

HOUSE BILL No. 2158

By Committee on Government Efficiency

2-4

1 AN ACT concerning state agencies; relating to performance measures;
2 amending K.S.A. 75-3715 and 75-3716 and K.S.A. 2010 Supp. 74-
3 72,123 and repealing the existing sections.
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) The legislature finds that performance measures
7 are an important management tool that has been utilized by state agencies
8 for numerous years.

9 (b) The legislature finds that the use of quantifiable performance
10 measures can be used by the governor and the legislature to assess the
11 effectiveness over time of programs and actions of each state agency.

12 New Sec. 2. As used in sections 1 through 3, and amendments
13 thereto:

14 (a) "State agency" shall be defined as set forth in K.S.A. 75-3049,
15 and amendments thereto; and

16 (b) "performance measures" means a quantitative or qualitative
17 indicator used to assess state agency performance, including outcome and
18 output indicators.

19 New Sec. 3. (a) Each state agency shall consult with a representative
20 of the department of legislative research and the director of the budget or
21 the director's designee to modify each agency's performance measures to
22 standardize those performance measures and to utilize best practices
23 across all state agencies.

24 (b) On or before October 1 of each year, each state agency shall
25 submit an annual report based on those performance measures to the
26 legislative budget committees, the director of the budget and the secretary
27 of administration.

28 (c) The required reports in subsection (b) shall also be sent to the
29 department of administration to be posted on the website created pursuant
30 to K.S.A. 2010 Supp. 74-72,123, and amendments thereto.

31 New Sec. 4. Sections 1 through 3, and amendments thereto, shall be
32 part of and supplemental to article 30 of chapter 75 of the Kansas Statutes
33 Annotated, and amendments thereto.

34 Sec. 5. K.S.A. 2010 Supp. 74-72,123 is hereby amended to read as
35 follows: 74-72,123. (a) As used in the Kansas taxpayer transparency act:

36 (1) "Searchable website" means a website that allows the public to

1 search and aggregate the information identified in subsection (b),
2 including requirements that the website offer the public the ability to
3 efficiently search and display data, and ascertain the total amounts of
4 revenues and expenditures: (A) Of funds established within the state
5 treasury in an aggregate or summary form in a manner determined by the
6 secretary of administration;; (B) of compensation paid to public
7 employees employed by state agencies;; and (C) of bond debt as specified
8 in this act.

9 (2) "Agency" means any entity or instrumentality of the state of
10 Kansas as defined in K.S.A. 75-3701, and amendments thereto, and any
11 other entity or instrumentality delegated statutory authority by the
12 legislature to issue bonds and to collect revenue for the purpose of
13 repaying bonds issued under authority delegated by statute.

14 (3) "Board" means the public finance transparency board.

15 (b) No later than March 1, 2009, the secretary of administration shall
16 develop and operate a single, searchable website accessible by the public
17 at no cost to access, that includes:

18 (1) Annual expenditures, as determined by the secretary of
19 administration and as available within the central accounting system and
20 state payroll system, shall include, but not be limited to:

21 (A) Disbursements by any state agency from funds established
22 within the state treasury;

23 (B) bond debt payments;

24 (C) salaries and wages including, but not limited to, compensation
25 paid to individual employees of state agencies;

26 (D) contractual services including, but not limited to, amounts paid
27 to individual vendors;

28 (E) commodities including, but not limited to, amounts paid to
29 individual vendors;

30 (F) capital outlay including, but not limited to, amounts paid to
31 individual vendors;

32 (G) debt service including, but not limited to, amounts of bond
33 interest paid and sources of funds paid for individual bond issues;

34 (H) aid to local units including, but not limited to, amounts paid to
35 individual units of government for individually identifiable aid programs;

36 (I) other assistance and benefits;

37 (J) capital improvements including, but not limited to, amounts of
38 bond principal paid and sources of funds paid for individual bond issues;
39 and

40 (K) tax expenditures as reported by the secretary of revenue in the
41 annual tax expenditure report.

42 (2) Annual revenues, as determined by the secretary of
43 administration and as available within the central accounting system,

1 shall include, but not be limited to:

2 (A) Receipts or deposits by any state agency into funds established
3 within the state treasury;

4 (B) taxes including, but not limited to, compulsory contributions
5 imposed by the state for the purpose of financing services;

6 (C) agency earnings including, but not limited to, amounts collected
7 by each agency for merchandise sold, services performed, licenses and
8 permits issued, or regulation;

9 (D) revenue for the use of money and property including, but not
10 limited to, amounts received for compensation for the use of state-owned
11 money and property;

12 (E) gifts, donations and federal grants including, but not limited to,
13 amounts received from public and private entities to aid in support of a
14 specific function or other governmental activity;

15 (F) other revenue including, but not limited to, receipts not classified
16 elsewhere; and

17 (G) non-revenue receipts including, but not limited to, all receipts
18 that do not constitute revenue.

