

MINUTES OF THE HOUSE COMMITTEE ON LABOR AND INDUSTRY

The meeting was called to order by Representative Arthur Douville at  
Chairperson

9:10 a.m. ~~pm~~ on February 21, 1984 in room 526-S of the Capitol.

All members were present except:

All members were present

Committee staff present:

All present.

Conferees appearing before the committee:

Rob Hodges, KCCI

Frances Kastner, Director of Governmental Affairs for the KS Food Dealers  
Association

Richard Funk, KS Association of School Boards

Frank L. Gentry, KS Hospital Association

Vernon McKinzie, Pest Control

Harold Coleman, Pest Control

Chairman Douville called Rob Hodges to the speakers stand for his testimony on H.B. 2770. See attachment #1. Mr. Hodges spoke in support of the control of toxic substances, but, could not support H.B. 2770 because he felt the bill needed to be worked on.

Ms. Kastner was the next to take the speakers stand and gave testimony in opposition to H.B. 2770 in its present form. See attachment #2.

Mr. Funk said he was a proponent of the concept of H.B. 2770, but that the bill needed to be amended not to include school district personnel. See attachment #3.

Mr. Gentry also supports the concept of H.B. 2770, but feels the bill is to ambitious.

Mr. Vernon McKinzie spoke in opposition to H.B. 2770. See attachment #4.

Mr. Harold Coleman also spoke in opposition to H.B. 2770.

A question and answer period followed.

Representative Whiteman proposed an amendment to strike line 0089, page 3 which said 72 hours and change that to 7 business days. Representative Darrel Webb seconded the motion. A vote was taken and the motion was carried.

Representative Friedeman made a motion to table H.B. 2770 for interim study, the motion was seconded by Representative Nichols. A discussion followed. Representative Sutter made a substitute motion to amend page 5, line 164 to read 30 years instead of 40 years. Representative Dillon seconded the motion. A vote was taken and the motion was voted down. A substitute motion was made by Representative Hensley to report H.B. 2770 favorable for passage. The motion was seconded by Representative Cribbs. There was no discussion. A vote was taken and the motion was defeated. Representative Darrel Webb made a substitute motion that the chairman appoint a subcommittee to study this bill to see if the committee could come up with some agreement. The motion was seconded by Representative Whiteman. There was no discussion. A vote was taken and the motion was defeated.

## CONTINUATION SHEET

2/21

Minutes of the HOUSE Committee on LABOR AND INDUSTRY, 1984

The committee reverted back to Representative Friedeman's original motion to table H.B. 2770 for interim study. A vote was taken and the motion passed.

Let the record show that written testimony was received from William T. Abbott, representing Boeing Military Airplane Company, regarding H.B. 2770. See attachment #5.

Written testimony regarding H.B. 2770 was also received from Mr. Charles D. Belt, representing Wichita Area Chamber of Commerce. See attachment #6.

H.B. 2513

Representative Burt Debaun moved that H.B. 2513 be passed out favorably. Representative Robert Miller seconded the motion. Jim Wilson from the revisors office stated that the bill would have to be amended to reflect a technical change. The bill, as printed, did not amend the current statute as it had been amended twice by the 1983 session, and the current statute as amended by the policy change in the current printing of the bill. A substitute bill was recommended to save the additional printing expense of doubling the size of the printed bill. Representative Debaun withdrew his motion.

Representative G. Friedeman made a motion for a substitute bill to show the reflected change. The motion was seconded. Representative Hensley made a substitute motion to table the bill for interim study. The motion was seconded, there was no discussion. The committee voted and the motion was defeated. The committee reverted back to Representative Friedeman's motion for a substitute bill to show the reflected technical changes. The committee voted and the motion was carried 9 to 8. Let the record show that Representative Lawrence Wilbert voted in opposition to H.B. 2513.

Meeting adjourned at 10:00 a.m.

Labor + Ind.

