

Approved: 2-22-93

Date

# MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

The meeting was called to order by Chairperson Don Sallee at 8:00 a.m. on February 16, 1993 in Room 423-S of the Capitol.

All members were present or excused:

Committee staff present: Raney Gilliland, Legislative Research Department  
Dennis Hodgins, Legislative Research Department  
Don Hayward, Revisor of Statutes  
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

John R. "Bob" Best, Chairman, Kansas Water Authority  
Senator Lana Oleen  
Chiquita Cornelius, Executive Director, Kansas Business and Industry Recycling Programs, Inc.  
Ronald R. Hein, Legislative Counsel, Kansas Soft Drink Association  
Terry Leatherman, Executive Director, Kansas Chamber of Commerce and Industry

Others attending: See attached list

Chairperson Sallee called the meeting to order and announced that due to time constraints this was the last committee time that would be available to work **SB-20**.

Senator Morris moved to change 2 percent to 5 percent, page 3 of **SB-20**. Senator Hardenburger seconded the motion and the motion carried.

A letter from the Kansas Bowhunter's Association, Inc. requesting that non-resident archery permits only be allowed in units with left over permits, the same as rifle hunters, be added to the bill was handed to members. Attachment 1 The letter expressed concerns that all non-resident big game hunters prove they had taken an approved hunter safety course, in the case of archers, the International Bowhunter Education Course.

Discussion followed concerning the International Bowhunter Education Course and other educational courses. This education has not been previously required of Kansas residents. There are approximately 600 bowhunters in Kansas with a possible 15,000 permits issued. Concern was expressed that this was a type of back door which will exclude nonresidents. It was suggested that a separate bill might be needed another year. It was also suggested this could possibly be handled by rules and regulations.

Senator Wisdom made a motion to amend **SB-20** as shown in Attachment 2. Senator Lee seconded the motion.

Discussion concerning the amendment centered around a landowner being allowed to have two individuals, who had drawn permits from any unit hunt on his land providing it totaled 640 acres. Questions were raised concerning the difficulty of managing such a provision.

The motion failed.

Senator Tillotson moved to pass out **SB-20** favorable as amended. Senator Vancrum seconded the motion. The motion carried. Senator Lee requested her NO vote be recorded.

Confirmation hearings were opened with Senator Lee introducing John R. "Bob" Best, the candidate appointed by Governor Finney to serve as Chairman of the Kansas Water Authority. The Senator noted Mr. Best's qualifications, experience and formal training. His Senate Confirmation Questionnaire as well as a resume' are included in Attachment 3.

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, Room 423-S Statehouse, at 8:00 a.m. on February 16, 1993.

Mr. Best was questioned extensively concerning his experience in the area of water. Mr. Best told the committee the Governor sought him out for this position and his present occupation is Operations Manager at Lake Perry Yacht and Marina, Perry, Kansas and he noted he is also doing some consulting in the environmental area as well as working in the continuing education area with the University of Kansas.

Mr. Best's experience in the environmental area was discussed and he noted not only his background in that area but mentioned he was President of the Kansas Mayors Association and was aware of the various problems and needs. When asked about three things he hoped to accomplish during his tenure Mr. Best prioritized them as follows: 1) To address the need for water for all citizens in the state of Kansas. 2) To address the quality of water in the state of Kansas. 3) To address the quantity of water in the state of Kansas.

A committee member asked Mr. Best his opinion of what part conservation and contamination should play in the area of water transfers. Mr. Best replied that conservation was important throughout the entire state and noted it was difficult to separate contamination from water because if there is contamination, conservation becomes even more important. The member noted that under the old transfer act more emphasis was on the economic effect on the point of origin and the new law puts more importance on the overall economic effect to the state. Mr. Best noted he saw the act as an opportunity to implement a program that will respond to the needs in a timely fashion, at a lower cost to the citizens in the community involved. The question was asked as to whose needs had priority and Mr. Best replied that he felt they both had priority but a balance was needed. The member noted concern over economic development in terms of industry but often irrigation is not looked at as economic development but as a waste of water. Mr. Best noted he was in favor of economic development and there were areas of concern where manufacturing jobs are vitally important and there are areas of concern where agricultural needs are vitally important and there is a need to balance the two areas.

Another committee member noted that regulatory control of water in Kansas is fragmented in several agencies and asked Mr. Best for his comments. Mr. Best noted that solving any fragmented problem is not a good situation and anything that can be done to streamline the supply of water to citizens of the state should be implemented. Mr. Best was questioned about his relationship to the State Board of Agriculture and he noted there was a need for a cooperative effort to address water issues.

Another member questioned Mr. Best as how he visualized himself interfacing with the Department of Health & Environment. Mr. Best replied he would like to work very closely with the department but noted the position of Chairman of the Water Authority would only allow him to make comments and concerns of the Board known, both publicly and to individuals; however the position does not afford the opportunity to direct KDHE to do anything.

### **SB-133** - requiring certain labeling of plastic bottles and containers

Senator Oleen appeared before the committee in support of **SB-133** noting one change should be made in the bill, line 22, Sec. 4 changing eight to sixteen. Attachment 4 Senator Oleen noted **SB-133** affords an international code common for 35 + states and felt Kansas should join in using this code.

Senator Oleen called the attention of committee members to written testimony presented by Amway, Attachment 5 which expresses support of **SB-133**. The testimony noted they used the SPI Plastic Container Coding System since they sell in all 50 states as well as the territories. Such a system is necessary to their company and others who rely on the smooth flow of interstate commerce in bringing quality products to market at reasonable prices.

Chiquita Cornelius, Executive Director, BIRP, appeared in support of **SB-133** noting efforts to ensure that the national uniform system being used in Kansas will enhance efforts to expand plastic recycling throughout the state. Attachment 6

Ronald R. Hein, representing the Kansas Soft Drink Association, composed of soft drink bottling companies operating in Kansas appeared in support of the effort to insure uniform coding of plastic containers so as to make recycling efforts easier to administer, and, therefore, to make them more successful. Attachment 7

Terry Leatherman, Executive Director, Kansas Industrial Council, KCCI, appeared noting his organization's support of **SB-133**. The Kansas Chamber supports legislation to require the labeling of plastic bottles and containers as an economically responsible proposal to encourage recycling. Attachment 8

The meeting adjourned at 8:55 a.m.