19 (3) Annual bonded indebtedness which shall include, but not be
20 limited to the amount of the total original obligation stated in terms of
21 principal and interest, the term of the obligation, the source of funding for
22 repayment of the obligation, the amounts of principal and interest
23 previously paid to reduce the obligation, the balance remaining of the
24 obligation, any refinancing of the obligation, and the cited statutory
25 authority to issue such bonds.

26 (4) *The annual performance measures report of each state agency*
27 *as required pursuant to section 3, and amendments thereto.*

28 (5) Any other relevant information specified by the secretary of
29 administration after consulting with and seeking the advice of the public
30 finance transparency board as established in K.S.A. 2010 Supp. 74-
31 72,124, and amendments thereto.

32 (c) The single website provided for in subsection (b) of this section
33 shall include data for fiscal year 2003 and each fiscal year thereafter. The
34 website shall be designed so that such data shall be retained on the single
35 website for not less than 10 years and shall include data for the most
36 recent fiscal years. Data that is available in the central accounting system
37 and state payroll system shall be on the single website as soon as
38 possible, but not later than 45 days after the last day of the preceding
39 fiscal year. The secretary of administration shall develop policies and
40 procedures to make data available from any other source. Nothing in this
41 act shall require the secretary of administration to provide information on
42 the website that is not available in the central accounting system and the
43 state payroll system at the time of initial implementation of the website.

1 After implementation of the initial website, the public finance
2 transparency board shall advise the secretary of administration on
3 incorporating additional information described by this act from any other
4 source of information available to the secretary of administration
5 including information submitted by state agencies pursuant to subsection
6 (d) of this section.

7 (d) Any state agency shall provide, at the request of the secretary of
8 administration, such information as is necessary to accomplish the
9 purposes of this act.

10 (e) Nothing in this act shall permit or require the disclosure of
11 information which is considered confidential by state or federal law.

12 Sec. 6. K.S.A. 75-3715 is hereby amended to read as follows: 75-
13 3715. The director of the budget shall:

14 (a) Keep in continuous touch with the operations, plans and needs of
15 state agencies, and with the sources and amounts of revenue and other
16 receipts of the state;

17 (b) analyze the quantity and quality of services rendered by each
18 agency, and the needs for such services and for any new services;

19 (c) prepare under the supervision of the incoming governor, the
20 budget report for submission to the legislature;

21 (d) prepare a legislative measure or measures reflecting the
22 incoming governor's budget;

23 (e) consider and act on applications for transfers between
24 appropriations of the same agency as provided by law;

25 (f) survey such work programs and periodical allotment requests
26 submitted by state agencies as are required by this act;

27 (g) report to the governor and to the incoming governor on the
28 operation of the budget system and advise and assist the governor,
29 incoming governor, state finance council, legislature and its ways and
30 means and appropriations committees on request, concerning any matters
31 relating to the budget; ~~and~~

32 (h) provide management analysis service to state agencies; *and*

33 (g) *consult with each state agency and a representative of the*
34 *legislative research department to modify each agency's performance*
35 *measures to standardize those performance measures and to utilize best*
36 *practices across all state agencies.*

37 Sec. 7. K.S.A. 75-3716 is hereby amended to read as follows: 75-
38 3716. The director of the budget shall prepare the budget report, with the
39 related legislative measure or measures, for the incoming governor's
40 approval and submission to the legislature. The director of the budget
41 shall, on or before September ~~first~~ of each year, furnish to every state
42 agency or person authorized to spend or receive state funds a sufficient
43 number of budget estimate forms. The forms shall be prepared by the

1 director of the budget and shall be so designed as to show actual
2 expenditures for at least the last preceding completed fiscal year,
3 estimated expenditures for the current fiscal year, and requests for each
4 succeeding fiscal year, and data for like periods with respect to receipts
5 and actual or estimated balances at the end of such fiscal years.

6 The director of the budget may require the estimated expenditures to
7 be classified so as to set forth the data by funds, state agencies, character
8 and objects of expenditures, which expenditures may also be required to
9 be classified by functions and activities. The director of the budget may
10 require the revenue estimates to show the basis upon which the estimates
11 were made and the factors involved in the same, and to be classified so as
12 to show receipts by funds, and sources and types of income. The director
13 of the budget may require such further detail, work programs,
14 supplemental and supporting data, and such information as may be
15 necessary to carry out the provisions of this act.

16 *The director shall also consider the annual performance measures*
17 *reports submitted to the director pursuant to section 3, and amendments*
18 *thereto.*

19 Sec. 8. K.S.A. 75-3715 and 75-3716 and K.S.A. 2010 Supp. 74-
20 72,123 are hereby repealed.

21 Sec. 9. This act shall take effect and be in force from and after its
22 publication in the Kansas register.

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