

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairman Senator Robert Tyson at 8:30 a.m. on March 6, 2003 in Room 423-S of the Capitol.

Members present: Senator Schmidt, Senator Downey, Senator Lee, Senator Tyson, Senator Taddiken, Senator Umbarger, Senator Huelskamp

Committee staff present: Raney Gilliland, Legislative Research
Lisa Montgomery, Revisor of Statutes
Shannon Stone, Secretary

Conferees appearing before the committee:

Theresa Hodges, Director of Bureau of Environmental filed Services, Kansas Department of Health and Environment (KDHE)

Others attending: See attached guest list

Hearing on HB 2219

Legislative Research Department Staff, Raney Gilliland gave a quick overview of the **Substitute for HB 2219**.

Theresa Hodges presented testimony on behalf of the Department of Health and Environment supporting the bill. **Substitute HB 2219**, which is also supported by the League of Municipalities and several environmental organizations seeks to alleviate the Department of certain publishing requirements set forth in K.S.A. 75-5662. In past years, KDHE has seen very few requests for documents. The Department would still be required to make information available to the public but would rely more heavily on the internet as a means of making public all policies and guidelines. If the internet is not accessible to certain individuals, KDHE will make copies and send them to those who request copies. (Attachment 1)

A brief question and answer session followed testimony.

The Chairman thanked Ms. Hodges for her testimony.

Approval of Minutes/Adjournment

Senator Huelskamp made a motion to approve the minutes for February 17, 20, and 21. Senator Schmidt seconded the motion and the motion carried. The meeting was adjourned at 8:46 a.m.



K A N S A S

RODERICK L. BREMBY, SECRETARY

DEPARTMENT OF HEALTH AND ENVIRONMENT

KATHLEEN SEBELIUS, GOVERNOR

**Testimony on Substitute House Bill 2219
to
Senate Natural Resources Committee
Presented by Theresa Hodges**

March 6, 2003

Good morning Chairman Tyson and members of the committee. My name is Theresa Hodges, Director, Bureau of Environmental Field Services, Kansas Department of Health and Environment. I am pleased to be here this morning in support of Substitute House Bill 2219.

K.S.A. 75-5662 was enacted by the 1996 legislature with support by the League of Municipalities and environmental organizations. It required the Division of Environment to publish all policies and guidelines by January 1, 1997 and to publish annual updates thereafter. The Division of Environment has complied with this statute.

The original compiled policies and guidelines were available at \$75/set. Copies were distributed to the State Library and the majority and minority leaders of the House and Senate. Nine copies were purchased (2-utilities; 3-consultants; 1-university; 2-manufacturing facilities; and 1-attorney). Only two requests were received in 1998 (1-manufacturing facility for a complete set; 1-consultant, update only). Updates were available for \$15. No further requests have been received. Announcement of the availability of the publication is published in the Division of Environment newsletter, Kansas Environmental News, each January. This newsletter is distributed at no cost to approximately 2,200 persons.

Policies and guidelines are available from all regulatory programs in the Division of Environment at no cost (or minimal photocopying cost) to any entity. The published compilation contains policies/guidelines that are in effect on January 1; policy changes do occur during the year and such information must be obtained from the regulatory programs.

Approximately 480 man-hours were expended in compilation and review of policies for inclusion in the first document (3,351 pages). The updates require about 160 man-hours each year. The Department does not believe that the Agency needs to continue to prepare an annual compilation of policies and guidelines, but rather that such policies and guidelines be available online or upon request from the Agency. The few number of requests for the document further indicates little interest in this publication.

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*Senate Natural Resources Committee
Date: March 6, 2003
Attachment 1*

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