

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairman Robert Tyson at 8:34 a.m. on February 22, 2002 in Room 423-S of the Capitol.

All members were present except: Senator David Corbin - excused

Committee staff present: Lisa Montgomery, Office of Revisor of Statutes
Deborah McIntire, Committee Secretary

Conferees appearing before the committee:

Bill Bider, Director, Bureau of Waste Management
Clint Riley, Department of Wildlife and Parks
Douglas E. Smith, Kansas Advocacy of Physician Assistants

Others attending: See attached list

Continued Hearing on SB 519—Solid waste tonnage fees; lower fee for industrial waste disposed of at landfill operated by the generator of the waste

The hearing on **SB 519** was continued from February 15, 2002. Chairman Tyson noted that Bill Bider (Director, Bureau of Waste Management) had provided him with some additional figures concerning fees currently being paid and what would be paid under the terms of this bill (Attachment 1).

Bill Bider provided additional comments to his previous testimony that while everyone seems to agree that industry should pay an annual renewal fee rather than be subject to a tipping fee, the question is whether there should be a special provision to the bill to allow cement kilns to be assessed a different fee than the rest of the businesses of Kansas. KDHE believes that all businesses should pay a fair fee.

Chairman Tyson asked if **Sub HB 2686** took all of this into consideration. Bill Bider responded that this bill came out of the house with no special amount of fee for cement kilns; they are subject to the same fee schedule as every other business. Questions and discussion followed.

Chairman Tyson declared the hearing on **SB 519** closed.

Discussion and action on SB 430—Certification of a disability for certain permits

In response to the Chair's request, Clint Riley explained the proposed amendments by KDWP (Attachment 2).

Douglas E. Smith (Kansas Advocacy of Physician Assistants) explained the proposed amendment involving registered nurse practitioners and licensed physician assistants (Attachment 2). Questions and discussion followed.

Senator Taddiken moved to amend SB 430 by striking "or a Christian Science practitioner listed" in line 18, by striking "in the Christian Science journal" in line 19, by striking the comma and inserting "or" and by striking "or a" in line 36, and by striking "Christian Science practitioner listed in the Christian Science journal" in line 37. Senator Huelskamp seconded. Motion carried.

Senator Huelskamp moved to report SB 430 favorably as amended. Senator Taddiken seconded. The motion passed.

Discussion and Action on SB 431—Relating to big game permits

Senator Huelskamp moved to amend SB 431 to be effective upon publication in the Kansas Register, seconded by Senator Oleen. Motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE at 8:34 a.m. on February 22, 2002 in Room 423-S of the Capitol.

Senator Lee moved to report **SB 431** favorably as amended, Senator Huelskamp seconded. The motion passed.

Discussion and Action on SB 504—Repeals sunset provisions allowing hunting in controlled shooting area without hunter education

Senator Huelskamp moved to report **SB 504** favorably, Senator Schmidt seconded.

Senator Oleen offered a substitute motion to amend the sunset provision to July 1, 2005, Senator Lee seconded. An oral vote was not conclusive and a call of hands was made. The motion passed.

Senator Lee moved to report **SB 504** favorably as amended, Senator Schmidt seconded. The motion passed.

Senator Taddiken moved that the minutes from the February 14 and February 15 meetings be approved, seconded by Senator Lee. The motion carried.

Discussion on SB 519—Solid waste tonnage fees; lower fee for industrial waste disposed of at landfill operated by the generator of the waste

Chairman Tyson announced that in the event **Sub HB 2686** does not pass the floor, **SB 519** will be worked on Monday, February 25, 2002.

The meeting adjourned at 9:31 a.m.

The next meeting is scheduled for February 28 at 8:30 a.m.

**SENATE NATURAL RESOURCES COMMITTEE
GUEST LIST**

DATE: February 22, 2002

NAME	REPRESENTING
Bill Bider	KDHE
Joe Dick	KC BPU
Whitney Damron	KS Sport Hunting Assn
Robin Tennison	KS Sport Hunting Assn
Todd Johnson	KLA
Doug Smith	KAPA
KETH R LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
JOHN C. BOTTEBERG	WESTAR ENERGY
Kevin Barone	Hein Law Firm
Leslie Kaufman	KS Farm Bureau

Senator Tyson,

These facts are relevant to discussions related to HB 519.

Bill Bider



William Bider

02/15/02 02:58 PM

To: schmidt@senate.state.ks.us, Joe Fund/Kdhe

cc: Ron Hammerschmidt/Kdhe, tyson@senate.state.ks.us, Pat Kuester/Kdhe

cc:

Subject: Probable annual Permit Renewal Fees for On-Site Industrial Landfills

Dear Senator Schmidt,

Following our discussion this morning, I worked with KDHE staff to estimate the average costs to KDHE of overseeing permitted on-site industrial landfills. As you know, the proposed substitute bill for SB 519 instructs KDHE to develop annual permit renewal fees in rules and regulations for these facilities ranging from \$1,000 to \$4,000. The fees are to be based upon landfill characteristics which impact the department's oversight costs.

