

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 PM on Thursday, February 16, 2012 in Room 546-S of the Capitol.

All members were present except:
Rep. Charles Roth - Excused

All Committee staff was present.

Conferees appearing before the Committee:
Dennis Taylor, Secretary of Administration
A. J. Kotich, Chief Counsel, Ks Dept. of Administration
Glenn Griffeth, Chief Counsel, Ks. Dept. of Labor

Others in attendance:
See attached list.

Chair Burgess opened the hearing on **HB 2668–Repealing KSA 19-322**. Jim Wilson, Revisor of Statutes, gave a briefing on the bill (Attachment 1) indicating this is a statute being suggested for repeal from the Office of Repealer. The bill was enacted in 1911 stating that any farm owner can pay one dollar to the county clerk to have his farm recorded in the register, and the statute is not recorded as having been amended. Secretary Taylor provided testimony as a proponent (Attachment 2). Secretary Taylor noted back then, registering the property gave its location, in lieu of addresses in rural counties. Now, in most of the state there are addresses for property. There is nothing in the bill to prevent county officials from continuing this practice or to set their own fees. He urges favorable consideration to passage of this bill. The fiscal note (Attachment 3) indicates the enactment of this bill would have no fiscal effect. There were no opponents to the bill. The hearing on this bill was closed.

The hearing was opened on **HB 2670–Repealing KSA 79-414**. Jim Wilson gave an overview (Attachment 4) and noted this bill was also enacted in 1911 and was amended in 1959 to reflect a date change for unlisted lands to be entered on tax rolls by the county clerk. The date changed from the first day of March to the first day of January. Secretary Taylor provided testimony (Attachment 5) and noted this again is a statute being suggested for repeal through the Office of Repealer. The statute is no longer a practical process, and in 1989, reappraisal was enacted and

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county appraisers were required to maintain appraisal maps pursuant to K.S.A. 79-1459. Secretary Taylor urges favorable consideration of this bill. The fiscal note ([Attachment 6](#)) indicates the enactment of this bill would have no fiscal effect. There were no opponents. The hearing was closed.

The hearing was opened on **HB 2672–Repealing KSA 19-825**. Jim Wilson gave an overview ([Attachment 7](#)) and noted this bill concerns the vacating and reinstating of a sheriff for failing to perform certain duties when a person in custody is lynched. The bill was enacted in 1903 and was last amended in 1988. There has been no activity and no cost. Secretary Taylor provided testimony as a proponent ([Attachment 8](#)) and indicated there are three reasons why this bill should be repealed as being outmoded: 1) in regard to lynching, 2) stating the clerk is the logical successor to the sheriff which would not be logical today, and 3) process by which the sheriff loses his position due to lynching. The Office of Repealer urges favorable consideration of this bill. The fiscal note ([Attachment 9](#)) indicates the enactment of this bill would have no fiscal effect. There were no opponents. The hearing was closed.

The hearing was opened for **HB 2673–Repeal of certain powers and duties of the secretary of labor**. Renae Jefferies, Revisor of Statutes, gave an overview ([Attachment 10](#)) and reported to the Committee that the bill repeals K.S.A. 44-611, 44-621, and 44-624 which duplicate the federal law, specifically the federal OSHA laws and the National Labor Relations Act. The right of appeal had gone to the Secretary of Labor. Secretary Taylor added that Kansas law existed before the federal law came into effect. Federal government supersedes Kansas law. A. J. Kotich, Chief Counsel for the Secretary of Administration, provided testimony as a proponent ([Attachment 11](#)) and indicated the three statutes above are suggested for repeal. He added that the Chief Counsel for the Department of Labor fully supports this. The Office of Repealer urges favorable consideration of this bill. The fiscal note ([Attachment 12](#)) indicates the enactment of this bill would have no fiscal effect. There were no opponents, and the hearing was closed.

Chair Burgess opened the hearing on **HB 2675–County clerks, county appraisers, real estate assessment rolls; statute repealed**. Renae Jefferies gave an overview ([Attachment 13](#)) and reported this bill concerns the assessment and appraisal duties of the county clerk and the county appraiser. This repeals K.S.A. 79-408. Secretary Taylor provided testimony as a proponent ([Attachment 14](#)) and noted this piece of legislation falls into the same category he mentioned with the first two items above. By repealing this bill, local government can manage their own affairs. This bill is outmoded and the Office of the Repealer urges favorable consideration of this bill.