2-21-84

| Visitor          |                 | Representing                 |
|------------------|-----------------|------------------------------|
| Rob Hodger       | Topeka          | KCCI                         |
| Harvey D. Helser | "               | AFL-CIO                      |
| DAN MORGAN       | "               | AGC of KS                    |
| James Kastner    | "               | Ks Food Dealers              |
| CHARLES BELT     | WICHITA         | WICHITA CHAMBER OF COMMERCE  |
| Midelle Farrell  | Shawnee Mission | SM North High School         |
| WALTER DUNN      | Topeka          | EKOGA                        |
| Bill Rinehart    | Tulsa           | Gulf Oil Corp.               |
| ROSS MARTIN      | TOPEKA          | Ks Petroleum Council         |
| Bill Dausses     | Bartlesville    | Phillips Petroleum Co        |
| Ken Johnson      | Topeka          | Ks LPGA                      |
| K. R. Resizer    | ✓               | ✓                            |
| May Foster       | Topeka          | Ks. Board of Civic.          |
| Wayne Kitchen    | Topeka          | Ks. Dept. of Human Resources |
| Jack A. Quivcan  | TOPEKA          | KMCDIA                       |
| Frank L. Gentry  | "               | Ks Hospital Assoc            |
| RALPH MCGA       | TOPEKA          | Ks AFL-CIO                   |



# LEGISLATIVE TESTIMONY



## Kansas Chamber of Commerce and Industry

500 First National Tower One Townsite Plaza Topeka, KS 66603-3460 (913) 357-6321

A consolidation of the  
Kansas State Chamber  
of Commerce,  
Associated Industries  
of Kansas,  
Kansas Retail Council

Testimony Before the  
HOUSE COMMITTEE ON LABOR AND INDUSTRY

HB 2770

February 21, 1984

Mr. Chairman and Members of the Committee:

My name is Rob Hodges and I am Executive Director of the Kansas Industrial Council, a division of the Kansas Chamber of Commerce and Industry. I appreciate the opportunity to appear before the Committee today to present the Chamber's views regarding House Bill 2770; a proposal to enact what is commonly referred to as a right-to-know law in Kansas.

The Kansas Chamber of Commerce and Industry (KCCI) is a statewide organization dedicated to the promotion of economic growth and job creation within Kansas, and to the protection and support of the private competitive enterprise system.

KCCI is comprised of more than 3,000 businesses plus 215 local and regional chambers of commerce and trade organizations which represent over 161,000 business men and women. The organization represents both large and small employers in Kansas, with 55% of KCCI's members having less than 25 employees, and 86% having less than 100 employees.

The KCCI Board of Directors establishes policies through the work of hundreds of the organization's members who make up its various committees. These policies are the guiding principles of the organization and translate into views such as those expressed here.

*Atch. 1*

The issue of notifying employees of toxic substances in the workplace is a popular one nationwide. Numerous states have enacted, or are considering, legislation similar to what is proposed in HB 2770. Perhaps more to the point, the Federal Occupational Safety and Health Administration (OSHA) has published a national right-to-know standard mandating that manufacturers notify their employees about toxic chemical substances or hazardous materials found in the workplace. OSHA's standard is intended to give some 14 million workers, in 300,000 manufacturing establishments, greater access to information about the hazards of workplace chemicals.

Chemical manufacturers and importers will be required, by November 25, 1985, to assess the hazards of chemicals they sell and provide information through warning labels attached to all product containers and through material safety data sheets (MSDS's) distributed to employers. These material safety sheets must be kept readily accessible at all times.

Labels are to include the identity of the chemical, hazard warnings, and the name and address of the manufacturer, importer, or responsible party. Chemical distributors must also adhere to the labeling requirements.

By May 25, 1986, manufacturing employers will be required to label certain in-plant containers, to inform employees of workplace hazards, to make MSDS's or comparable written information available to employees, and to train workers in protective measures when dealing with specific chemical hazards. Employers will have to develop written hazard communication programs outlining their plans to accomplish these objectives.

Language in the federal standard also covers trade secrets. In nonemergency situations, health professionals must justify in writing the need for specific identity of any chemical claimed to be a trade secret by a manufacturer or importer, and give written assurance that confidentiality will be maintained.

In emergency situations, the manufacturer or importer must reveal the specific chemical identity of a hazardous chemical to treating physicians or nurses whether or not there is a written statement of need or confidentiality agreement.

According to an OSHA official in Kansas City, provisions of OSHA's standard will preempt all state or local labeling laws. Those states with their own right-to-know programs will have six months to submit their plans to OSHA seeking approval of a standard that is at least as effective as the federal law.

This rather lengthy description of the federal right-to-know program serves as a good backdrop for the consideration of HB 2770.

KCCI supports the concept of informing employees in the manufacturing sector about the toxic or hazardous substances with which they work. However, the proposal for state administration of a right to know program in Kansas, as contained in HB 2770, raises several concerns from KCCI members. I am here this morning to bring some of these concerns to your attention.

Our initial concern is why a massive state program such as that contained in HB 2770 is being suggested in the face of a federal program which will take effect in

a few months? At a time when state resources are already being stretched to cover existing programs, it seems strange that Kansas should consider embarking on a program which would largely duplicate a federal program.

