

MINUTES OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Nancy Brown at 1:30 p.m. on February 17, 1993 in Room 521-S of the Capitol.

All members were present except: Representative Hayzlett (excused)

Committee staff present: Michael Heim, Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Lois Hedrick, Committee Secretary

Conferees appearing before the committee: Representative Walker Hendrix  
Louie McElhaney, Chairman, Douglas County Board  
of County Commissioners  
Mark Buehler, Member, Douglas County Commission  
Richard Rodewald, of Eudora  
Bev Bradley, Kansas Association of Counties

Others attending: See Guest List (Attachment 1)

The Chairman distributed copies of Representative Vernon Correll's written testimony on **HB 2248**, concerning transfer of certain land owned by counties (see Attachment 2).

Chairman Brown also distributed written testimony of Keith Landis, for the Christian Science Committee on Publication for Kansas, on **HB 2103**, concerning emergency medical services and Do Not Resuscitate orders (see Attachment 3).

Chairman Brown opened the hearing on **HB 2219**, concerning municipalities planning and zoning, which was introduced by Representatives Hendrix and Teagarden. Representative Hendrix appeared to testify in support of the bill. He stated the bill was developed because of a special situation in Franklin County (Ottawa) when new zoning had the effect of doing away with township zoning. (See testimony, Attachment 4). Representative Powers asked if the bill was only a local issue, and Representative Hendrix replied the bill would be statewide. Representative Macy pointed out a typographical error on line 28, where the first two words run together, i.e., "landin."

There were no others present to testify, therefore the hearing on **HB 2219** was closed.

Thereupon, the Chairman opened the hearing on **HB 2220**. Representative Walker Hendrix stated that the purpose of the bill is to transfer township zoning and planning funds to Franklin County's Planning Commission. The bill is applicable only to Franklin County. (See testimony, Attachment 4.)

There were no other proponents or opponents present to testify. The Chairman closed the hearing on **HB 2220**.

The Chairman then opened the hearing on **HB 2221**, concerning the Douglas County board of commissioners and the number of commissioners, sponsored by Representatives Hendrix and Flower. Representative Hendrix appeared in behalf of the bill, which causes the Douglas County Board of County Commissioners to adopt a resolution dividing the county into five districts if the bill is passed by the Legislature and adopted by qualified electors of the county at the November 1994 general election. (See testimony, Attachment 5). Representative Mays stated that section 2 of the bill specifies that only five percent of the electorate could cause the issue to be placed on the ballot.

Louie McElhaney, Chairman of the Douglas County Board of Commissioners, testified in opposition to **HB 2221** (see Attachment 6). He stated no one had contacted the commission with respect to the issues in the bill.

Mark Buehler, member of the Douglas County Commission, testified in opposition of **HB 2221**. He stated that Douglas County has a Planning Commission of ten members; five residing in the city of Lawrence and

five residing outside of the city. He believes that county-wide representation exists in the county without **2221**.

Richard Rodewald, of Eudora, in his testimony supporting the premise that the county is not well represented on the Douglas County Commission, spoke of the extent of the problems connected with the abandoned tire dump in Palmyra Township and his belief that the Commission has not acted upon its responsibility to start cleanup.

Bev Bradley, of the Kansas Association of Counties, appeared in opposition to **HB 2221** (see Attachment 7).

There being no others present to testify, the Chairman closed the hearing on **HB 2221**.

Chairman Brown then opened the hearing on **HB 2469**, which would permit a township board which maintains roads located on or adjacent to property owned by the state may assess a charge against the state for the maintenance or improvement of such roads. Representative Wempe testified in support of the bill (see Attachment 8).

The chairman stated the hearing on **HB 2469** will remain open to give opportunity to the Department of Administration to appear.

Representative Packer moved, and Representative Alldritt seconded the motion, that **HB 2219** be amended in line 28, by adding a space between the first two words, "landin." The motion carried unanimously.

Representative Watson moved, and Representative Mays seconded the motion, that **HB 2219** be passed as amended. Motion carried unanimously.

Representative Watson moved, and Representative Alldritt seconded the motion, that **HB 2220** be passed. Motion carried unanimously.

The meeting was adjourned at 2:54 p.m. The next meeting is scheduled at 1:30 p.m., February 18, 1993, in Room 521-S of the State Capitol.

GUEST LISTCOMMITTEE: House Local GovernmentDATE: February 17, 1993

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
RICHARD RODEWALD	EUDORA	TAXPAYERS
G. CRAIG WEINANG	LAWRENCE	DOUGLAS COUNTY
KEITH R. LANDIS	TOPEKA	CHRISTIAN SCIENCE MONITOR PUBLICATION FOR KS
Louie McPherson	Lawrence	Douglas Co.
Dave Toplikar	Lawrence	Lawrence Journal-Opinion
REV BRADLEY	TOPEKA	KS ASSOC of Counties
MARK BUHLER	LAWRENCE	DOUGLAS CO.-
		ATTACHMENT 1
		2-17-93

STATE OF KANSAS

VERNON W. CORRELL  
REPRESENTATIVE, SEVENTH DISTRICT  
LABETTE COUNTY  
PO BOX 214  
OSWEGO, KS 67356



TOPEKA

HOUSE OF  
REPRESENTATIVES

TESTIMONY

ON

HB 2248

TO

HOUSE LOCAL GOVERNMENT COMMITTEE

Thank you Madam Chair and members of the Committee.

House Bill 2248 amending KSA 1992 Supp. 19-211.

There is a few minor changes relating to sale or disposition.  
The addition of a New Section 2(a) through 2(d) as it appears on:

Page 3, lines 39-43

Page 4, lines 1 -25

New Section 2, refers to property owned by a county and surrounded by privately owned property. When the county owned property has been abandoned or unused for 25 years or more, the owner of the surrounding property can petition the Board of County Commissioners, requesting such land be transferred to the said owner.

After proper notice of the time and place of hearing of the petition, transfer of the property can be made.

Public to suffer no loss or inconvenience.

No private rights will be injured or endangered.

Certified copy of proceedings recorded in Register  
of Deeds Office.

Protects any public utilities, Right-of-way and  
easements.

Land placed on tax roll for taxation.

Costs of proceedings paid for by petitioner.

ATTACHMENT 2

2-17-93

Vernon W. Correll  
State Representative  
District #7

2/17 #2

# Christian Science Committee on Publication For Kansas

820 Quincy Suite K  
Topeka, Kansas 66612

Office Phone  
913/233-7483

To: House Committee on Local Government

Re: HB 2103

I have been given a copy of the balloon amendments for HB 2103 which include a provision for those relying on spiritual treatment in lieu of medical care.

The DNR form, with this provision, should be quite helpful to those I represent.

Those responding to an emergency call might find their task easier if the wording of the provision was changed to require the person signing the order and the witness to initial that explanatory paragraph. This would indicate that the physician's signature was not omitted by mistake.

I would propose wording similar to the following if such a change seems advisable:

\*Signature of physician not required if the person signing this order and the witness have initialled below to indicate that the person is a member of a church or religion which, in lieu of medical care and treatment, provides treatment by spiritual means through prayer alone and care consistent therewith in accordance with the tenets and practices of such church or religion.

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The present language in the balloon is satisfactory to us if it is agreeable to those who represent the medical attendants.

