

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE.

The meeting was called to order by Chairman Senator Robert Tyson at 8:30 a.m. on March 14, 2003 in Room 423-S of the Capitol.

Members present: Senator Schmidt, Senator Downey, Senator Lee, Senator Tyson, Senator Taddiken, Senator Umbarger, Senator Huelskamp, Senator Corbin, Senator Adkins

Committee staff present: Raney Gilliland, Legislative Research
Lisa Montgomery, Revisor of Statutes
Shannon Stone, Secretary

Conferees appearing before the committee:

Gary Blackburn, Bureau of Environmental Remediation, Kansas Department of Health and Environment
Charles Benjamin, Sierra Club
Ray Cheatham, Koch Industries, Incorporated; ARCADIS G & M, Incorporated
Doug Wareham, Kansas Grain and Feed, Kansas Agribusiness Retailers Association
Todd Johnson, Kansas Livestock Association
Mike Taylor, City of Wichita, (written testimony only)
Representative Tom Sloan

Others attending: See attached guest list

Hearing on House Bill 2247

Raney Gilliland presented a brief overview of HB 2247 to the Committee.

Gary Blackburn, Director of the Bureau of Environmental Remediation at KDHE presented testimony in support of the bill. He explained that the purpose of the bill was to “provide a voluntary mechanism to assist existing state cleanup programs to address environmental contamination in a cost effective manner through environmental controls.” The program intent is to restore contaminated property to a condition so that usage of the land would be unrestricted. (Attachment 1)

Charles M. Benjamin, Kansas Sierra Club supported the passage of **HB 2247**. They praised the bill because it did not prevent prospective buyers from purchasing contaminated land. Buyers could purchase land and clean it up and the environmental use control could be removed. (Attachment 2)

Ray Cheatham of Koch Industries, ARCADIS G&M Inc., summarized the history of environmental regulations to help bring clarity to the value of the proposed legislation. On behalf of the organizations he represented, Mr. Cheatham voiced support for **HB 2247**. (Attachment 3)

Kansas Grain and Feed Association (KGFA), Kansas Agribusiness Retailers Association (KARA)

CONTINUATION SHEET

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE at 8:30 a.m. on March 14, 2003 in Room 423-S of the Capitol.

representative, Doug Wareham stated that the bill “codifies the process of enabling contaminated site owners to utilize environmental use controls (EUC) in lieu of cleaning a site to residential standards.” KARA and KGFA supported the bill. (Attachment 4)

Todd Johnson, representative for Kansas Livestock Association provided some background on the issue. Although they felt the original bill was overly broad, they supported the present wording of the bill. (Attachment 5)

Representative Tom Sloan presented an amendment to the bill which would exempt production agriculture from falling under State Historic Preservation Officer jurisdiction if a county requires farmers/ranchers to obtain building and demolition permits. He provided Committee members copies of his amendment. (Attachment 6)

Written Testimony

The Kansas State Historical Society submitted testimony stating that they did not object the proposed amendment as it would have a “negligible effect” upon their operations. (Attachment 7)

Mike Taylor, Government Relations Director for the city of Wichita submitted written testimony supporting **HB 2247**. Calling the bill “a common-sense approach”, he applauded its intent in allowing polluted lands to be put to a useful purpose. (Attachment 8)

Adjournment

Discussion over contamination, liens, and control of land followed testimony.

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