

MINUTES OF THE HOUSE ENVIRONMENT COMMITTEE

The meeting was called to order by Chairperson Joann Freeborn at 3:30 P.M. on February 16, 2006 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland, Legislative Research Department
Lisa Montgomery, Revisor of Statutes Office
Pam Shaffer, Committee Secretary

Conferees appearing before the committee:

Tom Palace, Petroleum Marketers and Convenience Store Association of Kansas
Brad Thompson, Bridgman Oil
Jeff Turnbull, Turnbull Oil
Leslie Kaufman, Kansas Cooperative Council
Gary Blackburn, Director, Bureau of Environmental Remediation
Tom Sloan, Representative, District 45
Tracy Streeter, Director, Kansas Water Authority
Woody Moses, Kansas Aggregate Producers Assoc
Constantine Cotsoradis, Assistant Secretary-Agriculture

Others attending:

See attached list.

Chairperson Freeborn announced the agenda for next Tuesday, February 21 meeting: possible action on **HCR5030 - Congress and President urged to allow offshore drilling for natural gas, HB2556-Farm and ranch land protection program; grants; open space preservation fee, HB2875 - Concerning inspection fees for work constructed for appropriation of water for beneficial use and a hearing and possible action on HB2867 - Concerning dam safety.**

Chairperson Freeborn started final action:

HB2710 - Creates the water transition assistance program. All committee members have been given a document from Sean Miller, Kansas Water Congress answering questions raised by the Committee (See attachment 1). Representative Sloan moved to introduce a balloon (See attachment 2) Representative Powers seconded, motion carries. Discussion on the balloon followed. Representative Sloan moved to adopt the balloon, motion carried.. Representative Burgess moved to add wording to the bill “not to exceed \$1.5M on expenditures annually for duration of the program. Representative Olson seconded. Discussion followed. Motion carries. Representative Svaty moved to remove the new part e, line 28, Representative Flora seconded. Discussion on the removal followed. Representative Svaty withdrew the motion. Representative Schwartz proposed a conceptual amendment to list the prairie dog area as one of the two areas on this bill. Representative George seconded, discussion followed, Representative Schwartz withdrew amendment. Representative Schwartz proposed a conceptual amendment to add language notwithstanding any other provision of the bill, one of the two areas shall be Prairie Dog Area. Representative George seconded. Discussion followed. Motion carried. Representative Knox proposed a conceptual amendment to add wording on page 2 line 21 that grants available in “not more than” 2 areas”, add the not more than. Representative Hawk seconded, discussion followed. Motion carried. Representative Luckert stated that this bill is bad policy, problem will take care of itself, this is spending money unnecessarily. Representative Sloan moved to recommend **HB2710**, as amended, favorable for passage, Representative Svaty seconded. Motion carries. Representative Lukert requested to be recorded in the minutes as a no vote. Representative Sloan will carry.

Chairperson Freeborn opened the hearing on **HB2756 - Kansas storage tank act, reimbursement for upgrades and closures.**

Tom Palace, Petroleum Marketers and Convenience Store Association of Kansas, proponent, testified, (See attachment 3). A proposed balloon is part of Mr. Palace’s attachment.

CONTINUATION SHEET

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Brad Thompson, Bridgman Oil, proponent, testified, (See attachment 4).

Jeff Turnbull, Turnbull Oil, proponent, testified (See attachment 5).

Leslie Kaufman, Kansas Cooperative Council, proponent, testified (See attachment 6).

Mary Jane Stankiewicz, Association of Ethanol Processors, proponent submitted written testimony, all Committee members were given a copy (See attachment 7).

Gary Blackburn, Director, Bureau of Environmental Remediation, neutral, testified, (See attachment 8).

Questions and discussion followed.

Chairperson Freeborn closed the hearing on **HB2756**.

Chairperson Freeborn opened final action for **HB2756**.

Representative Burgess moved to adopt balloon which was presented by Tom Palace, Petroleum Marketers and Convenience Store Association of Kansas. Representative Schwartz seconded, motion carries.

Representative Knox proposed an amendment to include biofuels in the definition of petroleum products, Representative Johnson seconded, motion carried.

Representative Johnson moved to recommend **HB2756**, as amended favorable for passage, with technical corrections, Representative Schwartz, motion carries. Representative Burgess will carry the bill.

Chairperson Freeborn opened the hearing on **HCR6008 - Resolution urging the United States Army Corps of Engineers to approve a plan by the state of Kansas for the reservoirs of Kansas.**

Tom Sloan, Representative 45th district, proponent, testified a balloon was given to each committee member and is part of the attachment (See attachment 9).

Tracy Streeter, Director of Kansas Water Authority, proponent, testified (See attachment 10).

Written testimony only from Kent Weatherby, Kansas Water Assurance District #1, a copy was given to each Committee member (See attachment 11).

Questions and discussion followed the testimony.

Chairperson Freeborn closed the hearing on **HCR6008**.

Chairperson Freeborn opened final action for **HCR6008**.

Representative Sloan moved to adopt the balloon, seconded by Representative Johnson, motion carried.

Representative Sloan moved to recommend **HCR6008** as amended favorable for passage. Representative Svaty seconded, motion carried. Representative Hawk will carry the bill.

Chairperson Freeborn opened the hearing on **HB2875 - Concerning inspection fees for works constructed for appropriation of water for beneficial use.** Copy of fiscal note given to each committee member (See attachment 12).

Woody Moses, Kansas Aggregate Producers Association, proponent, testified (See attachment 13).

Constantine Cotsoradis, Assistant Secretary-Agriculture, opponent, testified (See attachment 14).

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Questions and discussion followed.

Chairperson Freeborn adjourned the meeting at 5:50. The next scheduled meeting is Tuesday, February 21.