

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairman Senator Robert Tyson at 8:30 a.m. on February 17, 2003 in Room 423-S of the Capitol.

Members present: Senator Lee, Senator Tyson, Senator Huelskamp, Senator Corbin, Senator Taddiken, Senator Adkins

Committee staff present: Raney Gilliland, Legislative Research  
Lisa Montgomery, Revisor of Statutes  
Shannon Stone, Secretary

Conferees appearing before the committee:

Bill Bider, Bureau of Waste Management, Kansas Department of Health and Environment  
Charlie Sedlock, Director of Waste Management, HAMM Incorporated  
Chris Tymeson, Kansas Department of Wildlife and Parks  
Shawn Herrick, Executive Director, Mid-America Tire Dealers Association

Others attending: No guest list

**Hearing on Senate Bill 155**

Raney Gilliland, Legislative Research Staff, presented an overview of **SB 155**. He noted the numerous changes in the bill and pointed out new definitions.

Bill Bider, Director of the Bureau of Waste Management, Kansas Department of Health and Environment (KDHE), highlighted key points of the bill. The bill was a cooperative effort between the Kansas Association of Counties, Mid-America Tire Association and KDHE. He provided insight on the scattering of changes throughout the law. Mr. Bider explained that one intent of the bill was to eliminate the concept of "pre-law/post-law" tire piles status because the law is nearly 13 years old and the former concept is outdated. He proposed the terms "legal/illegal" as more current and fitting language to describe tire piles. Additionally, KDHE would like to see the state maintain the authority to use waste tire management funds to clean up illegal waste tire piles. (Attachment 1)

Other proposed changes to the law were:

- 1) Modifications to permit exemptions as provided in K.S.A. 65-3424b(e) for the purpose of clarification
- 2) Added flexibility for waste tire transportation
- 3) Enhanced mosquito controls (to minimize the spread of the West Nile Virus)
- 4) Authorization for waste tire recycling grants using leftover funds from the preceding year

## CONTINUATION SHEET

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Charlie Sedlock, Solid Waste Division Manager of Hamm Inc., testified in support of **SB 155**. Hamm Inc, which operates a lined subtitle D sanitary landfill near Lawrence, Kansas says its customers are requesting cost effective tire disposal at their landfill. Mr. Sedlock reported that local government entities are anxious to reduce habitats favorable to mosquitos. Additionally, Hamm Inc. proposed adoption of language changes that would allow facilities to handle more tires and to process tires in the leachate system, and bypass certain testing standards and certification requirements. ([Attachment 2](#))

Chris Tymeson of the Kansas Department of Wildlife and Parks voiced the Department's support for the bill. KDWP also requested an amendment that would include state wildlife areas and state fishing lakes as potential locations to conduct the activities described in the bill. ([Attachment 3](#))

Shawn Herrick of Mid-America Tire Dealers Association, was the final conferee. His organization supported the provisions of **SB 155**, in particular: the current fee, KDHE's clean-up authority and the proposed modifications to the record keeping provisions. They discouraged use of tire excise fees for purposes other than what was originally intended in the statute. ([Attachment 4](#))

### **Committee Comments to Testimony**

In response to a question put forth by Chairman Tyson, Mr. Bider informed the Committee that yearly operating costs for KDHE were around \$800,000 annually. He went on to say that approximately \$400,000 of the annual budget is needed to run KDHE's program.

Senator Lee had questions about KDHE's fee, currently \$0.25, (down from \$0.50) and if it was enough to meet their needs. Mr. Bider stated that the fee was indeed sufficient.

Senator Huelskamp asked for clarification on the current rules and regulations regarding "beneficial use" and possible changes in the law in the future. Of specific interest were changes in regulations that might negatively impact farmers, ranchers and feedlots. He requested a copy of the current regulations.

### **Adjournment**

Senator Tyson closed the meeting with a reminder to Committee members about bill deadlines and informed members that bills would be voted on by process of roll call. The meeting was adjourned at 9:27 p.m.