

MINUTES OF THE HOUSE ENVIRONMENT COMMITTEE

The meeting was called to order by Chairperson Joann Freeborn at 3:30 p.m. on March 23, 2004 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland Legislative Research Department
Mary Torrence, Revisor of Statutes
Mary Ann Graham, Committee Secretary

Conferees appearing before the committee:

Others attending: See Attached List.

Chairperson Joann Freeborn called the meeting to order. She asked if anyone wished to make a motion to approve committee minutes for February 10, 17, and 24, which had been distributed to committee members offices earlier in the week.

Rep. Mary Compton made a motion the committee minutes for February 10, 17, and 24, be approved. Rep. Gary Hayzlett seconded the motion. Motion carried.

The Chairperson called the committee's attention to Fiscal Notes that had been distributed for **SB 463** and **HB 2919** for review.

Chairperson Freeborn opened **SB 463** for committee discussion.

SB 463: Exception to perfection of water rights concerning beneficial use.

Rep. Tom Sloan made a motion to amend **HB 2480** (An act concerning membership of the Kansas Water Authority) into **SB 463**. Rep. Vaughn Flora seconded the motion. Motion carried.

Rep. Tom Sloan made a conceptual motion that ex officio members may not be allowed to make motions, second motions, or vote in regard to the Kansas Water Authority. Rep. James Miller seconded the motion. Motion carried.

Rep. Tom Sloan made a motion to change the effective date to be upon publication in the Register. Rep. James Miller seconded the motion. Motion carried.

Rep. Tom Sloan made a motion **SB 463** be passed favorably as amended. Rep. Joshua Svaty seconded the motion. Motion carried. Rep. Tom Sloan will carry the bill on the House Floor.

Chairperson Freeborn opened **HB 2919** for committee discussion.

HB 2919: Concerning the beneficial use of groundwater.

Committee discussion followed.

Rep. Larry Powell made a motion **HB 2919** be passed Rep. Sharon Schwartz seconded the motion. Motion carried. Rep. Larry Powell will carry the bill on the House Floor.

Written testimony in opposition to the bill was submitted by Steve Irsik, Chair of the Kansas Water Authority. The KWA met and approved a motion that expresses its opposition to the bill that essentially removes sand and gravel operations from the regulation of water consumption under the Kansas Water Appropriation Act. The Authority in its motion stated that it "opposes **HB 2919** as currently written due to the potential impact on water management in Kansas". (See attachment 1)

The meeting adjourned at 4:00 p.m. No further committee meetings are scheduled.

HOUSE ENVIRONMENT COMMITTEE

DATE March 23, 2004

NAME	REPRESENTING
Megan Dunn	Hein Law Firm
Meredith Williams	KAPA - KRCMCA
Woody Moses	KAPA
Pat Lehman	GMD #4
GREG A. FOLEY	KDA
David L. Pope	KDA
Ken Entwistle	KS Water Office
Carl Nyzman	Consultant KAPA -
Madine Hammond	Associated Material
DANE BARCLAY	ALSOP SAND & Gravel
Ken Johnson	APAC - Kansas Inc.
Bob Tolson	Kc Contractors Association
Kim Nam	Pratt Leadership 2000
Katie Brubaker	REAP
Kenneth C. Hotal	Pratt Well Drilling Inc.
Ken RANDE	KBJA
Chris Wilson	KBJA



K A N S A S

KANSAS WATER OFFICE

KATHLEEN SEBELIUS, GOVERNOR

Joseph Harkins, Acting Director

March 17, 2004

The Honorable Representative Joann Freeborn
State Capitol
Room 281 W
Topeka, KS 66612

RE: Opposition of the Kansas Water Authority to HB 2919

Dear Representative Freeborn:

The Kansas Water Authority met today and approved a motion that expresses its opposition to HB 2919, a bill that essentially removes sand and gravel operations from the regulation of water consumption under the Kansas Water Appropriation Act.

The Authority in its motion stated that it "opposes HB 2919 as currently written due to the potential impact on water management in Kansas".

This bill is a "slippery slope" that could well begin the undermining of the Water Appropriation Act, which forms the basis of the State's water management system.

Thank you for your consideration of the Authority's position in opposition to HB 2919. If I can be of any further assistance to you, do not hesitate to contact me at 620-335-5363.

Sincerely,

Steve Irsik,
Chair of the Kansas Water Authority