

Approved Ivan Sand 3/4/86  
Date

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by REPRESENTATIVE IVAN SAND at  
Chairperson

1:30 ~~xxx~~ p.m. on FEBRUARY 27, 1986 in room 521-S of the Capitol.

All members were present except: Rep. Pat Weaver, excused

Committee staff present: Mike Heim, Legislative Research Department  
Mary Hack, Revisor of Statutes Office  
Gloria M. Leonhard, Committee Secretary

Conferees appearing before the committee:  
Rep. Rick Bowden, HB 2957  
Mr. Sharod V. Bhatia, Director of Environment,  
HB 2957  
Ms. Mary Ellen Conlee, citizen, HB 2957  
Ms. Joan Finney, State Treasurer, HB 2840  
Rep. Michael Peterson, HB 2967

Chairman Ivan Sand called for hearings on the following bills:

HB 2957, concerning air quality control; relating to the establishment of an air quality control board in Sedgwick county.

Rep. Rick Bowden, sponsor of HB 2957, gave background and intent of the bill. (See Attachment I.)

Mr. Sharod V. Bhatia, Director of Environment, appeared in connection with HB 2957. Mr. Bhatia said that KDHE neither supports nor opposes the bill; that if the bill is passed, the Department will work with Sedgwick County and provide whatever assistance we can in its implementation. (See Attach.II.)

Ms. Mary Ellen Conlee, appeared as a citizen from Wichita, Kansas, to oppose HB 2957. Ms. Conlee said she believes Rep. Bowden's concerns should be addressed through the Air Quality Advisory Board. Ms. Conlee requested the committee to hold HB 2957.

A committee member questioned Ms. Conlee and Mr. Bhatia about air quality control in Sedgwick County; i.e. recognition of the problem and development of standards.

The hearing on HB 2957 was closed.

HB 2840, concerning bonds; relating to the procedure for the issuance thereof;

State Treasurer, Joan Finney, asked to go on record in opposition to HB 2840, as she opposes the use of facsimile signatures on bonds, because control is lost through the procedure.

The hearing on HB 2840 was closed.

HB 2967, concerning public utilities in certain cities; relating to the composition of board of pension trustees appointed thereby;

Rep. Michael Peterson, sponsor of the bill, gave background and intent of HB 2967 and offered several amendments to the bill as follow: In Line 37, strike the word, "non-supervisory." In Line 39, change "1 year" to "3 years". At beginning of Line 40, strike "each year" and in lieu thereof, place "in the year elected." In Line 40, between the word "one" and the word, "member" insert "nonvoting advisory member." In Line 41, after the word, "Association," add "to serve for a one-year term."

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT,  
room 521-S, Statehouse, at 1:30 ~~xxx~~ a.m./p.m. on FEBRUARY 27, 1986

Rep. Mary Jane Johnson made a motion that the proposed amendments be accepted. Rep. Samuel Sifers seconded the motion. The motion to amend carried.

Rep. Clinton Acheson made a motion that the bill be passed as amended. Rep. Mary Jane Johnson seconded the motion. The motion carried.

HB 2769, relating to counties; concerning economic development programs;

Rep. Elizabeth Baker made a motion that HB 2769 be passed. Rep. George Dean seconded the motion. Committee members questioned language in Line 28, "private utilities" and in Lines 29 and 30, "in the country." The motion carried.

HB 2845, concerning libraries; relating to tax levies for support thereof;

Rep. Elizabeth Baker made a motion that HB 2845 be passed. Rep. Dorothy Nichols seconded the motion. The motion carried.

Chairman Sand called for the approval of the minutes of the meetings of February 24, 25 and 26, 1986. A committee member noted a needed correction in the minutes of February 25, 1986, re HB 2946; that the name "Kenneth" Ott should be corrected to "Kent" Ott.

The minutes for the meetings of February 24, 25, and 26, 1986 were approved as corrected.

Chairman Sand called for Sub-committee report from Rep. Carl Holmes, Chairman. Rep. Holmes reported that his Sub-committee had studied HB 2727, HB 2728, HB 2921, HB 2762, and HB 2786 and that the recommendation of the Sub-committee is as follows: For HB 2727 and HB 2728, kill or leave in committee; For HB 2921, pass out of committee; For HB 2762 and HB 2786, No action is indicated this date as the Sub-committee is still attempting to combine the two bills and localize to Shawnee County.

Chairman Sand called for action on HB 2921.

Rep. Carl Holmes made a motion that HB 2921 be passed as recommended. Rep. Clyde Graeber seconded the motion. The motion carried.

