

Approved 3/2/87
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by Sen. Bill Morris at
Chairperson

9:00 a.m./~~p.m.~~ on February 25, 1987 in room 254-E of the Capitol.

All members were present ~~except~~.

Committee staff present:

Hank Avila, Legislative Research Department
Ben Barrett, Legislative Research Department
Bruce Kinzie, Revisor
Louise Cunningham, Committee Secretary

Conferees appearing before the committee:

Sen. Jack Steineger
Myrtie Gourley, Lupus Foundation of America, Inc., Kansas City, Mo.
Sgt. Bob Giffin, Kansas Highway Patrol
Steve Lackey, Director of Operations and Maintenance, City of Wichita
Police Chief Richard LaMunyon, City of Wichita

HEARING ON S.B. 192 - Motor vehicles, sun screening devices

Sen. Jack Steineger said this bill was an attempt to make provisions for those suffering from Lupus. He distributed pamphlets from the Lupus Foundation of America which explained Lupus and he hoped that something could be worked out with safety officers on what type of screening would be available. A copy of the Lupus pamphlet is attached. (Att. 1).

Myrtie Gourley, President, Kansas City Lupus Chapter, explained that Lupus patients have an allergy to the sun and ultraviolet rays. The rays penetrate windows and sometimes can cause a flare or inflammation in Lupus patients. They support S.B. 192 and ask for the lowest degree of tinting necessary for protection without being life threatening to law enforcement officers. A copy of her statement is attached. (Att. 2).

Bruce Kinzie said there was a printer's error in the bill and lines 47 through 54 should be stricken.

Sgt. Giffen, Highway Patrol, said different officers interpret in different ways the words "substantially impairs". He spoke of viewing a demonstration car with 35% screening and they had looked at it under different atmospheric conditions. They could not see inside the car at night at all with a flashlight. A copy of his statement is attached. (Att.3). He spoke of having a template with three different shades of screening which could be held up to a window to compare the shades of darkness. His concern was when an officer was unable to see a potential threat. He also said line 71 of the bill might be in conflict with other statutes.

The Chairman said the Committee wanted to help people with Lupus without jeopardizing the law officers.

HEARING AND ACTION ON S.B. 170 - Liquefied petroleum motor fuel tax; Municipally owned vehicles used for law enforcement.

Sen. Francisco said this bill was sponsored by the full Sedgwick County Delegation. In 1983 the Kansas Legislature removed exemption of LP gas and last year it cost the City of Wichita over \$25,000 in LP fuel tax. This bill is not as broad in scope as the bill last year which passed the Senate but did not pass in the House.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

room 254-E, Statehouse, at 9:00 a.m. ~~pm~~ on February 25, 1987

Steve Lackey, City of Wichita, said in 1981 Wichita began converting a number of its vehicles to liquefied petroleum fuel because it was considered cleaner and less expensive than gasoline. It was costly to convert these vehicles. They must now annually monitor, keep records, affix tags and submit a detailed listing to the State on nearly 300 LP fueled vehicles. It will be cost effective to have this bill. A copy of his statement is attached. (Att. 4).

Richard LaMunyon, Chief of Police, City of Wichita, said they went to LP gas for efficiency and to save money. This exemption would save enough money for another law enforcement officer. He supported S.B. 170.

Bruce Kinzie said this bill needs a technical amendment on line 36. It needs the degree sign. A motion was made by Sen. Francisco and was seconded by Sen. Norvell to conceptually put the sign in. Motion carried.

A motion was made by Sen. Francisco and was seconded by Sen. Martin to recommend S.B. 170, as amended, favorably for passage. Motion carried.

A sub-committee was appointed for S.B. 260, the bicycle bill. The Chairman is Sen. Bond with Sen. Vidricksen and Sen. Francisco as members. The sub-committee is to report back to the full Committee on March 6, 1987.

On a motion from Sen. Francisco and a second from Sen. Vidricksen the Minutes of February 20, 1987 were approved. Motion carried.

ACTION ON S.B. 189 - Jay Dillingham Memorial Highway

Sen. Bond said this should not be a memorial highway but should be the Dillingham Freeway and changes will have to made in the bill. A conceptual motion was made by Sen. Bond and was seconded by Sen. Martin to change the bill accordingly. Motion carried.

Sen. Bond was asked to explain the history of Mr. Dillingham and he said Mr. Dillingham had been President of the Missouri Highway Commission and the moving force behind I-670. He had been on the Board of the Stockyards, a member of the Agriculture Hall of Fame and a real community leader. KDOT will take contributions for the signs.

