

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairperson Sharon Schwartz at 3:30pm on Tuesday, March 17, 2015, 346-S of the Capitol.

All members were present except:

Representative Ponka-We Victors – Excused

Representative Broderick Henderson, appointed substitute member to the committee

Committee staff present:

Raney Gilliland, Legislative Research Department

Joanna Wochner, Legislative Research Department

Shirley Jepson, Kansas Legislative Committee Assistant

Natalie Scott, Office of Revisor of Statutes

David Wiese, Office of Revisor of Statutes

Conferees appearing before the Committee:

No conferees present

Others in attendance:

[See Attached List](#)

Discussion & action on: SB52 — Authorizing chief engineer to allow augmentation to secure water.

Chair Schwartz opened the discussion on **SB52**; a bill that had a hearing in this Committee on March 12, 2015.

Natalie Scott, Revisor, explained that **SB52** amends current law with regard to the options available when the chief engineer makes a determination of an unlawful diversion of water. Ms. Scott notes that senate amendments limit the use of augmentation to the Rattlesnake Creek sub-basin and provide that augmentation may only be used when the replacement of water is offered voluntarily.

*Representative Francis moved to recommend **SB52** favorable for passage. Motion seconded by Representative Ewy.*

*Representative Francis made a substitute motion to amend **SB52** by moving the contents of **SB36** into **SB52**. Motion seconded by Representative Concannon. Motion carried on a voice vote.*

Natalie Scott, Revisor, explained **SB36** amends the provisions relating to term permits to appropriate water and multiyear flex accounts. SB36 would allow users to carry-forward water appropriations.

Discussion followed.

*Representative Sloan moved to amend **SB52** by moving the contents of **SB227** into **SB52**. Motion seconded by Representative Dierks. Motion carried on a voice vote.*

CONTINUATION SHEET

MINUTES of the Committee on Agriculture and Natural Resources at 3:30pm on Tuesday, March 17, 2015, 346-S of the Capitol.

Natalie Scott, Revisor, explained **SB227** amends the provisions relating to local enhanced management areas.

Discussion followed.

*Representative Sloan offered an amendment to **SB52 (Attachment 1)**. The motion was seconded by Representative Wilson. Motion carried on a voice vote.*

During discussion, the Committee expressed some reluctance to adopting the amendment, mainly, because the amendment removes the restriction of the affected area to Rattlesnake Creek sub-basin.

*Representative Sloan moved to recommend **SB52** as amended favorable for passage and allow for technical corrections as needed. Motion seconded by Representative Wilson. Motion carried on a voice vote.*

Discussion & action on: SB124 — Eliminating the sunset on landspreading of oil and gas drilling waste.

Chair Schwartz opened the discussion on **SB124**. Natalie Scott, Revisor, explained that **SB124** would authorize the Secretary of Health and Environment to adopt rules and regulations on the land-spreading of solid waste generated by drilling oil and gas wells. Chair Schwartz informed the Committee of the intention to amend **SB124** by inserting language from **SB125** and **HB2303** into **SB124**.

*Representative Sloan moved to recommend **SB124** favorable for passage. Motion seconded by Representative Thimesch.*

*Representative Carlin made a substitute motion to amend **SB124** by moving the contents of **SB125** into **SB124**. Motion seconded by Representative Dierks. Motion carried on a voice vote.*

Natalie Scott, Revisor, explained that **SB125** allows for the disposal of waste containing low concentration of naturally-occurring radioactive materials (NORM) and technologically-enhanced NORM (TENORM) by underground burial.

*Representative Sloan moved to amend **SB124** by moving the contents of **HB2303** into **SB124**. Motion seconded by Representative Clark. Motion carried on a voice vote.*

Natalie Scott, Revisor, explained that **HB2303** amends current law relating to water and soil pollution.

As requested by the Division of Environment, Department of Health and Environment during their testimony at the hearing on **HB2303**, the following amendment was offered.

*Representative Boldra moved to amend **SB124** by including an amendment as requested by the*

CONTINUATION SHEET

MINUTES of the Committee on Agriculture and Natural Resources at 3:30pm on Tuesday, March 17, 2015, 346-S of the Capitol.

Division of Environment, Department of Health and Environment, in Section 1, Line 22 by removing the words "variances to" and adding "variances" to Section 1, Line 23 following "standards". The motion was seconded by Representative Lusker. Motion carried on a voice vote.

Representative Sloan moved to amend the original **SB124** by inserting language on page 4 as per the attachment ([Attachment 2](#)). The motion was seconded by Representative Lusker. Motion carried on a voice vote.

Representative Sloan moved to amend the original version of **SB124** by inserting language on page 3 as per the attachment ([Attachment 2](#)). Motion was seconded by Representative Carlin. Motion carried on a voice vote.

Representative Sloan moved to amend the original **SB124** by striking the sunset date on page 4, line 16 ([Attachment 2](#)). Motion was seconded by Representative Schroader. Motion carried on a voice vote.

Representative Dierks moved to approve a technical amendment to correct the numbering in the amended version of **SB124** as needed. Motion seconded by Representative Lusker. Motion carried on a voice vote.

Representative Sloan moved to recommend **SB124** as amended favorable for passage and allow for technical corrections as needed. Motion was seconded by Representative Carlin. Motion carried on a voice vote.

Adjournment

The meeting was adjourned at 4:15pm. The next meeting of the Committee is scheduled for March 17, 2015.