

**Testimony on House Bill 2576**  
 presented to  
**House Water and Environment Committee**  
 by  
**KDHE**  
 Division of Environment

February 8, 2018

The Kansas Department of Health and Environment (KDHE) is pleased to provide testimony in support of HB 2576 which proposes changes to the Asbestos Control Act. Specifically, this initiative proposes to redirect all generated revenue from the asbestos program into a dedicated subaccount of the existing air quality fee fund to be used for program expenditures and to eliminate all State General Fund (SGF) funding of the Kansas Asbestos Control Program.

The Kansas Asbestos Control Program was established in accordance with Kansas asbestos statutes passed in 1985 in response to concerns about asbestos abatement in Kansas schools. The cost of liability insurance for schools had risen sharply during the 1980s due to potential asbestos exposure so schools were scrambling to have their asbestos removed. With no asbestos laws or regulations in place, many asbestos abatement companies were doing substandard work which resulted in even more problems for the schools due to the negative impact from disturbed asbestos on the health of students and faculty in these school buildings. The program works to eliminate poor abatement practices through a combination of business licensing, abatement plan prior approvals, job site inspections, and if necessary, enforcement proceedings.

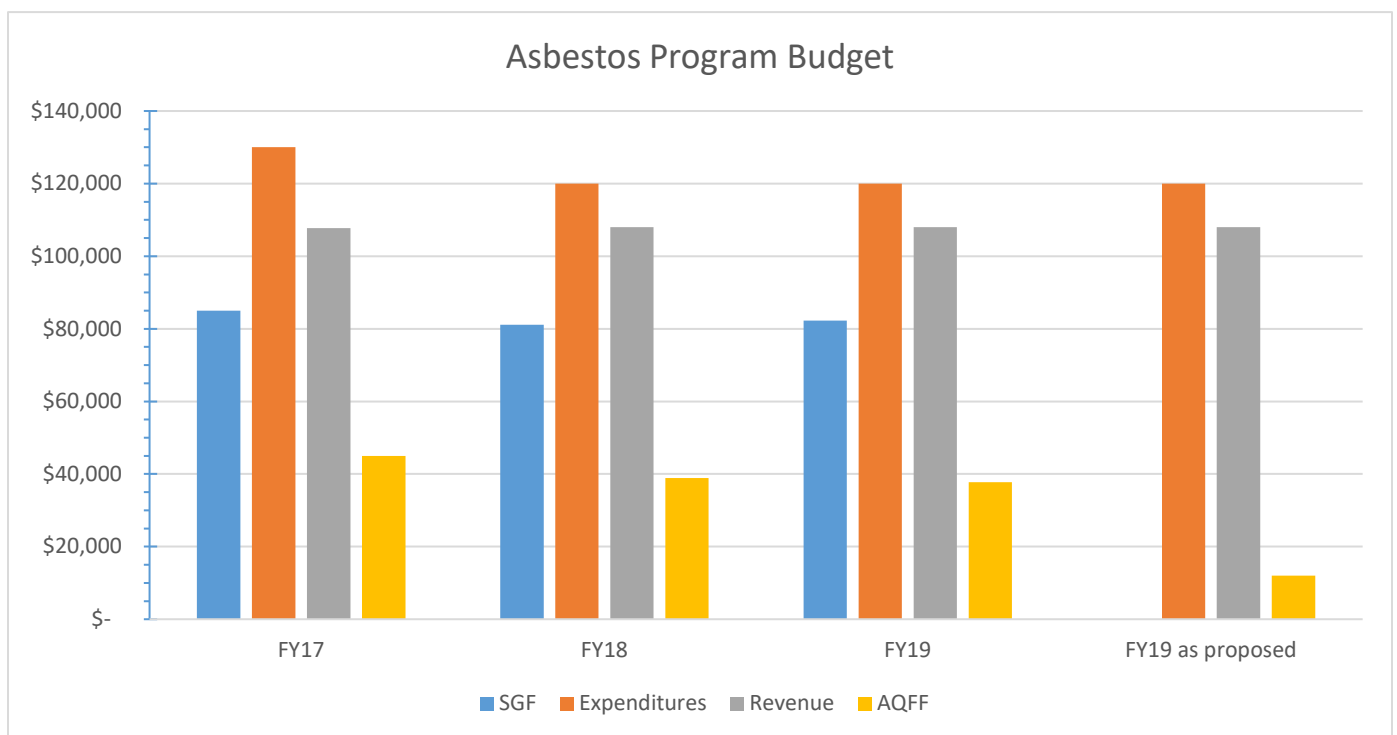


Figure 1: Graphical illustration of asbestos control program budgets from FY17-19

The Kansas asbestos statutes authorize KDHE to collect fees and fines in order to fund the program, thereby removing the fiscal burden from Kansas taxpayers and placing it on those that actively use the program. Currently, the program receives annual funding from SGF and all fees and fines collected are deposited in the SGF. Historically, the amount of SGF allotted to the program has been insufficient for proper operation of the program and the agency has been required to fund the difference from the air quality fee fund which is relied upon to fund all other state and federal air quality regulations.

As shown in Figure 1, the result of this change would eliminate approximately \$80,000 of SGF funding and will reduce the burden placed on the air quality fee fund by 66%, from approximately \$39,000 per year to \$12,000 per year.

Thank you for allowing me to explain the benefits of this bill. I will be happy to stand for any questions.