

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Carolyn McGinn at 8:30 A.M. on February 3, 2005 in Room 423-S of the Capitol.

All members were present

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department
Lisa Montgomery, Revisor of Statutes Office
Gina Poertner, Committee Secretary

Conferees appearing before the committee:

Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife and Parks
Dan Ward, Executive Director, Kansas Wildlife Federation
Maurice Korphage, Kansas Corporation Commission
Bob Jenkins, Kansas Corporation Commission

Others attending:

See attached list.

The meeting was called to order and Senator McGinn asked that the Committee hear and work SB 59. She then recognized Raney Gilliland, Legislative Research, to explain SB 59 to the Committee. There were no questions from members.

Chris Tymeson, Chief Legal Counsel for the Kansas Department of Wildlife and Parks, was recognized by Chairperson McGinn (Attachment 1). Mr. Tymeson testified in favor of SB 59, which would allow the State of Kansas to participate in the Interstate Wildlife Violator Compact.

Senator Taddiken asked if there is any need for our laws to be similar to other states' laws. Mr. Tymeson explained that the laws do not have to be exactly the same, however, similarities would be helpful. Senator Taddiken asked if other states have higher or lower standards than Kansas. Mr. Tymeson replied that other states do have different standards or different thresholds for level of violation, and that Kansas standards would be designed and adopted by the Secretary of Wildlife and Parks.

Senator Huelskamp asked if violators would be prohibited by past actions and if any Kansans would be suspended. Mr. Tymeson stated that this legislation, if enacted, would not be retroactive. Kevin Jones, Director of Law Enforcement Division for the Kansas Department of Wildlife and Parks, stated that 10 Kansans' licenses would be revoked within the compact area. Senator Huelskamp further asked about nonpayment of taxes, if one would lose the right to certain licenses. Mr. Tymeson replied that this applies only to professionals. Senator Huelskamp also asked about the process to withdraw from the compact. Mr. Tymeson stated that legislation would be needed to repeal the enactment.

Senator Ostmeyer asked if it is known how many people from other states are coming into Kansas. Mr. Jones answered that it is not known, that it is difficult to track since not all states are in the compact. However, they have tracked violations issued and 69 people are on the list within the compact. Senator Ostmeyer stated that getting other states into the compact would make this work better.

Senator Taddiken asked what the minimum penalty is while the license is suspended. Mr. Tymeson replied that it is dependent up on the court system. Section 3 is a new statute. Additional information regarding penalties was requested by Senator Taddiken.

Senator Pyle asked what provisions currently are in place to extradite a violator from another state. Mr. Tymeson stated that Kansas has no real authority to extradite. It was further asked by Senator Pyle if there is a fiscal note to this legislation. According to Mr. Tymeson, the issue is not a monetary one for the state, however, there is a time commitment for officers.

CONTINUATION SHEET

MINUTES OF THE Senate Natural Resources Committee at 8:30 A.M. on February 3, 2005 in Room 423-S of the Capitol.

Dan Ward, Executive Director of the Kansas Wildlife Federation, also testified in support of SB 59 (Attachment 2).

Following testimony, Senator McGinn asked if there were others who would like to speak on the bill. Seeing none, the Chair stated that the bill would be worked next week.

Senator Ostmeyer introduced a bill regarding the water level at Cedar Bluff. A motion to introduce the bill was made by Senator Ostmeyer and seconded by Senator Teichman. The motion was approved by voice vote.

Senator McGinn introduced Maurice Korphage and Bob Jenkins, both of the Kansas Corporation Commission, who gave a presentation on the Abandoned Well/Site Remediation (Attachment 3).

Senator McGinn asked if there is any concern in the Burrton area regarding abandoned wells. Mr. Korphage stated there is not much concern there since there are not many abandoned wells in the area. Burrton had more of a remediation problem associated with historical practice where they used evaporation pits. She further asked why oil and gas people are not as involved financially. Mr. Korphage stated that the plan is to look at additional withdrawal systems similar to what some of the others do in some of the hot spots.

Senator Ostmeyer asked if we should get the oil and gas people more involved. Mr. Korphage said that to a certain extent, they are and discussed preregulatory issues.