Your consideration of our views is greatly appreciated.



Keith R. Landis  
Committee on Publication  
for Kansas

ATTACHMENT 3  
2-17-93

STATE OF KANSAS

WALKER HENDRIX  
REPRESENTATIVE, 10TH DISTRICT  
FRANKLIN AND DOUGLAS COUNTIES  
121 W. 3RD  
P.O. BOX 787  
OTTAWA, KANSAS 66067  
(913) 242-8568



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

CHAIRMAN: RULES AND JOURNAL  
VICE CHAIRMAN: ENERGY AND NATURAL RESOURCES  
MEMBER: TRANSPORTATION  
GOVERNMENT ORGANIZATION AND ELECTIONS  
JOINT COMMITTEE ON LEGISLATIVE  
POST AUDIT

**TOWNSHIP ZONING  
(H.B. 2219 AND 2220)**

As a result of the changes in law dealing with countywide zoning, there have been some unusual developments which were not anticipated. H.B. 2219 and 2220 are technical changes to countywide zoning which will allow for the continuation of township zoning pending adoption of a county comprehensive zoning plan. Also, there is a provision to transfer township zoning and planning funds, which can no longer be used, to the county planning commission for its use.

The reason for the legislation is to protect certain zoned townships in Franklin County from being dezoned during the pendency of deliberations over a comprehensive plan for Franklin County. The countywide zoning regulations have become extremely controversial and may take some time. The townships with preexisting zoning would like to protect development in those areas during the zoning process. It would be unfortunate to have development which would conflict with historical zoning practices in the townships. Under current law without the changes, the township zoning would cease to exist.

ATTACHMENT 4  
2-17-93

STATE OF KANSAS

WALKER HENDRIX  
REPRESENTATIVE, 10TH DISTRICT  
FRANKLIN AND DOUGLAS COUNTIES  
121 W. 3RD  
P.O. BOX 787  
OTTAWA, KANSAS 66067  
(913) 242-8568



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
CHAIRMAN: RULES AND JOURNAL  
VICE CHAIRMAN: ENERGY AND NATURAL RESOURCES  
MEMBER: TRANSPORTATION  
GOVERNMENT ORGANIZATION AND ELECTIONS  
JOINT COMMITTEE ON LEGISLATIVE  
POST AUDIT

DEMOCRACY FOR DOUGLAS COUNTY  
(H.B. 2221)

I represent Palmyra Township in Douglas County. My District covers Baldwin City. Baldwin has a successful small private college, which Barron's has reported is one of the best bargains in the country. Douglas County also includes the University of Kansas and Lawrence. Lawrence has a population of 60,000 people. Rural Douglas County has a population of 20,000 people.

Baldwin has not had a county commissioner for decades. Given the population of the county, rural Douglas County probably does not have a realistic chance of having representation on the Commission in the near foreseeable future, even though the Commission has included rural representation in the past (with rural representation controlling the Commission at various times in the past).

In the last election, the forces in Lawrence apparently wanted to maintain control of the Commission. Former Baker University President, Ralph Tanner, decided to run for a slot on the Commission. A very well qualified attorney by the name of Jim Chappell ran against Mr. Tanner. At the time of filing, Mr. Chappell did not live in the Commission District to which he sought election. Given the voting blocks within the District, Mr. Chappell prevailed and rural Douglas County was denied representation on the Commission.

Sour grapes? I suppose. Jealousy? Probably. But, the truth of the matter is that Douglas County will be denied rural representation for the next several years, unless the Commission realigns itself to include more

ATTACHMENT 5-1  
2-17-93

Commissioner Districts. Because there are no efforts being made to expand the Commission, I have taken my case to you, the Committee on Local Government, as the "Court of Last Resort". I do this with full knowledge that this is a parochial matter, and this Committee has always taken careful consideration before exercising its authority in local politics.

In essence, I am requesting you in H.B. 2221 to direct the County Commissioners to divide Douglas County into 5 Commission Districts and to present such plan to the voters during the November 1994 election. The Commission could do this on its own authority, but probably will not do so without your help.

My proposal is based on gaining some voice for rural Douglas County on the Commission. But, my energy is devoted to issues of broader concern. Without a voice in County affairs, rural Douglas County is ignored.

Palmyra Township has one of the worst waste dumps for abandoned tires in the state. In 1991, the County Commissioners were informed of this problem but failed to take any action. (See photos attached as well as correspondence from the KDHE). The parties involved with the tire dump cannot remove the tires. The state has a grant program for removing waste tires. Did the County request such funds? No! Did the Commissioners take action to remove the tires? No! If there had been rural representation would there have been some positive action taken?

It is unfortunate that the County did not address the tire dump problem. This is a hideous sight. It demands attention.

In addition, there is a movement afoot to plat areas around Baldwin and other rural areas in the County. An ex-County Commissioner has characterized this effort as an attempt to have Lawrence control the outlying rural areas. The County Commission has ultimate authority to plat this area, if it so desires. Without rural representation there is a real fear that the County will be engulfed by the City, without fair representation.

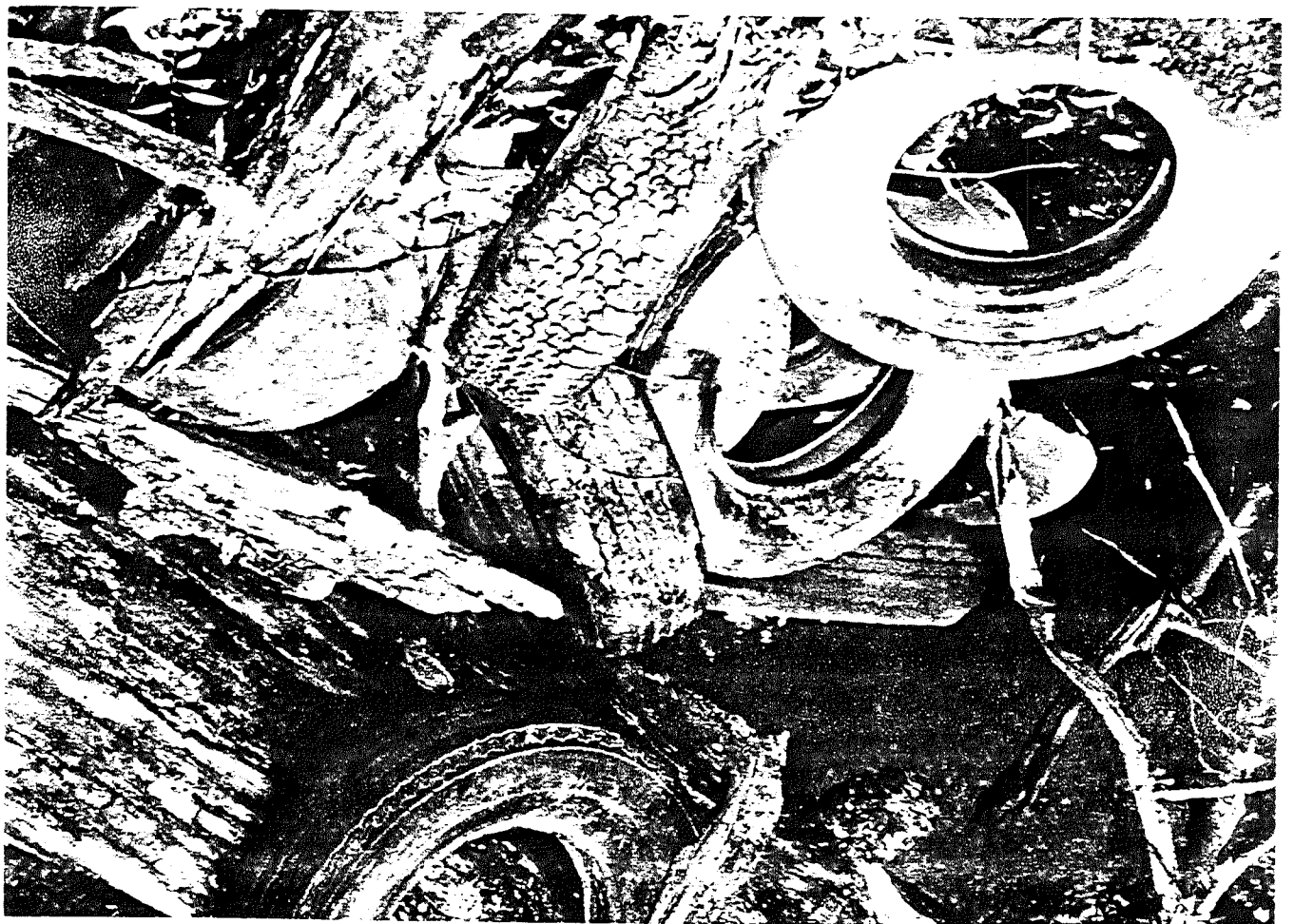
Given the current development in the County, rural representation is necessary. Lawrence is a fine city with an aggressive style of

