

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairperson Sharon Schwartz at 3:30pm on Monday, March 07, 2016, 346-S of the Capitol.

All members were present

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:

Lane Letourneau, Water Appropriations Program Manager, Department of Agriculture
Kent Askren, Kansas Farm Bureau

Others in attendance:

[See Attached List](#)

Approval of Minutes

Representative Rahjes moved to approved the minutes of February 16, 2016, and February 17, 2016, as written. Motion seconded by Representative Swanson. Motion carried on a voice vote.

Hearing and possible action on: SB337 — Creating a penalty for failure to report annual water use.

Natalie Scott, Revisor, explained that **SB337** increases the penalty for the failure to submit an annual water use report . Ms. Scott explained that **SB337** as written is identical to **HB2491** which had a hearing in this Committee, amended and passed out; however, did not see action on the floor of the House. Ms. Scott noted that the Senate Natural Resources Committee amended the penalty amount in **SB337** to provide that a first time violator would be subject to a \$250 fine and once a person has a violation for 2 or more times, they would be subject to a \$1,000 fine ([Attachment 1](#)) .

Lane Letourneau, Water Appropriations Program Manager, Department of Agriculture, appeared before the Committee in support of **SB337 (Attachment 2)** . Mr. Letourneau explained that **SB337** provides the state the tools necessary to protect private property rights by ensuring that all water use is reported in a timely and accurate manner.

Kent Askren, Kansas Farm Bureau, appeared before the Committee in support of **SB337 (Attachment 3)**. Mr. Askren stated that the legislation provides a reasonable, phased-in penalty when the owner fails to provide water use documentation as required.

CONTINUATION SHEET

MINUTES of the Committee on Agriculture and Natural Resources at 3:30pm on Monday, March 07, 2016 in Room 346-S of the Capitol.

Written testimony in support of **SB337** was received from:

Leslie Kaufman, Kansas Cooperative Council and Ron Seeber, Kansas Grain and Feed Association and Kansas Agribusiness Retailers Association ([Attachment 4](#)).

Sean Miller, on behalf of Western Kansas GMD#1 ([Attachment 5](#)).

Mark Rude, Southwest Kansas Groundwater Management District No. 3 ([Attachment 6](#)) .

Greg Krissek, Kansas Corn Growers Association ([Attachment 7](#))

The hearing on **SB337** was closed.

Discussion & action on: SB337 — Creating a penalty for failure to report annual water use.

Natalie Scott, Revisor, explained the difference between **SB337** and **HB2491**, noting that the Senate bill reduces the penalty for the first year of not reporting water usage.

The Committee voiced concern noting that a tool is necessary in order to enforce water use reporting. It was also noted that the use of telemetry is not addressed in **SB337** as it amended into **HB2491**.

*Representative Sloan moved to suspend the rules and allow the Committee to discuss and take action on **SB337**. Motion seconded by Representative Dierks. Motion carried on a voice vote.*

*Representative Trimmer moved to recommend **SB337** favorable for passage. Motion seconded by Representative Carlin.*

*Representative Sloan moved to insert the language of **HB2491** as amended into **SB337** for **House Substitute for SB337**. Motion seconded by Representative Hibbard. Motion carried on a voice vote.*

*Representative Sloan moved to recommend **H Sub for SB337** favorable for passage. Motion seconded by Representative Trimmer. Motion carried on a voice vote.*

Adjournment

The meeting was adjourned at 3:50 pm. The next meeting of the Committee is scheduled for Tuesday, March 8, 2016.