

MINUTES OF THE SENATE NATURAL RESOURCES

The meeting was called to order by Vice Chairman Ralph Ostmeyer at 8:30 a.m. on March 3, 2006, in Room 423-S of the Capitol.

All members were present except:

Chairman Carolyn McGinn - excused

Senator Ruth Teichman - excused

Committee staff present:

Raney Gilliland, Kansas Legislative Research

Emalene Correll, Kansas Legislative Research

Lisa Montgomery, Office of Revisor of Statutes

Judy Seitz, Substitute Committee Secretary

Conferees appearing before the committee:

Representative Robert Olson

Eric Arner, Water District #1, Johnson County

Tom Day, Kansas Corporation Commission

Others attending:

See attached list.

Hearings were opened on **HB 2716, Granting of easement for diversion works on Kansas River for water District Number 1 of Johnson County.**

Raney Gilliland, Kansas Legislative Research, reviewed the bill. He said Johnson County does have a water right for water from the Kansas River to supply its customers primarily in Johnson County, Kansas. He said the bill has a legal description of the property to which the easement would apply. Mr. Gilliland also noted on page 2, line 12 and 13, there is a provision that Johnson County, Kansas, would assume full responsibility for any costs arising from this bill. Mr. Gilliland stood for questions.

Representative Robert Olson testified as a proponent for **HB 2716 (Attachment 1)**. He said the granting of an easement to Water District Number One of Johnson County is needed for construction of a diversion works on the Kansas River. There was a breach of the rocky jetty in March 2004. He also said it is necessary to enable Water One to construct a more permanent structure to protect its access to raw water and meet the demands of more than 380,000 residents in Johnson County.

Eric Arner, Water District #1 of Johnson County, testified in support of **HB 2716 (Attachment 2)**. He said that Water One receives one-third of its water supply from the Kansas River. He also noted that there are photographs attached to the written testimony and showed several enlarged photographs to illustrate the need for the proposed weir. Water District No. 1 of Johnson County is not a part of Johnson County government and is a separate governmental entity.

Representative Olson and Mr. Arner stood for questions.

Hearings on **HB 2716** were closed.

Vice Chairman Ostmeyer opened the hearing on **HB 2757, requiring notification of oil and gas spills to landowners.**

Mr. Gilliland reviewed **HB 2757**. He said this bill would require the Kansas Corporation Commission (KCC) to adopt rules and regulations requiring operators of oil and gas wells to notify landowners or the representatives of landowners of a spill which also is required to be reported to the Commission.

Tom Day, Kansas Corporation Commission, offered testimony in support of **HB 2757 (Attachment 3)**. He gave background information on the regulatory definition of a spill, graphs showing the number of spills (200 in 2005) and a description of how the KCC regulations are being developed. The House Committee on Environment amended the bill to notify the landowners or representatives of the landowners. This change

CONTINUATION SHEET

MINUTES OF THE Senate Natural Resources Committee Mr. Gilliland at 8:30 a.m. on March 3, 2006, in Room 423-S of the Capitol.

was made because there may be land which has been inherited and there are many owners spread out over the country.

The hearing on **HB 2757** was closed.

A motion was made by Senator Bruce to recommend **HB 2757** be passed, seconded by Senator Pyle. There was no discussion, and the motion carried.

Discussion continued on **HB 2716**. Action on this bill will be held over until next week.

The meeting was adjourned at 9:07 a.m.