ATTACHMENT 5-2  
2-17-93



management. It has a large budget. However, it should not have exclusive control of the County and its budget. The rural areas of Douglas County are growing and need internal improvements. A voice in County affairs is needed. My request to your sense of justice and fair play is before you. I ask for your approval of H.B. 2221.

ATTACHMENT 5-3  
2-17-93



ATTACHMENT 5-4

2-17-93



ATTACHMENT 5-5  
2-17-93



ATTACHMENT 5-6  
2-17-93



ATTACHMENT, S-7  
2-17-93

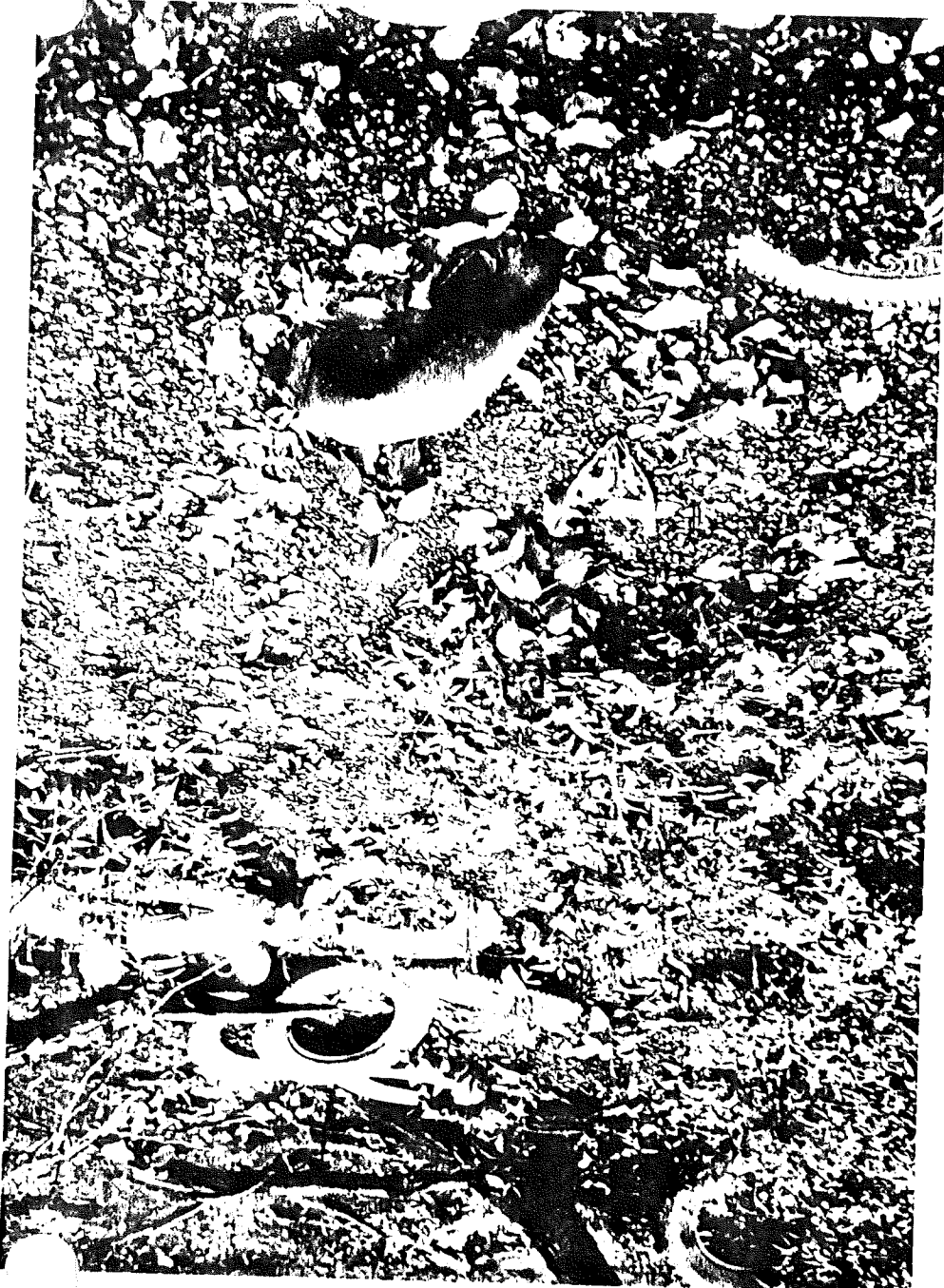




ATTACHMENT 5-8  
2-17-93



ATTACHMENT 5-9  
5-17-93









ATTACHMENT 5-12  
2-17-93



ATTACHMENT 5-B  
2-17-93



file

Department of Health and Environment

Azzie Young, Ph.D., Secretary

Robert C. Harder, Secretary

Reply to:

913-296-1667

Fax Number:

913-296-1592

February 10, 1993

Daniel H. Sturm  
RR 1  
Eudora, Kansas 66025

RE: An illegal waste tire dump located in Douglas County.

Dear Mr. Sturm:

In September of 1991, the Bureau of Air and Waste Management, Kansas Department of Health and Environment (KDHE) received complaints regarding an accumulation of tires where Adeline Creek discharges into Captain Creek in Douglas County, Kansas. An inspector from the KDHE Northeast District Office investigated the complaint in October of 1991.

