

Approved: 2/24/96  
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES.

The meeting was called to order by Chairman Ben Vidricksen at 9:05 a.m. on February 21, 1996 in Room 254-E of the Capitol.

All members were present except:

Committee staff present: Hank Avila, Legislative Research Department  
Ben Barrett, Legislative Research Department  
Bruce Kinzie, Revisor of Statutes  
Martha Ozias, Committee Secretary

Conferees appearing before the committee:

Nancy Bogina - Kansas Department of Transportation  
Betty McBride - Director of Vehicles, Department of Revenue

Others attending: See attached list

**HB 2678 - RELATING TO THE KANSAS SUNSET LAW; CONCERNING THE DEPARTMENT OF TRANSPORTATION AND OFFICE OF THE SECRETARY**

Nancy Bogina addressed the Committee to explained that through an inadvertent omission, the section of the Kansas Sunset Law which provided for the termination of the Kansas Department of Transportation, was not repealed in the Kansas Governmental Operations Accountability Law in 1992. Inasmuch as this was an oversight, KDOT was requesting the Committee's affirmative action on this bill. (Attachment 1)

Senator Papay made a motion that this bill be passed favorably and placed on the Consent Calendar. This was seconded by Senator Jones and the motion carried.

**SB 632 - RELATING TO RECORDS OF THE DIVISION OF VEHICLES**

The Committee turned its attention to SB 632 for further discussion.

Betty McBride reiterated that should this bill be passed it would still be necessary to give individuals an "opt-out" opportunity and to do this would require a direct mailing. She was not in favor of a private firm doing the legal work but would like to do a complete program. It was also pointed out that individuals would not be able to "opt-out" of the 10 items that are already exempt.

Staff explained that lines 31-33 would need to be amended to comply with the Federal Act.

It was the consensus of the Committee that this bill should be put into an interim study for the summer.

**SB 548 - CONCERNING COUNTIES; RELATING TO ROAD WORK**

The Chairman reviewed this bill from previous discussion and noted that it had been amended (February 16th meeting) to change the \$30,000 to \$50,000 in line 15.

Senator Harris made a motion to recommend this bill favorable for passage as amended. It was seconded by Senator Lawrence and the motion carried.

A motion was made by Senator Papay and seconded by Senator Jones to approve the minutes of the February 20th meeting. Motion carried.

The meeting was then adjourned by the Chairman at 10:00 a.m.

The next meeting will be February 26, 1996.

## SENATE TRANSPORTATION AND UTILITIES COMMITTEE GUEST LIST

DATE: FEBRUARY 21, 1996

NAME	REPRESENTING
Jacques Dakes	Ks. Ind. Auto Dealers
Betty McBride	KDOR - DMV
Alex Scheibe	KDOR DMV
John W. Smith	KDOR DMV
Sheila Walker	KDOR
Sara Dragg	KDOR
Ron Grant	KDOR
Alan Steppat	PETE MCGILL & ASSOCIATES
Anne Spiess	Ks. Assoc. of Counties
Ken Behr	Economic Lifelines
Tom Whitaker	Ks Motor Carriers Assn
PAM SOMERVILLE	KS AUTO DEALERS ASSN
John Reinhard	KPA
ED SCHAUB	WESTERN RESOURCES INC.



**KANSAS DEPARTMENT OF TRANSPORTATION**

E. Dean Carlson  
*Secretary of Transportation*

*Docking State Office Building  
Topeka 66612-1568  
(913) 296-3566  
TTY (913) 296-3585  
FAX (913) 296-1095*

Bill Graves  
*Governor of Kansas*

**TESTIMONY BEFORE THE SENATE COMMITTEE ON  
TRANSPORTATION AND UTILITIES**

Regarding H.B. 2678  
Repealing K.S.A. 74-7257

February 21, 1996

Mr. Chairman and Members of the Committee:

I appear before you to testify on behalf of House Bill No. 2678 which would repeal K.S.A. 74-7257.

In 1992, the legislature passed the **Kansas Governmental Operations Accountability Law (K-GOAL)** and repealed the **Kansas Sunset Law**. Through an inadvertent omission, one section of the Kansas Sunset Law was not repealed. The bill header or description listed the section as being repealed but the operative repealer section did not contain the necessary language. This section, K.S.A. 74-7257, provides for the termination of the Kansas Department of Transportation on July 1, 1996.

KDOT is covered under the K-Goal statutes as passed by the 1992 legislature and Legislative Post Audit completed a review of the agency under that statute in September 1995.

We would respectfully request the committee's affirmative action on H.B. 2678.

