Approved: March 26, 2002
Date

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT.

The meeting was called to order by Chairperson Joann Freeborn at 3:30 p.m. on March 7, 2002 in Room 231-N of the Capitol.

All members were present except:

Committee staff present: Emalene Correll, Kansas Legislative Research Department

Raney Gilliland, Kansas Legislative Research Department

Mary Torrence, Revisor of Statute's Office Mary Ann Graham, Committee Secretary

Conferees appearing before the committee:

Others attending: See Attached Sheet

Chairperson Joann Freeborn called the meeting to order at 3:30 p.m. She announced that the hearing on **HB2881** had been cancelled but is opening the bill for information and discussion. If the persons who requested the bill, are still wanting a hearing after hearing the information and the discussion today, she will consider rescheduling a hearing at a later date.

Raney Gilliland, of the Legislative Research Department, distributed information concerning <u>HB2881</u> and reviewed the background of the bill. It was requested by a member of the Joint Administrative Rules and Regulations Committee. He distributed copies of the rules and regulations of the State Fire Marshall. (See attachment 1) Discussion followed.

Written only testimony in opposition to the bill was submitted by Mary Jane Stattelman on behalf of the Kansas Agribusiness Retailers Association (KARA). They are unclear as to the intent of the bill and whether it would duplicate or increase the already substantial amount of regulation that their members cope with when dealing with hazardous materials. (See attachment 2)

Written only testimony in opposition to the bill was submitted by Michael D. Selves, Director, Kansas Emergency Management Association (KEMA), Johnson County. KEMA represents the Emergency Management Coordinators/Directors in 86 of Kansas's 105 Counties and are very concerned about the encroachment on the ability of local jurisdictions to respond to HAZMAT incidents which this bill represents. (See attachment 3)

The Chairperson opened **SB264** for discussion and possible action.

SB264: Concerning the equus beds groundwater management district no. 2; relating to the powers, duties and operation of the district.

Rep. Sharon Schwartz was recognized. She stated she wanted to amend <u>SB264</u> with provisions relating to <u>HB2710</u>. She asked Rep. Freeborn if there would be any other vehicle. Rep. Freeborn said that due to requests from committee members regarding issues in <u>HB2710</u> she would attempt to provide a Wildlife and Parks bill as a vehicle. This would be done on March 14, 2002 when the Wildlife and Parks bills are worked. Rep. Schwartz then said she would wait until the committee worked <u>SB504</u>, <u>SB431</u>, and <u>SB430</u>.

Rep. Tom Sloan made a motion to adopt **House Substitute for SB264**. Rep. Becky Hutchins seconded the motion. Motion carried.

Rep. Bill Light made a motion to strike "Kansas Water Authority" on page 2, section 1, sub-section (E). Rep. Dennis McKinney seconded the motion. Motion carried. 8 yeas 7 nays.

Rep. Sharon Schwartz made a motion to change "\$1.00 per acre-foot" to "90 cents per acre-foot", page 2, Section 1, sub-section (D). Rep. Bill Light seconded the motion. Motion carried. 8 yeas 7 nays.

Rep. Tom Sloan made a motion to strike "except for domestic use", page 1, section 1, lines 4&5, and on page

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT, Room 231-N of the Capitol at 3:30 p.m. on March 7, 2002.

2, lines 1,4,6, and 8, changed "groundwater withdrawn" to "such groundwater". Rep. Becky Hutchins seconded the motion. Motion carried.

Rep. Tom Sloan made a motion **House Substitute for SB264** be passed favorably as amended. Rep. Becky Hutchins seconded the motion. Motion carried. Rep. Joann Freeborn will carry the bill on the House Floor.

Written only testimony was submitted by Brad Franz, President, Equus Beds Groundwater Management District No. 2, in opposition to the substitute bill. The Board of Directors believe the proposed <u>House Substitute for SB264</u> does not reflect the interim committee's recommendation. By placing a cap on water assessments for water used within the District, but no cap on assessments for water used outside the District, the legislation unfairly and inappropriately places the financing of the District's activities on a minority of users. Those users are primarily the Cities of Newton, McPherson and Wichita. The three cities use about 10 percent of the total water appropriated in the District. (See attachment 4)

The meeting adjourned at 4:25 p.m. The next meeting is scheduled for Tuesday, March 12, 2002.