

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE.

The meeting was called to order by Chairperson Senator Susan Wagle at 1:30 p.m. on February 18, 2003 in Room 231-N of the Capitol.

All members were present except: Senator Nick Jordan

Committee staff present: Ms. Emalene Correll, Kansas Legislative Research Department
Mr. Norm Furse, Revisor of Statutes
Ms. Margaret Cianciarulo, Administrative Assistant

Conferees appearing before the committee: Ms. Sally Finney, CAE, Executive Director,
Kansas Public Health Association
Ms. Lesa Roberts, Director, Bureau of Consumer Health
KS Department of Health and Environment
Mr. Richard A. Baker, Co-Chair of the Kansas Lead Council

Others attending: See attached guest list

Hearing on SB204 - an act concerning lead poisoning prevention

Upon calling the meeting to order, the Chair announced there would be a hearing on **SB204**, an act concerning lead poisoning prevention and asked Ms. Emalene Correll, Kansas Legislative Research Department to give a brief overview of the bill. Some of the highlights included: the current bill only addresses residential facilities, new law generally expands the lead abatement program to include types of places and activities not currently covered by the law, title change (“Child and Adult Lead Poisoning Act”), reference to the federal program and accreditation has been deleted, new definitions added (ex. commercial and industrial properties and the definition of residential real property), expanded definitions (ex. Of “immediate family” and training to include “engaged in any type of lead activity”), new authority given to the secretary (ex. For licensing, training, and certification, standards for businesses to get licensed), corrective plan for violation, nomenclature changes, undertaking an internal voluntary audit in return is granted immunity from discovery in a legal action, and an expiration change.

The Chair then asked the Committee if there were questions for Ms. Correll. Senators Steineger, Harrington, and Barnett asked for clarification of the bill’s expiration date, what are the penalties for the two offenses referred to on page 8, lines 11 and 12, and on page 3, line three has “screened or tested” and on line four, “screening” was removed (why one place removed and another left in)

As there were no more questions for Ms. Correll, the Chair recognized the first proponent conferee, Ms. Sally Finney, CAE, Executive Director, Kansas Public Health Association (KPHA), who stated that their association was intimately involved in the passage of the original act. Ms. Finney stated that their involvement was prefaced on the faith that KDHE’s lead program would be able to deliver the promises it made in 1999, securing federally funding to support the program and delivering quality services to professionals and members of the general public who have an interest in preventing exposure to lead. Lastly, she mentioned the extension of the sunset on the original act is of major concern to KPHA’s members. A copy of her testimony is (Attachment 1) attached hereto and incorporated into the Minutes as referenced.

The Chair recognized the next proponent conferee, Ms. Lesa Roberts, Director, Bureau of Consumer Health, Kansas Department of Health and Environment, stated that the bill was introduced at the request of KDHE in order to repeal the sunset provision of K.S.A.65-1, 214 and to incorporate the following topics into the Child and Adult Lead Poisoning Prevention Act:

CONTINUATION SHEET

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE at on February 18, 2003 in Room 231-N of the Capitol.

Page 2

- 1.) Procedures relevant to the case management of elevated blood lead levels;
- 2.) Incorporate renovation activities in pre-1978 housing;
- 3.) Incorporate lead activities in commercial and industrial properties; and
- 4.) Adult lead poisoning prevention.

A copy of her testimony is (Attachment 2) attached hereto and incorporated into the Minutes as referenced.

The Chair then recognized the last proponent conferee, Mr. Richard Baker, Co-Chair of the Kansas Lead Council, who provided death-related statistics (ex. Empirically known deaths of lead poisoning in the last few years have occurred as a result of improperly conducted renovation), its effects (permanent and irreversible), and the cost of prevention. He also stated that by keeping the KS lead Poisoning Prevention Program up-to-date, Kansas is eligible to receive millions of dollars in grants and give all Kansans the opportunity to be normal and productive. A copy of his testimony is (Attachment 3) attached hereto and incorporated into the Minutes as reference.

As there was no opponent, neutral, or written testimony, the Chair then asked the Committee for questions or comments. Senators Harrington, Wagle, Salmans, and Brownlee and Ms. Correll asked a range of questions for the proponents, from clarification of “permanent and irreversible” but “can be removed,” doesn’t the federal government already regulate, define “lead activities,” what is the purpose of expanding the act, clarification of the 257 reported cases, does this expand the types and places required to use, who would certify the individuals who do the renovations, how do we compare with other states, to what other states have this policy available?

Adjournment

As it was going on 2:30 p.m., Senate session time, the Chair again thanked the conferees and adjourned the meeting. The time was 2:30 p.m.

The next meeting is scheduled for February 19, 2003.