The next meeting is scheduled for February 17, 1993.

# GUEST LIST

## SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES

DATE February 16, 1993

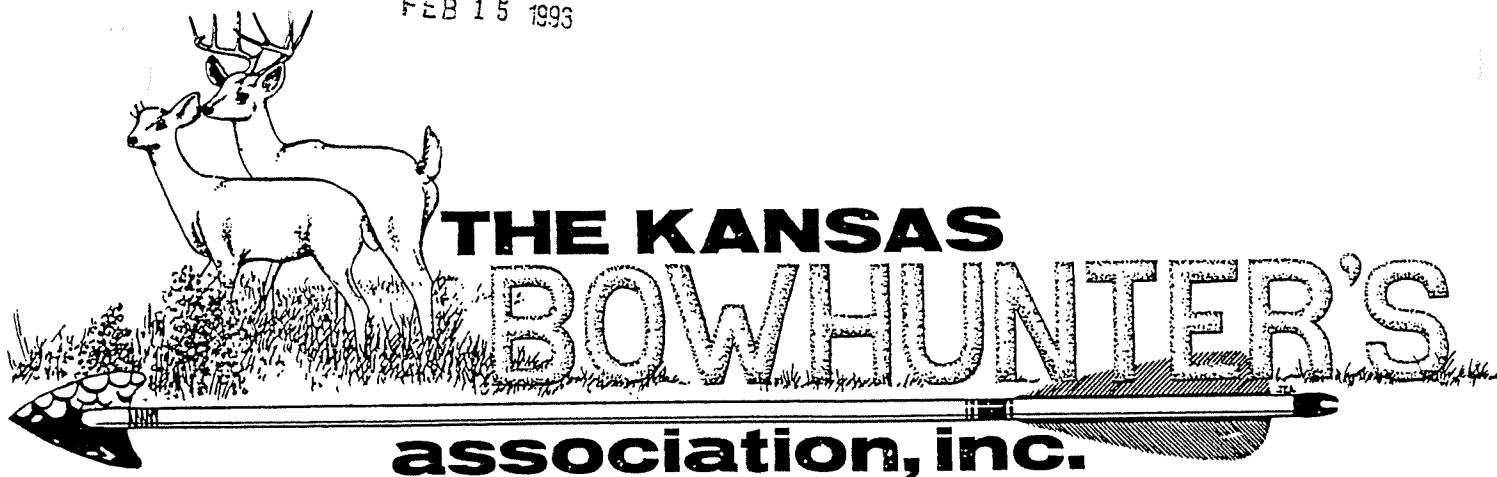
(PLEASE PRINT)  
NAME AND ADDRESS

Ron Smith  
Rich McKee  
Wendy Schaefer  
Greg Kressek  
Ron Hein  
STEVE KEANEY  
Chiquita Cornelius

ORGANIZATION

Ks. Bowhunters Association  
KS Livestock Assoc.  
KS Soft Drink Assn  
KS Board of Ag  
KS Soft Drink Assn  
WASTE MANAGEMENT & KS  
KS. B.I.R.P.

FEB 15 1993



February 15, 1993

Senator Don Sallee, Chairman  
Senate Energy and Natural Resources Committee  
State Capitol  
Room 128-S  
Topeka, Kansas 66612

Re: **Senate Bill 20**  
Amendment As Discussed on Friday, February 12

Chairman Sallee:

I am somewhat confused about the final status of the amendment to Senate Bill 20 that was discussed on Friday, February 12 by the Senate Energy and Natural Resources Committee. As requested by this committee, Wildlife and Parks submitted a formula for allocating non-resident deer hunting permits. On page 3 of their proposal, we appear to be back to allowing non-resident bowhunters to hunt in every management unit in the state. We want to emphasize our argument that non-resident archery permits must only be allowed in units with left over permits, the same as with the rifle hunters.

As I indicated in previous testimony, in the western management units, the habitat for bowhunting is limited. The western units do not have a large number of deer as shown by the number of firearm permits that are issued in these units. Guides will lease up the good habitat, eliminating the resident a place to hunt. This has already happened in Colorado. Wildlife and Parks told sportsmen during their meetings across the state that non-residents would only be allowed to hunt in units with left over permits, lets make them stick to their word.

In addition, please consider requiring that all non-resident big game hunters prove that they have taken an approved hunter safety course and in the case of archers, the International Bowhunter Education Course. If you pass this bill, you are putting us in the field with the non-residents, lets make it as safe as possible.

Thank you for your consideration,

Ron Smith, Chairman  
Legislative Committee  
Kansas Bowhunters Association  
Telephone (913) 266-8466

Senate Energy + Nat'l Resource  
February 16, 1993  
Attachment 1

Proposed Amendment to SB 20

On page 3, after line 32, by inserting a new subsection to read as follows:

"(n) Any landowner may authorize two or less resident deer hunting permittees to hunt on the land of such landowner notwithstanding that the permits issued to such permittees are in a management unit other than the management unit in which the land of such landowner is located. Nothing in this subsection shall be deemed to allow more than two such permittees to hunt on such land notwithstanding that such land may be owned by more than one landowner. As used in this subsection, landowner means a resident owner of farm or ranch land of 640 acres or more located in this state.";

By relettering existing subsections (n) to (q), inclusive, as subsections (o) to (r), respectively

Senate Energy & Nat'l Resources  
February 16, 1993  
Attachment 2

SENATE CONFIRMATION QUESTIONNAIRE  
APPOINTMENTS BY GOVERNOR JOAN FINNEY

Name: JOHN R. BEST (BOB BEST)

Home Address: 10608 W. 50TH TERR

City, State, Zip Code: SHAWNEE, KANSAS 66203

Home Phone: 913 / 268 9369

Business Address: 6333 LONG SUITE 231

City, State, Zip Code: SHAWNEE, KS 66216

Business Phone: 913 / 268 9222

Date of Birth: 10/29/53 Place of Birth LAFAYETTE, INDIANA

Party Affiliation REPUBLICAN KBI Check(Yes/No) \_\_\_\_\_

Appointed as: CHAIRMAN - KANSAS WATER AUTHORITY

Effective 11/92 for the Pleasure term

ending \_\_\_\_\_ Succeeding JOHN BALDWIN

Salary \_\_\_\_\_ Statutory Authority 74-2622

Statutory Requirements \_\_\_\_\_

1. EDUCATION:

High School DELPHI COMMUNITY

Year Graduated 1971

Postsecondary

Degree, etc.

