

Approved: 3/15/2012

(Date)

MINUTES OF THE HOUSE GOVERNMENT EFFICIENCY COMMITTEE

The meeting was called to order by Chairperson Mike Burgess at 3:30 p.m. on Thursday, February 9, 2012 in Room 546-S of the Capitol.

All members were present.

All Committee staff was present except Julian Efird, Legislative Research, and Jim Wilson, Revisor of Statutes.

Conferees appearing before the Committee:

From the Dept. of Agriculture:

Lane Letourneau, Water Appropriations Program Manager

Tim Tyson, Director, Ag Marketplace Protection Program

Dr. Gary Meyer, Pesticide and Fertilizer Program Manager

Others in attendance

See attached list.

The minutes of January 11, 17, 18, 19, 24 and 25 had been furnished to the Committee. Chair Burgess asked if there were any corrections or additions. *It was moved by Representative Trimmer, seconded by Rep. DeGraaf, and the Committee voted to unanimously approve the minutes for the meeting dates noted.*

Governor Brownback issued Executive Order 11-01, which established the Office of Repealer. The public or any interested parties or agencies may submit suggestions to the Office of Repealer or to the Governor for repealing laws or regulations that are unreasonable, burdensome, duplicative, onerous, or conflicting. This is the first group of proposed Office of Repealer bills being heard by the House Government Efficiency Committee. The fiscal notes for each of these bills indicate the enactment of each bill would have no fiscal effect. Five bills from the Office of Repealer have been received and the Chair asked Renae Jefferies, Revisor of Statutes, to give an overview on each as the hearing is opened. A person from the Department Agriculture testified on each repealed bill (Attachment 1 - testimony for all five bills).

Ms. Jefferies gave an overview on **HB 2596–Repeal of 2011 Supp 74-509 concerning the duties of the irrigation commission**. This bill repeals the duties of the irrigation commission and it has not been used since 1927 when the division of water and resources was established. Mr. Lane Letourneau noted that this statute is obsolete. The duties referenced in the statute are

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.

CONTINUATION SHEET

Minutes of the HOUSE GOVERNMENT EFFICIENCY COMMITTEE at 3:30 PM on Thursday, February 9, 2012, in Room 546-S of the Capitol.

no longer being done. The Department of Agriculture's water right system knows what is reasonable for irrigation in Kansas, and water users provide water use and non-use data annually by well and pump site. The Department of Agriculture supports the repeal of this statute. The Chair asked if there was any other testimony either as a proponent, opponent, or neutral. There being none, the hearing was closed.

HB 2597–Repealing KSA 2-1426 and KSA 2011Supp 2-1424a and 2-1425 concerning agricultural seeds; relating to a seed laboratory, seed testing, seed examination fee fund and publication of reports of inspectors exams. Ms. Jefferies indicated this bill repeals statutes relating to a seed lab, testing, etc., and the state no longer has a seed lab and reports have not been published for quite some time. Tim Tyson reported that this bill repeals three statutes concerning seed labs and reports. Reports of seed inspection and lab testing are no longer being published, and the Kansas Crop Improvement Association in Manhattan operates a seed testing lab with whom the state contracts to do testing. The Department of Agriculture supports the repeal of these three statutes. Chair Burgess asked if there was anyone else that would like to testify. There being none, the hearing was closed.

HB 2604–Repealing KSA 2011 Supp 2-1233 regarding fertilizer and pesticide compliance and administration fund. Ms. Jefferies gave an overview and indicated this bill eliminates the Fertilizer Fee Fund since there is no money in the fund and no reason for it. Dr. Gary Meyer testified that the 2009 Legislature eliminated the Fertilizer and Pesticide Compliance and Administration Fund fertilizer tonnage fee breakout established by the 2002 Legislature. He added the fund is carrying a zero balance and serves no function. The Department of Agriculture supports the repeal of this statute. The Chair asked if there was anyone else who would like to testify, and there being no other testimony, the hearing was closed.

HB 2605–Repeal of KSA 2-2465 regarding the pest control operators fee fund. Ms. Jefferies reported this bill repeals the Pest Control Act since it was transferred to the Kansas Pesticide Law which established the Pesticide Use Fee Fund. Dr. Gary Meyer testified as a proponent of this bill noting the 1976 Legislature enacted the Kansas Pesticide Law which combined the regulatory and licensing provisions of the Pest Control Act and the Pesticide Use Law. The latter established the Pesticide Use Fee Fund and the requirements of the statute have been fulfilled. The Department of Agriculture supports repealing the statute. Chair Burgess asked if there was anyone else who would like to testify. There being none, the hearing was closed.

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.

CONTINUATION SHEET

Minutes of the HOUSE GOVERNMENT EFFICIENCY COMMITTEE at 3:30 PM on Thursday, February 9, 2012, in Room 546-S of the Capitol.

HB 2626–Repeal KSA 83-139 and 83-140 concerning fraudulent practices selling grain, seed, hay or coal; relating to penalties civil liability and attorney fees. Ms. Jefferies noted this bill repeals the statutes that deal with fraudulent practices in selling grains. It is believed that these have never been used and the statutes are outmoded. Tim Tyson testified that the method of sale of grain, seed, hay, and coal has been weight. The Division of Weights and Measures adopts NIST HB 130 and has a method of sale for commodities. The Division further doesn't believe that these statutes have ever been used. The Department of Agriculture supports the repeal. The Chair asked if there was anyone else who would like to testify. There being none, the hearing was closed.

Chair Burgess noted next week additional Office of Repealer bills will be heard.

There being no other business, the meeting adjourned at 3:50 p.m.

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.