A motion was made by Sen. Bond and was seconded by Sen. Doyen to recommend S.B. 189 as amended, favorably for passage. Motion carried.

The Committee discussed the sun screening for Lupus patients and talked about having an I.D. sticker to put on their cars so law enforcement people would be able to identify them without making them get out of the car.

Meeting was adjourned at 10:00 a.m.

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 2-25-87 Place 254-E Time 900

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Bob Giffin

Topeka

Kansas Highway Patrol

Rich Dome

Hoisington

BLE

Dow Detweiler

Pratt

Bofh.E.

Leroy Jones

Overland Park

B.L.E.

STEVE LACKEY

City of Wichita

Richard LaMunyon

Wichita

Wichita Police

MARLA HOWARD

CITY OF WICHITA

CITY OF WICHITA

Myrtle Gourley

10804 Fremont, K.C. Mo - (Pres K.C. Supers Chapter)

Bene Gourley

" " "

Treas. K.C. Supers Chapter

Walt Darling

TOPEKA

BUDGET

Charles Nicolay

"

KOMA

ED DESOISEWIE

TOPEKA

KDOT

Tom Whitaker

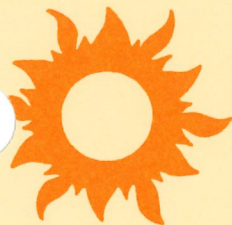
Topeka

Ks Motor Carriers Assn

Lupus Foundation of America, Inc.

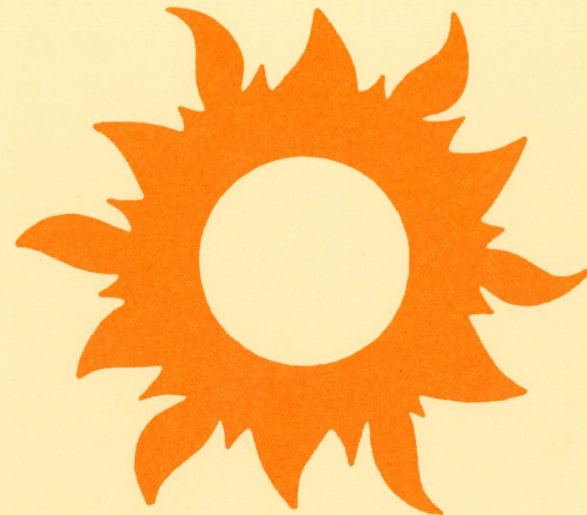
1717 MASSACHUSETTS AVENUE, N.W., WASHINGTON, D.C. 20036

SUITE 203 TELEPHONE: 800-558-0121



SOMEONE YOU KNOW HAS LUPUS

Over 500,000 People in the United States
Suffer from Lupus Erythematosus



LUPUS FOUNDATION OF AMERICA, INC.

In Search of a Cure Through Biomedical
Research, Education, and Services

ATT. 1
T&U 2/25/
87

What is Lupus?

Lupus Erythematosus, or lupus as it is commonly known, is a chronic inflammatory disease affecting connective tissue. Although its existence has been known for well over a century, lupus is a disease of unknown cause.

Lupus strikes an individual's immune system, a complicated network of organs, tissues, cells, and circulating factors in the blood. Normally, the immune system protects individuals from infection by producing antibodies (protein molecules) that can react with foreign substances and lead to their elimination. In autoimmune diseases such as lupus, the body makes large quantities of antibodies that react against the person's own normal tissue.

Lupus may affect only the skin in some people. In others, it may affect virtually any organ of the body, including the liver, joints, kidneys, heart, and central nervous system.

Are There Different Types of Lupus?

There are two main forms of lupus. Discoid Lupus involves only the skin, usually the face, neck, and sometimes the upper chest. It may cause raised, scaly skin areas. It is a relatively mild form of the disease. This skin form may also cause irregular bald spots on the scalp. The second type, usually more severe, is called Systemic Lupus. It involves the internal organs and systems of the body. Although Systemic Lupus may often be mild, if it is not controlled, it can result in damage to vital organs such as the kidneys, brain, heart, and lungs and, occasionally, death.

Who Gets Lupus?

The number of Americans diagnosed with Systemic Lupus is estimated at 500,000, with thousands more suffering from Discoid Lupus. The overall incidence of lupus in the United States is estimated to be more than one person in 2,000, making it more prevalent than leukemia, muscular dystrophy, cerebral palsy, multiple sclerosis, and cystic fibrosis. More than 16,000 Americans develop lupus each year.

