

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT.

The meeting was called to order by Chairperson Joann Freeborn at 3:30 p.m. on February 3, 2000 in Room 423-S of the Capitol.

All members were present except:

Committee staff present: Raney Gilliland, Kansas Legislative Research Department
Mary Torrence, Revisor of Statute's Office
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee: Representative Joann Freeborn, District 107
Clint Riley, Attorney, Kansas Department Wildlife and
Parks, 900 SW Jackson, Ste 502, Topeka, KS 66612-1220
Jan Kruh, Congressional District Coordinator, AARP, 2155
Blue Hills Road, Manhattan, KS 66502
Paul A. Miller, 430 Waverly, Wichita, KS 67218-1740
Margaret J. Miller, 430 Waverly, Wichita, KS 67218-1740
Representative Douglas Johnston, District 92
Charles Benjamin, Attorney, Kansas Natural Resource
Council and Kansas Chapter Sierra Club, 401 Boulder Street,
Lawrence, KS 66049
Phil Wittek, Environmental Department Director, Johnson
County, 11180 Thompson Ave., Lenexa, KS 66219
Bill Bider, Director, Bureau Waste Management, Kansas
Department Health and Environment, Forbes Field, Building
740, Topeka, KS 66620-0001
Richard V. Eckert, County Counselor, Shawnee County, 200
SE 7th Ste. 100, Topeka, KS 66603-3932

Others attending: See Attached Sheet

Chairperson Joann Freeborn called the meeting to order at 3:30 p.m. She asked if anyone had corrections to the minutes of committee meetings January 10, 11, 18, and 20, that were distributed in the February 1 meeting. She asked if there was a motion to approve the minutes.

Rep. Tom Sloan made a motion the minutes of January 10, 11, 18, and 20 be approved. Rep. Sharon Schwartz seconded the motion. Motion carried.

The Chairperson recognized Rep. Sharon Schwartz. She introduced her legislative intern for this session, Rebecca Bryant, a student at Kansas State University and daughter of former Representative Bill Bryant.

Chairperson Freeborn recognized Rep. Gerry Ray. She introduced her intern, Carl Folson, a student at Kansas University, to the committee.

The Chairperson opened public hearing on **HB2727**.

HB2727: An act concerning big game.

Chairperson Joann Freeborn presented testimony in support of the bill, which she introduced in this committee. After a visit with the Kansas Department of Wildlife and Parks she found them to be supportive of a change in hunting regulations. The present law allows 12 or 13 year olds to hunt deer with a bow and arrow with evidence of passing bow hunting safety education, but cannot hunt turkey with a bow and arrow. They can hunt turkey with a firearm after passing hunter safety, but cannot hunt deer with a firearm. This bill would change the law that would allow both turkey and deer to be hunted with a firearm or bow and arrow by 12 or 13 year olds who have passed hunter education and accompanied by an adult 21 years of age or older.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 423-S of the Capitol
at 3:30 p.m. on February 3, 2000.

(See attachment 1)

The Chairperson welcomed Clint Riley, Attorney, KS Department Wildlife and Parks. He presented testimony on behalf of the Department in support of the bill. They believe the age at which someone has the mental and physical maturity necessary for safe big game hunting depends more on the individual than on an arbitrary age limit. Because the hunter must be accompanied by an adult until the age of 14, 12 and 13 year olds would not be allowed to make this decision without adult guidance. They also believe the bill is consistent with the department's ongoing efforts to continue Kansas' hunting heritage through the Hunter Recruitment and Retention program entitled "Pass It On." (See attachment 2)

Chairperson Freeborn closed the hearing on **HB2727**, and opened the hearing on **HB2751**.

HB2751: An act concerning solid waste; concerning recycling.

Jan Kruh, Congressional District Coordinator, AARP, was welcomed to the committee. She appeared in support of the bill which, she believes, provides for setting annual goals for the volume of solid waste to be recycled. The interest of AARP is to motivate Kansas to increase recycling, thus conserving energy and our natural materials. Citizens in the 43 states that have already established recycling goals have been motivated to recycle an increasing volume of solid waste each year. Setting goals generates an incentive for a useful cause. (See attachment 3)

Paul A. Miller, Wichita, Kansas, was welcomed to the committee. He appeared as a proponent to the bill and believes it is well known that recycling and composting saves valuable natural resources, saves energy, and reduces landfill use and landfill pollution. He also believes there are other values in recycling. When people are educated to recycle, they are less likely to litter public areas. When he has visited other states that have recovery rates of 30% or more, he noticed that there is much less litter than in states with little or no emphasis on recycling. (See attachment 4)

