

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairperson Larry Powell at 8:30am on Thursday, February 18, 2016, 159-S of the Capitol.

All members were present except:

Senator Michael O'Donnell – Excused

Committee staff present:

Tamera Lawrence, Office of Revisor of Statutes
Heather O'Hara, Legislative Research Department
Toni Beck, Kansas Legislative Committee Assistant
Raney Gilliland, Legislative Research Department

Conferees appearing before the Committee:

Ondre Rexford, Citizen Land Owner
Jim Rice, Seward County Commissioner
Jim Carlson, Kansas Natural Resources Coalition
William Brannan, Citizen Land Owner
John Armbrust, Governor's Military Council

Others in attendance:

[See Attached List](#)

Hearing and possible action on: SB425 — Authorizing the board of county commissioners of any county to regulate conservation easements on property located within the county.

Chairman Powell turned the committee's attention to the bill. Tamera Lawrence presented an overview on the bill. There is a statutory clean-up on line 29, that makes no change in the meaning of the law.

Ondre Rexford testified in support of the bill stating his interest is to protect future generations opportunities to manage the resources of the family farm, while still conserving those resources. [\(Attachment 1\)](#)

Jim Rice testified in support of the bill stating this would allow local County Commissions the opportunity to regulate Conservation Easements within their county boundaries, consistent with the Uniform Conservation Easement Act. [\(Attachment 2\)](#)

Jim Carlson testified in support of the bill commenting the bill includes enactment of standards to regulate land use, zoning and establishment of programs to manage solid waste, control noxious plants and address environmental nuisances. [\(Attachment 3\)](#)

Melissa Wangemann presented neutral written only testimony on the bill. It was noted that the legislation allows a county commission to regulate easements, which is generally a private land

CONTINUATION SHEET

MINUTES of the Committee on Natural Resources at 8:30am on Thursday, February 18, 2016 in Room 159-S of the Capitol.

transaction. ([Attachment 4](#))

William Brannan presented testimony in opposition to the bill commenting landowners should continue to have the right to voluntarily grant conservation easements without approval by the county commissioners so they can realize; direct income opportunities through purchased easements, tax relief through donated easements, estate planning benefits, and long-term habitat planning and natural resource conservation. ([Attachment 5](#))

John Armbrust presented testimony in opposition to the bill stating one way to approach the encroachment challenge is through the Army Compatible Use Buffer program. This acquires permanent Conservation Easements through financial protection to volunteer participation by land owners. ([Attachment 6](#))

Discussion:

Unknowing farmers who do not have clarification to realize this contract is perpetual, could stand the legal advice of a reliable source in some cases. Legal consultation would be beneficial to understand the affect it will have on land owners, should an issue be in question.

Since time was short for additional testimony, the remaining opponents to the bill will be heard after the March 1, return to the Capitol after Turn-around.

The next scheduled meeting will be Wednesday, March 2.