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Opponents of the bill included written testimony only from Crystal Gatewood, Cherokee County Clerk ([Attachment 15](#)), John Bartolac, Director, Johnson County Records and Tax Administration ([Attachment 16](#)), and Linda Buttron, Jefferson County Clerk ([Attachment 17](#)). Cynthia Beck, Shawnee County Clerk, attended and provided testimony ([Attachment 18](#)). All represented the Kansas County Clerks and Election Officials Association. She noted that the repeal of K.S.A. 79-408 would eliminate statutory authority to create and maintain the assessment role. The preparation of the annual property tax statements can only be accomplished through: 1) appraiser certifies values to the county clerk; 2) county clerk creates the assessment role; and 3) county clerk verifies ownership of all parcels, checks the budgets of every taxing entity, sets the levies and prepares the tax roll for certification to the treasurer. The written testimony provided similar comments. Opponents urged the Committee to not support this bill to repeal K.S.A. 79-408.

The Shawnee County Appraiser, Mark Hixon, was present. He noted Shawnee County is technologically advanced, and nothing in this bill stopped the county from going paper to computer.

Cyndi Beck indicated we should keep the statute as it deals with assessment role but there are parts that need to be updated. She questioned what harm there would be to keep the statute. It is part of the structure of the county clerk's duties. She added she is trying to maintain structure of the job to which she was elected. The fiscal note ([Attachment 19](#)) indicates the enactment of this bill would have no fiscal effect. Chair Burgess asked if there were any other questions or testimony. The hearing was closed.

At this point, one bill was worked in order to provide staff time to prepare the bill brief. *It was moved by Rep. Hoffman for favorable passage of **HB 2649–Repeal of certain water statutes.** Rep. Trimmer seconded the motion, and the Committee voted to approve the motion.*

Going back to the hearings, Renae Jefferies provided an overview ([Attachment 20](#)) on **HB 2676–County clerks; land owner duty to provide property description; tax rolls; repealed.** This concerns the survey of a tract of land ordered by the county clerk when the owner of the tract of land neglects or refuses to furnish the required description of the land. Secretary Taylor provided testimony ([Attachment 21](#)) noting this is an outmoded statute, K.S.A. 79-409, that is not utilized anymore and the Office of Repealer urges favorable consideration of HB 2676. The fiscal note indicates the enactment of this bill would have no fiscal effect. The fiscal note

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([Attachment 22](#)) indicates the enactment of this bill would have no fiscal effect. The Chair asked if there were any other persons to testify. There being none, the hearing was closed.

Renaë Jefferies provided an overview ([Attachment 23](#)) on **HB 2677–County appraisers; full-time, part-time distinction eliminated**. This amends K.S.A. 19-430 to strike out reference to a county with a population over 25,000 devote a full-time appraiser. By striking this reference, the country appraisers in large and small counties would be treated the same. Secretary Taylor provided testimony ([Attachment 24](#)) and noted a county with 25,001 people should not be treated any differently than one with 24,999 people. The fiscal note ([Attachment 25](#)) indicates the enactment of this bill would have no fiscal effect. The Chair asked if there were any other persons to testify or any questions. There being none, the hearing was closed.

Jim Wilson provided a staff briefing ([Attachment 26](#)) on **HB 2687–State building advisory commission, reports and recommendations on state capital improvement budget estimates**. This bill would amend K.S.A. 46-1702 and K.S.A. 2011 Supp.75-3717b to remove the requirement for the State Building Advisory Commission to report and make recommendations on each capital improvement budget estimate for capital improvement projects for state agencies. Section 2 removes reference to the Commission preparing reports on each capital improvement. Secretary Taylor provided testimony ([Attachment 27](#)) noting there is no information to provide information to the Building Commission. It was noted information was provided about 15 years ago but has not been since. The fiscal note ([Attachment 28](#)) indicates the enactment of this bill would have no fiscal effect. The Chair asked if there was anyone else to provide testimony or any questions, and there being none, the hearing was closed.

Jim Wilson gave an overview ([Attachment 29](#)) on **HB 2703–Repealer, central motor pool for state agencies**. This bill would repeal statutes related to the central motor pool for state agencies which no longer exists. There were questions about what is done today for state travel. State travel can either be with private car with mileage reimbursement described by law, some state agencies have their own vehicles, or there is a rental car agreement acquired via request for proposal to car rental agencies. Secretary Taylor provided testimony ([Attachment 30](#)) noting the central motor pool was eliminated under the Sebelius administration and the following statutes are neither in use nor necessary: K.S.A. 75-4602, K.S.A. 75-4607, KS.A. 75-4615, KS.A. 75-4616, and KS.A. 2011 Supp. 75-4603. The Office of Repealer urges favorable consideration of this bill. The fiscal note ([Attachment 31](#)) indicates the enactment of this bill would have no fiscal effect. The Chair asked if there were any other persons to testify or any questions, and there being none, the hearing was closed.

