

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT.

The meeting was called to order by Chairperson Joann Freeborn at 3:30 p.m. on February 17, 2000 in Room 231-N of the Capitol.

All members were present except: Rep. Douglas Johnston - excused

Committee staff present: Raney Gilliland, Kansas Legislative Research Department
Mary Torrence, Revisor of Statute's Office
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee: Richard Chartier, Cloud County Commissioner, 811 Washington, Concordia, KS 66901
Jack Bruner, Marion County Commissioner, Marion County Courthouse, 200 S. 3rd, Marion, KS 66861
Kim Gulley, League of Kansas Municipalities, 300 SW 8th Avenue, Topeka, KS 66603-3912
Margaret Fast, Unit Manager, Kansas Water Office, 901 S. Kansas, Topeka, KS 66612-1249
Representative Joann Freeborn, District 107

Others attending: See Attached Sheet

Chairperson Joann Freeborn called the meeting to order at 3:30 p.m. She opened **HB2144** for discussion and possible action. The bill was heard in this committee in February 1999. There were enough unanswered questions that it was not worked at that time.

HB2144: An act amending the multipurpose small lakes program act.

The Chairperson recognized Rep. Tom Sloan, he distributed copies of a **Proposed Substitute for HB2144** and explained two changes to the bill.

Page 2 (2) renovation or reconstruction of an existing dam or lake to provide the following: (A) Increased or restoration of flood control storage; or (B) increased or restoration of public water supply storage.

Page 1 Section 1 (c) The Kansas water office shall adopt all rules and regulations governing recovery of the state's costs incurred in providing public water supply storage in multipurpose small lake projects.

David Pope, Chief Engineer, Water Resources Program, KS Department of Agriculture, was in attendance to answer committee questions.

Rep. Tom Sloan made a motion to adopt **Proposed Substitute for HB2144**. Rep. Vaughn Flora seconded the motion. Motion carried.

Rep. Tom Sloan made a motion **Proposed Substitute for HB2144** be recommended favorable for passage. Rep. Becky Hutchins seconded the motion. Motion carried.

The Chairperson opened **HB2861** for discussion or possible action.

HB2861 An act concerning waste tires.

Rep. Ted Powers made a motion **HB2861** be recommended favorable for passage. Rep. Vaughn Flora seconded the motion. Motion carried.

The Chairperson opened **HB2976** for discussion and possible action.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 231-N of the Capitol
at 3:30 p.m. on February 17, 2000.

HB2976: An act concerning wildlife; relating to penalty for taking trophy big game.

Rep. Ted Powers made a motion HB2976 be recommended favorable for passage. Motion withdrawn.

Rep. Sharon Schwartz made a motion to change line 26 to include from 18" to 16" and change language on line 30, change "that" to "than". Rep. Laura McClure seconded the motion. Motion carried.

Rep. Ted Powers made a motion HB2976 be recommended favorable for passage as amended. Rep. Sharon Schwartz seconded the motion. Motion carried.

The Chairperson opened **HB2975** for discussion or possible action.

HB2975: An act concerning wildlife; relating to hunting on land by permission only.

Mary Torrence, Revisor of Statutes, explained two changes to the bill.

Change language on line 20 "in addition to" or "in lieu of"posting of the signs. Language should be stricken on line 25, all after "marks" and on line 26, all before "shall".

Rep. Sharon Schwartz made a motion to amend the bill as recommended. Rep. Laura McClure seconded the motion. Motion carried.

Rep. Sharon Schwartz made a motion HB2975 be recommended favorable for passage as amended. Rep. Becky Hutchins seconded the motion. Motion carried. Rep. Henry Helgerson voted no.

The Chairperson opened **HB2860** for discussion and possible action.

HB2860: An act concerning solid waste.

Written testimony was distributed from Michael L. Cain, Department of the Army, US Army Environmental Center, Central Regional Environmental Office, Kansas City, MO, in support of the bill. (See attachment 1)

Mary Torrence, Revisor of Statutes, distributed a balloon to the bill and explained the changes. (See attachment 2)

Bill Bider, Bureau of Waste Management, Kansas Department of Health and Environment was in attendance to answer committee questions.

Rep. Clay Aurand made a motion to adopt the balloon. Rep. Gerry Ray seconded the motion. Motion carried.

Rep. Tom Sloan made a motion to adopt language recommended by the Revisor, and change page 5 line 28 "will hold hearings to establish the need for the department to undertake necessary action". Rep. Clay Aurand seconded the motion. Motion carried.

Rep. Laura McClure made a motion to change page 4, section 12, lines 40 through 43. Motion withdrawn.

Rep. Laura McClure made a motion to put \$10,000 cap per site and require the county to pay 25% of the cost under sub sec. 12, beginning on line 40, page 4. Rep. Tom Sloan seconded the motion. Motion carried.

Rep. Tom Sloan made a motion HB2860 be recommended favorable for passage as amended. Rep. Dan Johnson seconded the motion. Motion carried.

The Chairperson announced Rep. Clay Aurand will carry **HB2975** on the House floor; Rep. Sharon Schwartz will carry **HB2976**; Rep. Ted Powers will carry **HB2860**; Rep. Dan Johnson will carry **HB2861**; Rep. Tom Sloan will carry **HB2144**.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 231-N of the Capitol
at 3:30 p.m. on February 17, 2000.

Chairperson Freeborn opened public hearing on **HB2831**.

HB2831: **An act concerning solid waste; relating to fees and charges for the collection and disposal thereof.**

The Chairperson welcomed Richard Chartier, Cloud County Commissioner, to the committee. He appeared in support of the bill, representing the Cloud County Commission. They are requesting a change in the current statute to allow, but not require, the imposition of an administrative fee in an amount not to exceed \$25 for each solid waste account unpaid for a period of 60 days or more after the date on which such fees were billed. He urged the members of the committee to give favorable consideration to this proposed legislation. (See attachment 3)

Jack Bruner, Marion County Commissioner, was welcomed to the committee. He appeared in support of the bill on behalf of the Marion County Board of County Commissioners and requests the committee's consideration of an amendment to the bill. They believe it will correct an unintended consequence of a law passed in 1992 which removed the authority of cities and counties to use the Solid and Hazardous Waste Act to impose fees to fund recycling programs and services. He explained how the problem with the Solid and Hazardous Waste Act came to their attention. He also provided a copy of the proposed amendment for review. (See attachment 4)

Kim Gulley, League of Kansas Municipalities, was welcomed. She appeared in support of the bill on behalf of the League. They believe this bill authorizes cities and counties that collect and dispose of solid waste to impose an administrative fee of up to \$25 for unpaid bills. Cities have expressed frustration at the difficulty of collecting delinquent payments on bills due and owing to the city. The ability to impose an administrative fee on bills which remain unpaid for at least 60 days would create an incentive for individuals to pay their bills on time and provide the local government with an additional tool in attempting to collect such payments. (See attachment 5) Questions and discussion followed.

