

Approved January 28, 1992
Date

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

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

1:38 ~~xxx~~ p.m. on January 22, 1992 in room 531-N of the Capitol.

Members Present: Senators Oleen, Bogina, Doyen, Francisco and Kanan.
Members Absent - Excused - Senators Strick and Vidricksen
Members Absent - Senators Gaines and Moran

Committee staff present:

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

Conferees appearing before the committee:

Representative John McClure, Kansas House of Representatives
Senator Roy Ehrlich, Kansas Senate
Dr. Ramon Powers, Kansas State Historical Society
Tim Pinnick, International Conference of Building Officials
Barbara Hinton, Division of Legislative Post Audit

The meeting of the Senate Committee on Governmental Organization was called to order at 1:38 p.m. by the Chairman, Senator Lana Oleen, who opened hearings on SB 471.

Senate Bill 471 - Kansas governmental operations accountability law
(K-Goal).

Chairman Oleen stated that SB 471 was recommended by the 1991 Special Committee on Governmental Organization/Confirmations following that Committee's study of the Kansas Sunset Law and its impact on legislative oversight. She called on Representative John McClure, Chairman of the sub-committee which conducted this study, to address the Committee on the provisions of SB 471.

Representative McClure said that the sub-committee of the Special Committee looked at the sunset review provisions of the Sunset Law and felt that there are some inherent problems with the way the review process is working now. After listing some of those problems, he stated that it is difficult for legislators as laypersons to do a good job of actual performance reviews of the various agencies scheduled for sunset; therefore, SB 471 is the result of the concerns on this subject expressed by the sub-committee and the Special Committee. He reported that the Special Committee felt that there should be a higher level of emphasis on the major cabinet level agencies, without the unrealistic threat of abolition, by requiring performance audits and mandatory legislative review in each house of the Legislature. It also felt that for many of the boards and commissions, which are under the current Kansas Sunset Law, it would be more practicle to address them by eliminating the one-year wind-down provision and by forcing them to come before the Legislature to justify their continued existence than to have them reviewed as they were in the past. He noted that SB 471 provides a requirement that the Division of Legislative Post Audit look at the major cabinet level agencies at least every six years.

Senator Roy Ehrlich, a member of the 1991 Special Committee on Governmental Organization/Confirmations and the sub-committee which studied the sunset review process, spoke to the Committee in support of SB 471. Senator Ehrlich said that SB 471 offers a better review mechanism for the Legislature than the one contained in the present Sunset Law for it is a more streamlined, organized and accountable method of reviewing state government. (See Attachment I for copy of Senator Ehrlich's testimony.) In conclusion, he stated that the National Conference of State Legislatures has indicated that other states are considering more types of accountable review of major state agencies.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION,
room 531-N, Statehouse, at 1:38 ~~xx~~ a.m./p.m. on January 22, 1992

When a quorum was present, the Committee interrupted its hearing on SB 471 to consider requests for the introduction of bills. Dr. Ramon Powers, Executive Director of the Kansas State Historical Society, requested that the Committee have drafted for introduction as a Committee bill a bill which would be primarily technical in nature and which would broaden the authority of the Secretary of State to transfer state records from that office to the State Historical Society. He noted that the Secretary of State's Office is in full agreement with the concept of this requested bill draft.

Senator Francisco moved that a bill be drafted for introduction as a Committee bill which would contain the request of Dr. Powers. Senator Doyen seconded the motion. The motion carried.

Tim Pinnick, Heart of America Chapter of the International Association of Building Officials, appeared before the Committee to request that a bill be drafted for introduction as a Committee bill which would amend statute sections 12-1508, plumbers; 12-1540, mechanical installers; 12-1556, building contractors. He said that these sections provide for standard examinations that may be given by cities or counties which require licensing. He observed that present law designates the examination developed by Block and Associates, effective July 1, 1989, as the examination that must be given if licenses are to be reciprocal among local units that require licensure. He pointed out that new editions of the examination will be effective July 1, 1992, and the proposed amendment would change the statutes to designate the new edition as the one to be used. (See Attachment II for Mr. Pennick's testimony.)

Senator Francisco moved that a bill be drafted for introduction as a Committee bill which would contain the request of Mr. Pinnick. Senator Doyen seconded the motion. The motion carried.

