

Approved: 3-18-96
Date

MINUTES OF THE SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES.

The meeting was called to order by Chairperson Don Sallee at 8:00 a.m. on March 11, 1996 in Room 254-E- of the Capitol.

All members were present except:

Senator Phil Martin, Excused
Senator Bob Vancrum, Excused

Committee staff present:

Dennis Hodgins, Legislative Research Department
Ardan Ensley, Revisor of Statutes
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

HB 2663--concerning rivers belonging to the state; concerning royalties for removal of certain materials from the beds of such rivers

Discussion on **HB 2663** centered on the concern that it was hoped to use royalties from the sand dredged from the river to help finance remediation of 17 contaminated oil and gas wells which threaten the water supplies within the state. Changes previously made to the bill affect the amount of funds received by the levy districts. Due to concern about the narrow margin of passage in the House the suggestion has been made that **HB 2663** pass out of committee unchanged. The House has previously agreed to add language to retain proper funding for the levy districts as well as language concerning remediation of the 17 well sites to another bill.

A member noted this action does not involve the large number of other wells which will eventually need remediation.

Senator Emert, with a second from Senator Hardenberger, moved to report **HB 2663** favorable for passage. The motion carried.

SUB SB 621--concerning waters of the state; relating to the evaporation of water from sand and gravel pits

Discussion touched on the fact that the original agreement with the Water Office started with restrictions involving Ground Water Districts 2 and 5. Ground water Districts 3 and 4 later joined with them. District 1 did not. Since these districts perceive **SUB SB 621** problematical, the question was raised as to whether the districts in western Kansas could be included omitting the eastern part of the state. A member noted much of the state is not in a water district, therefore there should be no difficulty with individuals obtaining water rights, that every other entity using water has to obtain water rights, therefore the bill passed in 1995 put sand pits in a totally different category than others using water. It was reasoned that if water was not an issue, obtaining water rights should be no problem.

Senator Walker made a motion to amend **SB 617** into **SUB SB 621**, Senator Lee seconded the motion. The motion carried.

Senator Walker made a motion to pass **SUB SB 621** favorably as amended. Senator Wisdom seconded the motion. The motion failed. Division was called for. The motion failed.

Senator Walker moved to remove **SB 617** from **SUB SB 621**. Senator Morris seconded the motion. The motion failed. Division was called for. The motion failed.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, ROOM 254-E-Statehouse, at 8:00 a.m. on March 11, 1996.

Senator Wisdom made a motion to reconsider previous action on **SUB SB 621**. Senator Lee seconded the motion. The motion failed. Division was called for. The motion failed.

The meeting adjourned at 8:30 a.m.
The next meeting is scheduled for March 12, 1996.

