

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Carolyn McGinn at 8:30 a.m. on February 12, 2009, in Room 446-N of the Capitol.

All members were present.

Committee staff present:

Jason Thompson, Revisor of Statutes Office
Corey Carnahan, Kansas Legislative Research Department
Raney Gilliland, Kansas Legislative Research Department
Alissa Vogel, Committee Assistant

Conferees appearing before the committee:

Ken Corbet, Owner, Ravenwood Lodge; Vice President, Kansas Sport Hunting Association
Steve Swaffar, Director of Natural Resources, Kansas Farm Bureau
Wes Traul, Guiding Outfitter, Farmer and Rancher
Cindy Kemper, Director, Johnson County Environmental Department
John Bottenberg, Deffenbaugh Industries (written only)
Melissa Wangemann, General Counsel, Kansas Association of Counties (written only)
Bill Bider, Director for the Bureau of Waste Management, Kansas Department of Health and Environment
Steve Kearny, Waste Management

Others attending:

See attached list.

The meeting began with the continued hearing on **SB 189**, creating an outfitter license. Senator McGinn introduced Ken Corbet, Owner of Ravenwood Lodge and Vice President of the Kansas Sport Hunting Association. Mr. Corbet stood in opposition to **SB 189** and provided Committee members with a brief explanation. (Attachment 1) He stated that **SB 189** would hurt agri-tourism and provide no additional economic benefit. Outfitter licensing requirements were abandoned four years ago, due to the unfairness to newcomers, landowners, ranchers, farmers and the liability it placed on the Department of Wildlife and Parks. **SB 189** would limit people from entering the outfitter business and be detrimental to small businesses.

He stood for questions.

Steve Swaffar, Director of Natural Resources from the Kansas Farm Bureau (KFB), stood in opposition to **SB 189**. (Attachment 2) He stated that the KFB is not opposed to the creation of an outfitter license, but it is opposed to language that only provides an exemption to a landowner from licensing exclusively on owned land. Many KFB members are farmers who lease ground for agricultural purposes and are given hunting rights to the property. If required to obtain a license, many farmers would close acres to hunting, favoring commercial hunting operations. He suggested adding the language “or leased for agricultural purposes” in line 26, after the word “owned.” The additional language would provide an exemption to farm operators who lease property for agricultural purposes, so that they would not have to obtain an outfitter license.

He stood for questions.

Wes Traul, a guiding outfitter, farmer and rancher, stood opposed to **SB 189**. (Attachment 3) He is strongly opposed for the following reasons: **SB 189** is an effort by The Kansas Outfitters Association to gain protectionist legislation by forcing farmers and ranchers out of the market, it will create a costly and burdensome licensing process for agricultural operators, the bill only concerns monetary requirements and no safety standards, it creates no economic benefit for the state and may drive possible clients and dollars away from the State of Kansas.

He stood for questions.

CONTINUATION SHEET

Minutes of the Senate Natural Resources Committee at 8:30 a.m. on February 12, 2009, in Room 446-N of the Capitol.

The hearing was closed on **SB 189**, and the hearing opened on **SB 183**.

Cindy Kemper, Director of the Johnson County Environmental Department, stood as a proponent to **SB 183**. (Attachment 4) She stated that **SB 183** would benefit Kansas counties and allow them to raise revenue to resolve local solid waste issues. K.S.A. 65-3410 already authorizes county commissions to assess a fee on residents and businesses, in order to provide an adequate solid waste management system. However, the statute does not specify that fees may be used to implement county solid waste management plans. **SB 183** would clarify language to cover plan implementation to address local solid waste needs.

She stood for questions.

Bill Bider, Director of the Bureau of Waste Management from the Kansas Department of Health and Environment (KDHE), stood as a proponent to **SB 183**. (Attachment 5) **SB 183** will help counties and regional solid waste planning authorities improve waste management, by giving the authority for counties to implement ordinances and regulations identified in solid waste plans. He stated that **SB 183** clarifies where revenue collected by fees may be used including: preparation of feasibility studies, solid waste plan updates and public education related to waste management.

He stood for questions.

John Bottenberg, representing Deffenbaugh Industries, provided written testimony in support of **SB 183**. (Attachment 6)

Melissa Wangemann, General Counsel of the Kansas Association of Counties, provided written testimony in support of **SB 183**. (Attachment 7)

The hearing was closed on **SB 183**, and opened the hearing on **SB 214**.

Steve Kearny, representing Waste Management, stood as a proponent to **SB 214**. (Attachment 8) He stated that Waste Management requested **SB 214** to allow the State of Kansas and stakeholders to determine the extent to which compact fluorescent lamps (CFLs) and medical sharps are present in the environment and the safety issue in their disposal and handling. The study will help determine if any action is needed to protect the public and the environment of Kansas. **SB 214** would make the study items a priority at KDHE, requiring them to report back to the 2010 Legislature.

Mr. Kearny expressed concerns regarding the language of the bill that points toward the creation of a ban on CFLs and medical sharps following the report. Waste Management wishes to wait for the results of the study before requesting any regulatory action. He suggested striking language in lines 25 through 26 and in lines 35 through 37.

He stood for questions.

Bill Bider, Director of the Bureau of Waste Management for KDHE, stood as neutral on **SB 214**. (Attachment 9) KDHE agrees that CFLs and medical sharps are important to the waste stream and risks need to be addressed. He stated that CFLs are not considered to be hazardous waste, and KDHE is uncertain as to the best management approach.

KDHE offered the following modifications to the task force study: identification of alternative regulatory approaches and costs for implementing each approach, evaluation of mandatory versus voluntary collection programs, use of a cost-benefit analysis and the consideration of "enforcement" in regard to mandatory household disposal. KDHE recommends the task force submit its work to KDHE, who would then submit the report to the Legislature, including possible legislation to implement a collection program. Mr. Bider stated that an additional person will need to be hired to complete this study, requiring a modification to the Solid Waste Program.

He stood for questions.

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A motion was made by Senator Francisco to approve the minutes of January 30, 2009. Senator Morris seconded the motion, and the motion carried.

The next meeting is scheduled for February 12, 2009.

The meeting was adjourned at 9:30 a.m.