SENATE TRANSPORTATION  
DATE: 2/21/96  
ATTACHMENT: 1

## CHAPTER 116

Senate Bill No. 471

Amended by Chapters 257, 258, 272 and 296)

AN ACT enacting the Kansas governmental operations accountability law; amending K.S.A. 2-1904, 8-2412, 40-102, 72-7701, 74-601, 75-2534, 75-4221a, 75-5001, 75-5101, 75-5203, 75-5301, 75-5391, 75-5601, 75-5701 and 75-5903 and K.S.A. 1991 Supp. 25-4119a, 32-801, 44-1003, 55-4104, 65-2812, 74-502, 74-1106, 74-2613, 74-2622, 74-5002a, 74-5049, 74-7501, 74-9201, 75-3702a, 75-4503 and 75-5655, and repealing the existing sections; also repealing K.S.A. 74-7253, 74-7254, 74-7255, 74-7260, 74-7261, 74-7262, 74-7265, 74-7273, 74-7274 and 75-626 and K.S.A. 1991 Supp. 74-7250, 74-7251, 74-7252, 74-7256, 74-7257, 74-7258, 74-7264, 74-7267, 74-7268, 74-7269, 74-7270, 74-7271, 74-7272, 74-7275, 74-7277, 74-7278, 74-7280, 74-7281, 74-7282 and 74-8606.

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

New Section 1. This act shall be known and may be cited as the Kansas governmental operations accountability law or K-GOAL.

New Sec. 2. The legislature hereby declares that the purpose of state government is to keep secure the constitutional rights of Kansas citizens, to protect their health, safety and welfare, and to otherwise serve the public need in the most economically beneficial, operationally efficient, and cost effective manner possible. Therefore, it is the intention of this act to provide for a governmental operations accountability system under which the legislature may ensure accomplishment of the declared purpose of state government by periodically reviewing and evaluating the operations of selected state agencies, determining the necessity, propriety and legality of the operations reviewed and evaluated, identifying inefficiency and ineffectiveness, and taking action to retain and maintain appropriate and effective governmental operations, remediate defective governmental operations, and terminate inappropriate or obsolete governmental operations.

New Sec. 3. (a) The legislative post audit committee shall direct the post auditor to conduct a performance audit of each state agency which is subject to legislative review and evaluation under the Kansas governmental operations accountability law. Each performance audit conducted pursuant to the requirements of this subsection shall be completed not sooner than two years prior to nor later than the 30th calendar day of the regular session of the legislature set for review and evaluation of the state agency.

(b) Any performance audit directed to be conducted by the post auditor and the division of post audit under the provisions of subsection (a) may be general in scope, addressing all operations of the state agency, or may be restricted to a particular operation of the state agency. In directing the post auditor to conduct any such performance audit, the legislative post audit committee may specify

SENATE TRANSPORTATION

DATE: 2/21/96

ATTACHMENT: 1-2

resources. The department shall be administered under the direction and supervision of the secretary of human resources who shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, *and amendments thereto*, and who shall serve at the pleasure of the governor. The secretary shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the governor.

(b) The provisions of the Kansas ~~sunset governmental operations~~ *accountability* law apply to the office of secretary of human resources and the department of human resources ~~established by this section~~, and the office and department are subject to ~~abolition audit, review and evaluation~~ under ~~that~~ such law.

Sec. 53. K.S.A. 75-5903 is hereby amended to read as follows: 75-5903. (a) There is hereby created a department on aging. The department on aging shall be administered under the direction and supervision of the secretary of aging. The secretary shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, *and amendments thereto*, and shall serve at the pleasure of the governor. In appointing the secretary, the governor shall consider, but is not limited to, persons suggested by the council and persons with responsible administrative experience in the field of gerontology. The secretary shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the governor.

The department on aging shall be the single state agency for receiving and disbursing federal funds made available under the federal older Americans act (public law 89-73) and any amendments thereto or other federal programs for the aging.

(b) The provisions of the Kansas ~~sunset governmental operations~~ *accountability* law apply to the office of secretary of aging and the department on aging ~~created by this section~~, and the office and department are subject to ~~abolition audit, review and evaluation~~ under ~~that~~ such law.

Sec. 54. K.S.A. 2-1904, 8-2412, 40-102, 72-7701, 74-601, 74-7253, 74-7254, 74-7255, 74-7260, 74-7261, 74-7262, 74-7265, 74-7273, 74-7274, 75-626, 75-2534, 75-4221a, 75-5001, 75-5101, 75-5203, 75-5301, 75-5391, 75-5601, 75-5701 and 75-5903 and K.S.A. 1991 Supp. 25-4119a, 32-801, 44-1003, 58-4104, 65-2812, 74-502, 74-1106, 74-2613, 74-2622, 74-5002a, 74-5049, 74-7250, 74-7251, 74-7252, 74-7256, 74-7258, 74-7264, 74-7267, 74-7268, 74-7269, 74-7270, 74-7271, 74-7272, 74-7275, 74-7277, 74-7278, 74-7280, 74-7281, 74-7282, 74-7501, 74-8606, 74-9201, 75-3702a, 75-4503 and 75-5655 are hereby repealed.

74-7257