

Approved March 24, 1992
Date

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by Senator Audrey Langworthy at
Chairperson

9:10 a.m./~~p.m.~~ on Thursday, March 5, 1992 in room 531-N of the Capitol.

All members were present except: Senator Lee

Committee staff present: Theresa Kiernan, Revisor of Statutes
Mike Heim, Legislative Research
Elizabeth Carlson, Committee Secretary

Conferees appearing before the committee:

SB 586 - Shelters for mobile home parks

A letter from Senator Ben Vidricksen was passed to the committee.
(Attachment 1)

Senator Daniels said she was flexible in the requirement of 18 square feet for a shelter. She thought 10 square feet would be acceptable. Also, smaller cities would have a problem drawing up guidelines and the state architect would be willing to do so. She also said she had done some checking on the cost of construction of a storm shelter and she was quoted figures of \$8 to \$15 per square foot.

Senator Gaines made a motion to change the square feet from 18 to 8 in line 21. Motion seconded by Senator Burke. Motion carried.

There was a discussion of the accessibility for the handicapped. Senator Burke said he had surveyed his district and not only are there mobile homes that have no shelters but also slab homes and office buildings. Senator Gaines said the requirement of shelters should be required of all.

Senator Montgomery said state law does require emergency preparedness to provide shelters. He proposed an amendment. (Attachment 2) There was a discussion of grandfathering in existing mobile home parks and what should be done if there are existing facilities near by which could be used. Some parks are in the flood plain and cannot build shelters underground. Senator Steineger said a general law could be written where exceptions can be provided and involve emergency preparedness.

Senator Montgomery moved the acceptance of his proposed amendment. Motion seconded by Senator Burke.

Senator Daniels made a substitute motion to strike (b) of the amendment Senator Petty seconded the motion. Motion failed.

There was discussion on emergency preparedness. Senator Gaines said that law was written in 1950 for nuclear bombs not for natural disasters.

Senator Burke said if there is a suitable shelter near by and people are aware of it, it makes no sense to remove existing mobile homes.

Senator Daniels said Section 2 does direct counties and cities to draw up ordinances if there are alternative shelters.

There was also discussion of the proper language and concern about other homes, not just mobile homes.

Senator Gaines made a substitute motion to strike in line 25 beginning

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT,

room 531-N Statehouse, at 9:10 a.m./~~p.m.~~ on Thursday, March 5, 1992

with "Storm shelters" and line 26 to the end of the sentence at the period. The motion was seconded by Senator Steineger. Motion carried.

Senator Steineger made a motion that cities or counties may grant waivers, limited or permanent, in consultation with emergency preparedness committees, taking in to account availability of other shelters and consideration of practical alternatives to assure the protection of the life of occupants of the mobile home parks. Motion seconded by Senator Gaines. Motion accepted conceptually and look at this motion in writing at next meeting.

Senator Steineger moved SB 563 be passed favorably. Motion seconded by Senator Petty. Motion carried.

Senator Gaines moved SB 564 be passed favorably. Motion seconded by Senator Petty. Motion carried.

The meeting adjourned at 9:55 a.m.

BEN E. VIDRICKSEN

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Assistant Majority Leader

March 5, 1992

COMMITTEE ASSIGNMENT

CHAIRMAN: LEGISLATIVE, JUDICIAL AND
CONGRESSIONAL APPOINTMENT

MEMBER: ECONOMIC DEVELOPMENT
FEDERAL AND STATE AFFAIRS
GOVERNMENTAL ORGANIZATION
PUBLIC HEALTH AND WELFARE
TRANSPORTATION AND UTILITIES
LEGISLATIVE POST AUDIT
JOINT COMMITTEE ON STATE
BUILDING CONSTRUCTION

MEMBER: GOVERNOR'S COMMISSION ON TRAVEL
AND TOURISM

MEMBER: NATIONAL CONFERENCE OF STATE
LEGISLATURES

MEMO TO: Local Government Committee
Audrey Langworthy, Chairperson

RE: SB 586 - Storm Shelters for Mobile Home Parks

FROM: Senator Ben Vidricksen

I have gathered the following information as to the affect SB 586 would have on my City of Salina.

Under Senate Bill 586 nine of these thirteen mobile home parks would have to close. They have no money to build storm shelters, they have no space to build storm shelters and they cannot build underground. My information shows that there will be 1300 people without homes if this law goes through.

It is my understanding that it could cost some of my constituents as much as \$500 a day in fines if they don't comply and build a shelter. This would definitely send them into bankruptcy.

There is no code in Salina at the present time specifying what would be required for these shelters.

It would appear that under the specifications for the handicapped, to go 8 feet underground would require a ramp as long as 96 feet to make the grade. One of the parks could not build underground because they are in the flood plain and cannot put anything underground. Many of the trailer parks in Salina do not have enough square footage to build storm shelters on their property. Even if the law did take effect it must be done by July 1992 and engineers would hardly have time to draw up the plans for these shelters, even for those who could afford and have enough room to build underground shelters.

*attachment 1-1
Senate Local govt
March 5, 1992*

The obvious solution to this problem is to ask local governments to identify already existing public facilities that could be used as a storm shelter and allow any resident who lives in a slab built structure to use a public shelter when a tornado warning is issued.

Please oppose SB 586.

Attachment 1-2
Senate Social equl
March 5, 1992

Proposed Amendment to Senate Bill No. 586

On page 1, in line 21, by striking "18" and inserting "nine";
by striking all in lines 30 and 31 and inserting:

"(b) The provisions of this section shall not apply to mobile home parks in existence prior to the effective date of this act.

Sec. 3. A mobile home park and apartment complex that does not have a storm shelter on the property shall disclose during lease negotiations that no such shelter exists. The owner, or the owner's agent, of a mobile home park and ^{multi family} ~~apartment~~ complex shall provide to each lessee the list of public shelters compiled by the county, city or interjurisdictional emergency preparedness disaster agency.";

By renumbering sections accordingly;

On page 2, following line 16, by inserting:

"Sec. 7. Each county, city or interjurisdictional emergency preparedness disaster agency shall identify in its emergency preparedness plan, public facilities that may be used as a storm shelter by the public when a tornado warning is issued. Such disaster agencies shall make lists of designated storm shelters available to the public upon request and through public service announcements.";

By renumbering section 7 as section 8;

In the title, by striking all in line 8 and inserting "AN ACT concerning storm shelters.";

*attachment 2-1
Senate Local govt
March 5, 1992*