

February 20, 2012

The Honorable Ralph Ostmeyer, Chairperson
Senate Committee on Natural Resources
Statehouse, Room 225-E
Topeka, Kansas 66612

Dear Senator Ostmeyer:

SUBJECT: Fiscal Note for SB 405 by Senator Ostmeyer

In accordance with KSA 75-3715a, the following fiscal note concerning SB 405 is respectfully submitted to your committee.

SB 405 would allow all existing private wastewater systems installed prior to January 1, 1992, to be acceptable until a modification or replacement is required or necessary for the system to function properly. The bill would not apply to any private wastewater system that is in violation under current law.

Estimated State Fiscal Effect				
	FY 2012 SGF	FY 2012 All Funds	FY 2013 SGF	FY 2013 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$10,000	\$10,000
FTE Pos.	--	--	--	--

The Kansas Department of Health and Environment (KDHE) indicates that the bill would affect current state regulations which prohibit the installation of cesspools after 1972. SB 405 would change the date used to determine if a cesspool is grandfathered under current regulation from 1972 to 1992. The agency states there would need to be a revision of the existing regulation to comply with the provisions in the bill. Further, KDHE states numerous local governments established county sanitary codes that carry the same prohibition of the use of cesspools and those county codes would have to be modified to comply with the legislation. The revised codes would each have to be reviewed and approved by KDHE. To carry out the provisions of SB 405, KDHE states that it would need \$10,000 from the State General Fund in both FY 2013 and FY 2014 to print updated documents and for redrafting regulations.

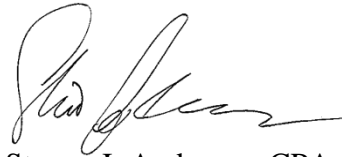
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The League of Kansas Municipalities and the Kansas Association of Counties state that any fiscal effect resulting from the passage of SB 405 would be negligible to local governments. Any fiscal effect associated with SB 405 is not reflected in *The FY 2013 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Larry Baer, League of Kansas Municipalities
Melissa Wangemann, Kansas Association of Counties
Aaron Dunkel, KDHE