

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Carolyn McGinn at 8:30 a.m. on January 24th, 2008 in Room 423-S of the Capitol.

All members were present except:

David Wysong- excused
Tim Huelskamp- excused

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department
Emalene Correll, Kansas Legislative Research Department
Jason Thompson, Revisor of Statutes
Matt Todd, Revisor of Statutes
Adrienne Halpin, Committee Assistant

Conferees appearing before the committee:

Mary Jane Stankiewicz, Kansas Agricultural Remediation Board
Duane J. Simpson, Kansas Grain and Feed Association
Leslie Kaufman, Kansas Cooperative Council
Laura Pearl, J. B. Pearl Sales and Services
Karl McNorton, Chief Deputy Fire Marshal

Others attending:

See attached list.

Chair McGinn commenced the meeting with the a motion to introduce a bill regarding the Kansas Farmers and Hunters Feeding the Hungry program (Attachment 1). Chair McGinn made the motion; Senator Lee seconded the motion. The motion carried.

Chair McGinn then opened the hearing for **SB 447** which would make four amendments to the agricultural and specialty chemical remediation act. Raney Gilliland explained these changes to the Committee which included reimbursement as effected by property sales as well as the extension of the act from 2010 to 2020.

Mary Jane Stankiewicz of the Kansas Agricultural Remediation Board spoke in favor of the bill (Attachment 2) explaining that the Agricultural Remediation Fund is used as a type of self-insurance for individuals cleaning up agricultural contamination. She explained that all support for the program comes from the industry itself without the use of state funding. Ms. Stankiewicz stood for questions.

Duane J. Simpson, of the Kansas Grain and Feed Association testified in favor of the bill (Attachment 3) stating that the remediation program is supported by the industry itself and provides recourse for buyers and sellers who might otherwise be hesitant to purchase contaminated property. Mr. Simpson stood for questions.

Next, Laura Pearl of J. B. Pearl Sales and Services of St. Marys, Kansas spoke in favor of the bill (Attachment 4). Ms. Pearl is a member of the Remediation Board and stated that landowners appreciate the option of support in the remediation process. She added that the remediation program only helps with some of the issues involved in this procedure. Ms. Pearl then stood for questions.

Lastly, Leslie Kaufman of the Kansas Cooperative Council testified in favor of the bill (Attachment 5). Ms. Kaufman stated that the Council was fully supportive of the bill especially noting the increase of the monetary cap per site stating that this added flexibility would be beneficial. Ms. Kaufman stood for questions.

Written testimony was provided by:

Jarold W. Boettcher of Boettcher Enterprises, Inc., Beloit, Kansas (Attachment 6)

Senator Taddiken made a motion that the bill be passed out favorably. Senator Ostmeyer seconded the motion. The motion passed.

Senator Ostmeyer motioned to approve the revised minutes, which was seconded by Senator Bruce. The motion passed.

CONTINUATION SHEET

MINUTES OF THE Senate Natural Resources Committee at 8:30 a.m. on January 24th, 2008 in Room 423-S of the Capitol.

Next, Karl McNorton, Chief Deputy Fire Marshal testified as to the Fire Marshal's role in the Barton Solvents fire and cleanup (Attachment 7). Chief Deputy McNorton explained that the Sedgwick Fire Fighters were involved in the actual extinguishing of the chemical fire. The Kansas Fire Marshal's role was that of investigation along with the Occupational Safety and Health Administration (OSHA) whose report is forthcoming. Chief Deputy McNorton provided the Committee with the Fire Marshal's report.

Chief Deputy McNorton stood for questions during which time he communicated that, although Kansas Department of Health and Environment is in charge of permit application for above-ground storage tanks, facility inspection is carried out by local entities. Gary Blackburn, Director of KDHE Bureau of Environmental Remediation, added that, after an above-ground storage tank has been registered with KDHE, the information is shared with the Fire Marshal, though neither office has the authority of regulation after this point.

Chair McGinn suggested that the Committee continue to follow this discussion at a later date.

Berend Koops, representing Kansas Wildlife and Parks, stood before the Committee to request amendments to K.S.A. 32-919 and 32-954 which concern controlled shooting areas and field trials. Senator Lee moved to introduce the bill, seconded by Senator Francisco. The motion carried.

The meeting adjourned at 9:30.