The Committee turned its attention back to SB 471. Chairman Oleen called on Julian Efrid, Kansas Legislative Research Department, to explain the bill's provisions. Mr. Efrid presented an overview of each section of the bill and observed that the bill replaces the Sunset Law with a substitute law to be known as the Kansas Governmental Operations Accountability Law or K-GOAL. He observed that SB 471 incorporates two separate procedures of legislative oversight, one which would allow review of major agencies without the threat of abolition and the other which would schedule certain agencies for abolition, with the burden placed on the agencies to justify their continued existence. Following Mr. Efrid's presentation, Chairman Oleen informed the Committee that SB 471 received the unanimous approval of the 1991 Special Committee on Governmental Organization/Confirmations.

Barbara Hinton, Legislative Post Auditor, spoke to the Committee on the impact which the passage of SB 471 would have on the Division of Legislative Post Audit. Noting that she is not in a position to speak either for or against the bill, she presented a brief overview of the kind of audit work Post Audit could do if SB 471 becomes law. She said that although Post Audit can be of help to the Legislature in its review efforts, it is doubtful that it could review an entire agency. She noted, however, that Post Audit would be able to provide the Legislature with a large part of the "starting point" in evaluating the agencies.

Ms. Hinton said that if SB 471 passes, the Legislature would need to determine whether Post Audit would absorb these audits and do them in-house. She said that it would take two of its four audit teams to accomplish these audits in a years time, thus leaving only two teams to do the other audit work of the Legislature. She observed that if the Legislature would decide that Post Audit should do all of the audit work it now does and, in addition, do the audits provided for in SB 471, it would take two additional audit teams, a manager and a part time secretary. She said that Post Audit has submitted a fiscal impact statement on SB 471 to the Governor's Office which indicated a cost of \$300,000.00 for salaries, \$80,000.00 for OOE, and a one time capital outlay cost of \$60,000.00.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

room 531-N, Statehouse, at 1:38 ~~a.m.~~/p.m. on January 22, 1992.

Chairman Oleen stated that the Special Committee seemed to be intent on looking at audit requests which would match with Post Audit's current available time and staff. She asked Ms. Hinton if Post Audit could perform "surface" audits on agencies without increasing the staff. Ms. Hinton replied that Post Audit could certainly do that but, she cautioned, this would essentially cut the number of other Legislative audits in half. It was also noted that a number of the Legislature's requests may be in the agency review of K-Goal. The Chairman requested that Ms. Hinton check to determine whether any agency audits have been performed within the last ten years.

The meeting was adjourned at 2:28 p.m.

GUEST LIST

NAME

REPRESENTING

SUSAN SOMERS

KSCPA

TOM DAY

KCC

John Roberts

KS Lottery

Derrieth L. Sutton

Kansas Lottery

Tim Pinnick

Heart of America Chapter/ICBO

Barb Hinton

Post Audit

ROY M. EHRLICH
 SENATOR, THIRTY-FIFTH DISTRICT
 RICE, BARTON, RUSSELL COUNTIES
 ROUTE 1, BOX 92
 HOISINGTON, KANSAS 67544-0092



TOPEKA

SENATE CHAMBER
TESTIMONY BEFORE THE SENATE GOVERNMENTAL ORGANIZATION COMMITTEE
January 22, 1992

SB 471

CHAIRPERSON OLEEN AND MEMBERS OF THE GOVERNMENTAL ORGANIZATION COMMITTEE:

During the interim session, I served on the Special Committee on Governmental Organization/Confirmation. We worked in subcommittees on a number of proposals assigned to us by the Legislative Coordinating Council. I served on the sub-committee dealing with the Sunset Review process.

We spent extensive time investigating review processes of major state agencies and the background review of those agencies. Following our research and hearing process, we had a bill drafted for consideration by the 1992 Legislature.

SB 471, known as K-GOAL, is a better review mechanism for the Legislature. It is tied to performance audits, and sets up major state agencies and significant policy agencies on a systematic review schedule. It also allows various boards, commissions and advisory committees to be reviewed under the umbrella of the major agency to which it is assigned.

I recommend that SB 471 be passed, as it is a more streamlined, organized and accountable method of reviewing state government.

