenue

The Chairman called the meeting to order for final discussion and action on the Substitute Bill for HB 2153 and HB 2237.

Tim Pinnick was introduced to the Committee and asked to explain the testing procedure that was used by the City of Lawrence for licensing of the plumbers and electricians. There were several questions raised concerning the grading of these exams being done in the state of Kansas.

Senator Francisco made a motion to allow the cities the discretion to charge more for a non resident to obtain a license than the residents would be charged. This was seconded by Senator Strick. After some discussion Senator Francisco withdrew this motion.

It was pointed out that on page 2 of the substitute bill, section 4, line 7 showed part (3) which should have been listed as part (c). Senator Winter made a motion to have this officially changed. Senator Strick seconded, motion carried.

A motion was then made by Senator Winter and seconded by Senator Strick to recommend the Substitute Bills for HB 2153 and HB 2237 favorable for passage as amended. Motion carried.

Testimony was presented by Harley Duncan in support of SB 715 relating to state contracts and purchases. (Exhibit A) It was stated that this bill would allow the Department of Administration to provide the Director of Purchases information as to whether a bidder is delinquent in taxes and is properly registered for the appropriate taxes without violating confidentially. It was felt that this would be an effective tool in collecting delinquent taxes and insuring that those doing business with the State are conducting their tax affairs properly.

After brief discussion Senator Francisco made a motion to recommend SB 715 favorable for passage. This was seconded by Senator Strick and motion carried.

A motion was then made by Senator Strick to approve the minutes of the March 3rd and March 4th meetings. This was seconded by Senator Frey. Motion carried.

The meeting was then adjourned by the Chairman.

GUEST LIST

COMMITTEE: Senate Governmental Organization

DATE: Mar. 10, 1986

NAME	ADDRESS	COMPANY/ORGANIZATION
Randy Deventham	3209 Stone, Topeka	City Center Electricians
Herbert Whitlow	1401 Lane Topeka	Ks. Phbg Htg Contr.
KEITH BREWER	320 LAURA, Wichita	" " " "
Jacque Dabos	Topeka	Ks PHC Contractors
Allen Tallow	320 LAURA, Wichita, 67211	Ks. PHCC Assn.
Helen Stephens	Topeka	Ks PHC Contractors
Jane Elliott	Topeka	Natl. Elec. Contractors Assoc.
Timothy N. Truitt	Box 708 Lawrence	City of Lawrence
Alfred Roach	Topeka	Division of Purchases
George Barber	Topeka	Ks Consulting Engin

MEMORANDUM

TO: The Honorable Ben Vidricksen, Chairman  
Senate Committee on Governmental Organization

FROM: Harley T. Dungen  
Secretary of Revenue



RE: Senate Bill 715

DATE: March 10, 1986

Thank you for the opportunity to appear before you today on Senate Bill 715. The Department of Revenue supports enactment of this measure.

Current law (K.S.A. 75-3740) provides that the Director of Purchases of the Department of Administration may reject the bid of a vendor who is in arrears on taxes due the State or who has not performed satisfactorily on previous state contracts. Other provisions of law (K.S.A. 79-3234 for income taxes and K.S.A. 79-3614 for sales and excise taxes), however, provide that information obtained from or regarding the filing of tax returns is confidential and is not to be disclosed by the Department except under very limited circumstances which do not include the Director of Purchases. The practical effect is to make the authority of the Director of Purchases to reject bids because of tax delinquency a nullity because the Department is prohibited from releasing the required information.

Senate Bill 715 would amend K.S.A. 75-3740 to allow the Department to provide the Director of Purchases information on whether a bidder is delinquent in his/her taxes and is properly registered for the appropriate taxes without violating the confidentiality statutes governing those taxes. We believe that while it may not be a widely-used procedure, this change can be an effective tool in collecting delinquent taxes and in

insuring that those doing business with the State are conducting their tax affairs properly. If the bill is passed, we would expect to work with the Director of Purchases to develop a procedure that would not slow the conduct of State business and not allow a disclosure of information beyond that required to administer this provision.

Thank you for the opportunity to appear. I would be glad to attempt to answer any questions.