

Approved March 20, 1991
Date

MINUTES OF THE Senate COMMITTEE ON Governmental Organization

The meeting was called to order by Senator Lana Oleen at
Chairperson

1:40 ~~am~~/p.m. on March 11, 1991 in room 531-N of the Capitol.

All members were present except: Senators Oleen, Bogina, Doyen, Francisco, Kanan, Moran
Strick and Vidricksen.

Committee staff present:

Julian Efird, Kansas Legislative Research Department
Fred Carman, Revisor of Statutes
Mary Allen, Committee Secretary

Conferees appearing before the committee:

The meeting of the Senate Committee on Governmental Organization was called to order at 1:40 p.m. by the Chairman, Senator Lana Oleen. The Committee held discussions on bills which it had previously heard.

Senate Bill 2 - Repeal of sunset provision for joint committee on arts and cultural resources.

Senate Bill 3 - Two-year term for chair of joint committee on arts and cultural resources.

The Chairman announced that SB 2 and SB 3 will be held in the Committee.

Senate Bill 114 - Kansas sunset law; continue in existence the state corporation commission.

Chairman Oleen reminded the Committee that it began its review of the Kansas Corporation Commission (KCC) the second week of the Legislative Session. She pointed out that there has been no performance audit or other kind of review made of this agency since the last sunset review eight years ago; further, a new Commissioner has taken his set on the KCC and another new Commissioner will take her seat on that Commission next week. The Chairman recommended that the Committee allow itself additional time for the KCC sunset review by amending SB 114 to extend the date for abolishment of that agency to July 1, 1992 instead of July 1, 1999. Possibilities discussed for additional study of the KCC were to request a performance audit or perhaps an Interim study.

Senator Francisco moved that SB 114 be amended in line 17 by striking the figure "1999" and by inserting in lieu thereof the figure "1992" and that SB 114, as amended, be recommended favorably for passage. Senator Kanan seconded the motion. The motion carried.

Chairman Oleen called for discussion on SB 138.

Senate Bill 138 - Authorizing secretary of administration to lease space and facilities in the state capitol to news services.

Staff discussed a proposed balloon version of SB 138 (Attachment 1) which, he said, would include organizations providing services for lobbyists as ones to pay rent for office and storage space in the capitol. In addition, the balloon version removes the words "for profit" from the bill. Senator Vidricksen, sponsor of the bill, pointed out that Kansas Industries for the Blind is a for profit organization and that it is not his intention that it be charged rent for space in the capitol.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Governmental Organization,
room 531-N, Statehouse, at 1:40 ~~xxx~~ p.m. on March 11, 1991

Senator Vidricksen moved that SB 138 be amended as shown in balloon version B (Attachment 1) of the bill and be further amended by excluding Kansas Industries for the Blind from the bill's provisions. Senator Moran seconded the motion. The motion carried.

Senator Vidricksen moved that SB 138, as amended, be recommended favorably for passage. Senator Bogina seconded the motion. The motion carried.

The Chairman called for discussion on SB 164.

Senate Bill 164 - Election of secretary of agriculture, making state board advisory.

Senator Kanan moved that SB 164 be reported adversely. Senator Doyen seconded the motion. The motion carried.

Chairman Oleen called for discussion of SB 197.

Senate Bill 197 - Storage and disposal of surplus state property.

The Committee's attention was called to some suggested amendments contained in a balloon version of SB 197, presented to the Committee at a previous meeting by Acting Secretary of Administration Arthur Griggs. (Attachment 2)

Senator Vidricksen moved that SB 197 be amended as shown by Acting Secretary of Administration Arthur Griggs' balloon version of the bill (Attachment 2) and that SB 197 be further amended to clarify that the bill applies to state surplus property, not to all state property. Senator Francisco seconded the motion. The motion carried.

Senator Francisco moved that SB 197, as amended, be recommended favorably for passage. Senator Vidricksen seconded the motion. The motion carried.

The Chairman called for discussion the SB 237.

Senate Bill 237 - Hearing before the dealer review board; sunset.

Chairman Oleen called the attention of the Committee to a letter from Joe Dick, Director of the Division of Vehicles, in response to a Committee request for information which states that there were no law suits filed against the Division in District Court as a result of dealer hearings in 1990. (Attachment 3) This letter assisted in clearer understanding of the members request as an earlier conferee had indicated there were 90 to 99 appeals at the District Court level in 1990. The Chairman recommended that the administrative hearing portion of SB 237 be stricken from the bill so that the Dealer Review Board will be continued as an advisory board only. She further recommended that the sunset review provision in the bill be deleted in order that the Board can be reviewed as a part of the Department of Revenue when that agency comes up for sunset review in 1995.

