

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairman Senator Robert Tyson at 8:35 a.m. on March 7, 2003 in Room 423-S of the Capitol.

Members present: Senator Downey, Senator Tyson, Senator Taddiken, Senator Lee, Senator Umbarger, Senator Corbin, Senator Schmidt

Committee staff present: Raney Gilliland, Legislative Research  
Lisa Montgomery, Revisor of Statutes  
Shannon Stone, Secretary

Conferees appearing before the committee:

Gary Blackburn, Director Bureau of Environment, Kansas Department of Health and Environment  
Tom Whitaker, Executive Director, Kansas Motor Carriers Association  
Thomas Palace, Petroleum Marketers and Convenience Store Association of Kansas

Others attending: See attached guest list

**Hearing on House Bill 2196**

Staff, Raney Gilliland gave an overview of the bill. The bill would amend the Kansas Storage Tank Act, placing greater responsibility of compliance to state regulations with *owners* and *operators* of storage tanks, as opposed to the fuel suppliers.

Gary Blackburn of KDHE said the Department supports the bill as amended. He believes the bill provides the agency with workable alternatives, as well as the authority it needs to enforce the Storage Tank Act.

Tom Whitaker represented Kansas Motor Carriers Association, the organization that requested the bill. The Association sees the bill as a workable compromise because of the new language that requires KDHE to give suppliers written notice of tank owners who fail to comply with state regulations. Fines would only be imposed on suppliers if, after notification, they continued to deposit fuel in unregistered tanks.

Thomas Palace, spokesman for Petroleum Marketers and Convenience Store Association of Kansas supported the bill because the “other parties” will no longer be forced to act as “the police or enforcer of the statute.”

The conferees stood for questions following testimony. Mr. Blackburn confirmed that distributors and suppliers are both given notice of tank owners who are “out of compliance” with state requirements. Further discussion ensued over fines, gas tax and encumbered funds.

CONTINUATION SHEET

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE at 8:30 a.m. on March 7, 2003  
in Room 423-S of the Capitol.

Chairman Tyson closed the hearing on HB 2196.

Senator Lee made a motion to pass the bill out favorably. Senator Umbarger seconded the motion and the motion carried.

The meeting was adjourned at 9:11 a.m.