Senator Roy M. Ehrlich

Senate Committee on Governmental Organization
Attachment I
 1-22-92

COMMITTEE ASSIGNMENTS

CHAIRMAN: PUBLIC HEALTH AND WELFARE
 MEMBER: FEDERAL AND STATE AFFAIRS
 LABOR, INDUSTRY, AND SMALL BUSINESS
 LOCAL GOVERNMENT
 ADMINISTRATIVE RULES AND REGULATIONS
 ADVISORY COMMITTEE OF STATE
 DEPARTMENT OF AGING
 NATIONAL CONFERENCE OF STATE
 LEGISLATURES SPECIAL SELECTED
 COMMITTEE—HEALTH CARE
 NATIONAL SPECIAL SELECT STANDING
 COMMITTEE OF THE MENTAL HEALTH
 ASSOCIATION



Heart of America Chapter

International Conference of Building Officials

January 22, 1992

1990-1991

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RON WORLEY
Building Official
Sedgwick County, Kansas

VICE-PRESIDENT
JOE L. McCOY
Dir. Code Enf.
Olathe, Kansas

SECRETARY
JOHN HUFFERD
Building Inspector
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COMMITTEES

LEGISLATIVE
JIM CRANFORD

EDUCATION
WILBER SHORT

CODE CHANGES
LOREN DEINES

SERGEANT AT ARMS
DOUG SMITH

Senator John Strick, Jr.
Governmental Organization Committee
State Capitol Room 126-S
Topeka, KS 66612

Re: Construction trade examinations

Dear Senator Strick:

I represent the Heart of America Chapter of the International Association of Building Officials. Our membership is comprised of city and county building officials and inspectors whose jurisdictions lie east of the U.S. Highway 81 within the state of Kansas (except greater Kansas City) to seek changes in three state statutes to continue standard construction trade examinations.

We respectfully request an amendment to statute sections 12-1508, plumbers; 12-1540, mechanical installers; 12-1556, building contractors. Copies of the statutes are attached.

These sections provided for standard examinations that may be given to tradespeople by cities or counties that require licensing. Present law designates the examination developed by Block and Associates, effective July 1, 1989, as the examination that must be given if licenses are to be reciprocal among local units that require licensure.

Because new editions of the examination will be effective July 1, 1992, the amendment would change the statutes to designate the July 1, 1992, edition of the examinations as the examinations to be used. Similar legislation for electricians was passed during the 1990 session.

Please call me at (913) 832-3103 if I may be of assistance.

Respectfully,

Tim Pinnick
Legislative Committee
P.O. Box 708
Lawrence, KS 66044

*Senate Committee on Governmental Organization
Attachment II*

1-22-92

PLUMBERS AND PLUMBING IN CITIES
AND COUNTIES

12-1508. Competency of plumbers for licensure; designation of standard examinations. Standard examinations for the determination of competency of plumbing contractors and master and journeyman plumbers, based upon codes and standards effective on **July 1, 1989**, prepared and published and available upon such date from Block and Associates, Florida Farm Bureau Building, 5700 S.W. 34th St., #1303, Gainesville, Florida 32608, are hereby designated as the standard examinations for determining the qualification of persons seeking licensure as plumbing contractors and master and journeyman plumbers for the purposes of this act.

— July 1, 1992

History: L. 1986, ch. 73, § 1; L. 1989, ch. 59, § 9; July 1.

Attorney General's Opinions:

Competency and licensure of plumbers and electricians. 87-41.

Plumbers and plumbing in cities and counties; competency and examination; standards. 89-41.

12-1541. Competency of mechanical heating, ventilation and air conditioner contractors, masters and journeymen; designation of standard examinations. Standard examinations for the determination of competency of mechanical heating, ventilation and air conditioning contractors and master and journeyman heating, ventilation and air conditioning mechanics, based upon codes and standards effective on **July 1, 1989**, prepared and published and available upon such date from Block and Associates, Florida Farm Bureau Building, 5700 S.W. 34th St., #1303, Gainesville, Florida 32608, are hereby designated as the standard examinations for determining the qualification of persons seeking licensure as mechanical heating, ventilation and air conditioning contractors and master and journeyman heating, ventilation and air conditioning mechanics, for the purposes of this act.

— July 1, 1992

GENERAL CONTRACTORS, BUILDING
CONTRACTORS AND RESIDENTIAL
CONTRACTORS IN CITIES AND COUNTIES

12-1556. Competency of general building and residential contractors; designation of standard examinations. Standard examinations for the determination of competency of general contractors, building contractors and residential contractors, based upon codes and standards effective on **July 1, 1989**, prepared and published and available upon such date from Block and Associates, Florida Farm Bureau Building, 5700 S.W. 34th St., #1303, Gainesville, Florida 32608, are hereby designated as the standard examinations for determining the qualification of persons seeking licensure as general contractors, building contractors and residential contractors for the purposes of this act.

— July 1, 1992

History: L. 1989, ch. 59, § 6; July 1.