



KANSAS ADJUTANT GENERAL'S DEPARTMENT
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SENATE COMMITTEE ON FEDERAL & STATE AFFAIRS
TESTIMONY ON SB 34
COMMISSION ON EMERGENCY MANAGEMENT & RESPONSE
JANUARY 30, 2013

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to be here today. I am Angee Morgan, with the Adjutant General's Department, Division of Emergency Management. Major General Lee Tafanelli, sends his regrets that he could not attend today.

I am here to provide you an overview of the Commission on Emergency Planning and Response (CEPR) and provide testimony in support of Senate Bill No. 34, amending commission membership.

The Commission on Emergency Planning & Response (CEPR) oversees 105 Local Emergency Planning Committees (LEPCs) and supports communities, industries, and government agencies by facilitating a coordinated effort in disaster preparedness, response and recovery.

On October 17, 1986, in response to a growing concern for safety around chemical facilities, Congress enacted the Emergency Planning and Community Right-to-Know Act (EPCRA), also known as Title III of the Superfund Amendments and Reauthorization Act (SARA). The federal law requires the governor of each state to establish a State Emergency Response Commission (SERC) and for the Commission to establish Local Emergency Planning Committees (LEPCs). It is the mission of the LEPCs and SERC to implement EPCRA in the State of Kansas and to mitigate the effects of a release or a spill of hazardous materials.

The Kansas Commission on Emergency Planning and Response (CEPR), established by K.S.A. Chapter 48, Article 9, The Kansas Emergency Management Act, is responsible for implementing federal EPCRA provisions in Kansas and serves as the technical advisor and information clearinghouse for state and federal hazardous materials programs.

The primary focus of the CEPR is to enhance state and local emergency response and preparedness capabilities through improved coordination and planning. This is achieved by:

- (1) advising and assisting local agencies in the mitigation of hazards and emergency preparedness by aiding in the development of all emergency plans, training, and exercises;
- (2) reviewing the response to emergencies and recommending improvements for mitigation, preparedness, response and recovery for future disasters; and

(3) carrying out all requirements of the Federal Emergency Planning and Community Right-to-Know Act of 1986.

The CEPR is comprised of 27 representatives from various state and local government organizations and industry. Membership of the CEPR currently includes agency heads from the Adjutant General's Department, State Fire Marshal's Office, Department of Transportation, Department of Health and Environment, Highway Patrol, Department of Commerce, Kansas Bureau of Investigation, Department of Agriculture, and the Animal Health Department.

In addition to the agency heads, the Governor appoints eighteen members from various state and local agencies: counties, cities, agriculture, transportation, energy, law enforcement, fire fighters, county emergency managers, emergency medical services, business and industry, public works, hospitals, public health, tribes of Kansas, individuals with disabilities, and one representative for the seven regional homeland security councils.

The commission makes decisions regarding state preparations for different types of emergencies. By including more experts in the discussions, it will allow for a better planned response by the state. The various backgrounds of these individuals creates an ideal commission to coordinate an emergency response related to all-hazard situations.

On behalf of the Adjutant General's Department, we support the changes in Senate Bill No. 34. There are four changes that I would like to bring your attention to:

First, the Department of Health and Environment will have representation from both divisions. The Division of Health and the Division of Environment have distinct roles and responsibilities within emergency management and homeland security. We believe that it is invaluable to have expertise from both divisions.

Second, the Kansas Division of Animal Health Department was abolished in June 2012 and merged into a Division within the Kansas Department of Agriculture. The Secretary of Kansas Department of Agriculture is represented on the CEPR.

Third, the process for selecting a vice-chair will ensure that continuity and leadership will occur without any disruption to the committee and the activities the commission addresses. Electing a vice-chair as nominated by commission members, rather than by appointment of the chair, will allow for equal representation and overall acceptance of CEPR leadership.

Finally, we also support language for a representative or a liaison that has been given authority to represent or coordinate communications for any federally recognized tribes residing in the State of Kansas. This allows to the Governor's Tribal Liaison to become a member of the CEPR and still leaves flexibility for any additional tribal appointees as needed.

Thank you for your time and I stand ready for your questions.

Respectfully submitted by:
Angee Morgan
Deputy Director of Emergency Management
Kansas Adjutant General's Department
30 January 2013