

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

The meeting was called to order by Chairperson Senator David Corbin at 8:00 a.m. on March 21, 2000 in 245-N of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland, Legislative Research Department
Mary Ann Torrence, Revisor of Statutes Office
Lila McClafin, Committee Secretary

Conferees appearing before the committee:

David Pope, Chief Engineer, Director, Water Resources Program, Kansas Department of Agriculture
Representative Carl Holmes, 125 District
Margaret Fast, Kansas Water Office
Ron Hein, Safety-Kleen Operation

Others attending:

See attached list.

With a motion from Senator Morris and a second from Senator Goodwin the minutes of March 15, 2000 were approved as written.

The hearing was opened on **HB 2985**—Appropriation of water for use in another state; conditions.

David Pope, Chief Engineer, Division of Water Resources, presented testimony for information purposes. He said, whether to amend the statutes in question was a policy question, and as all other duties and responsibilities that KDA has, the department will do its best to administer the laws enacted by the legislature. If the proposed legislation was consider to be passed it would be appropriate to include the following amendment as a new item (3) in Section 1 (b); (3) the proposed diversion and transportation of water will not allow waste apportioned to the state of Kansas by interstate water compact to be used in another state Attachment 1). Responding to questions regarding the amendment he gave several examples of when this would apply.

Representative Carl D. Holmes, 125th District, gave a brief history of why he asked to have the bill introduced. He said the bill is designed to prevent the transfer of water to another state if statutes and common law of the importing state were violated for an illegal use or purpose (Attachment 2).

The hearing on **HB 2985** was closed.

Senator Morris moved to adopted the amendment recommended by David Pope, and **HB 2985** be passed as amended. The motion was seconded and it carried.

The discussion was opened on **HB 2861**-Waste tire program.

Senator Vratil moved to amend the bill to allow waste tires cut into two or more parts to be used as daily cover material for a landfill (Attachment 3). Senator Huelskamp seconded the motion. The committee discussed the merits of using the cut tires in landfills, and why only one cut. The motion carried.

A letter from Edward R. Moses, Kansas Cement Council, submitted a letter supporting **SB 658** that was introduced at the request of Ron Hein on behalf of Safety-Kleen Corporation. The letter states the purpose of **SB 658** is to clarify definitions regarding hazardous waste facilities (Attachment 4). Senator Vratil then moved to amended the provisions off **SB 658**, which defines the term “hazardous waste facility.” from the current defined term “hazardous waste disposal facility.” into **HB 2861**. The motion was seconded by Senator Biggs. Discussion followed.

Responding to a question Ron Hein, said the provisions of **SB 658** only apply to one facility in the state. The vote was taken and the amendment was adopted. Senator Vratil then move that **HB 2861** be passed

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

as amended. Senator Morris seconded the motion. The motion carried.

Chairperson Corbin referred to **Sub for HB 2144**. Margaret Fast, Kansas Water Office responded to questions regarding amendments they were offering (Attachment 5). Senator Biggs moved that the Water Office's amendments be adopted. Senator Goodwin seconded the motion. Senator Huelskamp asked that the action be delayed for one day, so that he could have an opportunity to look over the amendments and digest the changes recommended. Chairperson Corbin agreed to do so, and referred to **HB 2823** for committee discussion.

The committee discussed the bill and its relationship to SB 571. Senator Vratil was asked if he thought the bill would set off another series of litigation. He said it had the potential to do that.

Senator Huelskamp moved that **HB 2823** be passed. Senator Morris seconded the motion. The motion carried.

Chairperson Corbin referred to **HB 2103**—Possession of hunter education certificate required while hunting. Members of the committee discussed at length the pro and cons of allowing the public to attest to having taken the hunters education course. Senator Biggs moved that **HB 2103** be passed. The motion was seconded by Senator Huelskamp. The motion carried.

The meeting adjourned at 8:56 a.m., and the next scheduled meeting will be on March