The investigation revealed that Daniel H. Sturm, RR 1, Eudora, Kansas is the owner of property located in the South  $\frac{1}{2}$  of NW less 1.25 acres (Douglas County deed book 259, page 337), less 5 acres (deed book 412, page 726) also N  $\frac{1}{2}$  of SW  $\frac{1}{2}$  less 5 acres (deed book 311, page 1278), less 5 acres (deed book 397, page 818) of Section 28, Township 12 South, Range 21 East. Douglas County.

The investigation further revealed the existence of a tire dump site with tens of thousands of tires dumped into a ravine on the Sturm property. The tires have been dumped there over the past twenty years by several parties. Several hundred tires have washed down the creek. The potential exists for more tires to wash out of the main ravine and a smaller ravine/gully on the south and east side of the larger ravine.

One contributor of tires to the disposal site is D&D Tires Inc.. D&D Tires, Inc. has been in operation since at least 1972. An unidentified "junk tire man" from the Wichita area used to pick up waste tires from D&D Tire, Inc., and possibly other sites, and dumped them on the Sturm property until approximately ten years ago. Since then a Mr. Galloy was paid by D&D Tires, Inc. to

deliver their waste tires to the Sturm property. A twenty dollar fee per truck load was reportedly split between Mr. Galloy and Mr. Sturm. D&D Tires, Inc. has shown records for the delivery and disposal of waste tires to Blackstar in 1991. In October, 1991, Douglas County cited Mr. Sturm in violation of local zoning requirements in operating a landfill without a permit.

#### Review of Applicable Kansas law

Under Kansas statutes, any improperly disposed solid waste remains the property of the generator, and the generator is "liable for the removal of the waste, restoration of the area in which the waste was disposed and to provide for lawful disposal of the waste." (K.S.A. 1991 Supp. 65-3418(a)) In this case, it appears that a primary generator of these waste tires over the past eighteen years is D&D Tire, Inc. Other suppliers of the "junk tire man" during the 1970's and early 1980's would also be generators and liable for the improper disposal of these tires.

Under the Kansas waste tire laws passed in 1990, the unprocessed disposal of waste tires is prohibited. Any sites with over 1,000 tires are illegal and must be cleaned up. The owner or operator of any waste tire sites must properly dispose of all waste tires. In this case, Mr. Daniel Sturm is the owner of this waste tire site and is no longer allowed to maintain this waste tire site. These tires need to be properly disposed of. (K.S.A. 1991 Supp. 65-3424a)

#### Conclusions

D&D Tire, Inc. is liable for the clean up of all its tires that were dumped on the site. Mr. Sturm is responsible for the proper disposal of the remaining tires that cannot be traced to D&D Tire, Inc. or other waste tire generators. D&D Tires, Inc. liability is tentatively based upon a formula described in Attachment A.

KDHE requests that D&D Tire Inc. and Mr. Sturm submit proposals on how they plan to properly dispose of these waste tires and clean up this illegal solid waste/waste tire site. Each party may respond individually, but we recommend a joint proposal. Recognizing that this is primarily a pre waste tire law site in a remote area, you may want to consider collecting the tires that have washed out and cover the tire-piles with dirt on site. This approach deals with most of the health and environmental concerns without adding the extensive costs of direct removal and disposal. The agency must

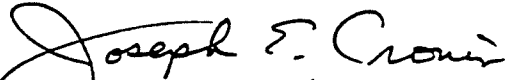
ATTACHMENT 5-15

2-17-93

Daniel H. Sturm  
Page Three  
February 10, 1993

approve any waste tire disposal plan that the parties develop. Any plan to remove the tires or bury them must insure proper erosion control and provide a permanent disposal of the waste tires. You have 30 days from the receipt of this letter to present your proposal for cleanup. Staff is available to provide assistance in dealing with this matter.

Sincerely,



Joseph E. Cronin, P.E., Chief  
Special Waste Unit  
Solid Waste Section  
Bureau of Waste Management

JEC:kf\sturm.1tr  
attachment

pc: Phillip Dwyer  
Wayne Kellum, Douglas County  
M. Miller, Douglas County District Attorney's Office  
G. Olmstead, Douglas County Health Department  
William L. Bider, Director, BWM, KDHE  
Lynda Ramsey, Inspections and Enforcement, KDHE  
Jim Fischer, KDHE, Northeast District Office  
file

ATTACHMENT 5-16  
2-17-93

## ATTACHMENT+ A

### Waste Tire Generated Formula

This formula is designed for the sole purpose of estimating the number of tires generated by tire retailers and dumped at illegal waste tire dumps in Kansas. It is based upon the following assumptions that are subject to further review and modification:

1. The estimated average number of tires sold by a medium to large sized tire dealer in Kansas is 200 to 300 per week.
2. Seventy percent of the used waste tires are left with the dealers in the 1970's and eighty percent 1980's. Over ninety percent of used tires are expected to be left with tire dealers since the enactment of the waste tire law in 1990.

$$\begin{aligned} & \# \text{ of tires sold} \\ & \times \text{percentage received} \\ & = \text{number of waste tires generated and dumped.} \end{aligned}$$

The estimated total number of tires assumed to be dumped can be reduced by the number of tires reclaimed for reuse, recapping and retreading. The agency estimates this number to be approximately 12.5%. However, this reduction can only be applied if the agency is provided some evidence that the particular tire dealer engaged in the regular practice of sorting and grading tires. Any agency verified company records that show a higher percentage of reclaimed tires can be used in place of the agency estimate.

$$\begin{aligned} & \# \text{ of tires sold} \\ & \times \text{percentage received} \\ & \times \text{percentage not reclaimed/recapped} \\ & = \text{number of waste tires generated and dumped.} \end{aligned}$$

ATTACHMENT 5-17  
2-17-93

**D&D Tire, Inc.**  
**Estimated Tires Generated and Dumped in Douglas County**

Additional assumptions: D&D in business since 1972. D&D stopped dumping on July 1, 1990, when the waste tire law went into effect.

250 tires per week from 1972-1979					
13,000 x 8 years =	104,000	x	70%	=	72,800

250 tires per week from 1980-1989					
13,000 x 10 years =	130,000	x	80%	=	104,000

plus 26 weeks in 1990 @250/wk=	6,500	x	90%	=	5,850
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<b>Total estimated D&amp;D tires dumped</b>	<b>182,650</b>
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(OPTIONAL Reclamation deduction @ 12.5%)	(22,832)
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ATTACHMENT 5-18  
2-17-93



**CERTIFICATE OF MAILING**

This is to certify that on the \_\_\_\_ day of \_\_\_\_\_, 1992 a true and correct copy of the above and foregoing letter was deposited in the U.S. Mail, postage prepaid (certified mail), properly addressed to :

Daniel H. Sturm  
RR 1  
Eudora, Kansas 66025

---

**Staff Member**

**Certified Mail Nos.**

**Daniel H. Sturm**

ATTACHMENT 5-19  
2-17-93



File

## Department of Health and Environment

Azzie Young, Ph.D., Secretary

Robert C. Harder, Secretary

Reply to:

913-296-1667

Fax Number:

913-296-1592

February 10, 1993

Philip Dwyer, President  
D&D Tire, Inc.  
1201 Lawrence Avenue  
Lawrence, Kansas 66044

RE: An illegal waste tire dump located in Douglas County.