There were no opponents to the bill. The Chairperson closed the hearing on **HB2831**. She opened public hearing on **HB2898**.

HB2898: **An act concerning the Kansas water authority; relating to establishment of basin advisory committees; prescribing qualifications of members and manner of operation.**

The Chairperson welcomed Kim Gulley, League of Kansas Municipalities, back to the committee. She appeared as a proponent to the bill on behalf of the League. They appreciate the introduction of this bill and the opportunity for a hearing on this issue. Increased municipal participation in the Basin Advisory Committees (BACs) is one of the 2000 Legislative Priorities as established through the League policy process. These priorities were presented to their Governing Body and approved by the Convention of Voting Delegates at their Annual Conference in October. They believe that the passage of this bill is the first step in the achievement of this priority. Their interest in the passage of this bill is twofold: (1) Establishment of the BACs in statute; and (2) Dedication of one position on each BAC to be filled by a city official or employee. They believe that this bill is the first step in the achievement of one of their 2000 Legislative Priorities and the second step in that process is to educate their members on the importance of participation in the water planning process and specifically, the BACs. (See attachment 6)

Margaret Fast, Kansas Water Office, was welcomed to the committee. She appeared in a neutral position to the bill. The Kansas Water Office supports the intent of the bill and agrees that the basin advisory committees are an integral part of the state's water planning process. The voluntary participation of these men and women, without compensation, has ensured public participation in the development and implementation of the State Water Plan. This bill would codify, with some changes, the current internal policies of the Kansas Water Authority concerning the basin advisory committees. Although the Water Office is supportive of the bill's intent, question the need to recognize the basin advisory committees in the statutes. The Kansas Water Office, and the Kansas Water Authority, have a long and positive history with the basin advisory committees. Current law gives the Kansas Water Authority the ability to make changes in the basin advisory committees

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 231-N of the Capitol
at 3:30 p.m. on February 17, 2000.

as necessary; they are opposed to limiting this flexibility. (See attachment 7)

Mary Torrence, Revisor of Statutes, distributed a balloon to the bill and explained the changes. (See attachment 8) Questions and discussion followed.

Chairperson Freeborn closed the hearing on **HB2898**. She opened public hearing on **HB2985**.

HB2985: An act relating to appropriation of water for use in another state.

The Chairperson presented testimony in support of the bill from Rep. Carl Holmes, who could not be present to testify. He requested the bill after an attempt was made to transport groundwater from his district to Oklahoma to circumvent Oklahoma law regarding a hog farm location. Oklahoma turned down the farms water application due to the distance from a recreation area. The company then had an employee apply for a Kansas water right and the application indicated the water would be transported by pipeline to Oklahoma to circumvent the Oklahoma law. He made a request of Kansas Department of Agriculture attorneys for denial of the application and they said they would not support denial even if the water was being used for an illegal purpose in another state by that states law. They said Kansas law required granting the permit, providing it met Kansas regulations, even if its purpose was to circumvent another states statutes and/or court orders. He then was in contact with Oklahoma legislators and the Oklahoma Attorney General's office as to what action they would take if Kansas granted the water right. They indicated they would sue Kansas in Federal court if Kansas granted the water right. The company dropped support for the application after it created a public relations nightmare. The employee did not respond to an additional information request by the Division of Water Resources and application is now dropped for lack of requested information. As a result of the actions of attorneys of the Department of Agriculture, he started working on a bill draft to correct the problem. The bill is designed to prevent the transfer of water to another state if statutes and common law of the importing state were violated for an illegal use or purpose and is designed to allow the transfer of water to another state if the water use is a legal use or if the importing state lacked available water and the water use is a legal use. (See attachment 9)

David Pope, Chief Engineer, Water Resources Program, KS Department of Agriculture, was in attendance to answer committee questions and stated he has no objections to the bill. Discussion and questions followed.

Rep. Tom Sloan made a motion **HB2985** be recommended favorable for passage. Rep. Dan Johnson seconded the motion. Motion carried. Rep. Carl Holmes will carry the bill on the House floor.

The Chairperson thanked all conferees and guests for their participation and attention.

The meeting adjourned at 5:40 p.m. The next meeting is scheduled for February 22, 2000.

HOUSE ENVIRONMENT COMMITTEE GUEST LIST

DATE: February 17, 2000

NAME	REPRESENTING
Alan Steppat	KLPG
Richard C Harting	Cloud County
Charles Benjamin	KNRC/KS Sierra Club
DICK CANTON, JR	ENRON
John C. Botteby	Defferbark
Jim Allen	Seaboard
Mary Jane Stattelman	KDA
Bill Brady	KS Gov't Consulting
Margaret East	KS Water office
Sarah Kessinger	HNS



DEPARTMENT OF THE ARMY
U.S. ARMY ENVIRONMENTAL CENTER
CENTRAL REGIONAL ENVIRONMENTAL OFFICE
647 FEDERAL BUILDING
KANSAS CITY, MISSOURI 64106-2896

REPLY TO
ATTENTION OF

February 17, 2000

RE: House Bill 2860

Honorable Joann Freeborn
Chairperson, Kansas House Committee on Environment
Room 155-E State Capitol Building
300 SW 10th Street
Topeka, Kansas 66612

Dear Ms. Freeborn:

I am writing to you concerning the proposed amendments to K.S.A. 65-3415b(c)(4) contained in House Bill 2860, which is currently before your committee.

My office supports the specific section of HB 2860 that exempts the federal government from paying a solid waste tonnage fee. We see this bill as a remedy; and it simply codifies the requirements of Massachusetts v. United States, 435 U.S. 444 (1978). In that case, the U.S. Supreme Court established a "3-pronged" test for analyzing when the federal government can and cannot pay a government-imposed fee for services.