Dates

PURDUE UNIVERSITY

AAS MET

1974

" "

BS MT

1976

2. MEMBERSHIP IN BUSINESS, TRADE AND PROFESSIONAL ORGANIZATIONS DURING PAST 10 YEARS:

Dates	Name	Location
<u>1991-PRESENT</u>	<u>NATIONAL (NEHA)</u> <u>ENVIRONMENTAL HEALTH ASSOCIATION</u>	<u>DENVER, CO</u>
<u>1986- "</u>	<u>AMERICAN SOCIETY</u> <u>ASSOCIATION OF SAFETY ENGINEERS</u>	<u>CHICAGO, ILL</u>
_____	_____	_____

3. HAVE YOU EVER BEEN ELECTED OR APPOINTED TO ANY PUBLIC OFFICE IN KANSAS? X Yes        No  
If so, please list dates and offices held.

Date	Office
<u>1985-1989</u>	<u>COUNCIL MEMBER - WARD I - SHAWNEE, KS</u>
<u>1989-PRESENT</u>	<u>MAYOR - SHAWNEE, KS</u>
_____	_____

4. HAVE YOU EVER BEEN EMPLOYED BY OR HELD A POSITION OR OFFICE WITH ANY FEDERAL, FOREIGN STATE, OR LOCAL GOVERNMENTAL ENTITY OR AGENCY? NO - OTHER THAN STATED ABOVE  
If so, please list dates and offices held:

_____	_____
_____	_____
_____	_____

5. HAVE YOU BEEN A REGISTERED LOBBYIST OR EMPLOYED A REGISTERED LOBBYIST AT ANY TIME DURING THE PAST 5 YEARS? NO  
If you were a registered lobbyist, did you receive any compensation?  
List groups you represented or for which you employed a lobbyist:

_____
_____
_____

6. EXPERIENCE OR INTERESTS WHICH QUALIFY YOU FOR THE OFFICE TO WHICH YOU HAVE BEEN APPOINTED:

SERVICE AS MAYOR OF THE CITY OF SHAWNEE, KS.

7 YRS AS TOP ENVIRONMENTAL AFFAIRS DIRECTOR AT A  
650 MILLION (SALES) MANUFACTURING ENTITY BASED  
IN KANSAS CITY

7. SUMMARY OF BUSINESS OR PROFESSIONAL EXPERIENCE: HAVE

WORKED IN A VARIETY OF ENGINEERING, SAFETY AND  
ENVIRONMENTAL POSITIONS SINCE GRADUATING FROM  
PURDUE UNIVERSITY IN 1976.

8. HAVE YOU EVER BEEN A MEMBER OF THE ARMED FORCES OF THE UNITED STATES? NO

If so, please list dates of service, branch of service and date and type of discharge:

9. HAVE YOU EVER BEEN ARRESTED, CHARGED OR HELD BY FEDERAL, STATE OR OTHER LAW ENFORCEMENT AUTHORITIES FOR VIOLATION OF ANY FEDERAL LAW, STATE LAW, COUNTY OR MUNICIPAL LAW, REGULATION OR ORDINANCE (EXCLUDING TRAFFIC VIOLATIONS FOR WHICH A FINE OF \$100 OR LESS WAS IMPOSED)? NO

10. DISPOSITION OF ANY INTERESTS THAT MIGHT HAVE PRESENTED A POTENTIAL CONFLICT OF INTEREST FOR THIS POSITION.

I AM CURRENTLY ~~BE~~ CONSIDERING THE ACQUISITION OF  
LAKE PERRY YACHT & MARINA

Return to: Mary Holladay  
Appointment Secretary  
Office of the Governor  
2nd Floor, State Capitol  
Topeka, KS 66612

Bob Pest  
Signature



BILL GRAVES  
SECRETARY OF STATE



**KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT**

STATEMENT OF SUBSTANTIAL INTERESTS FOR INDIVIDUALS WHOSE

APPOINTMENT TO STATE OFFICE IS SUBJECT TO SENATE CONFIRMATION

INSTRUCTIONS. This statement (pages 1 through 4) must be completed by each person who appointment to a state position is subject to Senate confirmation (K.S.A. 46-247 and 46-248). Failure to complete and return this statement may result in a fine of \$10 per day for each day remains unfiled. Also, any individual who intentionally fails to file as required by law, intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and "Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 913-296-4219.

**A. IDENTIFICATION:**

PLEASE TYPE OR PRINT

B	E	S	T		J	O	H	N		R	O	B	E	R	T						
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Last Name

First Name

MI

B	E	S	T	J	E	N	N	I	F	E	R	G	A	Y
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Spouse's Name

1	0	6	0	8		W	E	S	T		S	O	T	H		T	E	R	R	A	C	E		
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Number &amp; Street Name, Apartment Number, Rural Route, or P.O. Box Number

S	I	A	W	N	E	E		K	A	N	S	A	S		6	6	2	0	5 <sup>+</sup>						
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City, State, Zip Code

4	1	3	**	2	6	8	**	4	3	6	9
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Home Phone Number

9	1	3	**	2	6	8	**	4	2	2	2
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**Business Phone Number**

**B. APPOINTED POSITION SUBJECT TO SENATE CONFIRMATION:**

K	A	N	S	A	S		W	A	T	E	R		A	U	T	H	O	R	I	T	Y			
---	---	---	---	---	---	--	---	---	---	---	---	--	---	---	---	---	---	---	---	---	---	--	--	--

List Name of Agency, Commission or Board

[illegible]

Posit: 2

\* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

★	9	2	7	2
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C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income in, which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here \_\_\_\_.

BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	HELD BY WHOM	PERCENT OF OWNERSHIP INTERESTS
1. <i>THC, INC.</i>	<i>HOUSE REPAIR REFERRAL SERVICE</i>		<input checked="" type="checkbox"/> <i>51</i>	<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly
2.			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly
3.			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly
4.			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly
5.			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly
6.			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly
7.			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly

D. **GIFTS OR HONORARIA:** List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.  
If you have nothing to report in Section "D", check here ☒.

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1.		
2.		
3.		

