

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Ralph Ostmeyer at 8:30 a.m. on Friday, March 16, 2012, in Room 159-S of the Capitol.

All members were present except:

Senator Steve Morris, excused
Senator Garrett Love, excused

Committee staff present:

Tamera Lawrence, Office of the Revisor of Statutes
David Wiese, Office of the Revisor of Statutes
Heather O'Hara, Kansas Legislative Research Department
Abigail Boudewyns, Kansas Legislative Research Department
Stephanie Gray, Committee Assistant

Conferees appearing before the Committee:

J. Ronald Vignery, Attorney, Goodland, KS
Ron Schilling, Goodland, KS
John Mitchell, Director, Div. Of Environment, Ks. Dept. of Health & Environment (KDHE)
Nathan Eberline, Kansas Association of Counties

Others attending:

See attached list.

Chairman Ostmeyer opened the meeting on **SB 405 -existing private wastewater systems**.

David Wiese, revisor, gave an explanation on the bill and the proposed balloon amendment. (Attachment 1)

Ron Schilling from Goodland, Kansas, spoke as a proponent for the **SB405**. He described his April situation with a plugged toilet line to the cesspool. KDHE was alerted, and he hired an attorney to insure that the counties and KDHE follow the previous grandfather agreements made in 1992. (Attachment 2)

J. Ron Vignery gave supportive testimony in behalf of Ron Schilling. He explained the conflict between KDHE & the county protection group. He explained that the situation was a repair, not a failed system which required replacement. He has tried to negotiate with conflicting parties without success.

John Mitchell, KDHE, gave neutral testimony for **SB405** about the history of KDHE experience with cesspool legislation. He gave an explanation of health issues with contaminated water from cesspools, seepage pits, graywater disposal, etc. (Attachment 3)

Discussion from the Committee followed.

CONTINUATION SHEET

Minutes of the Senate Natural Resources Committee at 8:30 a.m. on Friday, March 16, 2012, in Room 159-S of the Capitol.

Nathan Eberline, Ks. Association of Counties, gave opposing testimony to **SB405**. He felt that the conflict could be resolved better between the two opposing parties. He did not support a change in any local sanitary codes for **SB405**. (Attachment 4) KAC opposes the mandate to alter local sanitary codes, along with the time and expense that would accompany such a change.

Questions and discussion from the Committee followed.

Senator Bruce moved to add the proposed balloon amendment to **SB405** with "allowed by county ordinance" line 4, Senator Francisco seconded. Motion carried.

Senator Teichman moved to pass out **SB405** favorably as amended, Senator Bruce seconded. Motion carried, with Senator McGinn voting no.

Discussion from the Committee followed.

Senator Teichman moved to approve the minutes for March 2, 8 & 9; Senator Francisco seconded. Motion carried.

Senator Taddiken moved to re-move **HB2295** from the table; Senator Abrams seconded. Motion failed.

Vote count: Favor 4-Abrams, Taddiken, Ostmeyer, Bruce. Opposed 5-Schmidt, Francisco, McGinn, Teichman, Pilcher-Cook.

The meeting was adjourned at 9:30 a.m.