Dear Mr. Dwyer:

In September of 1991, the Bureau of Air and Waste Management, Kansas Department of Health and Environment (KDHE) received complaints regarding an accumulation of tires where Adeline Creek discharges into Captain Creek in Douglas County, Kansas. An inspector from the KDHE Northeast District Office investigated the complaint in October of 1991.

The investigation revealed that Daniel H. Sturm, RR 1, Eudora, Kansas is the owner of property located in the South  $\frac{1}{2}$  of NW less 1.25 acres (Douglas County deed book 259, page 337), less 5 acres (deed book 412, page 726) also N  $\frac{1}{2}$  of SW  $\frac{1}{2}$  less 5 acres (deed book 311, page 1278), less 5 acres (deed book 397, page 818) of Section 28, Township 12 South, Range 21 East. Douglas County.

The investigation further revealed the existence of a tire dump site with tens of thousands of tires dumped into a ravine on the Sturm property. The tires have been dumped there over the past twenty years by several parties. Several hundred tires have washed down the creek. The potential exists for more tires to wash out of the main ravine and a smaller ravine/gully on the south and east side of the larger ravine.

One contributor of tires to the disposal site is D&D Tires Inc.. D&D Tires, Inc. has been in operation since at least 1972. An unidentified "junk tire man" from the Wichita area used to pick up waste tires from D&D Tire, Inc., and possibly other sites, and dumped them on the Sturm property until approximately ten years ago. Since then a Mr. Galloy was paid by D&D Tires, Inc. to

deliver their waste tires to the Sturm property. A twenty dollar fee per truck load was reportedly split between Mr. Galloy and Mr. Sturm. D&D Tires, Inc. has shown records for the delivery and disposal of waste tires to Blackstar in 1991. In October, 1991, Douglas County cited Mr. Sturm in violation of local zoning requirements in operating a landfill without a permit.

#### Review of Applicable Kansas law

Under Kansas statutes, any improperly disposed solid waste remains the property of the generator, and the generator is "liable for the removal of the waste, restoration of the area in which the waste was disposed and to provide for lawful disposal of the waste." (K.S.A. 1991 Supp. 65-3418(a)) In this case, it appears that a primary generator of these waste tires over the past eighteen years is D&D Tire, Inc. Other suppliers of the "junk tire man" during the 1970's and early 1980's would also be generators and liable for the improper disposal of these tires.

Under the Kansas waste tire laws passed in 1990, the unprocessed disposal of waste tires is prohibited. Any sites with over 1,000 tires are illegal and must be cleaned up. The owner or operator of any waste tire sites must properly dispose of all waste tires. In this case, Mr. Daniel Sturm is the owner of this waste tire site and is no longer allowed to maintain this waste tire site. These tires need to be properly disposed of. (K.S.A. 1991 Supp. 65-3424a)

#### Conclusions

D&D Tire, Inc. is liable for the clean up of all its tires that were dumped on the site. Mr. Sturm is responsible for the proper disposal of the remaining tires that cannot be traced to D&D Tire, Inc. or other waste tire generators. KDHE requests that D&D Tire, Inc. provide the agency with some records on how many waste tires they have generated and dumped, either directly or indirectly, over the past eighteen years onto Mr. Sturm's property. Without such information, the agency will adopt the formula described in Attachment A to estimate the tire dealer's liability.

KDHE requests that D&D Tire Inc. and Mr. Sturm submit proposals on how they plan to properly dispose of these waste tires and clean up this illegal solid waste/waste tire site. Each party may respond individually, but we recommend a joint proposal. Recognizing that this is primarily a pre waste tire law site in a remote area, you may want to consider collecting the tires that have washed out and cover the tire piles with dirt on site. This approach deals with most of the health and environmental concerns without adding the extensive costs of direct removal and disposal. The agency must

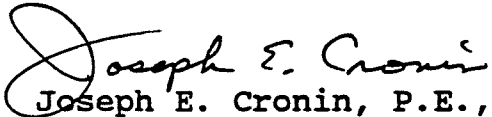
ATTACHMENT 5-21

2-17-93

Philip Dwyer  
Page Three  
February 10, 1993

approve any waste tire disposal plan that the parties develop. Any plan to remove the tires or bury them must insure proper erosion control and provide a permanent disposal of the waste tires. You have 30 days from the receipt of this letter to present your proposal for cleanup. Staff is available to provide assistance in dealing with this matter.

Sincerely,



Joseph E. Cronin, P.E., Chief  
Special Waste Unit  
Solid Waste Section  
Bureau of Waste Management

JEC:kf\sturm.1tr  
attachment

pc: Daniel H. Sturm  
Richard L. Zinn  
Wayne Kellum, Douglas County  
M. Miller, Douglas County District Attorney's Office  
G. Olmstead, Douglas County Health Department

KDHE

William L. Bider, Director, BWM, KDHE  
Lynda Ramsey, KDHE  
Jim Fischer, KDHE, Northeast District Office  
file

ATTACHMENT 5-22

2-17-93

## ATTACHMENT A

### Waste Tire Generated Formula

This formula is designed for the sole purpose of estimating the number of tires generated by tire retailers and dumped at illegal waste tire dumps in Kansas. It is based upon the following assumptions that are subject to further review and modification:

1. The estimated average number of tires sold by a medium to large sized tire dealer in Kansas is 200 to 300 per week.
2. Seventy percent of the used waste tires are left with the dealers in the 1970's and eighty percent 1980's. Over ninety percent of used tires are expected to be left with tire dealers since the enactment of the waste tire law in 1990.

$$\begin{array}{l} \# \text{ of tires sold} \\ \times \text{ percentage received} \\ \hline \end{array}$$

= number of waste tires generated and dumped.

The estimated total number of tires assumed to be dumped can be reduced by the number of tires reclaimed for reuse, recapping and retreading. The agency estimates this number to be approximately 12.5%. However, this reduction can only be applied if the agency is provided some evidence that the particular tire dealer engaged in the regular practice of sorting and grading tires. Any agency verified company records that show a higher percentage of reclaimed tires can be used in place of the agency estimate.

$$\begin{array}{l} \# \text{ of tires sold} \\ \times \text{ percentage received} \\ \times \text{ percentage not reclaimed/recapped} \\ \hline \end{array} = \text{number of waste tires generated and dumped.}$$

**D&D Tire, Inc.**  
**Estimated Tires Generated and Dumped in Douglas County**

Additional assumptions: D&D in business since 1972. D&D stopped dumping on July 1, 1990, when the waste tire law went into effect.