Senator Doyen moved that SB 237 be amended to remove the Dealer Review Board from the provisions of the sunset law and to further amend SB 237 to provide that the Dealer Review Board is maintained only in an advisory capacity. Senator Bogina seconded the motion. The motion carried.

Senator Bogina moved that a Substitute for SB 237 be introduced to incorporate the provisions of the Committee's previous amendment motion. Senator Francisco seconded the motion. The motion carried.

Senator Bogina moved that Substitute for SB 237 be recommended favorably for passage. Senator Francisco seconded the motion. The motion carried.

Chairman Oleen requested staff to draft a letter, to be reviewed by the Committee, to be sent to the Department of Revenue concerning the Committee's concern that there be an increased working relationship between the Dealer Review Board and the Department.

CONTINUATION SHEET

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The Chairman reminded the Committee that representatives of the Kansas Manufactured Housing Association had requested that SB 237 contain a provision granting the R.V. industry a seat on the Dealer Review Board. She pointed out that there is no definition for R.V. representative in the statutes; consequently, staff will work with the House Governmental Organization Committee to prepare the needed legislation for consideration by that Committee.

Senator Bogina moved that the minutes of the February 25, 1991, February 26, 1991, March 4, 1991 and March 5, 1991, meetings of the Committee be approved. Senator Strick seconded the motion. The motion carried.

The meeting was adjourned by the Chairman at 2:05 p.m.

GUEST LIST

COMMITTEE: SENATE GOVERNMENTAL ORGANIZATION

DATE March 11, 1991

| NAME | COMPANY / ORGANIZATION | ADDRESS |
|------------------|--|---------|
| Ken Clark | Division of Vehicles | Topeka |
| Tom Day | Ks. State Board of Agriculture | Topeka |
| Tom Day | KCC | TOPEKA |
| Sam Van Leeuwen | KCC | TOPEKA |
| Thom Humphreys | Ks. RV. Council (KMHAA) | Topeka |
| John Enslley | Ks. Press Assoc. | Topeka |
| Jacque Sales | Ks. Ind. Auto. Dealers Assoc. | Topeka |
| Pam Somerville | KS Motor Car Dtrs Assn | TOPEKA |
| HAT BARNES | Ks. Motor Car Dealers Assoc. | Topeka |
| Kenneth M. Wilke | Ks. Board of Agriculture | Topeka |
| John McConnell | Ks. Corporation Commission | Topeka |
| Bob Martin | Sen. Kassi's office | Topeka |
| Carole Jordan | Board of Agriculture | Topeka |
| Pat Wiechman | KADRA (KS Automotive Dismantlers & Recyclers Assn) | Topeka |

SENATE BILL No. 138

By Senator Vidricksen

2-5

8 AN ACT concerning the state capitol; authorizing rental charges for
9 use of space and facilities by certain for-profit entities; providing
10 for the disposition of such charges; imposing duties on the sec-
11 retary of administration.

12
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. (a) The secretary of administration may make rental
15 charges pursuant to lease agreements entered into between the sec-
16 retary and ~~for-profit~~ organizations or corporations, including news
17 services and agencies, authorized to use space and facilities in the
18 state capitol in accordance with authorizations or approvals under
19 K.S.A. 75-3763 and 75-3765a and amendments to these statutes.

20 (b) The secretary may renovate, furnish and equip space and
21 facilities pursuant to such lease agreements and shall pay the costs
22 thereof from the building and ground fund or from other moneys
23 available to the secretary therefor. Rental charges under such agree-
24 ments shall be fixed, charged and collected by the secretary of
25 administration and shall be fixed to recover all or part of the costs
26 of renovating, furnishing, equipping and maintaining such space and
27 facilities, including the cost of utilities, telecommunications services
28 and security attributable thereto.

29 (c) All amounts received by the secretary for rental charges under
30 this section shall be remitted to the state treasurer at least monthly.
31 Upon receipt of each such remittance, the state treasurer shall de-
32 posit the entire amount thereof in the state treasury to the credit
33 of the building and ground fund.