Margaret Miller, Wichita, Kansas, was welcomed to the committee. She provided testimony in support of the bill and believes Kansas is one of the very few, one of seven, with no recycling goals. Fifteen states have recycling goals of 50% or more, with one at 70%. She is not asking to set mandatory goals but does want the legislature to support the concept. The state needs to give moral support. It has been shown everywhere that people want to recycle and is especially effective when they are given leadership. She believes we need to recycle to save resources, including energy. It costs much less in energy and pollution to make products from recycled materials than it does to mine ores from the ground, extract oil or cut down trees. (See attachment 5)

The Chairperson welcomed Megan Chalfant, an intern from St. Mary's College, Leavenworth. She presented testimony in support of the bill in behalf of Rep. Douglas Johnston. He believes this bill would establish recycling goals for counties over 80,000 in population. The first year goal in 2002 would be 20% and would increase 5% each year for three years. These counties would be required to meet the goal by whatever means they design. Since this bill is non-uniform it would allow counties to opt-out of compliance with the law, but the state should make a clear public policy statement in support of promoting waste reduction by recycling. The bill leaves tremendous flexibility for counties to strive to meet or exceed the goals. He believes the state should raise the bar for recycling in Kansas and local government should strive to meet or exceed those goals in the most convenient, efficient and effective manner possible. (See attachment 6)

Charles Benjamin, Attorney, Kansas Natural Resource Council and Kansas Chapter of Sierra Club, was welcomed and presented testimony in support of the bill. On behalf of the Natural Resource Council and Sierra Club he believes this is the future for all of Kansas. The fact is that landfills only bury the problem of solid waste so that our grandchildren will be forced to deal with the problems we bury today. That is irresponsible and it is time we started to clean up after ourselves. This bill is a modest step in the right direction. They would prefer that all counties make recycling and municipal composting mandatory. In that regard, he urges the committee to consider amending this bill to make certain that the solid waste act K.S.A. 65-3401 et seq. clearly gives counties the authority to levy a recycling fee. (See attachment 7) Questions and discussion followed.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 423-S of the Capitol
at 3:30 p.m. on February 3, 2000.

The Chairperson welcomed Phil Wittek, Environmental Department Director Johnson County, Kansas, to the committee. On behalf of the Board of County Commissioners and the Johnson County Environmental Department, he opposes the bill. He believes that state mandated recycling goals are not necessary and is a local issue. This bill imposes an unfunded mandate requiring annual reporting to the legislature and the KDHE secretary. This will have a definite financial impact. The Johnson County Environmental Department does not have the resources or data available to create such a report. As an alternative he suggests a recommendation to continue to encourage the local Solid Waste Planning Committees to consider goals and consider recycling and recovery analysis through the updates in the State's Solid Waste Management Plan. He is for recycling but against mandates (See attachment 8)

Bill Bider, Director, Bureau of Waste Management, KDHE, was welcomed to the committee. He provided testimony in opposition to the bill. He believes this bill would establish statewide recycling goals for counties with a population of greater than 80,000 (Johnson, Sedgwick, Wyandotte, Shawnee, and Douglas) and require all counties to report their recycling activities to KDHE each year. The second major provision of the bill requires counties to report their recycling quantities to KDHE each year by February 1, KDHE is supportive of this provision because it is important for Kansas, as a whole, to monitor and estimate statewide waste reduction practices. However, for this provision to be workable, he listed several changes to the proposal which would be necessary. (See attachment 9)

Richard V. Eckert, County Counselor, Shawnee County, appeared before the committee in opposition to the bill, at the request of Shawnee County Commissioner Ted Ensley, who was unable to be here due to illness. The first change in the bill is a requirement that any county with a population of over 80,000 must adopt goals to recycle at least 20% of solid waste generated in 2002, at least 25% in 2003, and 30% in 2004. He noted that there is no provision of financing by the state to help the counties approach these goals. He believes at this point there is no pressing problem in Shawnee County concerning solid waste. The local control by Shawnee County of the landfill is working fine and it is not understood why such a restrictive and unfunded bill is being put forth. (See attachment 10) Questions and discussion followed.

Chairperson Freeborn thanked conferees for appearing today and closed the hearing on **HB2751**.

The meeting adjourned at 5:05 p.m. The next meeting is scheduled for February 8, 2000.