

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairperson Robert Tyson at 8:00 a.m. on February 16, 2001 in Room 423-S of the Capitol.

All members were present except:     Senator Downey - excused  
  Senator Oleen - excused  
  Senator Umbarger - excused

Committee staff present:     Raney Gilliland, Legislative Research Department  
  Jill Wolters, Office of Revisor of Statutes  
  Judy Krase, Committee Secretary

Conferees appearing before the committee:  
  Tom Palace, Petroleum Marketers  
  Senator Tim Huelskamp  
  Steven Hansen, Groundwater Management District No. 3  
  Mike Beam, Kansas Livestock Association  
  Bill Fuller, Kansas Farm Bureau  
  Woody Moses, Kansas Aggregate Producers' Association  
  David Pope, Chief Engineer, Division of Water Resources,  
  Department of Agriculture

Others attending:     See attached list

This meeting was called to order at 8:00, recessed at 9:30, then reconvened at 11:00.

Senator Tyson opened the meeting with a continuation of the hearing on **SB 183** concerning the Kansas Storage Tank Act.

Conferee Tom Palace, representing Petroleum Marketers, continued with his testimony (Attachment 3, February 15). Questions and discussion followed.

Senator Tyson declared the hearing on **SB 183** closed.

Senator Tyson opened the hearing on **SB 237** concerning groundwater right holders.

Staff of Legislative Research explained the bill. Raney Gilliland said the bill before the committee would be new law and would be supplemental to and part of the Kansas Water Appropriation Act. He stated that one definition is particularly important in **SB 237**. This was the definition of "base average usage" on line 16 which is critical in understanding the concept of the bill. He said the bill allows the holder of the water right to establish a flexible account where the water holder may deposit in advance, water from that water right.

The first conferee on **SB 237** was Senator Huelskamp who was the sponsor of the bill (Attachment 1). Questions and discussion followed.

The second conferee and proponent was Steven Hansen, GMD No. 3 (Attachment 2). Questions and discussion followed his testimony.

The third conferee and proponent was Mike Beam, Kansas Livestock Association (Attachment 3).

The fourth conferee and proponent was Bill Fuller, Kansas Farm Bureau (Attachment 4).

The fifth conferee and proponent was Woody Moses, Kansas Aggregate Producers' Association. He submitted

no written testimony.

The sixth conferee, who was neutral, was David Pope, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (Attachment 5). Mr. Pope stated that the term permits issued under the bill would not alter the underlying water rights. Thus, once the term permit expired, the user could resume using the full amount of the right. Questions and discussion followed.

Justin Hamlin, Southwest Kansas Irrigation Association, a proponent of the bill, submitted written testimony only (Attachment 6).

Senator Tyson declared the hearing closed.

The meeting recessed at 9:30 a.m.

Senator Tyson reconvened the meeting at 11:00 a.m. He said the Committee would try to work three bills which were **SB 254**, **SB 183** and **SB 237**.

**SB 254** - Jill Wolters, Office of Revisor of Statutes, explained the balloon that was presented to the Committee (Attachment 7).

Senator Schmidt moved to add K.S.A. 2000 Supp. 2-3708 and further amend such statute to limit pesticide dealers who pay only \$5 to corrective action costs of less than or equal to \$10,000, seconded by Senator Taddiken. The amendment passed.

Senator Lee moved to clarify that corrective action costs be limited to those who have paid; limit one site to \$200,000 reimbursement in a 5 year period; and clarify the reimbursement would be per site, not release, seconded by Senator Corbin. The amendment passed.

Senator Corbin moved that **SB 254** be passed as amended, seconded by Senator Lee. The bill passed as amended.

**SB 183** - Senator Lee moved that **SB 183** be passed favorably, seconded by Senator Schmidt. The motion carried.

**SB 237** - Senator Corbin moved that **SB 237** be passed favorably, seconded by Senator Taddiken. The motion carried.

Senator Tyson reminded everyone of the Monday morning, February 19 meeting to work **SB 264**. He also announced there would be a subcommittee meeting on **SB 204** Wednesday, February 21 at 7:30 a.m. in Room 527-S. The meeting adjourned.

The next meeting is scheduled for Monday, February 19 at 8:30 a.m.