**E. RECEIPT OF COMPENSATION:** List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE \_\_\_\_.

If you have nothing to report in Section "E"1, check here \_\_\_\_.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	THE MARLEY COMPANY	1900 SHAWNEE MISSION PKY MISSION WOODS, KS	TRF6/CONSTRUCTION CORPORATION
2.	THE CITY OF SHAWNEE	11110 JOHNSON DRIVE SHAWNEE, KS	CITY GOVERNMENT
3.	THE UNIVERSITY OF KANSAS	REGENTS CNTR, O.P. KS	LEARNING INST.

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.

If you have nothing to report in Section "E"2, check here \_\_\_\_.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	HISSONG INSURANCE	6333 LONG, SHAWNEE	INSURANCE BROKER
2.			

**F. OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS:** List any organization or business in which you or your spouse hold a position of officer, director, associate, partner, proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section. If you have nothing to report in Section "F", check here \_\_\_\_.

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.	THC, INC 6333 LONG SUITE 231 SHAWNEE, KS	PRESIDENT	Bob Best
2.			
3.			
4.			
5.			

- G. **RECEIPT OF FEES AND COMMISSIONS:** List each client or customer who pays fees or commission to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of partnership, it is the partner's proportionate share of the business, and hence of the fee which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.
- If you have nothing to report in Section "G", check here ☒.

	NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

H. **DECLARATION:**

I, John R Best, declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

12/14/92  
Date

John R Best  
Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES \_\_\_\_.

Return your completed statement to the Secretary of State, State House, Topeka, Kansas 66612.

**JOHN R. "Bob" BEST**  
10608 West 50th Terrace  
Shawnee, Kansas 66203  
(913) 268-4369  
(913) 345-0504 Messages

## **CAREER SUMMARY**

Seasoned leader in both the private and public sectors. Comprehensive experience in environmental compliance, and occupational safety and health management. Extensive involvement in community activities. Currently Mayor of Shawnee, Kansas. Personal characteristics include strong analytical skills, competent in both oral and written communication, and self-directedness. Consistently demonstrated initiative and creativity in solving complex problems of a social, environmental, and economic nature.

## **CAREER EXPERIENCE**

**THE MARLEY COMPANY**, Mission Woods, Kansas (Kansas City Metro Area) 1980 to 1992  
*Fortune 500 company - manufacturer of heating, cooling, and fluid moving systems.*

### **Corporate Director-Environmental Affairs** 1987 to 1992

Directed environmental compliance programs for over 60 corporate locations throughout the United States. Reduced potential environmental liabilities through the development of waste reduction and control programs.

#### **Major Accomplishments**

- Designed for "environmental compliance" professionals, a training curriculum which is being offered to industry in 1992 by the University of Kansas Continuing Education Department. This curriculum is currently under consideration for use by a consortium of universities throughout the United States.
- Authored an environmental compliance manual for manufacturing facilities.
- Created the position of Environmental Coordinator in each of the corporate divisions and companies.
- Computerized a waste tracking and environmental project tracking system.
- Managed and successfully completed a six year Resource Conservation and Recovery Act (RCRA) closure project in Iowa.

### **Senior Manager-Safety and Environmental Services** 1984 to 1987

Created programs to control financial loss in the occupational safety and health, and environmental areas at all company locations. Recommended and implemented strategies to aid in the attainment of corporate objectives. Directed both internal and outside consultant staff activities.

#### **Major Accomplishments**

- Initiated the strategy of establishing safety and environmental goals for all company business plans.
- Established safety and health committees to improve communications and achieve a participatory effort in goal attainment.
- Created and trained safety coordinator positions for each of the corporate companies and divisions.
- Reduced accident frequency rates and severity rates by over 50%, thereby controlling worker compensation costs.

### **Corporate Safety Manager** 1980 to 1984

Developed a corporate-wide safety program for the company's 25 manufacturing locations, 28 well drilling offices and numerous construction sites. Reviewed all major insured losses or trends, and recommended corrective action which included changes in process, methods, or equipment. Developed a tracking system to gauge corporate safety performance.

**ROSTONE, Lafayette, Indiana**  
(A division of Allen Bradley Company.)

1976 to 1980

**Safety Director**

1978 to 1980

Developed and administered safety programs for the company's two locations. Designed, justified, and staffed an industrial medical facility for the division headquarters.

**Maintenance Engineer**

1977 to 1978

Created and implemented a work order and scheduling system. Designed an integrative preventive maintenance program which included spare parts and labor costs monitoring.

**Project Engineer**

1976 to 1977

Initiated numerous engineering projects to include automation of manufacturing equipment. Designed computerized paint facility including material flow conveyors, air makeup, and heat recovery systems.

**DOUBLE A PRODUCTS COMPANY, Manchester, Michigan**  
(A division of Brown and Sharpe.)

1974 to 1975

**Manufacturing Process Engineer**

Assisted in the development of a time and motion analysis system for multi-machine work centers. Developed processes including N/C programming and semi-automated machine centers to reduce labor and machine time.

**Laboratory Technician**

Evaluated new products including functional and life testing. Created qualification test programs for various groups of hydraulic components.

**PROFESSIONAL AFFILIATIONS**

Registered Hazardous Substances Professional - RHSP No. 00205  
Registered California Environmental Assessor - REA 03609  
Engineer in Training Certification - Indiana - No. 79150  
Kansas University Center for Environmental Education and Training-National Advisory Board  
University of Kansas Environmental Education Center - Member  
National League of Cities-Energy and Environment Committee - Member  
National Environmental Health Association - Member  
Air and Waste Management Association, Midwest Section - Member  
American Society of Safety Engineers - Member

**PUBLIC SERVICE**

Mayor - Shawnee, Kansas  
First term, 1989-1991; Second term, 1991-present  
City Councilmember - Shawnee, Kansas - Elected for two terms: 1985-1989  
Chairperson - Council of Mayors, Johnson County, Kansas  
Chairperson - Mayors Council, State of Kansas League of Municipalities  
Outstanding Young Men in America, 1985  
Appointed by Kansas City Mayor Emanuel Cleaver to the Mid America Regional Council-Sports Stadium Finance Review Committee

**EDUCATION**

Purdue University - West Lafayette, Indiana  
A.A.S. in Manufacturing Technology, 1974  
B.S. in Mechanical Engineering Technology, 1976  
Continuing Education - Extensive environmental and safety training

