

HOUSE BILL No. 2414

By Committee on Federal and State Affairs

3-17

1 AN ACT concerning the department of health and environment; relating to
2 the clean water act and clean air act, development of state
3 implementation plans; concerning the legislature, economic impact
4 reports.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) As part of the development of any state implementation
8 plan for submission to the United States environmental protection agency
9 pursuant to any promulgated rules or regulations under 33 U.S.C. § 1251,
10 et seq. or 42 U.S.C. § 7401, et seq., the secretary of health and
11 environment shall prepare a regulatory impact report. One calendar month
12 prior to the submission of any such state implementation plan to the
13 environmental protection agency, the secretary shall:

14 (1) Submit the impact report and the proposed state implementation
15 plan to the governor, the president of the senate and the speaker of the
16 house of representatives; and

17 (2) make such impact report and the proposed state implementation
18 plan available on the department of health and environment's internet
19 website.

20 (b) The regulatory impact report prepared by the secretary pursuant to
21 subsection (a) shall include:

22 (1) The economic impact the plan will have on businesses and
23 citizens in the state, including any disproportionate impact the plan will
24 have on lower income populations;

25 (2) any job losses that are anticipated as a result of the plan;

26 (3) other existing state implementation plans and the economic
27 impact of such plans;

28 (4) the existence and cost efficiency of any technology that may be
29 needed to achieve the reduction goal;

30 (5) a determination as to whether the reduction goals are achievable
31 within the allotted time frame;

32 (6) a determination as to whether the plan achieves reduction goals at
33 a sustainable cost;

34 (7) the remaining useful life of any impacted structure;

35 (8) any policy options for the adoption of less stringent standards or
36 longer compliance schedules;

- 1 (9) the unique policies, energy needs, resource mix and economic
 - 2 priorities of Kansas;
 - 3 (10) the potential impact on taxpayers;
 - 4 (11) a determination as to whether the reduction will solve an actual
 - 5 health problem as based upon peer-reviewed scientific evidence;
 - 6 (12) a determination as to whether the reduced pollutant is a
 - 7 significant variable in solving the actual health problem;
 - 8 (13) any permissible options that provide flexibility in achieving
 - 9 reduction goals, including the averaging of emissions or any other
 - 10 alternative implementation measure that may further the interests of
 - 11 Kansas' citizens; and
 - 12 (14) a cost-benefit analysis of how the plan affects the economic
 - 13 well-being of the state, the projected cost to any industry affected by the
 - 14 plan and the projected costs to Kansas ratepayers.
- 15 Sec. 2. This act shall take effect and be in force from and after its
- 16 publication in the statute book.