

MINUTES OF THE HOUSE GENERAL GOVERNMENT BUDGET COMMITTEE

The meeting was called to order by Chairperson Troy Waymaster at 1:30 pm on Wednesday, February 17, 2016, 218-N of the Capitol.

All members were present

Committee staff present:

Jill Wolters, Office of Revisor of Statutes
Dylan Dear, Legislative Research Department
LaVerne Engelhardt, Kansas Legislative Committee Assistant
Dezeree Hodish, Legislative Research Department
Mark Dapp, Legislative Research Department

Conferees appearing before the Committee:

Ruth Glover, Human Rights Commission
Rep. Blaine Finch
Mike O'Neal, Kansas Chamber
Doug Wareham, KBA

Others in attendance:

[See Attached List](#)

Hearing and possible action on: HB2640 — Allowing the Kansas human rights commission to accept electronically filed complaints.

Jill Wolters, Revisor, appeared before the Committee to give an explanation **HB 2640**.

Ms. Wolters stated that **HB2640** allows the Human Rights Commission to accept an electronic submission of a complaint, by facsimile or email of a scanned copy, and may allow for electronic submission of other materials in the case. The bill requires the person submitting material electronically to retain the original for five years after the date the Commission closes the file. Further, the person must produce the original upon request of the Commission.

As a proponent, Ruth Glover, Executive Director, testified that it is obvious that the public already anticipates that the agency accepts electronic filings because the Human Rights Commission receives many facsimiles and scans. Currently individuals must be notified that the complaint will not be considered as filed until the original paper documents are received. Accepting complaints electronically better serves constituents and will make the agency more efficient and responsive to the public ([Attachment 1](#)).

There were no conferees appearing in a neutral or opposed position.

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The hearing on **HB2640** was closed.

Hearing and possible action on: HB2524 — Requiring closure of all state offices on legal public holidays.

Jill Wolters, Revisor, appeared before the Committee to offer an explanation of **HB2524**.

Ms. Wolters stated that **HB2524** would establish, for calendar year 2017 and each year thereafter, that all state offices be closed on legal holidays specified in K.S.A. 35-107(a). This does not apply to state offices that are deemed essential.

Representative Craig McPherson asked how the courts would deal with this. Ms. Wolters stated that the courts would be able to remain open if that was deemed essential.

No conferees offered proponent, opponent, or neutral testimony. No written testimony was offered.

The Hearing on **HB2524** was closed.

Hearing and possible action on: HB2660 — Fee agencies, moneys transferred to the state general fund or special revenue fund; notification to persons paying fees that moneys have been transferred.

Jill Wolters, Revisor, appeared before the Committee to offer an explanation of **HB2660**.

Ms. Wolters stated **HB2660** strikes the "except as provided by law" provision from K.S.A. 75-3036 and requires the Department of Administration to notify persons or business entities if moneys received for a specific purpose by a fee agency are transferred to the state general fund or a special revenue fund to be expended for general government services and purposes. The notification shall be in writing and within 60 days of the transfer. If enacted, the bill would take effect on July 1, 2016.

Representative Blaine Finch offered testimony as a proponent. Rep. Finch stated that **HB2660** would make the practice of sweeping fees more difficult and would send a clear signal that fees are to be used for the purpose for which they are raised ([Attachment 2](#)) .

Mike O'Neal, CEO of the Kansas Chamber, a proponent of **HB2660** stated, "The Kansas Chamber encourages government reform aimed at lowering the overall cost of state government so it is more affordable to Kansas businesses and residents through policies that: oppose state or local government diversion of taxes or fees away from their statutory purpose to fund general government," ([Attachment 3](#)).

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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Doug Wareham, Kansas Bankers Association, a proponent, testified that **HB2660** would help end the practice of fee sweeps. The practice of sweeping fees from those agencies whose responsibility it is to maintain a viable and thriving industry, and using them for state general fund purposes potentially subjects regulated entities such as banks, to increase fees, which is effectively then, a back-door tax to these entities ([Attachment 4](#)).

Written only testimony was offered by proponent, Luke Bell, General Counsel/VP of Governmental Affairs ([Attachment 5](#)).

Additional written testimony was offered by proponent, Thomas M. Palace, Executive Director of PMCA of Kansas ([Attachment 6](#)).

After discussion, Chairman Waymaster closed the hearing on **HB2660**.

Chairman Waymaster explained the need for emergency action on **HB2640** and **HB2524**. All were in favor.

*Rep. Hineman moved, Rep. Wolfe Moore seconded, **HB2640** favorable for passage. Rep. Wolfe-Moore seconded. The motion carried.*

*Rep. McPherson moved, Rep. Sutton seconded, to table **HB2524** indefinitely. Motion carried.*

Chairman Waymaster explained that **HB2660** would be discussed and worked tomorrow, February 18th, 2016, as well as **HB2487** and **HB2624**.

The meeting was adjourned at 2:55 p.m.