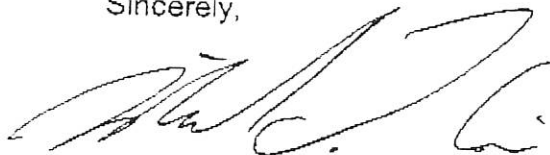
I became aware of the need for the proposed amendment to the current Kansas statute when the Kansas Department of Health and Environment (KDHE) contacted an Army installation requesting payment of solid waste tonnage fees for construction and demolition waste. KDHE's claim was reviewed by federal government attorneys, who identified that the language of the current statute was in violation of the requirements of the Massachusetts case. Our concern was that the current wording exempts the state of Kansas, as well as any city or county in the state, from payment of the fee. One of the requirements of the Massachusetts case is that the federal government must not be treated any differently in the enforcement of the fee requirement than other regulated entities. Upon contacting the KDHE regarding the installation's inability to pay because of this Massachusetts requirement, the KDHE reviewed the matter and came to the same conclusion. We have been coordinating this legislative matter closely with KDHE and have experienced an excellent, professional working relationship with their staff.

As the DoD Regional Environmental Coordinator for Standard Federal Region VII and the state of Kansas, I am authorized to coordinate environmental regulatory issues that impact military facilities. My office would welcome the opportunity to work with you and your committee on any matter that may affect DoD installations and agencies in Kansas.

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Attachment 1*

If you have any questions, please feel free to contact me by phone at (816) 983-3548, fax (816) 426-7414, or e-mail: michael.l.cain@usace.army.mil. I thank you for the opportunity to comment on HB 2860 and would appreciate it if you would share this letter with the members of your committee.

Sincerely,



Michael L. Cain
DoD Regional Environmental Coordinator
Region VII

Copies Furnished:

U.S. Army Environmental Center - JA
Air Force Regional Environmental Coordinator
Navy Regional Environmental Coordinator
Defense Logistics Agency Regional Environmental Coordinator
Kansas Department of Health and Environment

HOUSE BILL No. 2860

By Committee on Environment

2-3

9 AN ACT concerning solid waste; amending K.S.A. 1999 Supp. 65-3415,
10 65-3415a and 65-3415b and repealing the existing sections.

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 1999 Supp. 65-3415 is hereby amended to read as
14 follows: 65-3415. (a) The secretary is authorized to assist counties, des-
15 ignated cities or regional solid waste management entities by administer-
16 ing grants to pay up to 60% of the costs of preparing and revising official
17 plans for solid waste management systems in accordance with the require-
18 ments of this act and the rules and regulations and standards adopted
19 pursuant to this act, and for carrying out related studies, surveys, inves-
20 tigations, inquiries, research and analyses.

21 (b) The secretary is authorized to assist counties, designated cities,
22 municipalities, regional solid waste management entities that are part of
23 an interlocal agreement entered into pursuant to K.S.A. 12-2901 et seq.
24 and amendments thereto or other applicable statutes or private entities,
25 by administering competitive grants that pay up to 75% of eligible costs
26 incurred by such a county, city, regional entity or private entity pursuant
27 to an approved solid waste management plan, for any project related to
28 the development and operation of recycling, source reduction, waste min-
29 imization and solid waste management public education programs. *Such*
30 *projects shall include, but not be limited to, the implementation of inno-*
31 *vative waste processing technologies which demonstrate nontraditional*
32 *methods to reduce waste volume by recovering materials ~~for energy~~ or by*
33 *converting the waste into usable by-products through chemical or phys-*
34 *ical processes.* To be eligible for competitive grants awarded pursuant to
35 this section, a county, designated city, regional entity or private entity
36 must be implementing a project which is part of a solid waste manage-
37 ment plan approved by the secretary or implementing a project with
38 statewide significance as determined by the secretary with the advice and
39 counsel of the solid waste grants advisory committee.

40 (c) The secretary is authorized to assist counties, cities or regional
41 solid waste management entities that are part of an interlocal agreement
42 entered into pursuant to K.S.A. 12-2901 et seq. and amendments thereto
43 or other applicable statutes, by administering grants that pay up to 60%

or energy

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Attachment 2

(13) *payment of the costs to administer regional or statewide waste collection programs designed to remove hazardous materials and wastes from homes, farms, ranches, institutions and small businesses not generally covered by state or federal hazardous waste laws and rules and regulations; and*

(14) *payment for the disposal of household hazardous waste generated as a result of community clean-up activities following natural disasters such as floods and tornados.*

(d) If the secretary determines that expenditures from the solid waste management fund are necessary to perform authorized corrective actions related to solid waste management activities, the person or persons responsible for illegal dumping activity or the operation or long-term care of a disposal area whose failure to comply with this act, rules and regulations promulgated thereunder, or permit conditions resulted in such determination, shall be responsible for the repayment of those amounts expended. The secretary shall take appropriate action to enforce this provision against any responsible person. The secretary shall remit to the state treasurer any amounts recovered and collected in such action. The state treasurer shall deposit all such amounts in the state treasury and credit the same to the solid waste management fund. *Prior to initiating any corrective action activities authorized by this section, the secretary shall give written notice to the person or persons responsible for the waste to be cleaned up and to the property owner that the department will undertake corrective action if the responsible person or persons do not perform the necessary work within a specified time period. The department and its representatives are authorized to enter private property to perform corrective actions if the responsible party fails to perform required clean-up work.*

but no such entry shall be made without the property owner's consent unless the solid waste creates a public nuisance or adversely affects the public health or the environment

(e) Expenditures from the solid waste management fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary or a person designated by the secretary.

(f) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the solid waste management fund interest earnings based on:

(1) The average daily balance of moneys in the solid waste management fund for the preceding month; and

(2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(g) The solid waste management fund shall be used for the purposes set forth in this act and for no other governmental purposes. It is the intent of the legislature that the fund shall remain intact and inviolate for the purposes set forth in this act, and moneys in the fund shall not be

1 subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and
2 amendments thereto.