If there is a need to implement right to know legislation in Kansas, we also question whether the program should include all Kansas employers. The federal standard, which has been proposed following years of study and investigation, will apply to manufacturers and those who produce or distribute toxic or hazardous substances. Should the Kansas Legislature, after only a few days of discussion, pass a bill to include all employers in a right to know program? We think that issue warrants more study.

In deciding that only manufacturers and chemical companies will be included in the initial federal standard, OSHA noted that there are several other federal programs which regulate chemicals used in other businesses. Specifically, the OSHA standard notes that the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) of the EPA regulates chemical exposures in the agriculture industry. Also noted are regulations from the Food and Drug Administration, the Bureau of Alcohol, Tobacco, and Firearms, and the Consumer Product Safety Commission. It seems that similar consideration to existing regulations should be given to whatever program is considered by Kansas.

Addressing another concern, HB 2770 contains no definition of exposure. The bill, on page 2, line 0053, refers to toxic substances "to which the employee may be exposed in the course and scope of employment." Are the clerical employees of KCCI exposed to the chemicals used by our pressman in the print shop? There is a wall separating the

print shop from the clerical work area, but all our employees go into the print shop on any given day. Are retail employees exposed to toxic chemicals they sell, even though they never open the container they are selling? Given the definition of employer, a more precise definition of exposure seems in order.

Next, what is a toxic substance? The bill, on page 1, beginning on line 0031, would define it as any substance which is listed in the national institute for occupational safety and health registry of toxic effects of chemical substances. And it would go on to include substances which have yielded positive evidence of acute or chronic health hazards in human, animal, or other biological testing. Addressing first the registry, there seems to be some confusion about whether the registry contains 40,000 or 60,000 chemical substances. Either figure seems too big for effective state administration, but let's look past that and address some of the "toxic substances" included in the registry. While I have not examined the registry in detail, I'm told that it includes salt and sugar. Does that mean restaurants will be required to inform their employees of the toxic effects of those "hazards?" Along that same line, should the Kansas Secretary of Human Resources be required to keep track of an additional 40,000 to 60,000 details? The OSHA standard starts out covering what is called a "floor" of over 600 substances. While there may be other substances which will be added later, this appears a more manageable number of substances to be included in an initial program.

The secondary definition of a toxic substance speaks to yielding positive evidence of a hazard. Yielding evidence to who? Will the Department of Human Resources need to hire people to examine such evidence to determine whether or not a hazard exists?



On page 3, line 0089, the bill indicates employers will have 72 hours to provide information requested by an employee. Does that mean all employers in the state will have to maintain a library of such information? The 72 hour requirement hardly allows for mail delivery outside the same city. This requirement, coupled with the statement that an employee would not have to work with the substance until the information is available, seems punitive and could open many employers to harassment from disgruntled employees.

Section 5 of the bill, on page 5, line 0164, calls for employers to keep employment records for 40 years. The OSHA standard calls for record keeping for 30 years. Is it necessary to keep records longer at the state level?

On page 6, line 0213, Section 7 would permit the Secretary of Human Resources to adopt rules and regulations to implement the act. Would those include a set of fees to be imposed? Additional staff time within the Department to review and oversee this act could be substantial. Would those salaries be offset by ever-escalating fees charged by the Department?

Finally, the enacting clause of the bill calls for it to take effect upon publication in the statute book. Is it reasonable to assume that all employers will be in a position to comply with all the provisions of this act by July 1, 1984? Is it even reasonable to assume that the Department of Human Resources would be ready to assume control of such a far-reaching program? The federal standard, which will apply only to manufacturing employers and start out including significantly fewer substances gives chemical manufacturers and distributors until

November 25, 1985, to have MSDS information available. Then employers are given six months to develop a plan of education and training. We think similar time frames should be considered for any state program.

Mr. Chairman and Members of the Committee, KCCI supports the concept of regulations which protect the safety and health of employees from significant exposure to toxic substances and regulations that require the dissemination of information about hazardous substances in the workplace. But the provisions of HB 2770 raise many serious questions: questions about the scope of a state right to know standard; questions about the substances to be covered; questions about overlap and duplication with existing state and federal programs; and, questions about the timing and implementation of such a law in Kansas.

Because of the many questions yet to be answered, KCCI encourages this committee to consider recommending the issue for interim study. We think in the interest of both employees and their employers, more time is needed to specifically define the problem and develop a solution.