LANA OLEEN  
SENATOR, 22ND DISTRICT  
RILEY AND GEARY COUNTIES



TOPEKA

SENATE CHAMBER

LEGISLATIVE HOTLINE  
1-800-432-3924

COMMITTEE ASSIGNMENTS

CHAIRMAN: GOVERNMENTAL ORGANIZATION  
LEGISLATIVE EDUCATIONAL PLANNING  
VICE-CHAIRMAN: CONFIRMATIONS  
LABOR, INDUSTRY, SMALL BUS.  
MEMBER: ASSESSMENT AND TAXATION  
ECONOMIC DEVELOPMENT  
JUDICIARY  
ARTS/CULTURAL RESOURCES  
COMMISSIONS: KANSAS SENTENCING  
WASTE REDUCTION AND RECYCLING  
DACOWITS—U.S. DEPT. OF DEFENSE

February 16, 1993

Testimony - SB 133

Chairman Sallee and Members of the Committee:

I appreciate the opportunity to appear before you today in support of SB 133.

For several years, we have tried to bring our state in line with steps to help facilitate the future recycling of plastics in Kansas.

As a member on the Kansas Commission on Waste Reduction and Recycling, we worked to garner support from industry, environmental groups and enforcement on the concept. We believe this bill meets the criteria of all groups.

Similar bills have passed the Senate and House of Representatives in recent sessions, yet a bill has not made it through the complete process in one session. So, this "recycled bill" comes before you today for your consideration.

SB 133 affords an international code common for 35 + states. The bill is necessary to help promote recycling of plastics, helping consumers to sort their products.

I urge your favorable consideration of Senate Bill 133. Thank you.

Senator Lana Oleen

*Senate Energy & Nat'l Resources*  
*February 16, 1993*  
*Attachment 4*



Amway Corporation, 7575 Fulton Street, East, Ada, Michigan 49355-7410  
Legal Division

February 12, 1993

The Honorable Don Sallee, Chairman  
Energy and Natural Resources Committee  
State House, Room 128 S  
Topeka, KS 66612

**Subject: SB 133 / Plastic Container Coding System**

Dear Chairman Sallee:

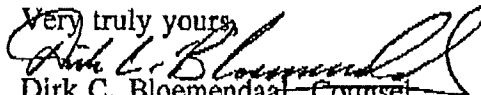
I understand Senate Bill 133, a bill proposing to create a uniform state plastic container coding system, will soon be heard by the Energy and Natural Resources Committee. On behalf of Amway Corporation, and its many independent Kansas distributors, we wish to express our support for this legislation.

By way of brief background, Amway Corporation is a manufacturer and distributor of over 300 quality personal care and home care products sold by approximately 2 million independent distributors worldwide. As part of its total effort in meeting present and future environmental challenges, Amway has adopted the SPI Plastic Container Coding System, upon which SB 133 is based. The use of the voluntary seven-symbol container coding system encourages collection and recycling efforts by easily identifying bottles and other containers by resin composition for sorting purposes. Amway marks all of its 16-ounces and larger plastic bottles made on-site with SPI's Code. The coding encompasses all of Amway's liter, quart, gallon, 16-ounces and 2.5-gallon plastic bottles.

As a worldwide distributor of personal care and home care products sold in all 50 states and over 50 countries and territories, Amway strongly supports the use of the SPI Coding System. The System is simple and effective, offering valuable uniformity to both recyclers and manufacturers. Such uniformity is critical to national marketers such as Amway who rely upon the smooth flow of interstate commerce in bringing quality products to market at reasonable prices. The SPI Coding System also represents a valuable tool in formulating sound environmental policy.

With South Dakota's 1992 adoption of the Code, at least 38 states have now enacted it. The adoption of the Code in Kansas would represent an important step towards developing viable markets for recycled plastics.

Therefore, Amway respectfully urges you support for SB 133. Thank you for your kind attention.

Very truly yours,  
  
Dirk C. Bloemendaal, Counsel  
Corporate Government Affairs

CC: Members of the Energy and Natural Resources Committee

Legal Fax (616) 676-9027 Bud Grant, Kansas Retail Council

am2283/8624

Legal Int'l Fax (616) 676-7699  
Senate Energy & Nat'l Resources  
February 16, 1993  
Attachment 5



July 1992

**\*\* SPI CODING SYSTEM \*\***

<u>STATE</u>	<u>COVERED SIZES</u>		<u>EFFECTIVE DATE</u>
	<u>Plastic Bottles</u>	<u>Rigid Plastic Containers</u>	
1. Alaska	>= 16 oz <= 5 gal	>= 8 oz <= 5 gal	July 1, 1991
2. Arkansas	> 16 oz <= 5 gal	>= 8 oz <= 5 gal	July 1, 1992
3. Arizona	>= 16 oz <= 5 gal	>= 8 oz <= 5 gal	July 1, 1991
4. California	>= 16 oz < 5 gal	>= 8 oz < 5 gal	Jan. 1, 1992
5. Colorado	>= 16 oz < 5 gal	>= 8 oz < 5 gal	July 1, 1992
6. Connecticut	>= 16 oz                      Not specifically covered *Each code number and letter must be >= 1/4" high and at a scale of 7 letters/1" width.		Jan. 1, 1990
7. Delaware	>= 16 oz < 5 gal	>= 8 oz < 5 gal	July 1, 1992
8. Florida	>= 16 oz                      (Plastic beverage con.) >= 16 oz                      (Nonsolid food liquid con.) >= 8 oz Rigid plastic containers *No maximum size threshold		July 1, 1990
9. Georgia	>= 16 oz < 5 gal	>= 8 oz < 5 gal	Jan. 1, 1991
10. Hawaii	>= 16 oz < 5 gal	>= 8 oz < 5 gal	Jan. 1, 1992