We performed detailed calculations for two types of facilities: (1) a very simple landfill receiving inert waste such as foundry sand only and (2) a very complex landfill such as the cement kiln dust landfill which Ash Grove uses in Chanute. A summary of the department's typical annual costs for these two types of facilities follows:

	<u>Simplest Landfill</u>	<u>Complex Landfill</u>
Engineer/Permitting	\$528.29	\$ 713.77
Groundwater Monitoring	0	\$1,478.44
Financial Assurance Reviews	81.29	81.29
Administrative Costs	41.97	41.97
Inspections and Follow-Up	216.20	742.33
Central Office Inspection Reviews	37.73	37.73
Subtotal	\$905.	\$3,096
Indirect Transfers (20%)	\$181	\$ 619
Grand Total	\$1,086	\$3,715

Please note that these costs include salaries, fringes, operating costs, travel, laboratory testing, and a 20% overhead cost to cover indirect transfers from the fund which the legislature has recently implemented. A detailed cost breakdown by job tasks and staff positions (e.g. engineers, geologists, inspectors, etc.) is available and can be provided upon request.

From this data you can see that the range for annual renewal fees proposed in the bill is very appropriate for these types of landfills. I will FAX a copy of this note to Woody Moses since I do not have a e-mail address for him. Please let me know if you have any questions.

Bill Bider
Director
KDHE Bureau of Waste Management

	<u>Fee</u> <u>2000 actual</u>	<u>Probable Under</u> <u>Proposed bill</u>
Ash Grove	\$4869	\$ 5000 - \$6000
La Farge	\$2792	\$ 2000 - \$3000 (maybe \$4000)
Heartland	\$1000	\$ 1000 - \$2000

Senate Natural Resources Committee

Date 2-22-02

Attachment # 1

SENATE BILL No. 430

By Committee on Natural Resources

1-24

Senate Natural Resources Committee
Date 2-22-02
Attachment # 2

9 AN ACT relating to hunting; concerning certification of a disability for
10 certain permits; amending K.S.A. 32-932 and 32-933 and repealing the
11 existing sections.
12

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

14 Section 1. K.S.A. 32-932 is hereby amended to read as follows: 32-
15 932. (a) Any person having a [permanent] disability to the extent that such
16 person cannot physically use a conventional long bow or compound bow,
17 as certified by a person licensed to practice ~~medicine and surgery in this~~
18 ~~state~~ *the healing arts in any state or a Christian Science practitioner listed*
19 *in the Christian Science Journal*, shall be authorized to hunt and take
20 deer, antelope, elk or wild turkey with a crossbow.

, an advanced registered nurse practitioner as
authorized by K.S.A. 2001 Supp. 65-1130, and
amendments thereto, a licensed physician
assistant

Journal

21 (b) The secretary of wildlife and parks shall adopt, in accordance with
22 K.S.A. 32-805, and amendments thereto, rules and regulations requiring
23 permits to hunt deer, antelope, elk or wild turkey pursuant to subsection
24 (a) and providing for the approval of applicants for such permits and the
25 issuance thereof. In addition, the secretary may adopt rules and regula-
26 tions limiting the times and areas for hunting and taking deer, antelope,
27 elk and wild turkey and limiting the number of deer, antelope, elk and
28 wild turkey which may be taken pursuant to subsection (a).

29 (c) Falsely obtaining or using a permit authorized by this section is a
30 class C misdemeanor.

31 Sec. 2. K.S.A. 32-933 is hereby amended to read as follows: 32-933.

32 (a) Any person having a [permanent] physical or visual disability such that
33 the person cannot safely hunt or fish in accordance with law and rules
34 and regulations of the department, as certified by a person licensed to
35 practice ~~optometry or medicine and surgery in this state~~ *the healing arts*
36 *in any state, a person licensed to practice optometry* ~~in any state or a~~
37 *Christian Science practitioner listed in the Christian Science Journal*, shall
38 be eligible to obtain a disability assistance permit. The permit shall allow
39 the permitholder to designate another person to take, on behalf of and
40 while accompanied by the permitholder, the permitholder's legal limit of
41 game or fish. The person designated shall hold all licenses, permits,
42 stamps or other issues of the department required for the activity being
43 engaged in and the permitholder shall remain subject to all other laws

, an advanced registered nurse practitioner as
authorized by K.S.A. 2001 Supp. 65-1130, and
amendments thereto, a licensed physician
assistant

Journal

1 and rules and regulations of the department for the activity being engaged
2 in. On the determination of the secretary, the disability assistance permit
3 may designate the hunting or fishing activity for which assistance to the
4 permit holder may be provided.

5 (b) The secretary shall adopt, in accordance with K.S.A. 32-805, and
6 amendments thereto, rules and regulations providing for the approval of
7 applicants for permits pursuant to subsection (a) and for the issuance of
8 such permits.

9 (c) Falsely obtaining or using a permit authorized by this section is a
10 class C misdemeanor.

11 Sec. 3. K.S.A. 32-932 and 32-933 are hereby repealed.

12 Sec. 4. This act shall take effect and be in force from and after its
13 publication in the statute book.