The disease attacks females at an almost nine to one ratio over males. About 1 in 700 women between the ages of 15 and 64 is afflicted. The onset of lupus most commonly occurs in the childbearing years.

What Causes Lupus?

Although the cause of lupus is still unknown, a great deal has been learned about this disease. We know, for example, that it is not contagious. Recent studies indicate that there may be a defect in the production of suppressor cells that alter the normal functioning of the immune system.

Currently, researchers are studying whether there is an inherited susceptibility to lupus which develops on exposure to some environmental factors, such as sunlight, certain drugs, or as yet unknown agents.

What are the Symptoms?

Lupus may begin with any number and combination of symptoms. During the course of the illness, each symptom may be prolonged or may come and go, often independent of other symptoms. Common symptoms are:

- Fatigue
- Diminished appetite and weight loss
- Red skin rash
- Joint pain and/or swelling and redness
- Hair loss
- Unexplained chronic or recurrent low grade fever
- Nausea, vomiting, and abdominal pain
- Blanching of fingers after exposure to the cold
- Photosensitivity

While many patients with lupus have two or more of these symptoms, some will come to a doctor with very vague complaints of not feeling well.



Att. 1

How is Lupus Diagnosed?

Because many lupus symptoms mimic other illnesses and are sometimes vague or transient, lupus can be difficult to diagnose. Diagnosis is usually made by a careful examination of the patient's entire medical history, combined with an analysis of the results of routine laboratory tests and some specialized tests related to immune status.

Currently, there is no single test that can definitely say whether or not a person has lupus. Only by a comprehensive examination can the probability of this diagnosis be determined.

What "Triggers" Lupus?

During its course, there may be "flare-ups" when the disease is active and remissions when the disease is controlled. Perhaps the best known triggering factor is sunlight. Infection, injury, surgery, overexertion and exhaustion, nervous tension and emotional upsets have all been identified as possible precipitating factors, although the reasons are not yet known. Certain drugs may also produce lupus symptoms and cause "flare-ups," such as sulfa compounds.

How is Lupus Treated?

As long as the cause of lupus remains an enigma, there is no specific and complete treatment. Although a cure is not now possible, control of the disease is. Treatment is centered on medication, rest and avoidance of sun, stress, and prevention of infection. The majority of drugs used to treat lupus, including aspirin, suppress the disease process itself, decrease inflammation, alter immune system function, and/or help to maintain function in other body systems. Steroids, the most well known of which is cortisone, may be used to treat lupus patients.

With treatment, the severity of symptoms and their complications can usually be reduced and often prevented entirely in some patients. *Lupus is a treatable and usually controllable disease.* It is important to remember that each patient's disease manifestations are different and methods of treatment will vary.

How Far Have We Come?

Much of what we know about lupus has been learned in the last fifteen years. The importance of the T and B cells in the immune system; the discovery of helper and suppressor cells in the immune system and the knowledge that these cells function by secreting certain factors; and the development of the theory that lupus patients might have defects in immune regulation are all evidence of recent biomedical advances.

Medical scientists are now beginning to examine the interactions of the immune, endocrine, and nervous systems. These investigations may help shed light on the role of the patient's attitude in a number of diseases. New treatment approaches are also being introduced or intensively investigated. These include kidney transplants, pulse therapy, combination therapy, plasmapheresis, use of monoclonal antibodies, and new hormonal means of therapy.

The rapidly developing knowledge of the immune system and its regulatory mechanisms is leading to an increased understanding of lupus. With continued and expanded research, there is great promise of improved treatment of this disease and progress in discovering its cause and cure.

What is the Lupus Foundation?

The Lupus Foundation of America, Inc. was founded in 1977 by lupus patients, their families, physicians, and the concerned public to:

- Encourage public support for, and directly sponsor research to discover the cause(s) and improve treatment methods of lupus erythematosus;
- Provide programs of general education to increase public understanding of the physical, psycho-social and human costs of lupus;
- Provide educational, referral and support services to those suffering from lupus and their families;
- Promote among health professionals the exchange of knowledge about lupus and work collaboratively to improve the standards of care and treatment of lupus patients;
- Represent lupus patients and their families, serving as national spokesperson with professional and government organizations and the concerned public;

- Encourage the creation and strengthening of state and local affiliate groups to provide information, referral and support services and promote interstate exchange of effective programs.

The Lupus Foundation has chapters in almost every state and major United States city that sponsor educational programs for patients and the larger community, distribute literature on the disease, and provide person to person contact and support among lupus patients.

