

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairperson Robert Tyson at 8:00 a.m. on March 16, 2001 in Room 423-S of the Capitol.

All members were present except: all present

Committee staff present: Raney Gilliland, Legislative Research Department
Jill Wolters, Office of Revisor of Statutes
Judy Krase, Committee Secretary

Conferees appearing before the committee:

Elmer Ronnebaum, Kansas Rural Water Association
Bill Bider, Director, Bureau of Waste Management, KDHE
Phil Wittek, Johnson County Environmental Department
Nick Phillippi, Mid-America Tire Dealers Association
Bill Riphon, Park and Recreation Department, City of Topeka
Mike Sorcher, Tire Energy Corporation
Randy Allen, Kansas Association of Counties
Earl Lewis, Kansas Water Office
Chris Wilson, Groundwater Management District No. 3

Others attending: See attached list

Senator Tyson opened the meeting with the hearing on **HB 2234**, concerning rural water districts, and staff from the Office of the Revisor of Statutes explained the bill. Jill Wolters said the bill would establish a new procedure for landowners in a rural water district to obtain a release of their lands from a rural water district. Also, the bill would repeal KSA 82a-630 which is the current statutory provision regarding release of lands from a rural water district.

The first conferee and proponent of the bill was Elmer Ronnebaum, Kansas Rural Water Association (Attachment 1). Mr. Ronnebaum said the Kansas Rural Water Association asked six attorneys who represent more than 50 rural water districts to help design a remedy for any owner of land who requests to be released from a rural water district and who is not satisfied with the determination of the rural water board of directors. He said this bill reflects the recommendations formulated by that committee and **HB 2234** provides an appeal process to district court for landowners who are denied release. Questions and discussion followed.

Senator Tyson closed the hearing on **HB 2234**.

Next on the agenda was **HB 2131** concerning waste tires. Staff of Revisor of Statutes reviewed the bill.

The second conferee and a proponent of **HB 2131** was Bill Bider, Director, Bureau of Waste Management, KDHE. Mr. Bider said the current version of the bill would result in seven major changes to the state waste tire program, including the tire excise of \$.50 per tire would be retained until June 30, 2003 at which time the tax drops to \$.25 per tire. He submitted a balloon to the bill concerning contracts and concerning a technical change (Attachment 2). Questions and discussion followed.

The third conferee and a proponent of the bill with serious reservations was Phil Wittek, Director of the Johnson County Environmental Department (Attachment 3). Mr. Wittek noted that in Section 5(a) of **HB 2131** grants would be eligible to be given for septic systems. He requested that be removed from the bill as he believed it was a local environmental sanitary code issue. Questions and discussion followed.

The fourth conferee and proponent of the bill was Nick Phillippi, Mid-America Tire Dealers Association (Attachment 4).

The fifth conferee was Bill Riphon, Director of Planning and Development, Parks and Recreation Department,

City of Topeka. Mr. Riphon said the City of Topeka was in favor of the grant portion of the bill.

The sixth conferee and proponent of **HB 2131** was Mike Sorcher with the Tire Energy Corporation (Attachment 5). Mr. Sorcher said it was important for KDHE to have the necessary funding and personnel to watch over the ongoing tire problem and he said the biggest key toward recycling is enforcement.

The seventh conferee and proponent was Randy Allen, Executive Director, Kansas Association of Counties (Attachment 6).

Senator Tyson closed the hearing on **HB 2131**.

Senator Tyson turned the Committee's attention to **House Concurrent Resolution 5008**, a resolution urging the Congress of the United States to provide funding to the United States Army Corps of Engineers to study reallocation of storage space from the flood control pool to the conservation pool in John Redmond Lake in Coffey County, Kansas.

Conferee Earl Lewis spoke in support of **HCR 5008** (Attachment 7). Mr. Lewis said this resolution would help to provide the State's position on the importance of water supply storage in Kansas and bring the issue of siltation in federal lakes in Kansas to the attention of the United States Congress. Discussion followed his testimony.

Senator Tyson closed the hearing on **HCR 5008**.

Senator Tyson opened the hearing on **House Concurrent Resolution 5009**. Staff of Legislative Research explained the resolution. Raney Gilliland said that **HCR 5009** would urge the Congress of the United States to appropriate funds through the federal farm program to assist states to conserve and preserve the High Plains Aquifer consistent with the recommendations contained in the Kansas Water Office Committee Report on Federal Action Necessary for the Conservation and Environmental Preservation of the High Plains Aquifer dated October 27, 2000.

Conferee Chris Wilson, representing the Kansas Groundwater Management District No. 3, said they supported the resolution (Attachment 8).

Written testimony was submitted by proponent Al LeDoux, Kansas Water Office (Attachment 9).

Senator Tyson closed the hearing on **HCR 5009**.

Senator Tyson asked the Committee to work **HB 2048**, concerning riparian buffers. Senator Downey moved to pass out favorably **HB 2048**, seconded by Senator Lee. The motion passed.

Monday, the meeting will consist of hearing the subcommittee report on **HB 2047**, concerning water banking, and working other bills.

The meeting adjourned at 9:30.

The next meeting is scheduled for March 19 at 8:30 a.m. in Room 423-S.