250 tires per week from 1972-1979					
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13,000 x 10 years =	130,000	x	80%	=	104,000
plus 26 weeks in 1990 @250/wk=	6,500	x	90%	=	5,850
<b>Total estimated D&amp;D tires dumped</b>					<b>182,650</b>
(OPTIONAL Reclamation deduction @ 12.5%)					(22,832)

ATTACHMENT 5.24  
2-17-93

**CERTIFICATE OF MAILING**

This is to certify that on the 11 day of February, 1993 a true and correct copy of the above and foregoing letter was deposited in the U.S. Mail, postage prepaid (certified mail), properly addressed to:

Philip Dwyer, President  
D&D Tire, Inc.  
1201 Lawrence Avenue  
Lawrence, KS 66044

Shelly Hawks  
Staff Member

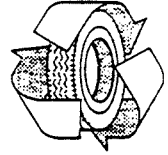
Certified Mail Number P 872 071 351

Philip Dwyer

ATTACHMENT 5-25  
2-17-93



# **Kansas Waste Tire Management Program**



## **Grant Application Guide**

Any questions should be directed to:

Bureau of Air and Waste Management  
Kansas Department of Health and Environment  
Forbes Field Bldg #740  
Topeka, Kansas 66620

Kent Foerster (913) 296-1540 or Kathleen Warren (913) 296-1611

*ATTACHMENT 5-26  
2-17-93*



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## INTRODUCTION AND BACKGROUND

The Kansas Legislature initially passed legislation (K.S.A. 65-3424 et. seq.) concerning the recycling and disposal of waste vehicle tires in 1990. The Legislature amended this section in 1991. The legislation instituted a statewide permit and grant program for waste tire management. Whole tires can no longer be buried and tire retailers are banned from refusing tires or inducing customers to remove old tires from their facilities. The future disposal of waste tires is to be regulated, and waste tire sites, collection centers and processing facilities and waste tire collectors/transporters are to be permitted. Rules and Regulations dealing with the waste tire management program were drafted in 1991; public hearings were held on March 2, 1992 and formerly adopted on April 22, 1992.

## WASTE TIRE BASE GRANT PROGRAM

The Kansas Department of Health and Environment Waste Tire Management Grant Program is funded with a \$.50 per tire excise tax on the sale of new tires at the retail level. The program is designed to eliminate existing problems of dumping and stockpiling waste tires by creating a statewide effort of local and regional public entities and private enterprise to manage the ongoing reduction and control of waste tires. The end goal is to reuse, recycle or otherwise completely recover the resource material or energy from all waste tires in Kansas. The statute directs that this can be best done by:

encouraging recycling of waste tires,  
enforcement of waste tire management laws  
development and implementation of management plans for  
collection, abatement, recycling and disposal of tires.

Multi-county regions, counties, cities or private business, individually or collectively may apply for waste tire management grant funds. Private business grant applications will need the formal approval of the appropriate, affected local or regional government entities. Private business and governmental bodies may join together and pool their financial resources in this program.

Grant monies will be allocated annually, in part, based upon total funds available in the Waste Tire Fund. Initial emphasis will be on the creation of local and regional programs to insure the reuse, recycling, resource recovery and general management of waste tires in Kansas. Abatement to clean up existing problems, enforcement of waste tire management laws and public education are also important elements of a successful waste tire management program. All Kansas counties, cities or multi-county regional entities that have solid waste plans and present proposals that document the need and deal with waste tire problems will be eligible for base program grant funds. Minimum grants to counties will be \$5,000. Maximum grant allocations

will be based upon a formula that incorporates population and waste tire generation factors. Funding will follow the population formula where it can be sufficiently documented and is appropriate. Grant recipients are eligible for no more than two consecutive fiscal years of funding.

Private business applications will also need to file with the secretary a surety bond, cash bond or other security in an amount and in a form approved by the secretary. Documentation and general requirements will be the same as for government agencies.

#### Who is eligible and grant fund levels

Each county, city or multi-county region is eligible for funds to develop and implement a base waste tire management program. Minimum grants to individual counties will be for \$5,000. The maximum grant formula is based upon the Kansas 1990 U.S. Census population of a given region or locale multiplied by a waste tire generation factor (which is presently set at .75) times \$.50.<sup>2</sup>

With more accurate numbers of how many waste tires are actually generated in Kansas, this tire generation factor figure could eventually be modified. Surveys of existing waste tire sites (number of dump and waste tire generation sites) along with estimates of the total number of waste tires already collected and generated annually must to be included in all grant proposals.

#### Maximum Grant Formula

$$\begin{array}{l} \text{Population} \\ \times 1 \text{ (Waste Tire Generation factor)} \\ \times \$.50 \end{array}$$

A county listing of estimated maximum grant funding levels are included in Appendix A. These figures are only estimates. Actual funds received will be determined by how much money is available in the Waste Tire Management Grant Fund; the nature, type, and number of proposals received; how well the proposals justify the need for the funds; and, how they will meet the end goal of the grant program. Grant allocations will also be affected by the agency priorities that will be partly determined by the response to the grant program. Initial priorities include abatement and establishment of programs that attempt to permanently deal with waste tire management concerns in an environmentally sound and economical fashion.

## **PROPOSAL GUIDELINES**

### **What projects are eligible and ineligible?**

Projects should focus on waste tire management, education or enforcement programs that abate, collect, recycle, reuse and dispose waste tires. Proposals that are specifically ineligible for these grant funds include research and development, and experimental waste tire process testing and piloting.

### **What project costs are allowable?**

Costs of a waste tire management program that are eligible for funding from this grant program include funds for personnel, in-state and prior approved out of state travel, equipment, professional assistance, educational materials and capital equipment and construction.

### **What costs are specifically excluded?**

Not all costs will be eligible for funding through this grant program. Some costs specifically excluded are permit related costs including the cost of preparing a permit application and permit fees. The costs of waste tires purchased for a raw material or feedstock except in the department approved abatement projects will be ineligible for grant funds. All costs incurred before or after grant award term are also excluded.

### **What are the specific application guidelines?**

Application guidelines for waste tire management grants involve identification and appropriate authorization signatures of the agencies and private entities involved. The application must give assurances that all proposed work will be carried out and that records will be maintained and submitted. Applicants must also authorize access to inspect project sites and records upon request.

The application must also include a description of the proposed project, budget, and proposed timetable.

### **What makes a successful grant proposal?**

Successful proposals will clearly describe their specific local problem and have a well designed approach to deal with it. Estimates on the number of waste tires generated and the number of waste tires in need of abatement will be especially appreciated. Proposals should focus on projects that create waste tire management programs, educate and enforce state and local waste tire collection and disposal laws. Considering the nature of waste tire management and number of tires generated annually, local projects that work into regional or joint efforts are more likely to be economical and succeed.

## **Grant Checklist**

### **Eligible Projects**

1. Development and implementation of waste tire collection, abatement, recycling, and disposal programs.
2. Development and operation of an educational program to promote waste tire management and recycling.
3. Enforcement of state and local laws relating to waste tire collection and disposal.

### **Ineligible Projects**

1. Waste tire projects designed principally for research & development
2. Experimental waste tire process testing, piloting, including design of an experimental process, plant, or system.

### **Eligible Costs**

1. Personnel.
2. In-state travel and out-of-state travel except that out-of state travel must receive prior approval by the department.
3. Equipment rental and operation related to processing, disposal or transportation of tires.
4. Professional assistance with project planning, finance, legal affairs, marketing, engineering, and environmental evaluations, when performed in conjunction with the operation of a program, process, or system for waste tire management.
5. Costs associated with the printing of brochures and other public educational material.
6. Specific costs of capital equipment and construction directly related to waste tire management and as approved by the department.

### **Ineligible Costs**

1. The costs of preparing permit applications.
2. Permit fees.
3. The costs of waste tires purchased as a raw material or feedstock except as a part of a waste tire abatement project approved by the department.
4. Costs incurred prior to the issuance of a grant award by the department unless such cost are associated with the completion of a waste tire abatement project approved by the department.
5. Costs incurred after the expiration date of the grant award.