3 (h) *The secretary shall prepare and deliver to the legislature on or*
4 *before the first day of each regular legislative session, a report which*
5 *summarizes all expenditures from the solid waste management fund, fund*
6 *revenues and recommendations regarding the adequacy of the fund to*
7 *support necessary solid waste management programs.*

8 Sec. 3. K.S.A. 1999 Supp. 65-3415b is hereby amended to read as
9 follows: 65-3415b. (a) ~~Except for construction and demolition landfills~~
10 ~~and industrial solid waste landfills,~~ There is hereby imposed a state solid
11 waste tonnage fee of \$1.00 for each ton or equivalent volume of solid
12 waste disposed of at any solid waste disposal area in this state *other than*
13 *solid waste enumerated in subsection (c) or solid waste disposal author-*
14 *ized by the secretary pursuant to subsection (a) of K.S.A. 65-3407c, and*
15 *amendments thereto.*

16 (b) There is hereby imposed a state solid waste tonnage fee of \$1.00
17 for each ton or equivalent volume of ~~construction and demolition waste~~
18 ~~disposed of at any construction and demolition landfill and solid waste~~
19 ~~disposed at any industrial solid waste landfill~~ *solid waste transferred out*
20 *of Kansas through a transfer station,* other than waste enumerated in
21 subsection (c).

22 (c) The fees imposed by this section shall not apply to:

23 ~~(1) Any waste tire, as defined by subsection (j) of K.S.A. 65-3424, and~~
24 ~~amendments thereto, disposed in or at a permitted solid waste disposal~~
25 ~~area;~~

26 ~~(2) (1) Any of the following wastes when disposed of at a monofill~~
27 ~~permitted by the department:~~

28 (A) Sludges from public drinking water supply treatment plants;

29 (B) cement kiln dust from the manufacture of portland and masonry
30 cement;

31 (C) flue gas desulfurization sludge, fly ash and bottom ash from coal-
32 fired electric generating facilities; and

33 (D) foundry sand;

34 ~~(3) (2)~~ clean rubble;

35 ~~(4) (3)~~ solid waste solely consisting of vegetation from land clearing
36 and grubbing, utility maintenance and seasonal or storm-related cleanup
37 but such exception shall not apply to yard waste; and

38 ~~(5) (4)~~ construction and demolition waste disposed of *by the federal*
39 *government,* by the state of Kansas, or by any city ~~or~~ county ~~or~~ other unit
40 *of local government* in the state of Kansas, or by any person on behalf
41 thereof.

2 (d) The operator of a solid waste disposal area *or transfer station* shall
3 pay the fee imposed by this section.

reinsert lines 23-25 and renumber remaining subsections

2-4

(e) The secretary of health and environment shall administer, enforce and collect the fee imposed by this section. *The secretary shall have the authority to waive such fee when large quantities of waste are generated due to major natural disasters such as floods, tornados and fires.* Except as otherwise provided by subsections (a) and (b), all laws and rules and regulations of the secretary of revenue relating to the administration, enforcement and collection of the retailers' sales tax shall apply to such fee insofar as they can be made applicable, ~~and~~. The secretary of health and environment shall adopt ~~such additional~~ *any other* rules and regulations as necessary for the efficient and effective administration, enforcement and collection thereof.

unless persons paying such fee are able to recover such fees from the federal government

(f) The secretary of health and environment shall remit ~~daily~~ *at least weekly* to the state treasurer all moneys collected from fees imposed pursuant to subsections (a) and (b). Upon receipt thereof, the state treasurer shall deposit the entire amount in the state treasury and credit it to the solid waste management fund created by K.S.A. 65-3415a and amendments thereto.

Sec. 4. K.S.A. 1999 Supp. 65-3415, 65-3415a and 65-3415b are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

TESTIMONY ON HOUSE BILL NO. 2831
BY
CLOUD COUNTY

FEBRUARY 17, 2000

Before the House Committee on Environment
February 17, 2000
State Capitol, Room 423-S
3:30 p.m.

Madame Chairwoman Freeborn, Members of the Committee:

I am Richard Chartier, Cloud County Commissioner. I am representing the Cloud County Commission and other counties across the state for whom the collection of delinquent solid waste fees presents a problem.

Thank you for allowing us the opportunity to present information on this proposed legislation, House Bill No. 2831.

We would like to provide a short history of the issue at hand. The method of collection of unpaid solid waste fees is detailed in K.S.A. 65-3410a.

(1) A public hearing must be held, notice of which is to be mailed to the property owners not less than 10 days prior to the hearing.

(2) Revisions or corrections of the list of delinquent fees may be made by the County Commission at the public hearing upon hearing protests.

(3) A resolution of confirmation of the list of delinquent fees is certified to the County Clerk to be attached to the tax roll for collection at the same time as general property taxes.

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Attachment 3*

In Cloud County the required public hearing is held in August so that the list certified to the County Clerk may be as timely as possible for attachment to the tax roll. This means that by the time the first half of taxes are due, solid waste fees may be delinquent by as much as 18 months.

Although a portion of the fees are collected for the county on city water bills, the county solid waste department bills rural residents semi-annually. Historically about 935 statements are sent out with 10 to 15 per cent becoming delinquent. County-billed fees run about \$60,000 per year. Delinquent amount for the last four years are:

1996	\$8,984	145	delinquent statements
1997	\$5,922	118	" "
1998	\$6,944	132	" "
1999	\$5,261	100	" "

In checking with other counties across the state, it appears that this is a problem that is not limited to Cloud County. Delinquencies range from an average of 15 per year to over 200 per year.

In addition to affecting the cash flow for the county solid waste department, there are administrative costs in the departments of solid waste, county clerk, county treasurer.

Those residents and taxpayers who handle their obligations in a timely manner appear to be financially jeopardized for doing so while those who procrastinate are provided what is, in essence, interest-free loans for a

considerable period.

You will have noticed that we are requesting a change in the current statute to allow, but not require, the imposition of an administrative fee in an amount not to exceed \$25 for each solid waste account unpaid for a period of 60 days or more after the date on which such fees were billed.

We urge the members of this committee to give favorable consideration to this proposed legislation.

Thank you for your time and attention. If you have any questions, I would be glad to discuss them.

Richard Chartier
Cloud County Commissioner
811 Washington
Concordia, KS 66901

Tel: 785-243-8135 office
785-466-3289 home

LEGISLATIVE TESTIMONY
MARION COUNTY BOARD OF COUNTY COMMISSIONERS

TO: Chairman Joann Freeborn, and Members, House Environment Committee

FROM: Jack Bruner, Marion County Commissioner

DATE: February 17, 2000

RE: **Proposed Amendments to HB 2831; Relating to Authority to Impose Recycling Fees**

Thank you for this opportunity to appear, on behalf of the Marion County Board of County Commissioners, to respectfully request this Committee's consideration of an amendment to HB 2831 which we believe will correct an unintended consequence of a law passed in 1992 which removed the authority of cities and counties to use the Solid and Hazardous Act to impose fees to fund recycling programs and services.