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5-2

<u>STATE</u>	<u>COVERED SIZES</u>		<u>EFFECTIVE DATE</u>
	<u>Plastic Bottles</u>	<u>Rigid Plastic Containers</u>	
11. Illinois	>= 16 oz *No maximum size threshold	>= 8 oz	Jan. 1, 1991
12. Indiana	>= 16 oz *No maximum size threshold	>= 8 oz	Jan. 1, 1992
13. Iowa	>= 16 oz < 5 gal	>= 8 oz < 5 gal	July 1, 1992
14. Kentucky	>= 16 oz < 5 gal	>= 8 oz < 5 gal	Jan. 1, 1992
15. Louisiana	>= 16 oz < 5 gal	>= 8 oz < 5 gal	Jan. 1, 1991
16. Maine	>= 16 oz <= 5 gal	>= 8 oz <= 5 gal	July 1, 1991
17. Maryland	>= 16 oz < 5 gal	>= 8 oz < 5 gal	July 1, 1992
18. Massachusetts	>= 16 oz < 5 gal	>= 8 oz < 5 gal	July 1, 1991
19. Michigan	>= 16 oz *No maximum size threshold	>= 8 oz	Jan. 1, 1992
20. Minnesota	>= 16 oz *No maximum size threshold *Each code number and letter must be >= 1/4" high (on covered sizes)	(All plastic cont.)	Jan. 1, 1991
21. Mississippi	>= 16 oz <= 5 gal	>= 8 oz <= 5 gal	April 2, 1991

<u>STATE</u>	<u>COVERED SIZES</u>		<u>EFFECTIVE DATE</u>
	<u>Plastic Bottles</u>	<u>Rigid Plastic Containers</u>	
22. Missouri	>= 16 oz < 5 gal	>= 8 oz < 5 gal	Jan. 1, 1992
23. Nevada	>= 16 oz <= 5 gal	>= 8 oz <= 5 gal	Jan. 1, 1992
24. New Hampshire	Legislation enacted which states that the SPI Code shall not be interfered with by any state-created recycling logo.		
25. New Jersey	>= 16 oz < 5 gal	>= 8 oz < 5 gal	Jan. 1, 1991
26. North Carolina	>= 16 oz >= 16 oz >= 8 oz *No maximum size threshold	(Plastic beverage con.) (Nonsolid food liquid con.) (Rigid plastic containers)	July 1, 1991
27. North Dakota	>= 16 oz < 5 gal *Code must be >= 1/2" high (on covered sizes)	>= 8 oz <= 5 gal	Dec. 31, 1991
28. Ohio	>= 16 oz < 5 gal	>= 8 oz < 5 gal	Jan. 1, 1991
29. Oklahoma	>= 16 oz < 5 gal	>= 8 oz < 5 gal	July 1, 1991
30. Oregon	>= 16 oz <= 5 gal	>= 8 oz <= 5 gal	Jan. 1, 1992
31. Rhode Island	>= 16 oz < 5 gal	>= 8 oz < 5 gal	Jan. 1, 1991
32. South Carolina	>= 16 oz < 5 gal	>= 8 oz < 5 gal	Nov. 27, 1992
33. South Dakota	>= 16 oz < 5 gal	>= 8 oz < 5 gal	July 1, 1995
34. Tennessee	>= 16 oz < 5 gal	>= 8 oz < 5 gal	July 1, 1991
35. Texas	>= 16 oz <= 5 gal	>= 8 oz <= 5 gal	July 1, 1991
36. Virginia	>= 16 oz < 5 gal	>= 8 oz < 5 gal	July 1, 1992
37. Washington	>= 16 oz < 5 gal	>= 8 oz < 5 gal	Jan. 1, 1992

38. Wisconsin

>= 16 oz bottles & containers  
 >= 8 oz beverage bottles  
 {Manufacture & wholesale sale}  
 {Retail sale}

Jan. 1, 1991  
 Jan. 1, 1992

\* \* \*

>= 8 oz all containers  
 {Manufacture & wholesale sale}  
 {Retail sale}

Jan. 1, 1992  
 Jan. 1, 1993

\* \* \*

>= 8 oz non-beverage bottles  
 {Manufacture & wholesale sale}  
 {Retail sale}

Jan. 1, 1993  
 Jan. 1, 1994



Amway Corporation, 7575 East Fulton Road, Ada, Michigan 49355-7410

Legal Division

FAX: (616) 676-9027 -or- (616) 676-5624

F A X L O G   S H E E T

TO: *THE HONORABLE DON SALLEE*

FROM: *DIRK BLOEMENDAAL*

FAX NUMBER: *913-296-6718*

NUMBER OF SHEETS: *2*

DATE REQUESTED: *2/12/93*

*SENATOR, ATTACHED PLEASE FIND A LETTER OF SUPPORT FOR SB 133, A BILL SLATED FOR HEARING THIS TUESDAY. IF YOUR STAFF COULD DISTRIBUTE COPIES TO YOUR COMMITTEE AT THE TIME OF HEARING, IT WOULD BE MOST APPRECIATED. THANK YOU!*

*Dirk Bloemendaal*



Amway Corporation, 7575 Fulton Street, East, Ada, Michigan 49355-7410  
*Legal Division*

February 12, 1993

The Honorable Don Sallee, Chairman  
Energy and Natural Resources Committee  
State House, Room 128 S  
Topeka, KS 66612

**Subject: SB 133 / Plastic Container Coding System**

Dear Chairman Sallee:

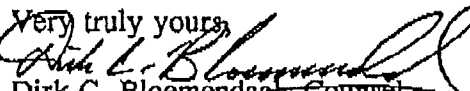
I understand Senate Bill 133, a bill proposing to create a uniform state plastic container coding system, will soon be heard by the Energy and Natural Resources Committee. On behalf of Amway Corporation, and its many independent Kansas distributors, we wish to express our support for this legislation.

By way of brief background, Amway Corporation is a manufacturer and distributor of over 300 quality personal care and home care products sold by approximately 2 million independent distributors worldwide. As part of its total effort in meeting present and future environmental challenges, Amway has adopted the SPI Plastic Container Coding System, upon which SB 133 is based. The use of the voluntary seven-symbol container coding system encourages collection and recycling efforts by easily identifying bottles and other containers by resin composition for sorting purposes. Amway marks all of its 16-ounces and larger plastic bottles made on-site with SPI's Code. The coding encompasses all of Amway's liter, quart, gallon, 16-ounces and 2.5-gallon plastic bottles.

As a worldwide distributor of personal care and home care products sold in all 50 states and over 50 countries and territories, Amway strongly supports the use of the SPI Coding System. The System is simple and effective, offering valuable uniformity to both recyclers and manufacturers. Such uniformity is critical to national marketers such as Amway who rely upon the smooth flow of interstate commerce in bringing quality products to market at reasonable prices. The SPI Coding System also represents a valuable tool in formulating sound environmental policy.