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Jim Wilson gave an overview (Attachment 32) on **HB 2705–State building construction, monthly progress reports on capital improvement projects by secretary of administration.** He noted this bill relates to state building construction and monthly reports of progress. This bill removes the monthly reporting, although the information is still available. Rep. Hoffman noted the information does not change much in a month’s time. Secretary Taylor provided testimony (Attachment 33), and noted that it is suggested these six words be deleted, “issue monthly reports of progress and”. He noted progress reports are properly provided, but rather than continue, suggest these words be stricken. Mr. Wilson added that the Joint Committee on State Building Construction does not meet every month. Project requests are a major part of the duties of the Joint Committee. There are a lot of large presentations. Reports are not needed as often as they were in 1978.

It was asked if Secretary Taylor had talked to the Joint Committee and he replied no. Rep. Wolf added that she does serve on that Committee, and she reported it is really impossible for the administration to give reports of such magnitude on a monthly basis. She added they probably only meet 7 times a year, and she doesn’t think there would be an objection by the Committee to change the reporting. The fiscal note (Attachment 34) indicates the enactment of this bill would have no fiscal effect. The Chair asked if anyone else wished to provide testimony or had questions. There being none, the hearing on this bill was closed.

Jim Wilson provided an overview (Attachment 35) of **HB 2706–Appraisal prior to purchase or disposition of real property by state or agency, appointment of appraiser.** This bill would amend K.S.A. 75-304a to reduce the number of appraisals required from three to one prior to the state’s disposal or purchase of real property. Secretary Taylor provided testimony (Attachment 36) and indicated the reason for repeal is to reduce the state’s expenses which would streamline the process of buying and selling state property. The fiscal note (Attachment 37) indicates the enactment of this bill would reduce costs spent to sell or purchase real property since the number of appraisals required would be reduced. Chair Burgess asked if there were others to provide testimony or any questions. There being none, the hearing on this bill was closed.

In order to manage the calendar, with Monday being the last afternoon committee meeting before turnaround, and to maximize the Revisors time to get committee reports done, Chair Burgess then opened for action the bills that were heard today.

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*It was moved by Rep. Grange and seconded by Rep. Hoffman for favorable passage of **HB 2668–Repealing KSA 19-322**, which was heard today. There was no discussion. The Committee unanimously voted to approve the motion.*

*It was moved by Rep. Grange and seconded by Rep. Meigs for favorable passage of **HB 2670–Repealing KSA 79-414**. There was no discussion. The Committee unanimously voted to approve the motion.*

*It was moved by Rep. Ruiz and seconded by Rep. Grange for favorable passage of **HB 2672–Repealing KSA 19-825**. There was no discussion. The Committee voted unanimously to approve the motion.*

*It was moved by Rep. Grange and seconded by Rep. Ruiz for favorable passage of **HB 2676–County clerks; land owner duty to provide property description; tax rolls; repealed**. There was no discussion. The Committee voted unanimously to approve the motion.*

*It was moved by Rep. Grange and seconded by Rep. Meigs for favorable passage of **HB 2677–County appraisers; full-time, part-time distinction eliminated**. There was no discussion. The Committee voted unanimously to approve the motion.*

*It was moved by Rep. Meigs and seconded by Rep. Grange for favorable passage of **HB 2687–State building advisory commission, reports and recommendations on state capital improvement budget estimates**. There was no discussion. The Committee voted unanimously to approve the motion.*

*It was moved by Rep. Grange and seconded by Rep. Hoffman for favorable passage of **HB 2703–Repealer, central motor pool for state agencies**. There was no discussion. The Committee voted unanimously to approve the motion.*

Concerning **HB 2705–State building construction, monthly progress reports on capital improvement projects by secretary of administration**, Rep. Wolf asked that action be delayed so she could have some discussion with the Chair of the Joint Committee on State Building Construction.

*It was moved by Rep. Hoffman and seconded by Rep. Osterman for favorable passage of **HB 2706–Appraisal prior to purchase or disposition of real property by state or agency, appointment of appraiser**. There was no discussion. The Committee voted unanimously to approve the motion.*

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The next meeting will be Monday, February 20.

There being no further business, the meeting was adjourned at 5:05 p.m.

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