

PLT-2

FRANCIS to Amend #2

Session of 2016

SENATE BILL No. 318

By Committee on Utilities

1-12

1 AN ACT concerning utilities; relating to state entities; concerning the
2 Kansas electric transmission authority; abolishing certain funds and
3 transferring the balances; amending K.S.A. 2015 Supp. 45-229 and
4 repealing the existing section; also repealing K.S.A. 2015 Supp. 74-
5 99d01, 74-99d02, 74-99d03, 74-99d04, 74-99d05, 74-99d06, 74-99d07,
6 74-99d08, 74-99d10, 74-99d11, 74-99d12, 74-99d13 and 74-99d14.

7
8 *Be it enacted by the Legislature of the State of Kansas:*

9 New Section 1. On the effective date of this act, the director of
10 accounts and reports shall transfer ~~the moneys in the KETA administrative~~
11 fund and the KETA development fund to the state general fund. On the
12 effective date of this act, all liabilities of the KETA administrative fund
13 and the KETA development fund are hereby transferred to and imposed on
14 the state general fund and the KETA administrative fund and the KETA
15 development fund are hereby abolished.

16 Sec. 2. K.S.A. 2015 Supp. 45-229 is hereby amended to read as
17 follows: 45-229. (a) It is the intent of the legislature that exceptions to
18 disclosure under the open records act shall be created or maintained only
19 if:

- 20 (1) The public record is of a sensitive or personal nature concerning
21 individuals;
22 (2) the public record is necessary for the effective and efficient
23 administration of a governmental program; or
24 (3) the public record affects confidential information.

25 The maintenance or creation of an exception to disclosure must be
26 compelled as measured by these criteria. Further, the legislature finds that
27 the public has a right to have access to public records unless the criteria in
28 this section for restricting such access to a public record are met and the
29 criteria are considered during legislative review in connection with the
30 particular exception to disclosure to be significant enough to override the
31 strong public policy of open government. To strengthen the policy of open
32 government, the legislature shall consider the criteria in this section before
33 enacting an exception to disclosure.

34 (b) Subject to the provisions of subsections (g) and (h), any new
35 exception to disclosure or substantial amendment of an existing exception
36 shall expire on July 1 of the fifth year after enactment of the new

remaining

\$30,000 from the KETA
administrative fund to the state
general fund and transfer

of the state corporation
commission to the public service
regulation fund of the state
corporation commission

1 74-8134, 74-99b06, 77-503a and 82a-2210.

2 (f) Exceptions contained in the following statutes as certified by the
3 revisor of statutes to the president of the senate and the speaker of the
4 house of representatives pursuant to subsection (e) during 2011 are hereby
5 continued in existence until July 1, 2017, at which time such exceptions
6 shall expire: 12-5711, 21-2511, 38-2313, 65-516, 74-8745, 74-8752, 74-
7 8772 and 75-7427.

8 (m) Exceptions contained in the following statutes as certified by the
9 revisor of statutes to the president of the senate and the speaker of the
10 house of representatives pursuant to subsection (e) during 2012 and which
11 have been reviewed during the 2013 legislative session and continued in
12 existence by the legislature as provided in subsection (g) are hereby
13 continued in existence: 12-5811, 40-222, 40-223j, 40-5007a, 40-5009a,
14 40-5012a, 65-1685, 65-1695, 65-2838a, 66-1251, 66-1805, 72-60c01, 75-
15 712 and 75-5366.

16 Sec. 3. K.S.A. 2015 Supp. 45-229, 74-99d01, 74-99d02, 74-99d03,
17 74-99d04, 74-99d05, 74-99d06, 74-99d07, 74-99d08, 74-99d10, 74-99d11,
18 74-99d12, 74-99d13 and 74-99d14 are hereby repealed.

19 Sec. 4. This act shall take effect and be in force from and after its
20 publication in the ~~Kansas register~~

statute book