The meeting was adjourned.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

DATE 2-27-86

NAME	ADDRESS	REPRESENTING
Marian Lily	3908 26 <sup>th</sup>	STORMONT School of Nursing
Ruth Higgins	Rt. 1	Stormont-Hill School of Nursing
Ralph Branson	1733 Green Acres	S-V School of Nursing
Connie Shaffer	3125 Randolph Apt 102	S.V. School of Nursing
Mom A. Herrera	1305 NE Atchison	S.V. School of Nsg.
Deborah Seel	Rt. 1 Box 5 Horton, Ks.	SU School of Nsg.
Christine A. Sawyer	Rt 7 Box 244 Manhattan, Ks	SU School of Nsg.
Barbara Kennedy	Rt #2 Box 425 Ks.	SU School of Nsg
Connie Rangel	1247 N. Chandler, Joplin Ks	S.V.S.N.
Kathy Diehl	RR2 Alma KS	State Treasurer's Office
Jane McKenna	Topeka	" " "
Joan Trining	"	" " "
Mary Carson	Lawrence	Attorney General's Office
Jody Boachie	Kansas City	Board of Public Utilities Board of
Jim Doyle	K.C. KR	Board of Public Utili Pension Trustees
Byron E. Couch	K.C. Ks	Board of public Utilite Pension Trustee
Terry W. Drake	Kansas City Kansas	Board of Pension Trustees
Blonde Pfeiffer	Ottawa, Ks.	K.U. Sch of Nsg.
Diane Spurr	KC, Ks	KU Sch of Nsg
Rebecca Crenshaw	Topeka	Ks Retiring Assn

RICK BOWDEN

REPRESENTATIVE, NINETY-THIRD DISTRICT

433 WALNUT

GODDARD, KANSAS 67052



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

MEMBER: EDUCATION  
GOVERNMENTAL ORGANIZATION  
LOCAL GOVERNMENT

Testimony on HB 2957

1. Background of bill

Air Problems in Colwich

Installing plant with direct involvement of County Health Dept.

Air emissions problems

Long delay in addressing problems (coordination with KDHE and County)

Air Problems in Vulcan Area

Conflicting figures in an EPA study.

Questionable sampling procedures adversely affecting the plant.

Questions regarding illness of residents.

2. Expansion of Housing into area.

3. Growth of industry into area/expansion.

4. a. Bill designed to help form a method for the local level of government to identify and address local problems or concerns while still falling within the frame work of the KDHE guidelines.
- b. The problems of our area and county are unique to the area.
- c. Form a cooperative board that works with government and industry to identify problems and address them - Only mandatory thing in the Bill is that the board will be established.

5. Overview of Bill.

Section 1 -- definitions

Section 2 -- method of setting up the board.

County commissioners - leave to their discretion the method of selecting members.

Meeting quarterly.

Costs - Subsistence per KSA 75-3223 \$35.00 per diem, mileage expenses \$700. plus.

Section 3 - Powers - Duties of Board .

Section 4 - Staffing for Board .

6. The request by the Health Dept. for federal funds for equipment to perform monitoring would be enhanced by creation of the Board.

7. Closing:

This would be one of the best ways for local-state cooperation in helping to identify needs with the State for safe air control programs.

ATTACHMENT I

2-27-86  
Hs. Local Gov.

Kansas Department of Health & Environment

Testimony on HB 2957

Presented to House Local Government Committee

February 27, 1986

This is the official position taken by the Kansas Department of Health and Environment on HB 2957.

Background Information:

The Kansas Department of Health and Environment (KDHE) strongly favors the control of air toxic contaminant emissions into the environment.

This issue is of great concern to us. The tragedy of Bhopal, India, where 2,000 people died, and the releases of chemicals at Institute, West Virginia should make us pause and give this matter the serious attention and study that it requires. It is estimated that approximately 48,000 chemicals are in commercial use throughout the United States. There are no ambient air quality standards or criteria for the great majority of them. It is important then, that an effort be undertaken to develop guidance for these non-criteria air contaminants. Such an endeavor would involve risk assessment, toxic emission inventories, monitoring, control techniques, permit reviews, compliance inspections, and emergency or spill responses. In addition, frequent communication with federal and other state agencies is essential for obtaining the data necessary for an effective toxic air program.

We are moving rapidly at the state level to develop a program in the control of toxic air emissions. Professional staff have been trained and are being sent to courses and symposia at the national level to obtain the knowledge necessary for an environmentally sound air toxics initiative. Furthermore, KDHE is working closely with the federal Environmental Protection Agency in this matter to secure the necessary funding. It is our objective to produce a program at the state level which will serve as a model for the local agencies to follow.

The proposed bill would seek to establish a local program before the state has had an opportunity to develop its own. KDHE neither proposes or opposes this bill, but feels that the bill could result in public confusion, and duplication of effort as well as possible conflict between the state and local environmental agencies. As an alternative, we recommend that a task force or committee be created to develop an acceptable air toxics program which would properly address this problem. Professional staff from interested and involved agencies should be invited to join. Periodic reports should be written to determine progress. A final report and suggested bill could then be developed for the next legislative session. Such a plan would provide for a transfer of pertinent ideas and suggestions among all concerned. It would also serve to develop a master plan on air toxics control in Kansas and be more likely to secure the necessary federal funding in a time of increasing competition and decreasing availability.

WEAKNESS:

The issue of air toxics deserves state-wide attention. The weakness of this bill is that it is limited to Sedgwick County.

DEPARTMENT'S POSITION:

KDHE neither proposes nor opposes this bill. If the bill is passed, however, we will work with Sedgwick County and provide whatever assistance we can in its implementation.

Submitted by

Sharad V. Bhatia  
Director of Environment

ATTACHMENT II  
2/27/86  
Hs. LOCAL Gov.