

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 3:30 p.m. on February 2, 2009, in Room 783 of the Docking State Office Building.

All members were present except:  
Rep. Bill Light - excused.

Committee staff present:  
Mike Corrigan, Office of the Revisor of Statutes  
Corey Carnahan, Kansas Legislative Research Department  
Raney Gilliland, Kansas Legislative Research Department  
Pat Matzek, Committee Assistant

Conferees appearing before the Committee:  
Bill Bider, Director, Bureau of Waste Management, Department of Health and Environment  
Shawn Herrick, Executive Director, Mid-America Tire Dealers Association

Others attending:  
See attached list.

Chairman Powell opened the meeting introducing Committee Staff Member Corey Carnahan, Legislative Research Department, who stated that **HB 2080** relates to grants made under the Department of Health and Environment Waste Tire Management Program. Mr. Carnahan further explained the requested changes by the Department of Health and Environment to this bill.

No questions were asked.

At the conclusion of the bill explanation, Chairman Powell introduced Bill Bider, Director, Bureau of Waste Management, Department of Health and Environment.

**Hearing on:**

**HB 2080 - Solid waste tire management.**

**Proponents:**

Bill Bider, Director, Bureau of Waste Management, Department of Health and Environment, (Attachment 1) presented testimony in favor of **HB 2080**, specifically identifying two items to promote the recycling of waste tires in Kansas; (1) it will eliminate the current sunset provision in state law for a waste tire recycling grant program that supplies up to 50 percent of the costs to purchase products made from recycled tires, and (2), it will clarify that both public and private schools are eligible to receive these grants.

Questions were asked and comments were made by members of the Committee.

Shawn Herrick, Executive Director, Mid-America Tire Dealers Association, (Attachment 2) presented testimony in support of **HB 2080** as it is proposed and further stated that a program such as this helps to keep a usable resource out of landfills, promotes industry waste stewardship and provides a safer play area for school children.

No questions were asked or comments made.

At the conclusion of the testimony presentation, Chairman Powell asked the Committee to review meeting minutes dated 1-20, 1-21, and 1-22. Chairman Powell also spoke on procedures for the Committee to follow when working bills.

Representative Svaty made a motion to adopt the meeting minutes. Representative Hayzlett seconded the motion. The motion was carried and the minutes were adopted.

## CONTINUATION SHEET

Minutes of the House Agriculture And Natural Resources Committee at 3:30 p.m. on February 2, 2009, in Room 783 of the Docking State Office Building.

The next meeting is scheduled for February 3, 2009.

The meeting was adjourned at 4:20 p.m.

# AG. & NATURAL RESOURCES COMMITTEE GUEST LIST

DATE: 2-02-09

NAME	REPRESENTING
KEITH PANGBORN	KEARNEY & ASSOC.
Shawn Herrick	Mid-America Tire Dealers Assn.
<del>Wendy</del>	KAPA - KRMCA - KCC
J.J. Jones	Commerce
CV Cotsoadis	KDA
Shari Alford	KDFE



Kathleen Sebelius, Governor  
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH  
AND ENVIRONMENT

www.kdheks.gov

**Testimony on House Bill 2080  
A Bill to Extend the Waste Tire Recycling Grant Program**

**Presented to  
House Agriculture and Natural Resources Committee  
by  
Bill Bider  
Director, Bureau of Waste Management**

**February 2, 2009**

Chairman Powell and members of the committee, my name is Bill Bider and I serve as the Director of the Bureau of Waste Management at the Kansas Department of Health and Environment. Thank you for the opportunity to provide testimony in support of HB 2080 which will accomplish two important things to promote the recycling of waste tires in Kansas:

1. It will eliminate the current sunset provision in state law for a waste tire recycling grant program that supplies up to 50 percent of the costs to purchases products made from recycled tires.
2. It will clarify that both public and private schools are eligible to receive these grants.

Current law contains a sunset provision for this grant program that takes effect on June 20, 2010. Based upon anticipated grant application and award schedules, this will allow one more grant round. Applications for the next round will be received through this spring and awards will be made early in fiscal year 2010 based upon the recommendations of the Governor's Solid Waste Grants Advisory Committee. This grant round will be the third annual round of grants since this program was established in state law in 2007.

This grant program has been very popular among school districts and cities and counties that have playgrounds and parks. In the first two grant rounds, about 125 grants have been awarded to buy safe and effective playground cover products, park benches and picnic tables, and other products made from recycled rubber. Over one million dollars has been awarded and matched with an equal amount of local money to buy these products which has stimulated the development of businesses that recycle tires. Without this grant program which is funded from the \$.25 excise tax on new tire sales, many local governments could not afford to buy these products because they are generally more

Ag & Natural Resources Committee  
Date 2-2-09  
Attachment 1

KDHE Testimony on HB 2080  
February 2, 2009

expensive than competing products made from traditional materials, especially other types of playground cover. Despite the fact that recycled rubber playground cover products are safer with respect to falls from playground equipment, many schools and local governments cannot purchase these products unless some financial aid is available. Without a strong market demand for recycled rubber products, waste tires generally all end up in landfills.

Indicators are that interest in this grant program will grow as more schools and local governments learn about the benefits of using recycled rubber products rather than traditional products made from other materials. KDHE estimates that grant requests could equal \$600,000 per year; however, it is probable that there will not be enough revenue to meet this demand. The amount of funding available for this grant program is determined annually based upon excise tax revenue minus the staff-related expenses to administer the waste tire regulatory program and any funds used to clean up illegal waste tire accumulations, both of which are considered higher priorities.

Overall, users of recycled waste tire products have reported good performance-related results. Safety is improved in playgrounds and long-lasting products are being placed in parks and other public places. Environmental benefits of recycling waste tires include less landfill disposal and the conservation of energy and natural resources associated with using recycled rubber as a raw material in place of other manufactured products.

We respectfully request that the committee pass this bill out of committee favorably. Thank you for your time.

Nebraska • Kansas • Oklahoma



*Mid-America Tire Dealers Association*

---

# **Statement of the Mid-America Tire Dealers Association**

**Submitted by  
Shawn Herrick, Executive Director**

**Before the  
House Agriculture & Natural  
Resources Committee**

**February 2, 2009**

Ag & Natural Resources Committee

Date 2-2-09

Attachment 2

February 2, 2009  
Testimony on HB 2080

Chairman Powell, Members of the Committee;

My name is Shawn Herrick. I'm the Executive Director of the Mid-America Tire Dealers Association (MATDA), and on behalf of our members, I appreciate the opportunity to be here today to state our position on HB 2080.

The Mid-America Tire Dealers Association supports House Bill 2080 as it is proposed. The members of our association believe this program has helped the scrap tire program in Kansas and should continue. We commend the Representatives for considering this legislation and the Kansas Department of Health and Environment's (KDHE) efforts to improve end markets in the tire recycling industry.

There is growing interest and demand for recycled rubber products. A program such as this one, help to keep a usable resource out of landfills, promotes industry waste stewardship, and provides a more safe play area for school children.

MATDA would like to urge your support and passage of HB 2080.

On behalf of our membership, thank you again for allowing me to express our concerns.