### Grant Application Guidelines

- \* Application signed by the governing body or management which:
  1. **authorizes** the application and **identifies** an authorized representative
  2. **assures** applicant will carry out all proposed activities
  3. **assures** applicant will maintain and submit records
  4. **authorizes** access to inspect project sites and records
- \* Application should describe the **proposed project** identifying:
  1. the location of the activity
  2. the **sources** and estimated amount of waste tires to be used or managed
  3. the **activity or process** involved
  4. the **expected goals or products** to be produced
  5. estimated market potential for any products which may result from the project
- \* Application should describe the **proposed project budget** including:
  1. possible funding sources
  2. detailed estimates of the **total project costs**
  3. detailed estimates of the **eligible project costs**
  4. documentation of how estimates were made
- \* Application should describe the **proposed timetable**
- \* Application should include all other information necessary to insure compliance with rules and regulations

### Other Grant Requirements

- \* Grant recipients are only eligible to receive grant funds for up to two consecutive years.

For more information please contact:

**Kansas Waste Tire Management Program**  
(913) 296-1540 or 296-1611  
(913) 296-1592 FAX

Kansas Department of Health and Environment  
Bureau of Air & Waste Management  
Solid Waste Section  
Forbes Field, Building #740  
Topeka, Kansas 66620

### Can grants be amended?

Waste tire management grants may be amended for major changes that are necessary to meet the objectives of the program. Requests for such amendments must be fully documented and approved by all interested parties and the secretary.

### What will cancel or terminate a grant?

Any grant may be cancelled if the grantee does not accept the grant award within 45 days of being issued. Grants may be terminated if it is determined that there has been no substantial performance, or there is substantial evidence of fraud or gross abuse or corrupt practices.

### Other grant requirements

Grant recipients will be required to present at least one interim and one final report accounting for the funds and describing the grant program progress. Funds will be disbursed as single one time grants for funding public projects; multiple disbursements with retainage and additional reporting requirements will be required for private enterprise and special proposals.

KDHE staff will be available to assist applicants in proposal development and public education efforts. There is no formal deadline for grant applications in calendar year 1992. However all parties and public agencies desiring to participate in the grant program this year should contact program personnel by July 1, 1992. We look forward to working with you on the Kansas Waste Tire Management Program.

## **ABATEMENT GRANT FUNDS**

Additional funds may be requested by an applicant to abate waste tire sites which pose a threat to the public health, property, or the environment.

### **Who can apply?**

Any city, county, private company or group of counties or private companies.

### **Private business grant requirements**

1. Private firms that apply for abatement grant funds must get prior approval from the county or city responsible for solid waste in the area in which the grant project is to be located. The approval will verify that the project is consistent with the provisions of the local solid waste management plan.
2. Funds will be disbursed to private firms on a contractual basis and after performance of the contract.
3. Private firms will be need to meet all permit, performance standards, and financial assurance requirements of existing solid waste and waste tire management laws.

### **Departmental criteria for awarding abatement grant funds**

1. The size of the waste tire site;
2. The fire hazard posed by the waste tire site;
3. The public health and welfare threat posed by the waste tire site due to mosquito or rodent infestation;
4. The proximity of the waste tire site to populated areas;
5. The natural resources that may be adversely affected by the waste tire site; and
6. The likelihood that the waste tire site will be abated without grant assistance.

Recognizing that limited abatement funds will be available, priority will be given to abatement plans that meet the end goal of recycling or otherwise reusing waste tires, rather than just disposal.

**Kansas Waste Tire Management Program  
Base Grant Application Cover Sheet**

\_\_\_\_\_  
Date of Application

\_\_\_\_\_  
Contact Person

\_\_\_\_\_  
Name of Applicant Organization

\_\_\_\_\_  
Address

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
FAX Number

Communities Served by Proposed Project (use extra sheets if necessary):

<u>Community/County</u>	<u>Population</u>	<u>Base Grant Amount</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Total Cost of Proposed Project**

**\$** \_\_\_\_\_

Proposed Project is for:(Check all appropriate box(es))    ☐ Program    ☐ Education    ☐ Enforcement

Proposed starting date \_\_\_\_\_ Proposed Completion Date \_\_\_\_\_

Has this proposal been approved by local officials and deemed a part of the county or city solid waste management plan?    ☐ Yes    ☐ No



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2-17-93*



**Kansas Waste Tire Management Program  
Base Grant Application Proposal Budget**

Project Director: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

	<u>State Requested</u> <u>Funding</u>	<u>Other funding*</u> <u>_____</u>
PERSONNEL SERVICES	\$ _____	\$ _____
EQUIPMENT	\$ _____	\$ _____
TRAVEL	\$ _____	\$ _____
ALL OTHER COSTS	\$ _____	\$ _____
PROFESSIONAL SERVICES	\$ _____	\$ _____
CAPITAL EXPENDITURES	\$ _____	\$ _____
Ineligible Costs		\$ _____
TOTAL	\$ _____	\$ _____
GRAND TOTAL EXPENDITURES		\$ _____

\* Please include in-kind contributions.

Please list funding sources and attach detailed estimates of the total project costs, eligible project costs and documentation on how the estimates were made.

The undersigned is an authorized public or private administrator, or public official authorized to sign contracts for the agency or business. This signature authorizes this application and identifies an authorized representative. Signature represents assurances that the applicant will carry out all proposed activities; maintain and submit records, and authorizes access to inspect project sites and records.

\_\_\_\_\_  
Authorized representative (Please Print)

Title:

Address:

Phone:

FAX:

\_\_\_\_\_  
(Signature of authorized representative)

This signature must be notarized.

# Kansas Waste Tire Management Program

## Abatement Grant Application Cover Sheet

\_\_\_\_\_  
Date of Application

\_\_\_\_\_  
Contact Person

\_\_\_\_\_  
Name of Applicant Organization

\_\_\_\_\_  
Address

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
FAX Number

☐ City ☐ County ☐ Group of cities &/or counties ☐ Private company

### Criteria for awarding abatement grant funds

What is the size of the waste tire site?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ Yes ☐ No

Is there <sup>ANY</sup> fire hazard posed by the waste tire site?  
Please describe the nature and extent of the hazard.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ Yes ☐ No

Is there a public health and welfare threat posed by the waste tire site due to mosquito or rodent infestation?  
Please describe the nature and extent of the threat.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ Yes ☐ No

Is the waste tire site close to populated areas?  
How close?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ Yes ☐ No Will any natural resources be adversely affected by the waste tire site?  
Please describe the natural resources (air, water, vegetation, land and other resources) and how they are affected.

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☐ Yes ☐ No The likelihood that the waste tire site will be abated without grant assistance.

The tires will be:

- ☐ Used as tire derived fuel
- ☐ Used for tire derived product
  - ☐ crumb rubber
  - ☐ asphalt rubber
  - ☐ other
- ☐ Monofilled

If private business: —

☐ Yes ☐ No Have you gotten prior approval from the county or city responsible for solid waste in the area in which the grant project is to be located?

☐ Yes ☐ No Does the approval verify that the project is consistent with the provisions of the local solid waste management plan?

Please note that all funds will be disbursed to private firms on a contractual basis and after performance of the contract. Private firms will also need to meet all permit, performance standards, and financial assurance requirements of existing solid waste and waste tire management laws.

