

Approved Thomas F. Walker - 88
Date

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Thomas F. Walker at
Chairperson

9:00 a.m./~~p.m.~~ on Tuesday, January 26, 1988 in room 522-S of the Capitol.

All members were present except:

Representative Barr - Excused
Representative Schauf - Excused
Representative Peterson

Committee staff present:

Avis Swartzman - Revisor
Paul West - Legislative Research Department
Carolyn Rampey - Legislative Research Department
Mary Galligan - Legislative Research Department
Jackie Breymeyer - Committee Secretary

Conferees appearing before the committee:

Robert L. Meinen - Secretary, Department of Wildlife & Parks

The meeting was called to order by Representative Thomas F. Walker, Chairman. He said the minutes would stand approved at the end of the meeting if there were no corrections.

HB 2630 - abolishing the joint council on recreation

The Chairman introduced Paul West, Legislative Research Department who gave background on the bill. He said the bill came out of the Energy and Natural Resources Interim Study Committee. Sections 1 and 2 modify and reduce a position by one, with a position for the Secretary. Section 3 eliminates the council.

The Chairman introduced Robert L. Meinen, Secretary, Department of Wildlife and Parks. Mr. Meinen said this is a cleanup bill to remove the membership reference to the Directors of the former Fish and Game Commission and Park and Resources Authority and transfer membership to the Wildlife and Parks Secretary. (Attachment 1)

As there was no one else to testify on the bill, the Chairman closed the hearing on HB 2630.

The Chairman directed the committee's attention to the Scope Statement on Water. He stated he had gone before the Post Audit committee and made a personal plea to have the audit done. The request has been granted with a starting time of April 1. (Attachment 2)

The next item on the agenda was the introduction of a bill concerning the administrative rules and regulations committee; appointment of the chairman and vice-chairman thereof. Representative Weimer moved the bill be introduced. Representative Hassler seconded the motion. The motion carried.

The meeting was adjourned.

H.B. 2630

TESTIMONY PROVIDED TO HOUSE COMMITTEE ON GOVERNMENTAL
ORGANIZATION - January 26, 1988

PRESENTED BY: Kansas Department of Wildlife and Parks

H.B. 2630 addresses membership on the Natural and Scientific Areas Advisory Board and on the Kansas Commission on Applied Remote Sensing. This is clean-up language to remove membership reference to the Directors of the former Fish and Game Commission and Park and Resources Authority and transfer the membership to the Kansas Department of Wildlife and Parks Secretary.

The Joint Council on Recreation would be abolished in recognition of responsibility and authority of the Secretary to administer recreation and park programs. The seven member Commission assists the Secretary in this task through their authority to adopt rules and regulations and their advisory capacity in other aspects.

One task performed by the Joint Council involved administration of Land and Water Conservation Funds provided through the National Park Service. These funds can be used for a variety of recreational projects, often in conjunction with municipalities. The Department intends to develop an ad hoc or advisory committee to assist the Department in considering the various needs of our cities and their people.

This legislation is a result of discussions and hearings with the Energy and Natural Resources Interim Study Committee during 1987. The Department supports this legislation.

DRAFT
Scope Statement

**State Agencies' Handling of Water Contamination
And Pollution Problems in Kansas**

Legislative concerns have been raised recently over the increasing contamination of Kansas' fresh water supply. In 1982, the Legislature amended the Protection of Surface and Groundwater Act to provide for improved protection from water pollution resulting from oil and gas well operations. Water supplies can also be contaminated by agricultural or feedlot practices, chemical spills or dumping, or the like.

Several agencies play a role in managing the State's water resources. The Kansas Water Office and Water Authority are responsible for the State Water Plan and administer the sale of water from State-owned storage in federal reservoirs. The Division of Water Resources appropriates water rights, approves and inspects dams and levees, and oversees local water districts. The Department of Health and Environment enforces water quality standards. The Corporation Commission regulates oil and gas wells. And the Conservation Commission administers the Conservation Districts Law to protect the State's soil and water resources. In addition, local entities such as groundwater management districts and watershed districts are involved in water resource activities.

Legislative concerns have been raised that these agencies are not responding effectively to prevent or minimize contamination of the State's water resources, or that such problems are simply not being addressed. In addition, a 1986 performance audit disclosed serious deficiencies in the State's ability to identify and regulate abandoned unplugged oil and gas wells, which cause pollution by allowing oil and saltwater to flow freely into nearby fresh water formations. An audit in this area would address the following questions:

1. **What fresh water resources in Kansas have become unusable because of contamination or pollution in recent years?** To answer this question, the auditors would interview officials of the various State agencies involved in water resource activities. They would also review all relevant agency records to determine the magnitude and known causes of the contamination problems. In addition, the auditors would interview groundwater management district officials, landowners, and other people as appropriate, and would conduct on-site tours of a sample of polluted sites to assess the local impact and perceptions of these problems.
2. **How well are State agencies handling Kansas' water contamination and pollution problems?** The auditors would identify the staff and funding resources available to State agencies to address such problems, and the procedures designed to prevent or minimize them. They would then determine why those procedures did not work for a sample of contaminated water sites. For this sample, they would trace the history of actions taken to inspect, identify, report, investigate, contain, clean-up, and follow-up on those specific pollution problem areas. The auditors would determine what actions are planned or proposed to protect public water supplies from further contamination, and would review laws, rules, and regulations to determine if more stringent protections and State oversight responsibilities are needed.

Estimated completion time: 12 weeks

ATTACHMENT 2
G.O. COMMITTEE

1/26/88