With South Dakota's 1992 adoption of the Code, at least 38 states have now enacted it. The adoption of the Code in Kansas would represent an important step towards developing viable markets for recycled plastics.

Therefore, Amway respectfully urges you support for SB 133. Thank you for your kind attention.

Very truly yours,  
  
Dirk C. Bloemendaal, Counsel  
Corporate Government Affairs

CC: Members of the Energy and Natural Resources Committee

Legal Fax (616) 676-9027 Bud Grant, Kansas Retail Council

ahr2283/1624

Legal Int'l Fax (616) 676-7699

**Kansas Business and Industry Recycling Program, Inc.**

2933 SW Woodside Dr., Suite C, Topeka, Kansas 66614-4181  
(913) 273-6808 FAX (913) 273-2405



**Testimony**

**February 16, 1993**

**Senate Energy and Natural Resources Committee**

**SB 133**

**Labeling of Plastic Containers**

Mr. Chairman and Members of the Committee:

I am Chiquita Cornelius, Executive Director of the Kansas Business and Industry Recycling Program.

As you know the Society of the Plastics Industry, Inc. (SPI) developed the voluntary coding system for plastic containers which identifies bottles and other containers by material type. The industry fostered the coding system to provide a uniform system for coding that meets the needs of the recycling industry, as defined by the recyclers and collectors themselves.

We support efforts to ensure that the national uniform system is used in Kansas and surrounding states for we feel it will enhance our efforts to expand plastic recycling throughout Kansas. In order for Senate Bill 133 to follow the national model we ask that page one, Item (4)(C) be amended to read "has a capacity of 16 fluid ounces or more but less than five gallons."

Kansas BIRP has incorporated information on the coding system in two editions of our Recycling Directory as early as 1990 so that we could start educating the public on how to identify plastic bottles by resin type.

*Senate Energy & Nat'l Resources  
February 16, 1993  
Attachment 6*

We are proud of the programs our members have implemented to collect plastic containers in Kansas for recycling and are dedicated to increasing and expanding upon these programs.

Attached to my testimony you will find a letter from the American Plastics Council that supports passage of SB 133 with the afore mentioned amendment and a list of the thirty-seven states that have endorsed the coding system developed by SPI.

Respectfully submitted,

Chiquita Cornelius



# AMERICAN PLASTICS COUNCIL

(Formerly the Partnership for Plastics Progress)

February 12, 1993

Chiquita Cornelius  
Executive Director  
Kansas BIRP  
2231 SW Wanamaker Road  
Suite 200  
Topeka, Kansas 66614

Dear Chiquita:

Thank you for sending me a copy of the Plastic Container Coding Legislation introduced in Kansas this session. After reviewing Senate Bill 133, I wanted to send you the following comments.

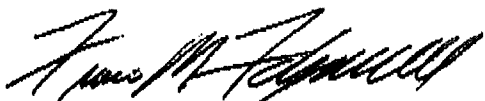
The American Plastics Council supports the voluntary use of the coding system and uniform enforcement. Senate bill 133 follows the national model except for the definition of "plastic bottle" on page one, line 20 (4)(C). The national model defines plastic bottle "with a capacity of 16 ounces or more but less than five gallons." We would very much like the definition to mirror the national model if possible. As of January 1, 1993, 37 states in the United States have passed the Plastic Container Coding Act.

Having a national model ensures a uniform system throughout the midwest and United States. We would appreciate any efforts on your part to bring the language currently in SB 133 in line with the national model.

I'm enclosing a listing of all the states which have adopted the SPI's plastic container coding system.

Thank you for alerting us to this legislation.

