

Approved April 7, 1987
Date

MINUTES OF THE HOUSE COMMITTEE ON ENERGY AND NATURAL RESOURCES

The meeting was called to order by Representative Ron Fox at
Chairperson

3:30 ~~xxx~~ p.m. on March 31, 1987 in room 526-S of the Capitol.

All members were present except:

Representative Mollenkamp (excused)
Representative Sifers (excused)

Committee staff present:

Ramon Powers, Legislative Research Department
Arden Ensley, Revisor of Statutes
Betty Ellison, Committee Secretary

Conferees appearing before the committee:

The meeting began with Representative Holmes reading the Energy Subcommittee Report which included an amendment to Senate Bill 333--Termination of service rights of retail electric suppliers; compensation. (Attachment 1) He felt that the amendment was fair and equitable to all concerned and noted that at the present time, this legislation would apply to the communities of Tribune and Leoti if they make this decision. Representative Holmes, seconded by Representative Sutter, moved the adoption of the subcommittee report and to recommend Senate Bill 333 favorably for passage with the proposed amendment. The motion carried. ENERGY COMM. 3/25/87; 3/31/87

Chairman Fox read the Natural Resources Subcommittee Report which recommended that Senate Bill 59--Fee schedule for hunting, fishing and furharvesting licenses and permits, be tabled. (Attachment 2)
N.R. SUB. 3/30/87

The Chairman read the Natural Resources Subcommittee Report on Senate Bill 60--Designation of free two-day fishing periods which recommended Senate Bill 60 favorably for passage as amended. (Attachment 3) A motion was made by Representative Lacey, seconded by Representative Sallee to report Senate Bill 60 favorably for passage with the proposed amendments. The motion carried. N.R. SUB. 3/30/87

Turning to Senate Bill 42--Establishment of conservation easements; Re Proposal No. 10, the Natural Resources Subcommittee Report was read. The report recommended Senate Bill 42 favorably for passage with amendments. (Attachment 4) Representative Spaniol proposed an additional amendment which had been called to his attention following the subcommittee meeting. This amendment would be in New Section 7 following "or are to be located," by adding, "or so as to impair the rights of a watershed district under KSA 24-1201 with respect to rights of way, easements, or enter property rights upon which watershed structures are located or are to be located." A motion was made by Representative Spaniol, seconded by Representative Shore, to adopt the proposed amendments and report Senate Bill 42 favorably for passage as amended. During discussion, staff gave a definition of "riparian areas" as meaning areas along streams which through the predominance of woody plants, abundance of water and varying habitat structure support a high diversity of wildlife. When used in this act, the definition of "wetland" means any area where standing water or wet soil conditions exist for a significant part of the growing season of most years. These definitions were adapted from the language used in the state water plan. It was explained that this bill does not automatically include access to these areas unless so designated by the owner.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENERGY AND NATURAL RESOURCES,
room 526-S Statehouse, at 3:30 ~~xxx~~ p.m. on March 31, 1987.

The Chairman commented that conservation easement bills come up repeatedly and if this one should be deferred, the issue would be brought up again. He felt that the subcommittee had done a commendable job of narrowing this act down. It was noted that 44 states have broader conservation acts--this one was adapted to Colorado law. Representative Grotewiel felt that the amendments made the measure too narrow, but that it was truly a compromise and he would support it anyway. A vote was taken on the motion to report Senate Bill 42 favorably with the proposed amendments. The motion carried.

N.R. SUB. 3/30/87

Representative Shore explained House Resolution 6077--Supporting the speediest approval of the Erie Project by the Federal Energy Regulatory Commission. He said that this resolution dealt with the Erie Pipeline in the northeast part of the United States which distributes gas produced in the plains states--largely, Kansas, Oklahoma and Texas. There are two proposals--one is the Erie Pipeline which is being addressed here. The other proposal is a pipeline which would distribute Canadian gas only. This resolution asks the Federal Energy Regulatory Commission to support the Erie Pipeline proposal. Chairman Fox noted that he had been working on this with the Kansas Congressional Delegation since the beginning of this session. Basically, the choice is--do we promote Kansas gas or Canadian gas? This issue has been before the Federal Energy Regulatory Commission for some months and this is a commendation for them to act on it. It would provide a great potential to utilize Kansas gas. A motion was made by Representative Barr, seconded by Representative Holmes, to recommend House Resolution 6077 favorably for passage. The motion carried.

