

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairperson Robert Tyson at 8:30 a.m. on February 1, 2001 in Room 423-S of the Capitol.

All members were present except: Senator Lana Oleen - excused
Senator Dwayne Umbarger - excused

Committee staff present: Raney Gilliland, Legislative Research Department
Jill Wolters, Office of Revisor of Statutes
Judy Krase, Committee Secretary

Conferees appearing before the committee:
Staff of Legislative Research
Chuck Layman, Section Chief, Planning and Assessment, KDHE
Secretary Jamie Clover Adams, Dept. of Agriculture
Jere White, KS Corn Growers
Bill Fuller, Assoc. Director of Public Policy Division for Ks Farm Bureau
Tom Palace, Petroleum Marketers of Kansas
Ken Peterson, American Petroleum Institute
Clint Riley, KDWP

Others attending: See attached list

Senator Schmidt moved that the minutes from the January 25 and January 26, 2001 meetings be approved, seconded by Senator Taddiken. Motion carried.

Senator Tyson asked staff of Legislative Research to explain **SB 37**, which relates to the issue of restricting the use of MTBE in motor vehicle fuels. Raney Gilliland said the bill is similar to legislation considered by this committee last year and it sets up a schedule of prohibitions and quantities for the elimination of MTBE in motor fuels. He pointed out specifics in the bill and also commented on the waiver requirement from EPA. He said certain sections of the bill would not become effective until EPA grants a waiver allowing Kansas to control or prohibit the use of MTBE in motor vehicle fuels. He also stated that MTBE is added to motor vehicle fuels to help with pollution concerns and to allow certain cities to meet clean air requirements.

Senator Corbin said this bill is identical to the one passed out of the senate last year, except for the dates. He said his main agenda is to promote the use of ethanol as an oxygenate, as MTBE has been proven to be a pollutant.

Chuck Layman, KDHE, explained the waiver from Environmental Protection Agency on **SB 37** (Attachment 1). Questions and discussion followed.

The first proponent of **SB 37** was Secretary Jamie Clover Adams, Dept. of Agriculture. She said she was in support of the bill because it will protect the state's waters from further pollution and it also provides an opportunity for ethanol to become the oxygenate of choice, increasing domestic marketing opportunities for Kansas grain sorghum and corn (Attachment 2). Questions and discussion followed her testimony.

The second proponent was Jere White, Ks Corn Growers (Attachment 3).

The third proponent was Bill Fuller, Associate Director of the Public Policy Division for Kansas Farm Bureau, who stated that Farm Bureau was in support of **SB 37** based on the commitment of farm and ranch members to protect water quality and the desire of grain producers to increase the utilization of ethanol (Attachment 4).

Neutral conferees were Tom Palace, Petroleum Marketers of Kansas (Attachment 5) and Ken Peterson, American Petroleum Institute (Attachment 6). They each expressed their views and Senator Tyson asked them

to please submit testimony in writing for the committee.

Senator Tyson declared the hearing on **SB 37** closed.

The last conferee was Clint Riley, Ks Dept. of Wildlife and Parks, who testified as a proponent of **SB 87**. He stated it was a department bill that merely cleaned up the language (Attachment 7).

Senator Tyson declared the hearing on **SB 87** closed.

Senator Tyson asked for a motion to act on **SB 87**. Senator Corbin moved that SB 87 be considered favorable for passage, seconded by Senator Schmidt. Motion passed.

Senator Tyson said **SB 37** would be worked at a later date.

The meeting adjourned at 9:23 a.m.

The next meeting is scheduled for February 2 at 8:30 a.m.