

MINUTES OF THE HOUSE ENVIRONMENT COMMITTEE

The meeting was called to order by Chairperson Joann Freeborn at 3:30 P.M. on January 31, 2006 in Room 231-N of the Capitol.

All members were present except:

Representative Vaughn Flora- excused

Committee staff present:

Raney Gilliland, Legislative Research Department
Emalene Correll, Legislative Research Department
Lisa Montgomery, Revisor of Statutes Office
Pam Shaffer, Committee Secretary

Conferees appearing before the committee:

Lane Letourneau, Department of Agriculture, Division of Water
Kent Weatherby, General Counsel for the Kansas River Water District No. 1
Greg Wilson, Consultant for Marais des Cygne River Water Assurance District No. 2
Fred Rogge, General Manager, Cottonwood/Neosho River Basins Water Assurance District No. 3

Others attending:

See attached list.

Chairperson Freeborn requested everyone to please sign the guest list being passed around. She announced the agenda for Thursday, February 2 would be bill requests, a review on research and extension programs by Fred A Cholik, Dean of Agriculture, Kansas State University, and a hearing on **HCR5029 - Congress urged to ban MTBE in gasoline by January 2, 2010.**

Chairperson Freeborn also announced that at this time there is no plans to pass **HCR5028 - Concurrent Resolution encouraging KTA to require service area operators to offer fuels containing ethanol and biodiesel** out of committee.

Everyone has the following handouts in front of them: 1) A letter from C. Edward Peterson of the Mid America Regional Council (MARC) regarding the legislative proposal that would require all gas sold in the state of Kansas contain 10% ethanol by the 2010. (See attachment 1) 2) The fiscal note for **HB2683 - Addition to membership of the Kansas water authority** (See attachment 2)

Bill requests were taken, Woody Moses, requested a bill regarding appropriation of water for beneficial use (See attachment 3). Representative Hayzlett moved to introduce the bill, Representative Johnson seconded. Motion carried.

Chairperson Freeborn opened the hearing on **HB2683 - Addition to membership of the Kansas water authority**

Kent Weatherby, General Counsel for the Kansas River Water District No. 1, proponent testified (See attachment 4).

Kent Weatherby read a letter from Carl Nuzman, Chairman, Kansas-Lower Republican Rivers Basin Advisory Committee, proponent. (See attachment 5)

Greg Wilson, Consultant, Board of Directors of the Marais des Cygne River Water Assurance District No. 2, proponent testified. (See attachment 6)

Fred Rogge, General Manager for the Cottonwood/Neosho River Basins Water Assurance District No. 3, proponent testified. (See attachment 7)

Bill Callaway, Clay Center Public Utilities Commission, opponent, a copy of his written testimony was given to each committee member. (See attachment 8)

CONTINUATION SHEET

MINUTES OF THE House Environment Committee at 3:30 P.M. on January 31, 2006 in Room 231-N of the Capitol.

Joe Fund, Kansas Water Office, neutral testified (See attachment 9)

Questions and discussion followed the testimony.

Chairperson Freeborn closed the hearing.

Chairperson Freeborn introduced Lane Letourneau, Department of Agriculture, Division of Water who gave a briefing on Senate Bill 364, which the 2004 Legislature passed. This bill required the Kansas Department of Agriculture's Division of Water Resources to work with the Kansas Geological Survey to study and make recommendations on three items: 1) Study water banking as it relates to sand and gravel pits. 2) Calculate the amount of water lost to evaporation and assess its effect on consumptive use, with special emphasis given to salt cedar (tamarisk), a plant that consumes a lot of water. 3) The legislature asked to know more about pollution and flood control impacts of diverting water runoff into sand and gravel pits. This direction from the Legislature came without funding. The agencies involved reallocated funds in current budgets to start the project, but \$66K is needed to complete it, which they will possibly ask for next year. (See attachment 10)

Questions and discussion followed Mr. Letourneau's briefing.

Chairperson Freeborn adjourned the meeting at 4:55. The next scheduled Environment Committee meeting is February 7.