Thank you for your time this morning. I'll attempt to answer any questions you may have.



# Kansas Food Dealers' Association, Inc.

2809 WEST 47th STREET SHAWNEE MISSION, KANSAS 66205

PHONE: (913) 384-3838

February 21, 1984

## OFFICERS

PRESIDENT  
JOE WHITE  
KINGMAN

VICE-PRESIDENT  
CHUCK MALLORY  
TOPEKA

TREASURER AND SECRETARY  
LEONARD McKENZIE  
OVERLAND PARK

CHAIRMAN OF THE BOARD  
ROY FRIESEN  
SYRACUSE

## BOARD OF DIRECTORS

J.R. WAYMIRE  
LEAVENWORTH  
STAN HAYES  
MANHATTAN  
JOHN McKEEVER  
LOUISBURG  
CHARLES BALLOU  
CHANUTE  
DONALD CALL  
CEDARVILLE  
JOE ENSLINGER  
WICHITA  
BOB BAYOUTH  
WICHITA  
MIKE DONELAN  
COLBY  
DELL KLEMA  
RUSSELL

## DIRECTORS AT LARGE

PAUL DART  
GARDEN CITY  
BILL WEST  
ABILENE

## AFFILIATE DIRECTOR

BOB MACE  
TOPEKA

## DIRECTOR OF GOVERNMENTAL AFFAIRS

FRANCES KASTNER

## HOUSE LABOR & INDUSTRY COMMITTEE

OPPOSING HB 2770

EXECUTIVE DIRECTOR  
JIM SHEEHAN  
SHAWNEE MISSION

Thank you, Mr. Chairman, and members of the Committee. I am Frances Kastner, Director of Governmental Affairs for the Kansas Food Dealers Association, and our membership consists of retailers, distributors, and wholesalers of food products throughout the State of Kansas.

To date we have not had an opportunity to research all the data in the National Institute of Occupational Safety and Health Registry to fully determine the extent that grocery store owners in Kansas would be compelled to follow the provisions set out in HB 2770. However, we were able to determine through the Kansas Administrative Rules and Regulations, 1983 Revision, that under Article 27 -- HAZARDOUS HOUSEHOLD ARTICLES, in the general definitions 28-27-1, many of the normal household products sold in grocery stores are classified within the term "toxic" as so defined in subsection 28-27-1: "(b) The term "toxic" shall apply to any substance which has the inherent capacity to produce bodily injury through ingestion, inhalation, or absorption through the skin".

Therefore, in our opinion, the operators of grocery stores, who do no more than sell pre-packaged products, properly labeled (in accordance with the requirements in that same Article 27) would come under the provisions in HB 2770.

We oppose HB 2770 since we believe it is much too broad. The term "toxic substance" without much more clarification and a more narrow definition, would include ALL types of businesses. For example, we believe even using a floor scrubbing product containing ammonia would fall under the definition of toxic substance as used in HB 2770.

Atch. 2

The provisions in Section 5, page 6, of this bill requiring 40 years of employee records would be nearly impossible for grocers who use numerous stocking personnel throughout a year's time. In line 0160, we interpret that to mean that every employee who HANDLES or uses toxic substances would include the stocking personnel as well as those who check out the product, since they are indeed "handling" it. Even the term "handling" should be clearly defined to NOT include the example we just gave.

It appears that much more study is needed to properly address the problems which we feel the author of this bill is trying to include. We request that this committee DOES NOT RECOMMEND FOR PASSAGE HB 2770 in its present form, or even one that would cover businesses that are following currently prescribed laws and regulations dealing with hazardous substances.

We appreciate the opportunity to appear before you today and express some of the concerns of our members about HB 2770. We would be happy to answer any questions that you might have.

Frances Kastner, Director  
Governmental Affairs,  
KANSAS FOOD DEALERS ASSN.

3310 SW 7th Street, # 2  
Topeka, Kansas 66606

(913) 232-3310

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS



5401 S. W. 7th Avenue Topeka, Kansas 66606  
913-273-3600

TESTIMONY ON H.B. 2770

by

Richard Funk, Assistant Executive Director  
Kansas Association of School Boards

February 21, 1984

House Labor and Industry Committee

Mr. Chairman and members of the committee:

Thank you for allowing me to appear before you today representing 300 of the 305 school districts in the state of Kansas. I appear as a proponent to H.B. 2770.

While our Association fully endorses the concepts behind H.B. 2770 and worker safety, we do feel that there are some areas that may have been overlooked in drafting this bill.

