

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Robert Tyson at 8:34 a.m. on February 5, 2004 in Room 423-S of the Capitol.

Members present:

Senator Christine Downey
Senator David Corbin
Senator Dwayne Umbarger
Senator Janis Lee
Senator Mark Taddiken
Senator Phil Journey
Senator Robert Tyson
Senator Tim Huelskamp

Committee staff present:

Raney Gilliland, Legislative Research Department
Lisa Montgomery, Office of Revisor of Statutes
Linda Bradley, Committee Secretary

Conferees appearing before the committee:

Susan Erlenwein, Director of Environmental Resources for Sedgwick County
Judy Moler, Legislative Services Director, Kansas Association of Counties
William Bider, Director, Bureau of Waste Management, KDHE
Mark Tomb, Intergovernmental Relations Associate, League of Kansas Municipalities
Ronald Hammerschmidt, Ph. D., Director, Division of Environment, KDHE

Others attending:

See Attached List.

Chairman Tyson called the meeting to order and greeted all conferees and guests.

Review of Minutes

Senator Taddiken moved to approve the minutes of January 29 and 30. Senator Journey seconded the motion and the motion carried.

Hearing on Senate Bill 416

An overview of **SB 416** was given by staff, Raney Gilliland.

Proponents of **SB 416** gave testimony following the overview.

Chairman Tyson introduced Susan Erlenwein, Director of Environmental Resources for Sedgwick County. Director Erlenwein stated she would like to see solid waste fees for recycling. **SB 416** addresses this issue by adding the terms “recycling” and “recyclable” where appropriate to give the counties the flexibility needed to develop programs that will reduce the amount of solid destined for disposal. (Attachment 1)

Chairman Tyson asked the Committee if they had questions. Senators Lee, Umbarger and Tyson had various questions on waste tires, allowing citizens to attend county commissioners meetings and make comments concerning solid waste, relating to fees.

Chairman Tyson introduced Judy Moler, Legislative Services Director, Kansas Association of Counties. Director Moler stated it is the intent of this legislation to clarify the current statute and allow the county to use its solid waste fee to provide and pay for a recycling program. (Attachment 2)

CONTINUATION SHEET

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The Committee had no questions for Director Moler.

Chairman Tyson introduced William Bider, Director, Bureau of Waste Management, KDHE. Director Bider informed the Committee the legislature has passed other solid waste legislation which indicates that "recycling" is part of solid waste management, adding confusion to this situation. Solid waste planning laws provided in K.S.A. 65-3405(j) require every county to have a solid waste management plan which addresses recycling and other waste reduction activities. This implies that some local government expenditures to implement recycling activities are anticipated; thus, a method to raise funds must also be available. This bill would clarify that cities and counties can assess fees to cover the costs of recycling as specified in their required plans. (Attachment 3)

Chairman Tyson asked the Committee if they had questions. Senator Huelskamp and Senator Tyson asked question regarding municipal residents waste landfills and a estimate on state wide recycling funds.

Chairman Tyson introduced Mark Tomb, Intergovernmental Relations Associate, League of Kansas Municipalities. Mr. Tomb stated the partnership with the counties and supports efforts and changes included in **SB 416**. (Attachment 4)

Chairman Tyson asked the Committee if they had questions. Senator Hueslkamp asked about cities use of fees for recycling.

Chairman Tyson directed a question to Director Erlenwein regarding cost of recycling collection, request for proposals at Dillon Super Stores. The expense of bins used and emptied once a week.

Chairman Tyson closed hearings on **SB 416**.

Hearing on SB 396.

Chairman Tyson introduced proponent, Ronald F. Hammerschmidt, Ph.D., Director, Division of Environment, KDHE. Dr. Hammerschmidt stated the intent of this bill is to create a dedicated fee fund for the support of the activities of the Kansas Radiation Control Program. The regulated community in Kansas includes 320 facilities licensed to use radioactive materials and 2,447 facilities registered to use x-ray equipment. These facilities include industrial operations, research labs, medical and dental facilities and security screening operations. Planning and response activities related to the Wolf Creek nuclear plant are currently financially supported by the plant operator. These planning and response activities are not included in this proposal. Our inspection activities of mammography facilities under contract with the Food and Drug Administration are also not included in this proposal. (Attachment 5)

Chairman Tyson asked the Committee if they had questions. Senators Umbarger, Journey, Tyson, Taddiken and Lee asked various questions regarding if anyone is under this act besides hospital staff, Home Land Security alerts done by the federal government, no funding, need fee increase, radiation checks and x-ray machine at a court house is the states responsibility.

Raney Gilliland, staff, questioned Dr. Hammerschmidt regarding page 4 of his testimony about the disposition of funds from civil penalties is a matter for decision also. Dr. Hammerschmidt will send over a balloon on Section 2.

The hearing on **SB 396** was closed by Chairman Tyson.

Adjournment

The meeting adjourned at 9:27 a.m.

The next scheduled meeting will be Thursday, February 12, 2004.

CONTINUATION SHEET

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