

MINUTES OF THE SENATE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Roger Reitz at 9:30 a.m. on February 17, 2009, in Room 446-N of the Capitol.

All members were present except:
Senator Susan Wagle- excused

Committee staff present:
Mike Heim, Office of the Revisor of Statutes
Ken Wilke, Office of the Revisor of Statutes
Martha Dorsey, Kansas Legislative Research Department
Reed Holwegner, Kansas Legislative Research Department
Noell Memmott, Committee Assistant

Conferees appearing before the committee:
John Smith, John T. Smith Associates, Inc
Jack Glaves, Panhandle Eastern Pipe Line Company, LP and DCP Midstream, LLC
Mark Schreiber, Director, Government Affairs, Westar Energy

Others attending:
See attached list.

SB 144 - Subdivisions; blanket easements, void; exceptions. Mike Heim, revisor, reviewed the bill. The bill amends three statues dealing with subdivision planning, zoning and filing of plats (Attachment 1) (Attachment 2). A blanket easement would be defined as not a specific description where an easement would run.

John Smith, John T. Smith Associates, Inc. testified in favor of the **SB 144** (Attachment 3). He said issues to blanket easements are not only related to subdivisions but also to lots, parcels, and tracts. The bill would provide a framework for both sides and provide more consistency.

Jack Glaves, Panhandle Eastern Pipe Line Company, LP and DCP Midstream, LLC, gave testimony against **SB 144** (Attachment 4). He provided a map showing areas of Kansas wells and pipelines. His concern was the right of way and the issue of safety.

Mark Schreiber, Director, Governmental Affairs, Westar Energy, testified against **SB 144** (Attachment 5). He related it would pose problems and Westar would be willing to work with developers.

Mick Urban, Manager Governmental Affairs, Kansas Gas Service/ONEOK, Inc. provided written testimony in opposition to **SB 144** (Attachment 6). He suggested the utilities would possibly have to resurvey lines and the cost would roll back to the consumers.

Written testimony in opposition to **SB 144** was also submitted by: Ron Gaches, Southern Star Central Gas Pipeline (Attachment 7); Lot F. Taylor, Taylor & Associates, Engineers (Attachment 8); Wes Ashton, Governmental Affairs, Black Hills Energy (Attachment 9); Lon Stanton, Governmental Relations, Northern Gas Company (Attachment 10); Ron Gaches, Government Relations & Association Management, Gaches, Braden & Associates (Attachment 11); and Larry Berg, Larry Berg Consulting (Attachment 12).

The hearing was closed.

SB 114 - Zoning; group homes; certain restrictions. The discussion on **SB 114** was unresolved and the bill was referred to Federal and State Affairs.

SB 253 - Zoning amendments; protest petitions; mining operations; extraordinary vote not required.
SB 254 - Urban area counties; zoning amendments and conditional use permits; protest petitions, other; extraordinary vote not requires. Mike Heim, revisor, reviewed the bills which are dealing with extraordinary and majority vote. **SB 253** and **SB 254** will be continued on February 24th.

The next meeting is scheduled for February 24th.

The meeting was adjourned at 10:30 p.m.