

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:07 a.m. on March 7, 2001 in Room 526-S of the Capitol.

All members were present except: Rep. Ward Loyd
 Rep. Ray Merrick

Committee staff present: Lynne Holt, Legislative Research
 Mary Torrence, Revisor of Statutes
 Jo Cook, Committee Secretary

Conferees appearing before the committee: Leo Haynos, Kansas Corporation Commission
 Terry Adamson, BP
 Tom Shimon, Kansas One Call
 Terry Knight
 Dean Carlson, Kansas Department of Transportation
 Kim Gulley, League of Kansas Municipalities
 Robert Krehbiel, Kansas Independent Oil and Gas Assn.
 Jon Callen, Edmiston Oil Co.

Others attending: See Attached List

HB 2521 - Kansas underground utility damage prevention act revision

Leo Haynos, Chief of Pipelines Safety for the Kansas Corporation Commission, addressed the committee on **HB 2521 (Attachment 1)**. Mr. Haynos explained that the provisions in this bill were originally proposed by the Underground Utility Damage Prevention Task Force. He also included recommendations for changes that would more clearly define the intent of the proposed language.

Terry Adamson; Health, Safety & Environmental Regulatory Affairs Manager for BP; spoke in support of **HB 2521 (Attachment 2)**. Mr. Adamson, who served on the Task Force as a subcommittee chairman, stated that this bill supports BP's goal of causing 'no accidents, no harm to people and no harm to the environment'.

Tom Shimon, Executive Director of Kansas One-Call System, appeared in support of **HB 2521 (Attachment 3)**. Mr. Shimon stated that the primary objective of Kansas One-Call is to promote damage prevention for all of the underground infrastructure serving the citizens and businesses of Kansas and the safety of those who perform excavation duties. He also requested a few minor language changes.

Terry Knight, a private contractor, testified in support of **HB 2521 (Attachment 4)**. Mr. Knight requested that the definition of 'damage' be expanded.

Dean Carlson, Secretary of the Kansas Department of Transportation, appeared to express concerns and objections to **HB 2521 (Attachment 5)**. Secretary Carlson explained that any digging on Department of Transportation property by an outside entity can only be done through the Department's permit process and requested that the Department be exempted from the requirements of the bill.

Kim Gulley, Director of Policy Development & Communications for the League of Kansas Municipalities, spoke to the committee in opposition to **HB 2521 (Attachment 6)**. Ms. Gulley expressed concern about the unfunded mandate that all water and sewer systems participate as members of the one-call notification center. The league supports voluntary participation in One-Call and encourages development of positive incentives for cities to join.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES, Room 526-S - Statehouse, at 9:07 a.m. on March 7, 2001.

Robert Krehbiel, Executive Vice-President for the Kansas Independent Oil and Gas Association (KIOGA), testified in opposition to **HB 2521** (Attachment 7). Mr. Krehbiel told the committee that the Association membership was opposed to the inclusion of oil and gas producers in the Act.

Jon Callen, President of Edmiston Oil Company, also testified on behalf of KIOGA and in opposition to **HB 2521** (Attachment 8). Mr. Callen addressed several reasons why oil and gas producers should be excluded from this legislation.

Written testimony in support of **HB 2521** was provided by Mike Murray, Director of Governmental and Public Affairs for Sprint (Attachment 9).

The conferees responded to questions from the committee. Additionally, Kansas One-Call's General Manager Dawn Jester, responded to questions.

Chairman Holmes announced that this bill would be worked next week then closed the hearing on **HB 2521**.

Meeting adjourned at 10:41 a.m.

Next meeting is Thursday, March 8, 2001.