There are many employees within this state's 305 school districts who may, at one time or another, become exposed to toxic substances. However, these employees have had or are having ongoing educational programs regarding exposure to and the handling of toxic substances. I am referring specifically to instructors of chemistry and biology, food service personnel and maintenance personnel.

It would place a burden upon school districts to implement educational and training programs for these people. Therefore, we would recommend that school district personnel be exempted from H.B. 2770 or that adequate amendments be added that would minimize added costs and burdens to local school districts.

I would be pleased to answer any questions that you may have.

*Atch. 3*



Testimony to be presented before

LABOR & INDUSTRY COMMITTEE

February 21, 1984

Mr. Chairman; Ladies and Gentlemen of the Committee; thank you for this opportunity to appear before you and comment on House Bill 2770.

My name is Vernon McKinzie, from Emporia, Kansas. I am owner of a small business operating from offices in Emporia and Parsons. In order to protect health and property we apply pesticides in, on and around structures. We are pest control operators. I am here today to speak in opposition of House Bill 2770, and will try to point out some concerns I have about the bill.

Everyone wants a safe environment in which to work and live, and we would all like to have one without risks. I submit to you, however, virtually all of us in this room today arrived here through the use of an automobile or motor vehicle. According to a recent article in the Wall Street Journal it is estimated the risk of injury accident is 1 for every 60,000 miles driven. In order for us to reach this location in a shorter length of time than some other perhaps more safe but slower type of transportation would have provided, we were all willing to take that one chance in 60,000 miles risk in order to derive the benefit the automobile would give us.

In section one (b) "Toxic substance" is defined as any chemical listed in the National Institute for Occupational Safety and Health Registry. I would suggest to you that in their concentrated forms, the Iodine in our table salt, the Chlorine and Fluoride in our drinking water, the Fluoride in our toothpastes, are poisons. Will House Bill 2770 then require us as employers to provide warnings about drinking water, table salt, and toothpaste? Even though they contain small amounts of these "toxic" substances?

*Atch. 4*

I am concerned about the potential record-keeping burden House Bill 2770 will place on my company. We currently service over 1,000 customers each month, many of those customers are business locations who employ from 1 or 2 to a few thousand persons.

However, many of the active ingredients of our pesticides, in their technical form, will appear in the registry of toxic substances list. Our application rate for active ingredients seldom exceeds 2% of the active ingredient in our finished sprays or baits. Many are as low as 1/2 or 1/8 of 1% concentrations.

All the pesticides we use have been evaluated by the United States Environmental Protection Agency and our applications are made in accordance with labeled instructions. In over 25 years experience in this business there are no confirmed health hazards to our employees, our customers, or the employees of our customers, as a result of proper pesticide applications to their premises. The pesticides we use and that are handled by our employees are in accordance with their labeling. To do otherwise is a violation of already existing federal laws and makes us subject to stiff penalties.

As a business already required to be licensed by the state of Kansas, and to have in our employment, certified pesticide applicators, it seems to me to be an excessive burden on our business to have another regulation with which we must comply. One, that in my opinion, duplicates regulations we are already working under. For example, we must demonstrate competence in understanding labeling in order to be certified. We must regularly update our certification by participating in state-approved seminars or we must successfully pass a re-examination. In the Kansas pesticide law, we are already required to keep records of pesticide applications and in some cases the weather conditions under which those pesticides were applied. To maintain complete records of all of our pesticide handling for a 40 year period following the use of a pesticide for a thousand

customers a month could ultimately result in the need for storage of nearly one half million pieces of paper. This record keeping would not include some additional records that are required in House Bill 2770 related to education and training of any people who may be exposed to these pesticides.

I wish to express my appreciation once again for your attention and your consideration in allowing me the courtesy of appearing before you today. I once again respectfully urge you to defeat House Bill 2770, or a change in the bill to exclude pesticide applicators who are already licensed and certified. Thank you.

**BOEING**

**BOEING MILITARY AIRPLANE COMPANY**

A Division of The Boeing Company  
Wichita, Kansas 67210 • Seattle, Washington 98124

February 21, 1984

House Labor and Industry Committee  
State House  
Topeka, Kansas

Mr. Chairman:  
Members of the Committee:

I am Bill Abbott, Public Affairs managers of the Boeing Military Airplane Company. I appear today in opposition to H.B. 2770 in its present form.

We at Boeing agree in principal to the intent of H.B. 2770, but have some suggested language changes.

