

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairperson Larry Powell at 8:30am on Wednesday, March 02, 2016, 159-S of the Capitol.

All members were present except:

Senator Michael O'Donnell – Excused
Senator Carolyn McGinn – Excused
Senator Caryn Tyson – Excused

Committee staff present:

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

Conferees appearing before the Committee:

Robin Jennison, Wildlife, Parks and Tourism
Mike Weaver, Department of the Army
Rob Manes, The Nature Conservancy

Others in attendance:

[See Attached List](#)

Sub-committee

A sub-committee has been appointed by Chairman Powell for **SB384-Amending provisions of the non-game and endangered species conservation act.** Discussion and possible action will be deferred until further details have been discussed.

Hearing continuation 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 continuation hearing of opposition conferees for the bill.

Robin Jennison presented testimony in opposition to the bill in commenting it would allow inconsistency in the application of conservation easements by allowing decisions to approve or disapprove and otherwise regulate at the county level. In a state that is ninety-seven percent privately owned, the bill is an onerous direct assault on private property rights. This would be poor public policy and potentially create other unintended consequences. ([Attachment 1](#))

Mike Weaver presented testimony on behalf of Stanley Rasmussen for opposition to the bill. It was questioned if County Commission involvement is necessary as another layer of red tape. The bill contradicts existing law by authorizing counties to limit the duration of a conservation easement, while existing and unamended statutory language authorizes the grantor and easement holder to negotiate the

CONTINUATION SHEET

MINUTES of the Committee on Natural Resources at 8:30am on Wednesday, March 02, 2016 in Room 159-S of the Capitol.

duration. ([Attachment 2](#))

Rob Manes presented testimony in opposition to the bill commenting these voluntarily entered conservation agreements are important tools for private landowners to employ due to:

Facilitating generational succession of family legacy lands.

Implementation and protection of land use and management vision.

Avoidance of severe federal tax impacts associated with inherited lands.

Protecting agricultural values and uses of lands.

Protecting long-treasured natural assets and vistas.

Contributing to the stewardship of important wildlife and habitats. ([Attachment 3](#))

Discussion:

Concerns over binding perpetuity easement contracts were expressed for future generations issues.

Burden of taxes and maintenance were discussed as being a shared obligation by the contract holder and the landowner. The issue of land easement conservation and personal property rights were considered in relation to property values decreasing, with the burden on the landowner for tax expenses.

As time did not allow for further opposition to the bill, the remainder of the testimony will be scheduled for Thursday, March 3.

There being no further business, the meeting was adjourned at 9:30 am.