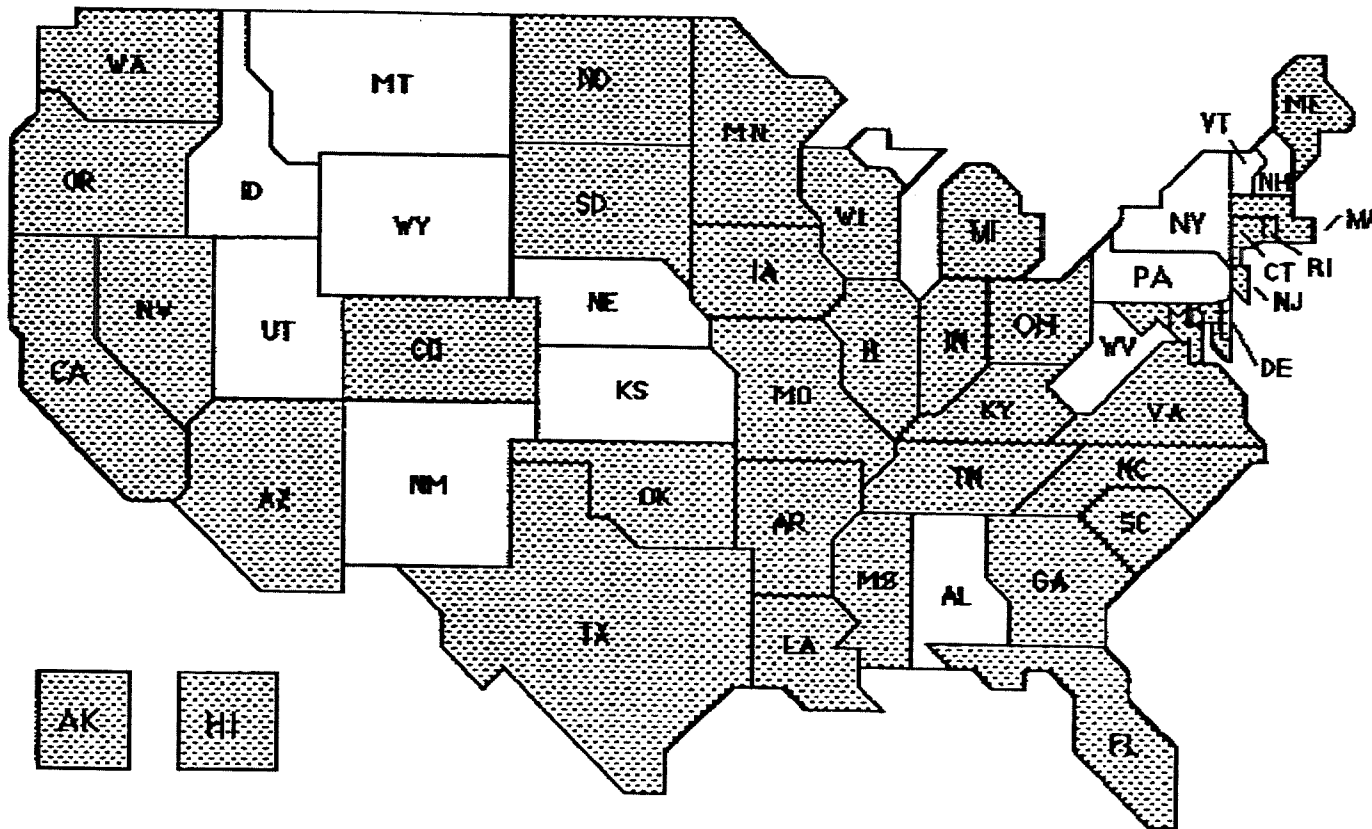
Sincerely,



Francis M. Fitzgerald  
Midwest Government Affairs Manager

## States Requiring Plastic Container Coding

**American Plastics Council, November 12, 1992**



The above 37 states require the coding of plastic bottles of 16 ounces or more and other rigid containers of 8 ounces or more following the Society of The Plastics Industry voluntary coding program.

**Note: New Hampshire has enacted legislation to establish a state recycling emblem which recognizes and protects the SPI voluntary coding program as a distinct material identification system.**

**HEIN, EBERT AND ROSEN, CHTD.**

**ATTORNEYS AT LAW**

5845 SW 29th Street, Topeka, Kansas 66614

Telefax: (913) 273-9243

(913) 273-1441

*Ronald R. Hein  
William F. Ebert  
Eric S. Rosen  
Stephen P. Weir*

**SENATE ENERGY AND NATURAL RESOURCES COMMITTEE**

**TESTIMONY RE: SB 133**

**Presented by Ronald R. Hein  
on behalf of**

**Kansas Soft Drink Association  
February 16, 1993**

Mr. Chairman, Members of the Committee:

My name is Ron Hein, and I am legislative counsel for the Kansas Soft Drink Association (KSDA), which is composed of the soft drink bottling companies operating in Kansas.

The Kansas Soft Drink Association supports the effort to insure uniform coding of plastic containers so as to make recycling efforts easier to administer, and, therefore, to make them more successful.

As you are already probably aware, 37 states have enacted plastic coding legislation such as set out in SB 133. The KSDA supports such legislation wholeheartedly.

However, according to the KSDA's information, the model legislation is slightly different than SB 133.

Specifically, on page 1, line 22, we recommend that "eight" be replaced with "16". In this way, we understand that it would conform to the uniform standards.

To deviate from these uniform standards in any way would cause tremendous administrative and marketing problems to plastic container manufacturers, as well as to companies such as the bottlers who make up the Kansas Soft Drink Association.

Once again, with the amendment that we proposed, we would strongly urge your support for SB 133.

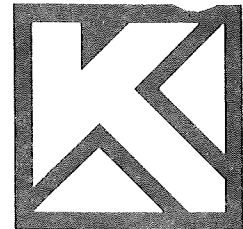
Thank you very much for permitting me to testify, and I will be happy to yield to questions.

*Senate Energy & Nat'l Resources  
February 16, 1993  
Attachment 7*

# LEGISLATIVE TESTIMONY

## Kansas Chamber of Commerce and Industry

500 Bank IV Tower One Townsite Plaza Topeka, KS 66603-3460 (913) 357-6321



A consolidation of the  
Kansas State Chamber  
of Commerce,  
Associated Industries  
of Kansas,  
Kansas Retail Council

SB 133

February 16, 1993

KANSAS CHAMBER OF COMMERCE AND INDUSTRY  
Testimony Before the  
Senate Committee on Energy and Natural Resources  
by  
Terry Leatherman  
Executive Director  
Kansas Industrial Council

Mr. Chairman and members of the Committee:

I am Terry Leatherman with the Kansas Chamber of Commerce and Industry. Thank you for the opportunity to explain KCCI's position regarding SB 133.

The Kansas Chamber of Commerce and Industry (KCCI) is a statewide organization dedicated to the promotion of economic growth and job creation within Kansas, and to the protection and support of the private competitive enterprise system.

KCCI is comprised of more than 3,000 businesses which includes 200 local and regional chambers of commerce and trade organizations which represent over 161,000 business men and women. The organization represents both large and small employers in Kansas, with 55% of KCCI's members having less than 25 employees, and 86% having less than 100 employees. KCCI receives no government funding.

The KCCI Board of Directors establishes policies through the work of hundreds of the organization's members who make up its various committees. These policies are the guiding principles of the organization and translate into views such as those expressed here.

The Kansas Chamber has supported legislation to require the labeling of plastic bottles and containers in recent years as an economically responsible proposal to

Senate Energy & Nat'l Resources  
February 16, 1993  
Attachment 8

en. Waste recycling. KCCI is prepared to support SB 133, if the definition of plastic bottle in the legislation is amended to require the coding of bottles with a minimum capacity of 16 ounces, rather than 8 ounces. There are several reasons why KCCI encourages this Committee to support amending the minimum size requirement.

1. SB 133 is modeled after legislation developed by the Society of the Plastic Institute, except for the 8 ounce requirement. In the 38 states which have adopted this proposal, only one (Wisconsin) has lowered the minimum bottle size requirement below 16 ounces. If SB 133 retains the 8 ounce requirement, Kansas will be an island in the sea of regulations manufacturers of plastic bottles face. They will be forced to either cater their products to meet the demands of one midwestern state or to simply not conduct business in Kansas.

2. In developing the coding requirement, the 16 ounce minimum level was chosen because it is the smallest bottle size which can accommodate the 1/2 inch "quick read" code size. Requiring coding on 8 ounce bottles will require a coding label smaller than 1/2 inch, which will be very difficult to read.

3. The 16 ounce minimum requirement encompasses a large majority of the plastic bottles produced, including soft drink and milk jugs, food products, automotive items and household cleaners. Eight ounce bottles are largely cosmetic and pharmaceutical products, and represent only a small percentage of the plastic container market.

Mr. Chairman, thank you for the opportunity to explain why KCCI feels this one change should be made to SB 133, and would urge Committee support of an amended version of SB 133. I would be happy to attempt to answer any questions.