

Approved: 2-14-97  
Date

MINUTES OF THE SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES

The meeting was called to order by Chairperson David Corbin at 8:00 a.m. on February 12, 1997 in Room -254-E of the Capitol.

All members were present .

Committee staff present: Raney Gilliland, Legislative Research Department  
Mary Ann Torrence, Revisor of Statutes  
Lila McClafin, Committee Secretary

Conferees appearing before the committee:  
Ronald F. Hammerschmidt, Director, Division of Environment, Kansas Department Health and Environment

Others attending: See attached list

Senator Huelskamp moved to adopt the minutes of February 11. Senator Harrington seconded the motion. Motion carried.

**SB 121 - Staggered terms for the Compliance Advisory Panel for the Small Business Assistance Program under the Air Quality Act.**

Fiscal note was distributed stating **SB 121** would have no fiscal effect.

Chairperson Corbin called on Ronald F. Hammerschmidt, Director, Division of Environment, KDHE. Mr. Hammerschmidt supported the bill because with staggered terms they thought it would allow for continuity of oversight activities on the panel. He said the bill has the support of the current Compliance Advisory Panel, and he distributed a pamphlet outlining the responsibilities of that panel (Attachment 1). The pamphlet is available through his office. He responded to several questions.

No one opposed the bill.

The hearing was closed.

Chairperson called for discussion on the bill. Senator Harrington moved that **SB 121** be passed. Senator Biggs seconded the motion. Motion carried.

The meeting adjourned at 8:12 a.m.

The next meeting is scheduled for February 13, 1997.



State of Kansas

Bill Graves



Governor

Department of Health and Environment

James J. O'Connell, Secretary

Testimony presented to

Senate Committee on Energy and Natural Resources

by

The Kansas Department of Health and Environment

Senate Bill 121

A seven member compliance advisory panel was established in 1993 pursuant to K.S.A. 65-3027(h) to provide oversight of the Small Business Stationary Source Technical and Compliance Assistance Program. Four panel members are owners or represent owners of small business stationary sources. One is appointed by the president of the Senate, one by the minority leader of the Senate, one by the speaker of the House of representatives, and one by the minority leader of the House of Representatives. Two members, who are not owners or representatives of owners of small business stationary sources, are appointed by the governor to represent the general public. One member is appointed by the secretary to represent the Department of Health and Environment. K.S.A. 65-3027(h) stipulates two year terms. All original appointments were made within a six month period. Only two members were reappointed in 1995. This does not allow for continuity of oversight activities. A list of past and current compliance advisory panel members is attached.

The proposed amendment provides a mechanism to stagger the appointments of advisory panel members. It would extend to June 30, 1998, the terms of the current members appointed by the governor, president of the Senate and speaker of the House of Representatives. The members appointed by the minority leaders of the Senate and House and the appointment by the secretary of the Department of Health and Environment would expire June 30, 1997. The statute does not prohibit reappointments to the panel. All subsequent appointees would serve for two years beginning July 1 of the appropriate years. Vacancies would be filled for the unexpired terms by the original appointing authority.

The current compliance advisory panel supports the proposed amendment and the Department recommends that the bill be passed as written.

Testimony presented by: Ronald F. Hammerschmidt, Ph.D.  
Director, Division of Environment  
February 12, 1997

*Sen Energy & Nat Resc.*  
*Attachment 1*  
*2-12-97*      *1-1*

COMPLIANCE ADVISORY PANEL

Initial Panel :

<u>Appointing Authority</u>	<u>Appointee</u>	<u>Date</u>	<u>Term Expiration</u>	<u>Proposed Amendment</u>
Senate President	Don Timmel	6/13/93	6/13/95	
Speaker of House	Frank Fogle, Jr	7/23/93	7/23/95	
Senate Minority Leader	Pete DeHoff	5/11/93	5/11/95	
House Minority Leader	Sean White	8/9/93	8/9/95	
Governor	Ann Havenhill	9/30/93	9/30/95	
	Anna Mae Shaffer	9/30/93	9/30/95	
KDHE	Theresa Hodges	4/14/93	4/14/95	

1995 Panel:

Senate President	Beau Guyette	12/27/95	12/27/97	6/30/98
Speaker of House	Jay Lacy	5/15/95	5/15/97	6/30/98
Senate Minority Leader	Dale Davis	6//1/95	6/1/97	6/30/97
House Minority Leader	Sean White	9/13/95	9/13/97	6/30/97
Governor	Sharon Steele	12/20/95	12/20/97	6/30/98
	Bill Lessen	12/20/95	12/20/97	6/30/98
KDHE	Theresa Hodges	4/14/95	4/14/97	6/30/97