Let me take just a moment to explain how this problem with K.S.A. 65-3410 of the Solid and Hazardous Waste Act came to our attention.

Last Fall, Marion County entered into an agreement with a local business, which was already involved in solid waste disposal, to also provide recycling services countywide. At that time, it was the intent of the County Board to finance the cost of the recycling service through a recycling fee which would be imposed on all real property capable of generating recyclable waste, and to do so under the authority of K.S.A. 65-3410. It then came to the County's attention that a 1992 amendment (L. 1992, ch. 316, sec. 2) to K.S.A. 65-3402 of the Solid and Hazardous Waste Act excluded recyclables from the definition of "solid waste" at K.S.A. 65-3402(a). This 1992 amendment then created a new definition for "recyclables" at K.S.A. 65-3202(r). Unfortunately, because the 1992 Session did not then amend K.S.A. 65-3410, the statute authorizing solid waste fees and charges by cities and counties, this changed definition has had the consequence of taking away the Act as legal authority for imposing fees for recycling programs and services. In other words, because K.S.A. 65-3410 was not amended in 1992 to take into account these new definitions of solid waste and recyclables in K.S.A. 65-3402, we concluded that K.S.A. 65-3410 was no longer proper authority for levying a fee for recycling services and programs.

The concerns the County had for the consequences of the 1992 amendments were communicated to KDHE. The County has also sought confirmation of our reading of the law by requesting an Attorney General's opinion. We had hoped to receive that opinion by the time the legislative session began, however, because of other questions raised in that same opinion request, it has not yet been issued. We are convinced as to what the conclusion of the Attorney General will be on this particular issue.

Because of the point we are at in the 2000 Regular Session, the County was concerned about waiting any longer for the Attorney General's opinion before seeking legislative action to put the law back to where it was prior to 1992. HB 2831, because it amends K.S.A. 65-3410, is the logical choice for dealing with this problem.

We are asking for the following amendments to HB 2831 not only to make the Solid and Hazardous Waste Act proper legal authority for financing of Marion County's recycling program, but also to help out the unknown number of cities and counties across Kansas which have used the Solid and Hazardous Waste Act since 1992 as the legal authority for their funding of recycling programs.

The attached balloon of HB 2831 shows how we would propose to amend the bill. The amendments to page 1, lines 17 and 29, and page 2, line 42, and page 3, lines 2 and 6 all simply insert the term "recycling" or "recyclables."

The wording at page 1, line 42, is a proposed amendment to the sentence which authorizes a county to bill a solid waste fee on the annual ad valorem property tax statement. The proposed amendment is consistent with the "may" in this sentence, and simply notes that the collection of fees may be done by some alternative means.

Finally, new section 2 of the bill is a response to the 1990 Blevins v. Douglas County Home Rule decision of the Kansas Supreme Court. In that decision, the Court said that the mere existence of enabling legislation, such as K.S.A. 65-3410, precluded local governments from using home rule to enact legislation on the same subject without first "exempting" that local government from the provisions of the enabling legislation. The language in new section 2 simply states that the legal authority to impose solid waste and recycling fees and charges under K.S.A. 65-3410 is not the exclusive authority for such fees and charges-that just because a county or city could use K.S.A. 65-3410 does not prevent the use of any other legal authority by which to regulate solid waste and recyclables.

On behalf of the County Commission, thank you for your consideration of our amendment.

HOUSE BILL No. 2831

By Committee on Environment

2-2

9 AN ACT concerning solid waste; relating to fees and charges for the
10 collection and disposal thereof; amending K.S.A. 65-3410 and repeal-
11 ing the existing section.

12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 65-3410 is hereby amended to read as follows: 65-
15 3410. (a) Each city or county or combination of such cities and counties
16 may provide for the storage, collection, transportation, processing and

17

18 disposal of solid wastes generated within its boundaries; and recyclables
19 *or counties* shall have the power to purchase all necessary equipment,
20 acquire all necessary land, build any necessary buildings, incinerators,
21 transfer stations, or other structures, lease or otherwise acquire the right
22 to use land or equipment and to do all other things necessary for a proper
23 effective solid waste management system including the levying of fees
24 and charges upon persons receiving service. On or before the first day of
25 July of each calendar year, the board of county commissioners of any
26 county, ~~may~~, by resolution, *may* establish a schedule of fees to be imposed
27 on real property within any county solid waste service area. Revenue from
28 such fees ~~to shall~~ be used for the acquisition, operation and maintenance
of county waste disposal sites and/or for financing waste collection, stor-

29

30 age, processing, reclamation, recycling and disposal services, where such services
31 are provided. In establishing the schedule of fees, the board of county
32 commissioners shall classify the real property within the county solid
33 waste service area based upon the various uses to which the real property
34 is put, the volume of waste occurring from the different land uses and
35 any other factors that the board determines would reasonably relate the
waste disposal fee to the real property upon which it would be imposed.

36

37 The board shall set a reasonable fee for each category established and
38 divide the real property within the county service areas according to cat-
39 egories and ownership. The board shall impose the appropriate fee upon
40 each division of land and provide for the billing and collection of such
41 fees. The fees may be established, billed, and collected on a monthly,
quarterly or yearly basis. Fees collected on a yearly basis may be billed

42

43 on the ad valorem tax statement. or as otherwise
Prior to the collection of any fees levied provided by the board
on real property by the board under this section, the board shall notify

1 affected property owners by causing a copy of the schedule of fees to be
 2 mailed to each property owner to whom tax statements are mailed in
 3 accordance with K.S.A. 79-2001, ~~or any~~ and amendments thereto.

4 Any fees authorized pursuant to this section which remain unpaid for
 5 a period of ~~sixty (60)~~ 60 or more days after the date upon which they
 6 were billed may be collected thereafter by the county as provided herein.

7 (1) At least once a year, the board of county commissioners shall
 8 cause to be prepared a report of delinquent fees. The board shall fix a
 9 time, date, and place for hearing the report and any objections or protests
 10 thereto.

