

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Carolyn McGinn at 8:30 a.m. on February 13, 2009, in Room 446-N of the Capitol.

All members were present except:

Senator Steve Morris- excused

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

Others attending:

See attached list.

The meeting began with a discussion of **SB 64 - Water appropriation act amendments**. Senator McGinn requested that the Committee reach a consensus on whether “voluntary” should remain stricken in the language of **SB 64**.

Senator Taddiken moved to amend **SB 64** and reinsert the word “voluntary” in the language. Senator Abrams seconded the motion. Discussion was held on the proposed amendment. Senator Francisco suggested an alternative that would modify the language in line 13 to include “only voluntary disposal.” Senator Bruce stated that “voluntary” needs to be stricken, because land can and has been taken involuntarily. Senator Taddiken and Senator Abrams withdrew the motion to reinsert the word “voluntary.”

Senator McGinn suggested keeping the language “a new” in line 16, which would clarify the language, allowing for lines 26 through 28 to be removed. The Committee agreed to leave the language “a new” in line 16 of **SB 64**. Discussion was held on the language contained in lines 26 through 28. Senator Francisco suggested removing the new language contained in lines 26 through 28, leaving the original language in the statute and referring the matter to the interim committee.

Discussion was held on the meaning of the word “priority” contained in line 29. Senator Taddiken moved to change the language in line 29 by replacing “priority” with “date of priority.” Senator Teichman seconded the motion. After discussion, the motion carried.

Senator Lee requested that the proposed amendment to **SB 64** be approved. This amendment would require evidence of legal access to or control of the point of diversion and place of use from the landowner, or the landowner’s authorized representative. The amendment to **SB 64** is similar to the amendment proposed in **SB 65**, but would require the same procedure to be carried out earlier in the process.

Senator Lee moved to approve the amendment to **SB 64**, which would modify K.S.A 82a-709. Senator Teichman seconded the motion. After discussion, the motion carried.

Senator Francisco moved to amend the **SB 64** amendment, by replacing the word “an” with “a new” in K.S.A. 82a-709. Senator Bruce seconded the motion. After discussion, the motion carried.

Senator Teichman moved to recommend **SB 64** favorable for passage as amended. Senator Lee seconded the motion, and the motion carried.

Discussion was held on **SB 183 - Solid waste management plans**. **SB 183** would give city or county governments the authority to implement an approved solid waste management plan using existing fees and adopt regulations necessary to implement the solid waste management plan.

Senator Teichman moved to recommend **SB 183** favorable for passage. Senator Francisco seconded the motion, and the motion carried.

Discussion was held on **SB 214 - Requiring the Secretary of Health and Environment to convene a task force to study disposal of fluorescent lamps and medical sharps**. Committee members discussed

## CONTINUATION SHEET

Minutes of the Senate Natural Resources Committee at 8:30 a.m. on February 13, 2009, in Room 446-N of the Capitol.

the necessity of **SB 214** and whether action should be taken at this time.

Senator Lee stated that the Committee needs to consider the burden this study will place on KDHE, given the cuts to funding and the reduction of staff. Senator Francisco requested that, before taking action on **SB 214**, more information should be given to the Committee on how the priorities specified in **SB 214** would balance with other priorities and responsibilities of KDHE.

Steve Kearny, Waste Management, answered questions from Committee members regarding **SB 214**. He explained to the Committee how private industry would benefit from the study of CFLs and medical sharps. **SB 214** is a vehicle to get all industry on the same page.

Senator Francisco asked Mr. Kearny if there was a preference in studying either CFLs or medical sharps. Mr. Kearny stated that there were constituent concerns for both CFLs and medical sharps. KDHE suggested that the study focus on medical sharps. Senator Teichman suggested that the public needs to be educated as to where and how to recycle medical sharps.

KDHE answered questions regarding the regulation of the disposal of CFLs and medical sharps. Senator McGinn stated that as discussion moves forward on **SB 214**, more information is needed on the response KDHE has been giving to citizens regarding the disposal of CFLs and medical sharps.

Senator McGinn informed the Committee that there will not be a meeting next week.

The next meeting is scheduled for February 26, 2009.

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