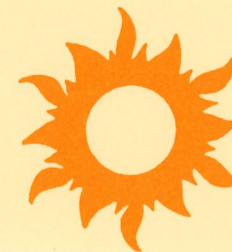
How Can You Help?

The effort to find the cause for and cure of lupus involves an active partnership between the public, voluntary, and private sectors. The research programs of the National Institutes of Health have resulted in major progress in discovering new diagnosis and treatment knowledge about lupus. But government funds for biomedical research are being significantly reduced, threatening to halt the important work now underway and curtail future progress.

You can help. To achieve the goal of eradicating this debilitating and chronic disease, your support is needed to:

- Expand programs of public and professional education to promote greater awareness and understanding of lupus;
- Strengthen physician training and research opportunities to facilitate early diagnosis and improved treatment of lupus;
- Initiate new research programs and continue support of promising research underway into the causes, treatment, prevention, and cure of lupus;
- Provide emotional support and practical information and help to lupus patients and their families.

The continued efforts to eradicate lupus will, more than ever, depend on the financial contributions of patients, families, friends and the concerned public. To achieve our goals, your support is essential. Please help us help! Your gift is, of course, tax deductible.



Donations are tax deductible

NAME _____ ADDRESS _____ CITY _____ STATE _____ ZIP CODE _____

My check for \$ _____ is enclosed.

Please send your donation or request for further information to:

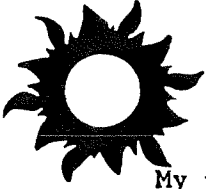
Lupus Foundation of America, Inc.
P.O. Box No. 12897
St. L. Missouri 63141

Kansas City Lupus chapter
10804 F. Belmont
K. e. mo. 64134

Lupus Foundation of America, Inc.

KANSAS CITY CHAPTER

10804 Fremont • Kansas City, Missouri 64134-2502 • (816) 761-2674



Ladies, Gentlemen, Senator Jack Steineger, and Senate Transportation Sub-Committee:

My name is Myrtie Gourley, I am President of the Kansas City Lupus Chapter: I'm here to testify on behalf of the Kansas City Lupus Chapter, a Chapter of the Lupus Foundation of America, headquarters in Washington, D.C., in regards of Senate Bill No. 192.

As you know Lupus is an Auto-immune disease. Over 500,000 people in the United States have Lupus. Thus making it more common than Muscular Dystrophy, Multiple Sclerosis, and even Leukemia. The Lupus Foundation of America believe that now 4000 to 5000 people a year are diagnosed as having Lupus. We feel that there are approximately 20,000 people in Kansas with Lupus.

You have heard testimony to the fact that Lupus patients have an allergy to the sun and ultraviolet rays. Dr. Nancy Becker of Kansas University Medical Center states that "photosensitivity is a common feature of Lupus and can occur in various forms of skin eruption and rash. The ultraviolet rays penetrate windows and sometime can cause a flare or inflammation in Lupus patients , and at time be life threatening.

There are two classes of Lupus: Discoid Lupus involve the skin only. Systemic Lupus is a relatively uncommon inflammatory disease that involves the supporting tissue of the body. Since tissue is found in all regions and organs of the body, any part or organ can be affected.

An inflammation, as you know, is a result of the body reacting to a foreign substance. So when a foreign substance enters the body- we make antibodies against it. Certain cells of the immune system make antibodies and are materials the body produces to attact any foreign substance so therefore is called part of the bodys self-defense. When the body produces antibodies against a specific foreign substance, the body will automatically be immune.

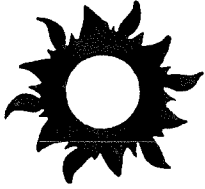
In Lupus the auto-immune system somehow distroys the normal cells. This is the reason this disease is called an autoimmune disease.

ATT. 2
2/25/87
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Lupus Foundation of America, Inc.

KANSAS CITY CHAPTER

10804 Fremont • Kansas City, Missouri 64134-2502 • (816) 761-2674



One of the most intriguing symptoms of Lupus is a striking sensitivity to the sun. In some individuals, sunburn, or even any significant exposure can aggravate the systemic illness.

We know the best known triggering factor is sunlight. Infection, injury, surgery, overexertion, exhaustion, nervous tension, and emotional upsets, can all be precipitating factors, for what reasons and what extent are still unknown.

So speaking for the Lupus patients, we would support the Senate Bill # 192 in the State of Kansas, to be passed, so those who choose may be allowed to have the opportunity to have window tinting to shield the ultraviolet rays of the sun.

