



TESTIMONY OF JOE KRAMER, KANSAS SPECIAL PROJECTS MANAGER
DUCKS UNLIMITED, INC.
PRATT, KS
BEFORE THE SENATE NATURAL RESOURCES COMMITTEE
SENATOR LARRY POWELL, CHAIRMAN
SENATE BILL 425
FEBRUARY 18, 2016

Good morning, Mr. Chairman and members of the Committee. My name is Joe Kramer and I live in Pratt, Kansas, where I am a Special Projects Manager for Ducks Unlimited. On behalf of the 14,779 Ducks Unlimited members in Kansas, I stand before this committee today to voice our organization's opposition to Senate Bill 425. If enacted, SB 425 would severely restrict the use of conservation easements, infringe upon property rights, add additional government red-tape, increase government bureaucracy, and prevent landowners from benefitting from an important land conservation instrument and financial tool.

Ducks Unlimited's mission is to conserve, restore, and manage wetlands and associated habitats for North America's waterfowl. But waterfowl are not the only beneficiary of these habitats. They are just as important to other wildlife and more importantly, people. In accomplishing our work, Ducks Unlimited has become the world's largest and most effective private waterfowl and wetlands conservation organization. We are able to accomplish our work through a series of partnerships with private individuals, landowners, agencies, scientific communities, and other wildlife enthusiasts.

One of our most important tools when protecting wetlands is to enter into conservation easements with a willing landowner. These easements allow landowners to continue farming and ranching while receiving income from lands that are marginal for cropping or grazing but offer outstanding waterfowl values. Not only can the landowner receive additional income for the sale of the conservation easement, but there are also potential federal income tax deductions available to those landowners who wish to donate an easement. If Senate Bill 425 is enacted, these popular programs could be taken away from KS landowners by the (local) government and thus potential income and federal tax deductions would be denied.

If SB 425 is enacted, landowners who wish to enroll their properties into certain programs with the U.S. Department of Agriculture may not be eligible to do so. The Agriculture Land Easement program and the Wetland Reserve Easement program both offer landowners conservation easements. These programs are an important source of farm and ranch income while protecting soils, water quality and wildlife habitat. If SB 425 were to pass, Kansas landowners could be denied access to these opportunities for income as well.

Of course easements aren't for everyone. But the fundamental question in front of the committee today is, "should government infringe upon an individual's personal property rights?" The ability to enter into an agreement between a willing buyer and willing seller is a fundamental private property right which should not be restricted by state government nor local government. It is this very fundamental right which SB 425 threatens. Landowners make land use decisions every day that forever affect their heirs and future generations without government interference. Bad regulations are bad whether at the federal, state or local level, and Senate Bill 425 is a just that - a bad regulation.

Today, we've heard from a number of different stakeholders, landowners, and resource agency experts. Based on this testimony, we've heard this bill could be detrimental to Kansas by:

- Taking away hundreds of millions of dollars of federal funding;
- Denying private landowners the ability to receive federal income tax benefits;
- Taking a popular voluntary conservation tool away from hundreds of KS landowners, that helps protect KS's world-class habitat, hunting traditions and outdoor recreation economy;
- Adding onerous red tape and government bureaucracy and;
- Potentially violating landowner's constitutional equal protection rights.

In closing, I'd like to thank the committee for your hard work and thoughtful deliberations on this important issue. We respectfully ask members of this committee to "vote no" on SB 425.

