

Approved: Carl D. Holmes
Date 4/29/94

MINUTES OF THE HOUSE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

The meeting was called to order by Chairperson Carl Holmes at 3:30 p.m. on March 16, 1994 in Room 526-S of the Capitol.

All members were present except:

- Representative Lloyd - Excused
- Representative Lawrence - Excused
- Representative Hendrix - Excused
- Representative Shore - Excused
- Representative Gatlin - Excused

Committee staff present:

- Raney Gilliland, Legislative Research Department
- Dennis Hodgins, Legislative Research Department
- Mary Torrence, Revisor of Statutes
- Shirley Wilds, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Chairperson Holmes announced the status of House Concurrent Resolution of 5040, reporting that a copy of the Resolution, with accompanying letter, is now in the process of being mailed to counterparts in the other 49 states. In addition, the Chair has received positive information regarding this Resolution and related events in several of the states proposing their own legislation along the same theme.

The Chair reviewed next week's agenda with the Committee and called their attention to several times and a room change. He emphasized the times are scheduled in an attempt to accommodate the hours they will also be spending in the House Chamber (and in response to legislative deadlines).

Staff provided the Committee information on the status of the Water Plan Fund and a breakdown of expenditures from the resources of the state Water Plan fund.

Action on SB 644:

Representative Mills moved to reinstate the word *gathering* on Page 1, line 34 of **SB 644**. Representative Powers seconded. Motion Carried.

Representative Powers made a motion to pass favorably **SB 644**, as amended. Representative Walker seconded. Motion carried.

Action on SB 611:

Representative Grotewiel presented a proposed amendment to **SB 611**. (See Attachment #1)

Representative Grotewiel moved to adopt his amendment (as in Attachment #1). Representative Alldritt seconded.

Staff reported a technical change to be made on the amendment.

Representative Mills made a substitute motion to reinstate language as is stricken in the proposed amendment and insert on line 16 *but shall*; continuing on subsection (a) of proposed amendment change to "have at least a *low hazard* double check valve assembly as a minimum level of backflow protection; on 16 and 17 strike the wording *equipped with a low hazard backflow prevention device which is*; and eliminate sub-section (b) in its entirety in the proposed amendment. Representative Gatlin seconded.

Representative Powers moved to table **SB 611**. Motion failed due to lack of a second.

Representative Mills made a substitute motion to adopt the amendment to **SB 611**. Motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON ENERGY AND NATURAL RESOURCES, Room 526-S Statehouse, at 3:30 p.m. on March 16, 1994.

Representative Gatlin made a motion to strike on line 14 *non community*. Representative Alldritt seconded. Motion carried.

Representative Alldritt moved to pass **SB 611** favorably, as amended. Representative Mills seconded.

Representative McKinney made a motion, on lines 16 through 19, to strike entire sentence beginning with language, *Such system shall*. Representative Hayzlett seconded. Motion failed.

Representative McClure presented a proposed substitute amendment to **SB 611**. (See Attachment #2)

Representative McClure moved to adopt the substitute amendment to **SB 611**. Representative Grotewiel seconded. Motion failed.

Representative Alldritt's motion to pass **SB 611** favorably, as amended. Motion passed.

Upon completion of its business, the meeting adjourned at 5:00 p.m.

The next meeting is scheduled for March 17, 1994.



Date: 3/16/94

[illegible]

SENATE BILL No. 611

By Senators Praeger, Frahm, Oleen and Sallee

1-26

8 AN ACT relating to water pollution; concerning lawn irrigation
9 systems.

10

11 *Be it enacted by the Legislature of the State of Kansas:*

12 Section 1. Any lawn irrigation system which is not used for the
13 application of fertilizers, pesticides or other chemicals shall ~~not be~~
14 ~~deemed to be a high hazard non community water system, and shall~~
15 ~~not be required to be equipped with a high hazard backflow pre-~~
16 ~~vention device. Such system shall be equipped with a low hazard~~
17 ~~backflow prevention device which is subject to testing and rebuilding~~
18 in accordance with rules and regulations adopted by the Kansas
19 department of health and environment.

20 Sec. 2. This act shall take effect and be in force from and after
21 its publication in the statute book.

(a)

Low Hazard
have at least a double check valve assembly as a
minimum level of backflow protection

(b) Any public water supply system operated
by a city, rural water district or other entity
having a publicly-elected governing body may
require lawn irrigation systems connected to the
public water supply system to be equipped with
high-hazard backflow prevention devices.

Eliminate

*Energy & Natural Resources
Catalina
3/16/94*

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1-26

8 AN ACT relating to water pollution; concerning lawn irrigation
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11 *Be it enacted by the Legislature of the State of Kansas:*

12 Section 1. Any lawn irrigation system which is not used for the
13 application of fertilizers, pesticides or other chemicals ~~shall not be~~
14 ~~deemed to be a high-hazard non-community water system, and shall~~
15 not be required to be equipped with a high-hazard backflow pre-
16 vention device. Such system shall be equipped with a low-hazard
17 backflow prevention device which is subject to testing and rebuilding
18 in accordance with rules and regulations adopted by the Kansas
19 department of health and environment.

20 Sec. 2. This act shall take effect and be in force from and after
21 its publication in the statute book.

(a) Except as provided by subsection (b),

(b) Any public water supply system operated by a city, rural water district or other entity having a publicly-elected governing body may require lawn irrigation systems connected to the public water supply system to be equipped with high-hazard backflow prevention devices.

Energy & Natural Resources
Attorney General
3/16/94