11 (2) The board shall cause notice of the hearing to be mailed to the
 12 property owners listed on the report not less than ~~ten (10)~~ 10 days prior
 13 to the date of the hearing.

14 (3) At the hearing, the board shall hear any objections or protests of
 15 property owners liable to be assessed for delinquent fees. The board may
 16 make such revisions or corrections to the report as it deems just, after
 17 which, by resolution, the report shall be confirmed.

18 (4) The delinquent fees set forth in the report as confirmed *and any*
 19 *administrative fee imposed pursuant to subsection (b)* shall constitute as-
 20 *essments* against the respective parcels of land and are a lien on the
 21 property for the amount of such delinquent fees. A certified copy of the
 22 confirmed report shall be filed with the county clerk for the amounts of
 23 the respective assessments against the respective parcels of land as they
 24 appear on the current assessment roll. The lien created attaches upon
 25 recordation, in the office of the county clerk of the county in which the
 26 property is situated, of a certified copy of the resolution of confirmation.
 27 The assessment may be collected at the same time and in the same man-
 28 ner as ordinary county ad valorem property taxes are collected and shall
 29 be subject to the same penalties and the same procedure and sale in case
 30 of delinquency as provided for such taxes. All laws applicable to the levy,
 31 collection, and enforcement of county ad valorem property taxes shall be
 32 applicable to such assessment.

33 *(b) Each city or county may impose an administrative fee in an*
 34 *amount not to exceed \$25 on any property for which the fees imposed*
 35 *pursuant to subsection (a) which remain unpaid for a period of 60 days*
 36 *or more after the date upon which such fees were billed.*

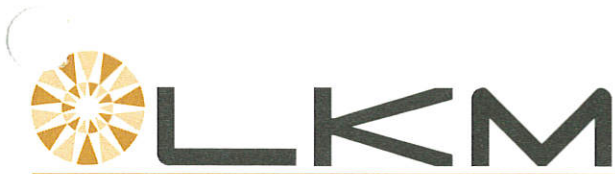
37 *(c) Any city collecting solid waste fees or charges may collect delin-*
 38 *quent fees or charges for garbage and trash storage, collection and dis-*
 39 *posal in the manner provided for counties.*

40 ~~(b)~~ *(d) In carrying out its responsibilities, any such city or county may*
 41 *adopt ordinances, resolutions, regulations and standards for the storage,*
 42 *collection, transportation, processing and disposal of solid wastes which*
 43 *shall be in conformity with the rules, regulations, standards and proce-*

and recyclables

1 dures adopted by the secretary for the storage, collection, transportation,
2 processing and disposal of solid wastes _____ and recyclables.
3 (☞) (e) Cities or counties may contract with any person, city, county,
4 other political subdivision or state agency in this or other states to carry
5 out their responsibilities for the collection, transportation, processing and
6 disposal of solid wastes _____ and recyclables.
7 Sec. 3. K.S.A. 65-3410 is hereby repeated
8 Sec. 4. This act shall take effect and be in force from and after
9 its publication in the statute book.

New Sec. 2. This act is enabling legislation for the regulation of solid waste and recycling, and is not intended to prevent the enactment and enforcement of additional laws on the same subject which are not in conflict with the provisions of this act.



League of Kansas Municipalities

300 SW 8th Avenue
Topeka, Kansas 66603-3912
Phone: (785) 354-9565
Fax: (785) 354-4186

To: House Environment Committee
From: Kim Gulley, Director of Policy Development
Date: February 17, 2000
Re: Support for HB 2831

Thank you for allowing me to appear today on behalf of the League and our member cities concerning HB 2831. This bill authorizes cities and counties that collect and dispose of solid waste to impose an administrative fee of up to \$25 for unpaid bills.

Cities have expressed frustration at the difficulty of collecting delinquent payments on bills due and owing to the city. The ability to impose an administrative fee on bills which remain unpaid for at least 60 days would create an incentive for individuals to pay their bills on time and provide the local government with an additional tool in attempting to collect such payments.

For this reason, we support the provisions of HB 2831 and ask that you recommend it favorably for passage. I would be happy to answer any questions that you might have.



League of Kansas Municipalities

300 SW 8th Avenue
Topeka, Kansas 66603-3912
Phone: (785) 354-9565
Fax: (785) 354-4186

To: House Environment Committee
From: Kim Gulley, Director of Policy Development
Date: February 17, 2000
Re: Support for HB 2898

Thank you for allowing me to appear today on behalf of the League of Kansas Municipalities and our member cities. We appreciate the introduction of this bill and the opportunity for a hearing on this issue. Increased municipal participation in the Basin Advisory Committees (BACs) is one of the 2000 Legislative Priorities as established through the League policy process. These priorities were presented to our Governing Body and approved by the Convention of Voting Delegates at our Annual Conference in October. We believe that the passage of HB 2898 is the first step in the achievement of this priority.

There are currently 12 BACs, one in each of the 12 major river basins, which have been established pursuant to an Internal Policy Memorandum issued by the Kansas Water Authority. The BACs are an important step in the state water planning process and we support the use of these regional committees to develop such policy. We are informed by the Kansas Water Office, that the policies recommended by the BACs are incorporated into the Kansas Water Plan approximately 90% of the time.

In addition, as you heard last week from Secretary of Agriculture Jamie Clover Adams, the role of the BACs has been expanded. Most recently, they are being used in the development of Total Maximum Daily Loads (TMDLs). We believe that a basin approach to these issues is appropriate.

BACs are recognized in at least one Kansas statute. K.S.A. 82a-1332 provides: "The Kansas water office, *with advice from basin advisory committees*, eligible water right holders and the chief engineer and with the approval of the Kansas water authority, may negotiate and enter into contracts for assurance storage from federal reservoirs to be used for water assurance." Although BACs are recognized as a critical step in the water planning process, they have not been established by statute or by rule and regulation.

One of our primary goals in requesting the introduction of HB 2898 was the establishment of the BACs and their composition in statute. Since the introduction of this legislation, it has been brought to our attention that the bill goes into great detail about the inter-workings of the BACs and that perhaps these details should be established by internal policy or by rule and regulation authority. We concur in this suggestion.

