



JOHN CARMICHAEL
STATE REPRESENTATIVE

January 21, 2020

Hon. John Barker, Chair
Kansas House Federal and State Affairs Committee
Kansas State Capitol, Room 285 North
Topeka, Kansas 66612

Re: *HB 2411 — Limiting the review of certain rules and regulations by the director of the budget.*

Dear Chairman Barker and members of the committee:

Thank you for this opportunity to address HB 2411. I have been privileged to serve on the Joint Committee on Administrative Rules and Regulations for the past three sessions. While many find assignment to the Rules and Regulations Committee undesirable, we do important work in a nonpartisan collegial fashion. Prior to the amendment of K.S.A 77-416 in 2018, several members of the committee, as well as many “stake holders,” observed some state agencies merely addressed the cost of implementation of a regulation to the agency, not the cost to the citizens and businesses of Kansas. Accordingly, several of us, with the help of many organizations, drafted an amendment to K.S.A. 77-416 requiring meaningful financial impact statements be prepared by agencies seeking to promulgate new regulations.

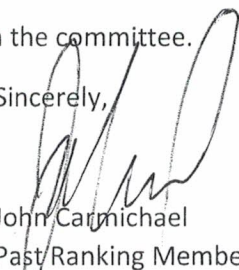
As a part of those reforms, we amended the statute to require review of the agency financial impact statements by the Director of the Budget. We have now learned through experience that we imposed a heavy burden on the Director of the Budget without providing the funds and staff necessary to perform the detailed review required by the amended statute. The purpose of this bill is to reduce the cost of detailed review by the Director of the Budget, while at the same time requiring agencies to provide financial data and analysis so the legislature may properly evaluate the actual cost of proposed regulations.

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While the Joint Committee on Rules and Regulations may not constitutionally “veto” a proposed regulation, I assure you, our committee will continue to rigorously review regulations which have a financial cost to business and Kansas citizens. Through this bill we can lessen the unnecessary expense and still maintain the requirement that agencies provide meaningful financial justification for their proposed regulations.

Thank you for the opportunity to share my thoughts with the committee.

Sincerely,



John Carmichael

Past Ranking Member

Joint Committee on Rules and Regulations

Kansas State Representative, District 92

JC/jc