

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 9, 2000 in 245-N of the Capitol.

All members were present except: Senator Vratil who was excused.

Committee staff present:

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

Conferees appearing before the committee:

Bill Bider, Kansas Department Health and Environment, (KDHE)
Representative JoAnn Freeborn
Randy Allen, Kansas Association of Counties
Rick Brown, Harvey County
Jack Bruner, Marian County Commissioner
Jim Kaup, Counsel, for Marian County
John Bottenberg, D. Sean White, Deffenbaugh Industries, Inc.
Dan Harden, Riley County Public Works
Woody Moses, Kansas Aggregate Producers Assn
Charlie Sedlock, N. R. Hamm, Perry, KS

Others attending:

See attached list.

With a motion from Senator Stephens and a second by Senator Morris the minutes of March 7 were adopted as written.

Chairperson Corbin opened the hearing on **HB 2860**—Utilization of solid waste management fund.

Bill Bider, Kansas Department of Health and Environment, said the bill was drafted by KDHE to make several necessary changes in the sections of the solid waste law related to the payment of landfill tipping fees and how the collected fees are used. All of the changes fall into five areas which are listed and explained in his testimony (Attachment 1).

Representative JoAnn Freeborn supported the bill because it provides for some uses for the solid waste management fund that would provide for some innovative waste processing technologies. She also requested the committee consider amending, **HB 2831**—Solid waste collection and disposal; service reinstatement fee, into **HB 2860**. She responded to several questions.

Randy Allen, Executive Direct, Kansas Association of Counties, testified they particularly liked the language in Section 1 (b) of the bill, which would broaden the use of solid waste competitive grant funds to include innovative waste processing technologies. He also liked the flexibility it provided to KDHE to award grants for worthy projects (Attachment 2).

Rick Brown, Harvey County, KS, supported the bill as it would allow counties, cities, and private organizations to further their waste reduction programs in the state both financially and with cooperation of KDHE (Attachment 3).

Jack Bruner, Marion County Commissioner and Jim Kaup, Counsel, Marion County, said they did not have a position on **HB 2860**, but they asked the committee to consider accepting their amendments to K.S.A. 65-3410, which were approved and amended into **HB 2831**. A copy of **HB 2831** as amended was attached to their testimony (Attachment 4).

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

Representative JoAnn Freeborn responded to several questions as to why **HB 2831** was not worked on the House side.

John Bottenberg, representing Deffenbaugh Industries, Inc., presented testimony signed by D. Sean White opposing the bill. He urged the committee to reconsider increased spending from the Solid Waste Fund for grants; strengthen grant eligibility criteria; efforts to minimize or eliminate fraudulent misuse of grant funds; and opposed increased spending from the solid waste fund to cleanup problems caused by illegal dump operators - the responsible parties should be made to pay ([Attachment 5](#))

Conferees responded to questions concerning the units of recycling being done in Kansas, also regarding grants being made to counties that are transferring their waste to Oklahoma.

The hearing on **HB 2860** was closed.

The hearing was opened on **HB 2861** regarding the waste tire program.

Bill Bider, Kansas Department of Health and Environment, said they drafted the bill to update the waste tire statutes with respect to certain obsolete grant provisions; clarify KDHE's regulatory authority relating to the accumulations of tires on rims; and confirm that KDHE can use the waste tire management fund to directly contract for the disposal of waste tires collected through county-coordinated amnesty collection programs ([Attachment 6](#)).

Dan Harden, Riley County engineer, supported the bill as it would address the matter of cleaning up waste tire accumulations ([Attachment 7](#)).

Charlie Sedlock, Hamm Waste Management, Perry, KS, said the legislation would improve the laws governing the management of waste tires ([Attachment 8](#)).

KDHE responding to questions regarding the use of cut tires in landfills, said they are already used and they were not really in favor of the donut cut or two part cut as purposed by one of the conferees. Charlie Sedlock, Hamm Waste Management, Perry, Kansas, said they have discussed this amendment with KDHE and they probably were more in favor of current law which requires the tires to be cut in smaller pieces.

The hearing was closed on **HB 2861**.

The meeting adjourned at 9:00 a.m. The next scheduled meeting will be on Monday, March 13, 2000.