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Our second primary goal in requesting the introduction of HB 2898 was to ensure that at least one of the eleven positions on each BAC be held by an individual who represents a city. The internal policy of the KWA requires that one position be held by a "municipal" user. The term municipal is defined to mean "a supplier of water delivered through a common distribution system operated by a municipality, rural water district, water district, public wholesale water supply district or other similar entity." Our proposed language in HB 2898 would limit the "municipal" position to city officials or employees. In order not to limit the participate of persons from rural water districts and other public water suppliers, we propose to add another category for those persons.

In other words, current policy sets aside five specific positions and cities may or may not be included on the BAC. The language proposed by HB 2898 would set aside six specific positions, requiring that one of them be filled with a city official from the basin. In short, we are asking only that one of the eleven positions on each BAC be dedicated for city representation.

In conclusion, our interest in the passage of this bill is twofold: 1) Establishment of the BACs in statute; and 2) Dedication of one position on each BAC to be filled by a city official or employee. I said at the beginning of my testimony, we believe that HB 2898 is the first step in the achievement of one of our 2000 Legislative Priorities. The second step in that process is to educate our members on the importance of participation in the water planning process and specifically, the BACs.

Thank you for taking the time to hear this proposed legislation. We respectfully request the favorable passage of HB 2898.

STATE OF KANSAS



Bill Graves, Governor

KANSAS WATER OFFICE
Al LeDoux
Director

901 S. Kansas Ave.
Topeka, Kansas 66612-1249

**TESTIMONY TO
HOUSE ENVIRONMENT COMMITTEE
ON HOUSE BILL 2898**

785-296-3185
FAX 785-296-0878
TTY 785-296-6604

**Thursday, February 17, 2000
By Margaret Fast, Unit Manager
Kansas Water Office**

The Kansas Water Office supports the intent of HB 2898; we agree that the basin advisory committees are an integral part of the state's water planning process. The voluntary participation of these men and women, without compensation, has ensured public participation in the development and implementation of the State Water Plan.

This bill would codify, with some changes, the current internal policies of the Kansas Water Authority concerning the basin advisory committees. The 12 basin advisory committees were created by the Authority in 1985 as authorized in K.S.A. 74-2622 and 82a-903 to ensure public input on development and implementation of the State Water Plan. The basin advisory committees have carried out this task very well.

Although the Water Office is supportive of the bill's intent, we question the need to recognize the basin advisory committees in the statutes. The Kansas Water Office, and the Kansas Water Authority, have a long and positive history with the basin advisory committees. Current law gives the Kansas Water Authority the ability to make changes in the basin advisory committees as necessary; we are opposed to limiting this flexibility.

In addition, the committee should be aware that this bill appears to provide one additional position for municipalities on each basin advisory committee. Does the Legislature want to begin the process of specifying membership requirements, especially if those requirements guarantee inequity? The agency has completed a review of current committee membership, a summary is attached.

I understand that the League of Kansas Municipalities has proposed changes to this bill. We have seen a draft of those changes and would be happy to address questions you may have about the League's proposals.

Thank you for the opportunity to address the committee; I would be pleased to stand for questions.

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	LARK	UARK	CIM	KLR	MDC	MO	NEO	UREP	SHS	SOL	VER	WAL
Domestic	2	2	2	2	4	1	3	1	1	3	5	5
Municipal	3	2	1	5	2	3	1	2	2	1	2	(vacant)
Industrial	3	1	1	1	1	1	4	1	1	2	1	1
Irrigation	2	5	3	1	3	2	1	6	5	2	2	3
F,W, & R	1	1	2	2	1	2	2	1	2	1	1	1
			(2 vac.)			(2 vac.)				(2 vac.)		

Total by water use interest area

Domestic: 31
Municipal 24
Industrial 18
Irrigation: 36
Fish, wildlife & recreation: 16

Total number of BAC members: 125 (plus 7 vacancies)

HOUSE BILL No. 2898

By Committee on Environment

2-8

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9 AN ACT concerning the Kansas water authority; relating to establish-
10 ment of basin advisory committees; ~~prescribing qualifications of mem-~~
11 ~~bers and manner of operation.~~

12
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. (a) The Kansas water authority shall establish basin advi-
15 sory committees in each of the major river basins in the state: Upper
16 Republican, Solomon, Kansas-Lower Republican, Missouri, Smoky Hill-
17 Saline, Neosho, Marais Des Cygnes, Upper Arkansas, Cimarron, Lower
18 Arkansas, Walnut, Verdigris.

19 (b) Basin advisory committees shall advise the Kansas water office
20 and the Kansas water authority pursuant to K.S.A. 82a-903, and amend-
21 ments thereto, in:

- 22 (1) Identification of water-related problems, issues and concerns
- 23 within the basin and goals and objectives to be used to direct subsequent
- 24 planning efforts;
- 25 (2) formulation of revisions to the state water plan;
- 26 (3) development of public awareness of the importance of water re-
- 27 sources; and
- 28 (4) determination of water plan implementation priorities and action
- 29 necessary to implement the plan.

30 Sec. 2. (a) Each basin advisory committee shall consist of 11 mem-
31 bers, with at least one member representing each of the following
32 categories:

- 33 (1) Domestic users that use water for cooking, cleaning, sanitation
- 34 and other purposes normally associated with operation of a household,
- 35 including use by industries, restaurants, hotels, motels, churches, camps,
- 36 schools and similar entities using water for household purposes.
- 37 (2) Municipal users that operate public water supply systems, to be
- 38 represented by an elected or appointed ~~official~~ of a city that operates a
- 39 public water supply system, as defined by K.S.A. 65-162a, and amend-
- 40 ments thereto.
- 41 (3) Other users that operate public water supply systems, to be rep-
- 42 resented by a person, other than a city official, that operates a public
- 43 water supply system, as defined by K.S.A. 65-162a, and amendments

officer or employee

thereto.

(4) Industrial users that use water in manufacturing, production, transport or storage of products or in providing commercial services, including use in connection with steam electric power plants, secondary and tertiary oil recovery, air conditioning and aggregate extraction, including hydraulic dredging.

(5) Irrigation users that use water for production of crops; watering of parks and golf courses; and watering of gardens, orchards and lawns exceeding two acres in area.

(6) Fish, wildlife and recreation users that use water "in stream" for entertainment, enjoyment and relaxation, including use in management and protection of aquatic and riparian resources for habitat and other environmental benefits.

(b) A basin advisory committee may request approval from the Kansas water authority to reduce the number of members on the committee to not less than seven members as long as there remains representation of the six user categories set out in subsection (a).

