

## Message from the Governor

SB 37 provides an opportunity to determine if the Kansas Home Inspectors Registration Board should be made permanent. Central to this issue is whether or not the potential harm inflicted upon the citizens of Kansas by unscrupulous home inspectors warrants the expansion of government and increased regulation that was applied in 2008 to this segment of the private sector. Also, the sunset that was added to the statute in 2009 allows us to reconsider the efficiency, effectiveness, and necessity of the board. Sunset dates are an important tool of limited government and should only be removed under very limited circumstances.

Upon review of the materials provided by the proponents of this legislation, both in 2008 and 2013, I see little evidence of large numbers of Kansas citizens being economically harmed by home inspectors. In fact, even the proponents believe the vast majority of Kansans who provide this service are honest people. Therefore, it appears the legislation passed in 2008 may simply add unnecessary fees and regulations to law abiding citizens.

Secondly, it appears the board may lack the resources and expertise to effectively regulate this industry. The Office of the Attorney General of Kansas includes a Consumer Protection Division better equipped with a professional staff with the expertise to conduct a high quality investigation and assist Kansans seeking redress.

However, clearly a majority of legislators believe the board should continue to operate. Therefore, I would invite the legislature to send me legislation that extends the sunset for a period of two years after carefully considering the concerns I have outlined above.

Pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto SB 37.

Signed April 11, 2013.

Sam Brownback  
Governor

SENATE BILL No. 37

AN ACT concerning the Kansas home inspectors professional competence and financial responsibility act; amending K.S.A. 2012 Supp. 58-4501 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 2012 Supp. 58-4501 is hereby amended to read as follows: 58-4501. ~~(a)~~ This act shall be cited as the Kansas home inspectors professional competence and financial responsibility act.

~~(b) The provisions of this act shall expire on July 1, 2013.~~

Sec. 2. K.S.A. 2012 Supp. 58-4501 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the SENATE, and passed that body

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*President of the Senate.*

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*Secretary of the Senate.*

Passed the HOUSE \_\_\_\_\_

\_\_\_\_\_  
*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

APPROVED \_\_\_\_\_

\_\_\_\_\_  
*Governor.*