There were no objections to the minutes of March 26 and they were adopted.

The meeting was adjourned at 4:03 p.m.

CARL D. HOLMES
REPRESENTATIVE 125TH DISTRICT
P O BOX 578
PLAINS, KANSAS 67869



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER ELECTIONS
ENERGY AND NATURAL RESOURCES
LOCAL GOVERNMENT

Mr. Chairman:

The Subcommittee on Energy recommends to the Standing Committee SB 333 favorably for passage with the following amendment.

On page 5, following line 171, by inserting:

"Sec. 2. In addition to the fair cash value of any plant and appurtance thereto determined pursuant to K.S.A. 12-811, a retail electric supplier whose service rights have expired by reason of failure of the renewal of a valid franchise shall be entitled to compensation for all reasonable and prudent costs of detaching the electric system facilities to be sold and all reasonable and prudent costs of reintegrating the remaining electric system facilities of such retail electric supplier less the value of all electric system facilities replaced by new facilities required for the reintegration of the remaining electric system facilities.";

Carl Holmes, Chairman
Subcommittee on Energy

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Energy and Natural Resources

Recommends that Senate Bill No. 333 (As Amended by Senate Committee)

"AN ACT concerning public utilities; relating to retail electric suppliers; concerning the termination of service rights."

Be amended:

On page 5, following line 171, by inserting:

"Sec. 2. In addition to the fair cash value of any plant and appurtenance thereto determined pursuant to K.S.A. 12-811, a retail electric supplier whose service rights have expired by reason of failure of the renewal of a valid franchise shall be entitled to compensation for all reasonable and prudent costs of detaching the electric system facilities to be sold and all reasonable and prudent costs of reintegrating the remaining electric system facilities of such retail electric supplier less the value of all electric system facilities replaced by new facilities required for the reintegration of the remaining electric system facilities.";

Also on page 5, in line 172, by renumbering section 2 as section 3;

In the title, by striking all of line 20, and inserting in lieu thereof "concerning the acquisition of service rights or electric system facilities by cities.";

And the bill be passed as amended.

Chairperson

STATE OF KANSAS

DENNIS SPANIOL
REPRESENTATIVE, NINETY-FOURTH DISTRICT
SEDGWICK COUNTY
438 S. SOCORA
WICHITA, KANSAS 67209



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
VICE-CHAIRMAN: ENERGY AND NATURAL RESOURCES
MEMBER: TAXATION
TRANSPORTATION

Mr. Chairman:

The Subcommittee on Natural Resources recommends to the
Standing Committee that Senate Bill 59 be tabled.

STATE OF KANSAS

DENNIS SPANIOL
REPRESENTATIVE, NINETY-FOURTH DISTRICT
SEDGWICK COUNTY
438 S. SOCORA
WICHITA, KANSAS 67209



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HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
VICE-CHAIRMAN: ENERGY AND NATURAL RESOURCES
MEMBER: TAXATION
TRANSPORTATION

Mr. Chairman:

The Subcommittee on Natural Resources recommends to the Standing Committee Senate Bill 60 favorably for passage with an amendment to sunset the fee free fishing section within a two year period following an effective date.

DENNIS SPANIOL
REPRESENTATIVE, NINETY-FOURTH DISTRICT
SEDGWICK COUNTY
438 S. SOCORA
WICHITA, KANSAS 67209



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HOUSE OF
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COMMITTEE ASSIGNMENTS
VICE-CHAIRMAN: ENERGY AND NATURAL RESOURCES
MEMBER: TAXATION
TRANSPORTATION

Mr. Chairman:

The Subcommittee on Natural Resources recommends to the Standing Committee Senate Bill 42 favorably for passage with the following amendments:

1. To limit to riparian and wetlands.
2. To delete the language in Section 2 (b) following, "A conservation easement may be created only through a grant to a governmental entity."
3. To strike the language in lines 90, 91 and 92 and inserting instead of, "account, the cost of restoration and other usual rules of the law of damages."