

SESSION OF 2010

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2442**

As Amended by House Committee on  
Appropriations

**Brief\***

HB 2442 would create the Kansas Streamlining Government Act to improve performance, streamline operations, and reduce operating costs of the Executive Branch of government. The bill would establish the Kansas Streamlining Government Commission to provide an independent review of State agencies in order to improve effectiveness and efficiency of State government. The Commission would sunset on December 31, 2011.

**Commission Membership**

The bill would create a seven-member commission. Membership would not be open to persons who currently hold, or within the preceding three years held, a paid position with any state agency or local unit of government. Members could not be a party to, or be employed by, any entity with an ongoing contract with any state agency or local government. Membership would exclude lobbyists. If a member becomes a lobbyist or employed by any state agency or local unit of government, the member must resign from the Commission.

The following persons would each appoint one member to the Commission:

- The President of the Senate;
- The Majority Leader of the Senate;
- The Minority Leader of the Senate;

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- The Speaker of the House of Representatives;
- The Majority Leader of the House;
- The Minority Leader of the House; and
- The Governor.

### **Commission Duties**

The Commission could review any agency, board, commission, or program of the Executive Branch of State government, except certain fee-funded agencies that are excluded from review. The bill would require the Commission to examine, review, and assess programs for cost savings. The bill also would require the Commission to assess programs based on whether the program fulfills the legislative intent surrounding the creation of the program. Additional duties include reviewing any State services that could be provided at a lower cost by the public sector, the federal government, or other non-governmental entity, and identifying any State programs that have accomplished their original objectives and should be terminated. The Commission would be authorized to hold executive sessions.

After review, the Commission would be required to make recommendations for changes to the Executive Branch agencies of State government. The bill would direct the Senate and the House of Representatives to adopt the recommendations by resolution. The bill also would suggest that the Senate and House of Representatives create rules that would prohibit amendments to the recommendations.

Staff of the Legislative Research Department, Office of the Revisor of Statutes, and Legislative Administrative Services would provide assistance to the Commission. Legislative Post Audit would be available to do audits for the Commission upon approval of the Legislative Post Audit Committee.

## **Background**

The House Appropriations Committee heard testimony from the sponsors of the bill, Senator Derek Schmidt and Representative Lee Tafanelli, in support of the legislation.

A member of the Kansas Veterinary Medical Association testified as an opponent to the bill and offered an amendment to exclude agencies funded exclusively by fee funds. A member of the Kansas Association of Realtors testified as an opponent to the bill as well. The conferee testified that he supports the intent of the bill, but would ask that exclusively fee funded agencies be excluded from the review of the Commission as well.

The Committee amended the bill to exclude certain fee funded agencies, comprised of: the Abstracter's Board of Examiners, Behavioral Sciences Regulatory Board, Board of Accountancy, Board of Examiners in Optometry, Board of Nursing, Consumer Credit Commissioner, Kansas Board of Barbering, Kansas Board of Examiners in Fitting and Dispensing of Hearing Aids, Kansas Dental Board, Kansas Real Estate Commission, Kansas State Board of Cosmetology, Office of the Securities Commissioner of Kansas, Real Estate Appraisal Board, State Bank Commissioner, State Board of Healing Arts, State Board of Mortuary Arts, State Board of Pharmacy, State Board of Technical Professions, State Board of Veterinary Examiners, the State Department of Credit Unions, and Kansas Home Inspectors Registration Board.

The Committee also eliminated a provision that would have required a member to resign within ten days of accepting a position as a lobbyist or as an officer or employee of any State agency or local government. The Committee included a new provision that would make such members disqualified to serve on the Commission.

The fiscal note on the bill as introduced indicated a fiscal impact of \$1,765 each day the Commission meets.