Our plant has been and is currently complying with all Federal OSHA rules and regulations. The federal hazard communication rule which basically does the same thing as H.B. 2770 becomes effective in November of 1985. At that time, for covered industry, the federal rule pre-empts state law.

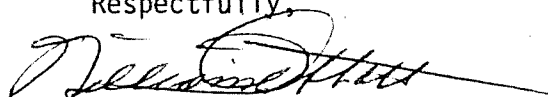
It is our opinion that the current language is too restrictive and too costly to many of our small businesses across the state. It would also seem that there should be more burden on the manufacturer to supply some of the data required by the statute. The statute needs a reasonable time to implement the new rules.

Mr. Chairman, attached to a copy of my remarks are approximately 15 suggested language changes. With these changes we feel it better parrellels the federal standard and would be resonable legislation. However, it will take time to adequately study the bill and insure that the language is in the best interest of the citizens of Kansas.

To allow time for proper study we respectfully request that the committee consider referring this for interim study.

Thank you Mr. Chairman.

Respectfully,



William T. Abbott

Attach

Atch 5

KANSAS  
HB 2770

SECTION 1

The NIOSH document is quite extensive - over 5000 items in the latest issue. It could include table salt. The OSHA and EPA regulated substances would be adequate.

SECTION 2

- (a) As "workplace" is presently defined it could mean the entire plant premises. Perhaps an amendment limiting this request to the employee's "work area" and then defining "work area" would be better.
- (b) "Until such time....." Does this mean this bill would cover employers in SIC 20-39 from the passage of this bill until May 25, 1986, and then exclude them and cover the remainder of industry?
- (c) This places an extremely heavy burden on employers, especially small business - would take a great deal of time and expense. It would be better to have a provision mandating that the chemical manufacturer/supplier provide the information to the user at shipment. Also, a provision should be made for the manufacturer/supplier to update this information when new information based on recognized scientific evidence is obtained.
- (d) If the words "....., upon request..." were eliminated, this would provide enforcement for the recommendations in (c) above.
- (f) Should be recourse for "good faith" - see Section 6 (b) comment.

SECTION 3

The trade secret portion should include a clause concerning emergency situations - information should be provided to the attending doctor or nurse, regardless of trade secret claims. Provisions could be made for the signing of a confidential agreement. This clause is extremely important to the employer, as well as the employee.

SECTION 4

In most industry it would not be necessary, and would certainly reduce compliance cost, if the word "..annual.." was stricken and "..whenever a new hazard is introduced to their work area.." was inserted. This language is contained in the OSHA regulation.



SECTION 5

The word "handle" is not defined and this could be a problem. Most of this section is already covered under existing OSHA regulation, e.g., 1910.20 and specific health standards. Exposure records are required to be kept 30 years.

SECTION 6

(b) Here again, there should be a recourse for the employer/user who has acted in good faith - they have requested the required information from the supplier but do not have it in their possession. Without this "out" an unfair burden is placed upon the employer.

(c)

(d)

(e) These subsections are already covered by OSHA 29 CFR 1977.

(f)

(g)

SECTION 8

In comparison to many other states, these penalties are extremely high. The employers and employees would be subject to penalties outlined in existing OSHA administrative regulations, but those regulations would not apply to the manufacturer/supplier.

SECTION 9

It is completely unrealistic that there is no time allowance for a transition. It has taken the state of California 1½ years to implement a similar piece of legislation.

- o There are no requirements for the labeling of containers of products containing hazardous substances. If this should develop, the manufacturer/supplier should provide the labels, as the employer is not in a position to determine the contents.
- o There is no definition of "exposure."
- o There is no mention of exemption for products intended for employee personal consumption in the workplace - this, too, places an undue burden on the employer.

#6



WICHITA

AREA  
CHAMBER  
OF  
COMMERCE

21 February, 1984

House Labor and Industry  
Committee  
State House  
Topeka, Kansas

Mr. Chairman:  
Members of the Committee:

I am Charles Belt, Vice-President, Public Affairs, Wichita Area Chamber of Commerce. I appear today in opposition to H.B. 2770 in its present form.

Although we agree in principle with the intent of the bill, as currently written it is too restrictive and would be very costly to administer, particularly for small businesses.

H.B. 2770 is far-reaching in its potential effects, both from a standpoint of implementation and administration.

Because of its potential effects on every employer, no matter how large or small, and to insure that the interests of all Kansas citizens are best served, we recommend that this issue be referred for interim study.

Thank you Mr. Chairman.

Respectfully,

*Charles D. Belt*  
Charles D. Belt

*Refer to*