The undersigned is an authorized public or private administrator, or public official authorized to sign contracts for the agency or business. This signature authorizes this application and identifies an authorized representative. Signature represents assurances that the applicant will carry out all proposed activities; maintain and submit records, and authorizes access to inspect project sites and records.

\_\_\_\_\_  
Authorized representative (Please Print)

Title:

Address:

Phone:

FAX:

\_\_\_\_\_  
(Signature of authorized representative)

This signature must be notarized.

Reduce, Reuse, Reclaim, Recycle, then Landfill

ATTACHMENT 5-38  
2-17-93

# Douglas County

TO: House Local Government Committee

FROM: Louie McElhaney, Chairman, Board of Douglas County  
Commissioners

SUBJECT: HB 2221

DATE: February 17, 1993

K.S.A. 1992 Supp. 19-204 provides the method to determine the number of commissioners districts for each county. In summary, the board may opt for three, five, or seven districts. If the board opts for a number that is a change from what they have had in the past, then the issue must be decided by the voters at a general election. The statute also provides that the citizens can force an election on this issue by presenting a petition signed by 5% of the qualified electors of the county requesting that the number of commissioner districts be changed. In either case, the local voters ultimately decide the issue. We believe that the existing statute is a good method for determining the number of commissioners in each county. The decision is left up to a combination of locally elected county officials and the voters.

HB 2221 proposes that the method for determining the number of commissioners in Douglas County alone should be left up to a combination of the state legislature and the voters in Douglas County. To date, no one has even proposed a change in the number of districts to the Douglas County Commission, so our commissioners have not discussed the issue.

The current state law provides a satisfactory method for this issue to be resolved in all of the counties in Kansas, including Douglas County. Those persons wanting a change in the number of commissioner districts in Douglas County should follow the procedures already established by law. If there is something wrong with this procedure, then the law should be changed for all of the counties. However, if this committee does feel that there is a reason that the state legislature should determine the appropriate number of commissioners for Douglas County, I submit the following information.

Douglas County has a population of 81,798. The population of Lawrence is 65,608, the population of Eudora is 3,006, the population of Baldwin is 2,961, the population of Lecompton is 619, and the population of the unincorporated area is 9,604.

As a result, you would expect 80% of the commissioners to be elected from Lawrence, 8% from the other cities combined, and 12% to be elected from the unincorporated areas. In fact, 2 of the 3 current commissioners reside in the unincorporated area of the county, and one resides in Lawrence. Since 1972, 49% of the commission board members have been residents of Lawrence, 44% of the board members have resided in the unincorporated area, and 6% have resided in one of the other municipalities. Clearly, the current number of districts has not resulted in elections which have allowed Lawrence to dominate county government in Douglas County.

I therefore urge this committee to reject this bill as proposed. The current state law provides an adequate method for determining the number of commission districts in each of our counties.

LM:rw

ATTACHMENT 6-2  
2-17-93



"Service to County Government"

1275 S.W. Topeka Blvd.  
Topeka, Kansas 66612-1852  
(913) 233-2271  
FAX (913) 233-4830

**EXECUTIVE BOARD**

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Fort Scott, KS 66701  
(316) 223-3800, ext. 54

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Edwards County Commissioner  
(316) 995-3973

Dudley Feuerborn  
Anderson County Commissioner  
(913) 448-5411

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Harvey County Weed Director  
(316) 283-1890

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Phillips County Commissioner  
(913) 689-4685

Mary Bolton  
Rice County Commissioner  
(316) 257-2629

Ethel Evans  
Grant County Commissioner  
(316) 356-4678

Nancy Hempen  
Douglas County Treasurer  
(913) 832-5275

Mary Ann Holsapple  
Nemaha County Register of Deeds  
(913) 336-2120

Harvey Leaver  
Leavenworth County Engineer  
(913) 684-0468

Mark Niehaus  
Graham County Appraiser  
(913) 674-2196

Vernon Wendelken  
Clay County Commissioner  
(913) 461-5694

Darrell Wilson  
Saline County Sheriff  
(913) 826-6500

**Executive Director**

John T. Torbert, CAE

February 17, 1993

To: Representative Nancy Brown, Chairperson  
Members House Local Government Committee

From: Bev Bradley, Deputy Executive Director  
Kansas Association of Counties

Re: HB 2221 Douglas County Board of County  
Commi

Thank you Chairman and members of the committee for  
the time on your agenda today.

The Kansas Association of Counties is opposed to HB  
2221. Enabling legislation is already in place to  
allow three, five, or seven county commissioners in  
each county. If the citizens in Douglas county want  
five commissioners there is a procedure in place. The  
procedure is clearly outlined in K.S.A. 1992 Supp. 19-  
204, lines 22-38.

The appropriate action would be for the people who  
want five commissioners to approach the county  
governing board with the request that they pass a  
resolution to that effect and place the question on  
the ballot. If the board does not respond favorably,  
the process for a petition is in place. The petition  
would need the signatures of five percent of the  
qualified electors of the county.

We believe that it is not in the best interest of the  
citizens in Douglas County or any other county for the  
state to dictate the number of commissioners they must  
have. We have a convention adopted position that says  
The Kansas Association of Counties opposes any  
legislation that would interfere with, diminish or  
eliminate the authority of duties of county officials.  
This is clearly an case in question.

Thank you for your time and attention.

ATTACHMENT 7  
2-17-93

STATE OF KANSAS

J. R. (JACK) WEMPE  
REPRESENTATIVE, ONE HUNDRED THIRTEENTH DISTRICT  
895 MAIN, P O BOX 187  
LITTLE RIVER, KANSAS 67457  
(316) 897-6459  
STATE CAPITOL, RM 284-W  
TOPEKA, KANSAS 66612-1504  
(913) 296-7675



TOPEKA

HOUSE OF  
REPRESENTATIVES

TESTIMONY ON HB 2469  
February 17, 1993  
Jack Wempe

COMMITTEE ASSIGNMENTS  
MEMBER: ECONOMIC DEVELOPMENT  
LOCAL GOVERNMENT  
TAXATION  
JOINT COMMITTEE ON ECONOMIC  
DEVELOPMENT

Chairman Brown and Members of the Committee:

HB 2469 would give access to townships the provisions of K.S.A. 12-3501 which will be explained by Theresa Kiernan. Although a generalized bill, the experience of a township in Barton County has provided impetus for the proposal.

Much of Cheyenne Township is occupied by Cheyenne Bottoms and therefore removed from the tax base. At the extreme southern edge of the "bottoms" a township road is shared with Lakin Township. This road is maintained jointly by the townships even though its primary purpose is to serve the "bottoms".

The Department of Wildlife and Parks has notified the township that they are required to maintain the road and that there is no exemption or relief due a township because state held property borders a township road. The Department maintains the attraction of visitors provides economic benefit to the area. How this benefits the township is not explained.

Similar situations exist through out the state. This bill would provide for some benefit to townships struggling to maintain roads for state installations. It would seem that in the appropriated funds for state lands, a few dollars could be directed toward helping townships maintain the roads which serve those properties.

Thank you for the opportunity to testify in this matter.

ATTACHMENT 8  
2-17-93