

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Vice-Chair Rob Olson at 9:15 A.M. on February 21, 2008 in Room 783 of the Docking State Office Building.

All members were present except:

Carl Holmes- excused
Tom Hawk- excused
Annie Kuether- excused
Tom Sloan- excused
Vaughn Flora-excused
Judy Morrison-excused

Committee staff present:

Mary Galligan, Kansas Legislative Research
Carol Toland, Kansas Legislative Research
Melissa Doeblin, Revisor's Office
Rena Hansen, Committee Administrative Assistant

Conferees appearing before the committee:

Doug Moshier, Attorney, Park City, Kansas
Cheryl Beatty, City of Eudora administrator
Tom Pyle, Mayor of Eudora
Doug Garber, Developer
John Nitcher, RWD #4
Steven M. Harris, Tulsa, RWD #4 outside litigation council
Gary Hanson, Hanson/Stumbo Law
Dennis Schwartz, Kansas Rural Water Association
Ray Connell, Sedgewick Rural H2O District #2

Others attending:

Thirty seven including the attached list.

Hearing on:

HB 2807-Defining participating member of a rural water district; requirements on water districts.

Proponents:

Doug Moshier, Attorney, Park City, Kansas, (Attachment 1), presented testimony in support of **HB 2807**.

Cheryl Beatty, City of Eudora Administrator, (Attachment 2), presented testimony in support of **HB 2807** noting that the rural water districts are created to provide water "to such lands that are without an adequate water supply" and "that such improvement or works will be conducive to and will promote the public health, convenience and welfare (KSA 82a-602)."

Tom Pyle, Mayor of Eudora, spoke to the committee in favor of **HB 2807**.

Doug Garber, Developer, spoke to the committee in favor of **HB 2807**.

Written Proponents:

City of Baldwin, (Attachment 3), presented written testimony in support of **HB 2807**.

Kansas Municipal Utilities, (Attachment 4), offered written testimony in support of **HB 2807**.

CONTINUATION SHEET

MINUTES OF THE House Energy and Utilities Committee at 9:15 A.M. on February 21, 2008 in Room 783 of the Docking State Office Building.

Opponents:

John Nitcher, RWD #4, (Attachment 5), offered testimony in opposition of **HB 2807**.

Steven M. Harris, Tulsa, Douglas County Rural Water District #4 outside litigation council, (Attachment 6), presented testimony in opposition of **HB 2807**.

Gary Hanson, Hanson/Stumbo Law, General Council, Douglas County Rural Water District #4, (Attachment 7), presented testimony in opposition of **HB 2807**.

Dennis Schwartz, Kansas Rural Water Association, (Attachment 8), offered testimony in opposition of **HB 2807**. He also noted a resolution that was adopted at the Kansas Rural Water Association at the November 2, 2007 meeting.

Ray Connell, Sedgewick Rural H2O District #2, (Attachment 9), presented testimony in opposition to **HB 2807**.

Questions were asked and comments made by Representatives: Cindy Neighbor, Rob Olson, and Tom Moxley.

Hearing on **HB 2807** was closed.

Hearing on:

HB 2808-Use of eminent domain by public wholesale water supply districts.

Proponents:

Mark Neis, Farmer, (Attachment 10), presented testimony in support of **HB 2808**.

Greg Shipe, Citizen, (Attachment 11), offered testimony in support of **HB 2808**.

John Pendleton, Citizen, (Attachment 12), presented testimony in support of **HB 2808**.

Kevin Barrone, (Attachment 13), offered testimony in support of **HB 2808**, adding comments to the written testimony of Burke Griggs.

Written Proponents:

Burke Griggs, Lawyer, Kansas Kaw River Growers, offered written testimony, (Attachment 13), in support of **HB 2808**.

Opponents:

Elmer Ronnebaum, Kansas Rural Water Office, (Attachment 14), offered testimony in opposition to **HB 2808**.

Questions were asked and comments made by Representatives: Tom Moxley, and Forrest Knox.

Hearing on **HB 2808** was closed.

The next meeting is scheduled for February 22, 2008.

The meeting was adjourned at 10:53 a.m.