

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairperson Larry Powell at 8:30 am on Wednesday, February 25, 2015, 159-S of the Capitol.

All members were present except:

Senator Michael O'Donnell – Excused

Senator Ralph Ostmeyer – Excused

Committee staff present:

Heather O'Hara, Legislative Research Department

Toni Beck, Kansas Legislative Committee Assistant

Mark Savoy, Legislative Research Department

Tamera Lawrence, Office of Revisor of Statutes

Conferees appearing before the Committee:

Secretary Jackie McClaskey, Department of Agriculture

Lane Letourneau, Department of Agriculture

Sean Miller, Groundwater District Management #1, #3, #4

Others in attendance:

[See Attached List](#)

Informational Briefing, Department of Agriculture

Chairman Powell requested Secretary Jackie McClaskey to present an overview on Department of Agriculture, Water Conservation Areas for the Committee. Conservation and flexibility are the many issues that Kansans raised during the state wide tour during the interview process the department conducted in 2014. Currently, the law provides tools that allow corrective control measures in addition to strict water right administration. Water Conservation Areas, Department of Agriculture is now requesting the Water Appropriation Act as yet another resource, with less red tape, to reduce barriers for those who want to conserve water. WCA would allow flexibility, and yet the producer must stay within the terms and conditions of limitations for their water right. The main goal of this legislation would be to provide flexibility to anyone who wants to conserve and participate in the water conservation program. ([Attachment 1](#))

Briefing Comments

Sean Miller addressed the Committee in reference to the Department of Agriculture, Water Conservation Acts. He feels there are amendments to the House Bill that should be considered prior to a Senate Bill drafted for consideration in the Senate Natural Resources Committee. His concern is over the WCA concept being short on actual important details for participation in the conservation program. The most notable problem being the groundwater management district and management plan. It is important to note the water usage will affect and impact neighbors to different degrees. ([Attachment 2](#))

Discussion:

HB2227-Creating water conservation areas, was tabled in the House Agriculture Committee.

Voluntary tools versus legislation proved to be an issue in their concerns. Lane Latourneau, Department

CONTINUATION SHEET

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of Agriculture, commented this legislation would not touch property water rights. Instead, the department is asking for voluntary participation of water conservation. The time frame for action would be approximately 5 to 6 years.

There is currently not a Senate Bill for this legislation. A skeletal frame work could be possible for moving forward. A balloon amendment could be a vehicle to adjust concerns for passage. The flexibility would be a junior water right with limited time constraints. To exit the partnership at a later date, a percentage number of participants must be derived for approval, to prevent a stand alone holdout in the program. These issues could possibly be worked out in an amendment, should a bill come to the Senate Natural Resources Committee referencing these agreeable changes and additions.

There being no further business, the meeting was adjourned at 9:00 am.