

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairperson Sharon Schwartz at 3:30pm on Thursday, February 11, 2016, 346-S of the Capitol.

All members were present except:

Representative Joe Seiwert – Excused

Committee staff present:

Joanna Dolan, Legislative Research Department

Natalie Scott, Office of Revisor of Statutes

Raney Gilliland, Legislative Research Department

Shirley Jepson, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Representative Adam Lusker

Steven Adams, Natural Resource Coordinator, Department of Wildlife, Parks & Tourism

Lane Letourneau, Department of Agriculture

Jackie McClaskey, Department of Agriculture

Others in attendance:

[See Attached List](#)

Hearing on: HB2547 — Naming the bison herd at mined land wildlife area.

Chair Schwartz opened the hearing on **HB2547**.

Natalie Scott, Revisor, explained the bill ([Attachment 1](#)).

Responding to a question from the Committee, Ms. Scott stated that the bill just names the buffalo herd; not the mined wildlife area where they are contained.

Representative Adam Lusker presented testimony in support of **HB2547** ([Attachment 2](#)) .

Representative Lusker stated that Bob Grant served twenty years in the House of Representatives. He was instrumental in insuring that the buffalo herd in southeast Kansas remained and was taken care of.

Responding to questions from the Committee, Representative Lusker noted that the buffalo herd has been a big attraction in southeast Kansas. Representative Lusker indicated that a sign is currently in place and the bill merely adds former Representative Bob Grant's name to the sign.

Steven Adams, Natural Resource Coordinator, Department of Wildlife, Parks and Tourism, appeared before the Committee and presented testimony in support of **HB2547** ([Attachment 3](#)).

Responding to questions from the Committee, Mr. Adams stated that the Department of Wildlife, Parks and Tourism maintains the wood sign and will be responsible for adding the verbiage to the sign if the

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bill becomes law.

The Committee noted that since the herd is a tourism attraction, it might be worthwhile to replenish the herd as there are two other buffalo herds within the state. Mr. Adams noted that drought conditions in southeast Kansas has had an effect on the herd.

There were no other proponents, neutrals or opponents to appear before the Committee.

The hearing on **HB2547** was closed.

Discussion & action on: HB2547 — Naming the bison herd at mined land wildlife area.

Representative Trimmer moved to recommend HB2547 favorable for passage and move to the consent calendar. Motion was seconded by Representative Carlin. Motion carried on a voice vote.

Discussion & action on: HB2490 — Allowing the secretary of the Kansas department of agriculture to contain chemical toxins and other plant pests for the protection of the public health.

Chair Schwartz opened the discussion on **HB2490**. Natalie Scott, Revisor, explained that the bill amends current law to include a definition of "toxicant" and "plant pests"; allows the secretary of agriculture to contain the spread of plant pests and allows the secretary to quarantine the state or a portion of the state to contain a plant pest for the protection of public health.

Representative Sloan moved to recommend HB2490 favorable for passage. Motion seconded by Representative Victors. Motion carried on a voice vote.

Discussion & action on: HB2491 — Creating a penalty for failure to report annual water use.

Chair Schwartz opened the discussion and possible action on **HB2491**.

Natalie Scott, Revisor, explained that **HB2491** would increase the penalty for the failure to submit an annual water use report to the Department of Agriculture.

Representative Lusker moved to recommend HB2491 favorable for passage. The motion was seconded by Representative Wilson.

Representative Thimesch requested an amendment to **HB2491** that would require water rights users who do not file an annual water use report for three years, in lieu of a fine, the user would be required to install a meter with remote metering. Representative Thimesch felt that this action would be more effective than the fine presently in place.

Responding to a question from the Committee, Lane Letourneau, Department of Agriculture, indicated that the Department currently has a number of electronic meters installed and has the technology to

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read a meters electronically.

Responding to a question from the Committee, Jackie McClaskey, Secretary, Department of Agriculture, noted that it was the Department's understanding that the requirement to install an electronic meter would be enforced after the landowner has failed to file a "use report" three times. Ms. McClaskey indicated that the Department currently tracks the water usage by the water rights owner. Responding to a question regarding the number of violators, Ms. McClaskey indicated it is less than 1 percent of water rights owners.

The Committee had numerous questions about the amendment:

- how it will be enforced;
- who pays the cost of installation of the meter;
- what happens when there is a change of ownership.
- who would pay the annual cost of the meter and the reading of the meter.
- would there be an appeal process.

Representative Trimmer moved to table **HB2491**, appoint a subcommittee to work out a possible balloon amendment and return to the Committee with a report. Motion was seconded by Representative Dierks. Motion carried on a voice vote.

The Chair appointed a Subcommittee of Representative Thimesch, Chairperson; Representative Dierks; Representative Carlin and Representative Rahjes. The Chair requested that the Sub-Committee meet, develop a recommendation and return to the Committee with a report on Tuesday, February 16, 2016.

Adjournment

The meeting was adjourned at 4:30 pm. The next meeting of the Committee is scheduled for Monday, February 15, 2016.