

HOUSE BILL No. 2577

By Committee on Water and Environment

1-30

1 AN ACT concerning the Kansas emergency planning and community
2 right-to-know act; relating to emergency response and planning;
3 creating the Kansas right-to-know fee fund; amending K.S.A. 65-5704
4 and repealing the existing section.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 New Section 1. (a) There is hereby created in the state treasury the
8 Kansas right-to-know fee fund, which shall be administered by the
9 secretary of health and environment. All moneys received pursuant to
10 K.S.A. 65-5704, and amendments thereto, shall be deposited into the the
11 Kansas right-to-know fee fund.

12 (b) All expenditures from the Kansas right-to-know fee fund shall be
13 used by the secretary of health and environment to ~~(f)~~ Administer the
14 Kansas right-to-know program; ~~(2) provide funding to support training~~
15 ~~of Kansas first responders and emergency management officials on topics~~
16 ~~related to hazardous chemical response~~

17 (c) All expenditures from the Kansas right-to-know fee fund shall be
18 made in accordance with appropriation acts upon warrants of the director
19 of accounts and reports issued pursuant to vouchers approved by the
20 secretary or by a person or persons designated by the secretary.

21 Sec. 2. K.S.A. 65-5704 is hereby amended to read as follows: 65-
22 5704. (a) The secretary of health and environment shall:

23 ~~(a)(1)~~ Provide support for the oversight and administrative activities
24 of the commission;
25 ~~(b)(2)~~ receive, process and manage hazardous chemical information
26 required to be submitted and notifications required to be given pursuant to
27 the federal act;

28 ~~(c)(3)~~ establish a list of Kansas reportable chemicals which shall also
29 be subject to the requirements of sections 311 and 312 of the federal act;

30 ~~(d)(4)~~ designate threshold planning quantities and reportable
31 quantities for any chemical designated for listing as reportable in Kansas.
32 For purposes of reporting in Kansas, the secretary may establish more
33 stringent reporting thresholds for those chemicals required to be reported
34 under the federal act. Chemicals shall be designated and reporting
35 thresholds established after public notice and hearing, based upon concern
36 for the hazards such chemicals may represent in Kansas; and

Proposed Amendment for HB 2577
Senate Committee on Agriculture and Natural Resources
March 20, 2018
Tamera Lawrence
Office of Revisor of Statutes

1 ~~(e)(5)~~ adopt such rules and regulations as necessary to implement the
2 provisions of the federal act and the secretary's duties under this section,
3 including provisions for protection of trade secrets and for public
4 disclosure of information consistent with sections 322, 323 and 324 of the
5 federal act. Such rules and regulations may establish fees to cover all or
6 part of the total cost of operation of the program.

7 *(b) The secretary shall remit all moneys received from fees collected*
8 *pursuant to this section to the state treasurer in accordance with the*
9 *provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of*
10 *each such remittance, the state treasurer shall deposit the entire amount in*
11 *the state treasury and credit it to the Kansas right-to-know fee fund.*

12 Sec. 3. K.S.A. 65-5704 is hereby repealed.

13 Sec. 4. This act shall take effect and be in force from and after its
14 publication in the statute book.

The secretary shall reduce the fees by adopting rules and regulations under this section whenever the secretary determines that the fees are yielding more than is necessary for the purpose of administering the program. The secretary may increase the fees by adopting rules and regulations under this section when the secretary finds that such increase is necessary to produce sufficient revenues for the purpose of administering the program, except that the fees shall not be increased in excess of the total cost of operation of the program.