

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairperson Sue Boldra at 3:30pm on Monday, February 16, 2015, 346-S of the Capitol.

All members were present

Committee staff present:

Raney Gilliland, Legislative Research Department
Joanna Wochner, Legislative Research Department
Shirley Jepson, Kansas Legislative Committee Assistant
Natalie Scott, Office of Revisor of Statutes

Conferees appearing before the Committee:

Earl Lewis, Kansas Water Office

Others in attendance:

[See Attached List](#)

Update on: HB2227 — Creating water conservation areas.

Greg Foley, Department of Agriculture, provided a written response to Committee questions regarding **HB2227 (Attachment 1)**. Vice-Chair Boldra asked Committee members to review the information which may be helpful if the bill is worked at a later date.

Discussion & possible action on: HB2156 — Public water supply storage; interest rate change.

Natalie Scott, Revisor, explained that **HB2156** amends the law as it relates to public water supply storage; noting that the bill changes the interest rate to be computed to the average monthly net earnings rate of the pooled money investment board for the preceding calendar year.

Representative Sloan proposed an amendment to **HB2156** explaining that the amendment would amend the language in Section 2, Page 2, lines 6 thru 11 ([Attachment 2](#)). Representative Sloan noted that the amendment would clarify the rate of interest.

*Representative Sloan moved to adopt the balloon amendment to **HB2156** as presented. Motion seconded by Representative Swanson. Motion carried.*

Responding to a question from the Committee, Representative Sloan explained that the interest rate is a variable rate which could change monthly.

Earl Lewis, Kansas Water Office, provided further explanation of the Sloan amendment.

*Representative Sloan moved to recommend **HB2156** as amended favorable for passage. Motion seconded by Representative Dannebohm. Motion carried.*

Discussion & possible action on: HB2069 — Allowing carryover and a change application for

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place of use for multi-year flex accounts.

Natalie Scott, Revisor, provided a brief explanation of **HB2069**, noting that the bill amends the provisions relating to term permits to appropriate water and multi-year flex accounts, explaining that Section 1 allows the chief engineer to approve a change in place of use for a multi-year flex account term permit for irrigation for an increase of up to 10 percent of 10 acres. Section 2 amends current law to allow multi-year flex account participants to reenroll in a new multi-year flex account and carry over any unused quantity of water up to a certain amount.

*Representative Sloan moved to adopt an amendment to **HB2069 (Attachment 3)** . Motion was seconded by Representative Hibbard. Motion carried.*

Representative Sloan noted that the amendment would allow for carry-forward and encourage conservation.

*Representative Sloan moved to recommend **HB2069** as amended favorable for passage and allow for technical corrections as necessary. Motion seconded by Representative Dannebohm. Motion carried on a voice vote.*

Discussion & possible action on: HB2059 — Authorizing chief engineer to allow augmentation to secure water.

Natalie Scott, Revisor, provided a brief review of **HB2059**, explaining that the bill would amend the Kansas Water Appropriation Act to allow augmentation as an additional method to satisfy a senior water right during periods where water is short.

*Representative Lusker moved to amend **HB2059** by limiting the authority to the rattlesnake Creek basin. The motion was seconded by Representative Moxley. Motion failed.*

The Committee voiced some concern with limiting the contents of the bill to the rattlesnake creek basin.

*Representative Sloan offered an amendment to **HB 2059 (Attachment 4)**. Motion was seconded by Representative Thimesh. The motion was withdrawn.*

During discussion, the Committee voiced concern for a section of the amendment on page 2. Representative Sloan agreed to the Committee's wishes to remove language from the amendment on page 2 stating "The chief engineer may seek monetary damages from a person making an unlawful diversion. Such damages include, but are not limited to, increased costs to the department to pursue the unlawful diversion".

*Representative Sloan moved to adopt a balloon amendment to **HB 2059 (Attachment 5)** and remove language in the amendment on page 2, stating "The chief engineer may seek monetary damages from a*

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person making an unlawful diversion. Such damages include, but are not limited to, increased costs to the department to pursue the unlawful diversion." The motion was seconded by Representative Thimesh. Motion carried.

Representative Sloan moved to recommend **HB2059** as amended favorable for passage. Motion seconded by Representative Dannebohm. Motion carried.

Adjournment

The meeting was adjourned at 4:45 pm. The next meeting of the Committee is scheduled for February 17, 2015.