We feel we only need the lowest degree of tinting necessary to protect us, but not so much as to be life threatening to our Law enforcement. Therefore we feel the Law enforcement would be more capable of deciding the degree of tinting. Personal testimony of many of our Lupus patients who have the tinted windows, express how beneficial it is to them to prevent the complications of the sun.

The reason a clarification of this Bill is needed, is, if, Lupus patients are pulled over by the Law Enforcement, this is very upsetting to defend and show proof and reason for the tinted windows.

So the Bill once and for all need be clarified statewide.

SUMMARY OF TESTIMONY

Before the Senate Committee on Transportation and Utilities

February 25, 1987

Presented by the Kansas Highway Patrol

(Sergeant Bob Giffin)

Senate Bill 192

Senate Bill 192 contains provisions which are both desirable and undesirable from a law enforcement viewpoint.

This act provides clarity to the statute concerning one way glass and other applications (K.S.A. 8-1749a) by setting a clearly definable and enforceable standard, i.e. 35% light transmission, which must be met to be legal. The "guess work" brought about by the current language of "substantially impairs" would be removed. A law enforcement officer could readily identify whether or not the window application meets the requirement of state statute through the use of a simple template used for comparison purposes. Briefly stated, the benefits of this bill are as follows:

1. The general public, law enforcement, and the courts are aided in the respect that each would know what is legal.
2. Uniform enforcement by police is provided as a result of clarification in the language of the statute. The statute would no longer be subject to individual interpretation.

Officer safety is still a concern of paramount importance. Ultimately, we would prefer that all window applications be illegal; however, we realize that this approach is not very realistic. The state has done all it reasonably can to assure an officer's safety during a traffic stop. Yet, the fact remains that an officer is virtually unprotected in this situation. We are at the mercy of the motorist each and every time we walk up to the vehicle. Traffic stops are high risk situations for law enforcement, representing 16% of the officers killed in the line of duty during calendar year 1986.

This problem is compounded when an officer is unable to see a potential threat because of an obstructed view of the vehicle occupants.

ATT. 3
2/25/87

T&U

WICHITA



DEPARTMENT OF
OPERATIONS AND MAINTENANCE

OFFICE OF THE DIRECTOR
CITY HALL — EIGHTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1685
(316) 268-4497

February 25, 1987

TO: Chairman Morris and Members of the State Transportation and
Utilities Committee

FROM: Steve Lackey, P.E., Director of Operations and Maintenance
CITY OF WICHITA

RE: S.B. No. 170 LP MOTOR FUEL TAX EXEMPTION FOR LAW
ENFORCEMENT VEHICLES

Chairman Morris and Members of the Committee:

The City of Wichita wishes to express its support of the provisions in Senate Bill No. 170 to exempt municipally owned vehicles used in law enforcement from the State LP Motor Fuel Tax Law.

In 1981, the City of Wichita began converting a number of its vehicles to liquefied petroleum fuel because it was considered cleaner and less expensive than gasoline. The City has converted more than 1,000 cars and trucks, at a cost of \$1.15 million. This amount includes an average cost of \$700 per vehicle and \$284,000 for the purchase and installation of the necessary fuel tanks and dispenser system at our maintenance facilities.

Until 1983, subdivisions of the State were specifically exempt from taxation under the Liquefied Petroleum Motor Fuel Tax Law. We must now annually monitor, keep additional records, affix tags, and submit a detailed listing to the State on nearly 300 LP fueled vehicles.

In 1986, the City of Wichita paid just over \$25,000 in LP fuel tax. In addition, many hours were spent each year updating records, processing tax payments, and affixing the "Tax Paid" tags on each vehicle. Since we fuel our own vehicles, these tags do not serve their intended purpose of notifying an LP vendor not to charge the tax on a sale of propane for that vehicle.

To our knowledge, Salina is the only other city affected by the LP Tax Law. That city has some LP fueled trucks and pays approximately \$6,000 each year in LP tax.

ATT. 4
T&U 2/25/87

Re: S.B. No. 170 LP Motor Fuel Tax Exemption for Law Enforcement Vehicles

Since propane tax revenues are eventually distributed back to cities and counties, we believe it would be most cost effective for everyone to exempt local governments once again from this tax. Although it is the City's preference that municipalities be totally exempt from the LP Motor Fuel Tax Law, exemption of our law enforcement vehicles will certainly reduce the amount of tax we pay as well as the administrative time and cost for the entire process. We currently have 110 LP fueled police vehicles that consume approximately 90 percent of our annual propane supply.

The City of Wichita requests your consideration and urges your support of Senate Bill No. 170. Thank you.