~~Sec. 3. (a) A person must reside in a basin to be eligible to be a member of the basin advisory committee for that basin.~~

~~(b) Employees of state agencies represented by members ex officio of the Kansas water authority are not eligible for membership on basin advisory committees but may be assigned to serve as liaisons to basin advisory committees. Individuals associated with organizations represented by voting members of the Kansas water authority are eligible for membership on basin advisory committees.~~

~~Sec. 4. (a) When a vacancy occurs or will occur in the membership of a basin advisory committee, the committee shall nominate a person to fill the vacancy, subject to appointment by the Kansas water authority. Members shall serve staggered four-year terms expiring on June 30 of odd-numbered years.~~

~~(b) The chairperson of a basin advisory committee shall be nominated by the committee from the existing membership, subject to appointment by the Kansas water authority. The chairperson shall serve for a four-year term which may be renewed upon recommendation of the committee and appointment by the Kansas water authority. Each basin advisory committee shall select a vice-chairperson.~~

~~Sec. 5. (a) Vacancy in the membership of a basin advisory committee by reason of expiration of a member's term shall be filled as follows:~~

~~(1) A renewal process shall be initiated in April of odd-numbered years whereby all individuals who have on file applications for membership and all basin advisory committee members whose terms are expiring will be contacted to determine if they wish to serve or continue serving. Notice will be given that applications for basin advisory committee mem-~~

8-3

1 ~~bership are being solicited. Applications may be received at any time and~~
2 ~~shall remain on file until the next renewal process.~~

3 (2) At the June meeting of a basin advisory committee, applications
4 on file shall be considered for filling any existing vacancies and any va-
5 cancies occurring by reason of expiration of members' terms. The com-
6 mittee shall make nominations for membership from among the appli-
7 cations and shall forward such nominations to the Kansas water authority
8 for appointment.

9 (3) In July of odd-numbered years, the Kansas water authority shall
10 review all nominations for basin advisory committee membership and
11 make appropriate appointments.

12 (b) Upon a vacancy in the membership of a basin advisory committee
13 member for any reason other than expiration of a member's term, the
14 basin advisory committee shall nominate, from the applications on file, a
15 replacement to fill the unexpired term. All basin advisory committee nom-
16 inations shall be subject to appointment by the Kansas water authority.

17 (c) If a basin advisory committee member does not attend three con-
18 secutive meetings of the committee, the basin advisory committee may
19 consider a recommendation to the Kansas water authority that the mem-
20 ber be replaced.

21 Sec. 6. Basin advisory committees shall operate in the following
22 manner:

23 (a) All basin advisory committee meetings shall be open to the public.

24 (b) Based on consultation with the basin advisory committees, a mail-
25 ing list of media for notification of basin advisory committee meetings
26 and for solicitation of applications for membership shall be maintained
27 by the Kansas water office and utilized for those purposes.

28 (c) A mailing list of all persons who request notification of basin ad-
29 visory committee meetings will be maintained at the Kansas water office
30 and utilized for that purpose.

31 (d) Members of the Kansas water authority shall receive notices of
32 ~~all basin advisory committee meetings and minutes of those meetings.~~

33 ~~(e) Four members constitute a quorum for conducting business.~~

34 ~~(f) A majority vote is required to take action on any matter before~~
35 ~~the committee.~~

36 ~~Sec. 7.~~ This act shall take effect and be in force from and after its
37 publication in the statute book.

(c)

(d)

Insert attached

Sec. 3.

(e) If, on the effective date of this act, a basin advisory committee has 11 members and does not include a member described in subsection (a)(2), the committee shall not be required to include such member until such time as such member can be appointed without eliminating representation of any other user category specified in subsection (a). In any case, all user categories described in subsection (a) shall be represented on each basin advisory committee not later than August 1, 2001.

CARL D. HOLMES
REPRESENTATIVE, 125TH DISTRICT

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TOPEKA

HOUSE OF
REPRESENTATIVES

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CHAIRMAN: FISCAL OVERSIGHT COMMITTEE
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STATE ISSUES
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STATE GOVERNMENTS
LEGISLATIVE HOTLINE
1-800-432-3924

Testimony
presented to
House Environment Committee
on HB 2985
February 17, 2000

Chairman Freeborn and committee members:

First, I am sorry I am not able to attend today's meeting and personally present this information to the committee. I will try to explain the need for the legislation and how it's need developed. I will be at the House session Friday if you have any questions. Background was presented when I made the bill request.

I requested the bill after an attempt was made to transport groundwater from my district to Oklahoma to circumvent Oklahoma law regarding a hog farm location. Oklahoma turned down the farms water application due to the distance from a recreation area. The company then had an employee apply for a Kansas water right and the application indicated the water would be transported by pipeline to Oklahoma to circumvent the Oklahoma law. I made a request of Kansas Department of Agriculture attorneys for denial of the application and they said they would not support denial even if the water was being used for an illegal purpose in another state by that states law. They said Kansas law required granting the permit, providing it met Kansas regulations, even if its purpose was to circumvent another states statutes and/or court orders. I then was in contact with Oklahoma legislators and the Oklahoma Attorney Generals office as to what action they would take if Kansas granted the water right. They indicated to me they would sue Kansas in Federal court if Kansas granted the water right. The company dropped support for the application after it created a public relations nightmare. The employee did not respond to an additional

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information request by the Division of Water Resources and the application is now dropped for lack of requested information.

As a result of the actions of attorneys of the Department of Agriculture, I started working on a bill draft to correct the problem. I contacted several legislators and state agencies with a bill draft several weeks ago. HB 2985 is about the third bill draft. The agencies indicate HB 2985 would do the following:

The bill is designed to prevent the transfer of water to another state if statutes and common law of the importing state were violated for an illegal use or purpose.

The bill is designed to allow the transfer of water to another state if the water use is a legal use or if the importing state lacked available water and the water use is a legal use.

The current law governing transfer of water to another state was first passed in 1976 and amended in 1984. I believe that when this law was previously passed, no one anticipated that Kansas water would be used to circumvent another states law. In drafting this legislation, it is my desire to apply the law only to illegal use of any applicant transporting water from Kansas.

I appreciate your time and would ask for your favorable support of HB 2985.

Representative Carl D. Holmes

A handwritten signature in cursive script that reads "Carl D. Holmes". The signature is written in dark ink and is positioned below the printed name.