34 Sec. 2. This act shall take effect and be in force from and after
35 its publication in the Kansas register.

and organizations providing services for
lobbyists

*Senate Committee on Governmental Organization
Attachment 1
3-11-91*

SENATE BILL No. 197

By Senator Petty

2-13

8 AN ACT concerning state property; relating to the storage and dis-
9 posal thereof; amending K.S.A. 75-6601 and K.S.A. 1990 Supp.
10 75-6602 and repealing the existing sections.
11

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

13 Section 1. K.S.A. 75-6601 is hereby amended to read as follows:
14 75-6601. The director of Kansas correctional industries shall operate
15 the state surplus property program. Except as otherwise provided
16 by rules and regulations adopted by the secretary of corrections, the
17 individuals and entities within this state that are authorized to par-
18 ticipate in the federal surplus property program pursuant to the
19 federal property and administrative services act of 1949, and amend-
20 ments thereto, shall be eligible to participate in the state surplus
21 property program. *State surplus property shall be stored in such*
22 *places and in such manner as specified by rules and regulations of*
23 *the ~~secretary of administration, which rules and regulations the~~*
24 *secretary of administration is hereby authorized to adopt as provided*
25 *under K.S.A. 75-3706 and amendments thereto, after consultation*
26 *with the secretary of corrections.*

secretary of corrections

27 Sec. 2. K.S.A. 1990 Supp. 75-6602 is hereby amended to read
28 as follows: 75-6602. (a) Subject to such limitations as the secretary
29 of corrections may prescribe, the director of Kansas correctional
30 industries may dispose of surplus state property to individuals and
31 entities eligible for participation in the federal surplus property pro-
32 gram by:

- 33 (1) Sale at fixed prices;
- 34 (2) by sale at negotiated prices; or
- 35 (3) by advertised public auction or advertised sealed bids.
- 36 (b) Subject to such limitations as the secretary of corrections may
37 prescribe:

38 (1) The director of Kansas correctional industries may sell state
39 surplus property to the general public by advertised public auction
40 or advertised sealed bids; and

41 (2) may sell property to the general public at fixed or negotiated
42 prices if such property has been offered for a period of at least 30
43 days to individuals and entities eligible for participation in the federal

Senate Governmental Organization Committee
3-11-91
Attachment 2

2-2

1 surplus property program.

2 (c) All surplus state property shall be sold or otherwise disposed
3 of within one year after the date on which such property becomes
4 surplus.

The secretary of corrections may adopt rules and regulations to establish procedures for the timely disposal of state property.

5 New Sec. 3. (a) The department of administration is hereby des-
6 igned as the central planning agency for the storage of all state
7 property. The secretary of administration shall survey each state
8 agency annually to determine current and anticipated storage space
9 requirements of the state agency. State agency property shall be
10 stored in such places and in such manner as specified by rules and
11 regulations of the secretary of administration adopted as provided

secretary of corrections.

12 under K.S.A. 75-3706 and amendments thereto. On and after the
13 effective date of this act, no contract, lease or other document shall
14 be entered into by a state agency to provide space for the storage
15 of state agency property unless such contract, lease or other docu-
16 ment has been approved by the secretary of administration.

17 (b) As used in this section, "state agency" has the meaning as-
18 cribed to such term under K.S.A. 75-3701 and amendments thereto.

19 Sec. 4. K.S.A. 75-6601 and K.S.A. 1990 Supp. 75-6602 are
20 hereby repealed.

21 Sec. 5. This act shall take effect and be in force from and after
22 its publication in the statute book.



KANSAS DEPARTMENT OF REVENUE

Division of Vehicles

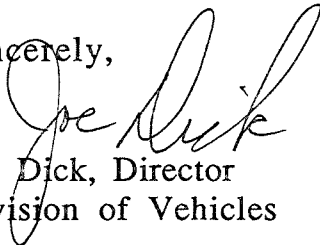
Robert B. Docking State Office Building
Topeka, Kansas 66626-0001

Senate Governmental Organization Committee
Honorable Sen. Lana Oleen, Chairperson
Statehouse

Dear Sen. Oleen:

Although the Kansas Division of Vehicles, Dealer Licensing Bureau sent 256 dealer violations for review by the Department of Revenue Legal Staff, only 84 hearings were actually held in 1990. There were 17 licenses suspended or revoked, and there were no suits filled against the division as a result of dealer hearings in 1990.

Sincerely,


Joe Dick, Director
Division of Vehicles

cc:
Committee members

*Director of Vehicles (913) 296-3601 • Titles & Registration Bureau (913) 296-3621
Driver License Examination Bureau (913) 296-3963 • Driver Control Bureau (913) 296-3671
Motor Carrier Services Bureau (913) 273-8192
Dealer Licensing Bureau (913) 296-3626*

Senate Governmental Organization

Attachment 3

3-11-91