

SESSION OF 2002

**CONFERENCE COMMITTEE REPORT
HOUSE BILL NO. 3009**

As Agreed to May 14, 2002

Brief *

HB 3009, as agreed to, would authorize a change in enforcement of parking regulations in state parking lots, excluding the Statehouse grounds. Under current law, such enforcement is the responsibility of the Capitol Police. Penalties for parking violations can be a fine of up to \$25, or a jail term of up to 30 days, or both. The fine proceeds are paid to the District Courts and are subsequently credited to: the State General Fund (86.5 percent); the Crime Victims Compensation Fund (8.0 percent); the Community Alcoholism and Intoxication Program Fund (2.0 percent); Department of Corrections Alcohol and Drug Abuse Treatment Programs Fund (2.0 percent); and the Crime Victims Assistance Fund (1.5 percent). The bill would authorize the Department of Administration to take over responsibility for the enforcement of parking regulations by authorizing it to impose and collect administrative fines for parking violations. The bill would also authorize the Secretary to assign responsibility for enforcement of parking violations to the Capitol Police, the Department of Administration, or other personnel designated by the Secretary. The bill provides that the administrative fines collected would be credited to the State General Fund.

The bill also changes statutory provisions regarding the proceeds from the sale of surplus real estate, unless otherwise provided by specific law on disposition of agency real estate. Under current law, up to 50.0 percent of the proceeds from the sale of surplus real estate is deposited in the surplus real estate fund of the agency that owned the property (or in the client benefit fund if the agency is a mental health or mental retardation institution). The balance is deposited in the State General Fund. The exact percentage is determined by the State Finance Council. The bill would fix the agency's share at 20.0 percent and the State General Fund would receive the remaining 80.0 percent.

*Conference committee summary reports are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree.

The sale of the Olathe Travel Center would be specifically exempted from these provisions.

In addition, the bill authorizes the Secretary of Administration to lease state-owned real estate to commercial firms or businesses upon a finding that the real estate is not currently required for state purposes. The bill requires review of any such leases by the Joint Committee on State Building Construction. Only that part of the building leased to commercial entities would be subject to ad valorem taxation.

Finally, the bill includes a provision repealing statutory requirements that agencies report to the Division of Accounts and Report the amounts of any penalties the agency paid during the fiscal year under the provisions of the Prompt Payment Act.

Background

The bill as introduced was essentially trailer legislation to 2002 HB 2619 passed earlier this Session by the House. HB 2619, as incorporated into Senate Sub. for HB 2621, amends the Kansas Deferred Compensation Plan. The House Committee of the Whole had also amended the bill relative the Regents retirement plan. These issues were all shifted to SB 509 by the Conference Committee.

The items remaining in HB 3009 all relate to the Department of Administration. The bill now contains provisions originally included in 2002 HB 2829 regarding parking enforcement, provisions of 2002 SB 659, regarding the distribution of proceeds from the sale of surplus real estate, authorization to the Secretary of Administration to lease surplus real estate, and provisions from HB 2810 relating to reporting under the Prompt Payment Act.