
KANSAS OFFICE of
REVISOR of STATUTES
LEGISLATURE of THE STATE of KANSAS
Legislative Attorneys transforming ideas into legislation.

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: House Committee on Agriculture and Natural Resources

From: The Office of Revisor of Statutes

Date: 2/6/2025

Re: H.B. 2063, as Introduced — Establishing various conservation funds, allocating state moneys for conservation, requiring reports to the governor and legislature, and authorizing fund transfers and providing for the use of such funds by the Kansas department of agriculture and the Kansas department of wildlife and parks.

State Conservation Fund

- H.B. 2063 would establish the state conservation fund in the state treasury. The fund would be intended by the legislature to be used exclusively for conservation programs.
- The bill would expressly prohibit moneys transferred to and received from the fund from being used for fee simple land acquisitions by the federal or state government.
- Annually, \$60,000,000 would be transferred from the state general fund to the state conservation fund.
- On July 15 of each year, the balance of the state conservation fund would be transferred as follows: 50% to the working lands conservation fund, 25% to the wildlife conservation fund, and the remaining balance to the Kansas outdoors fund.

Working Lands Conservation Fund

- The working lands conservation fund would be administered by the director of the division of conservation within the Kansas department of agriculture.
- A grant program would be established to utilize the fund, with rules and regulations adopted by the division.
- Eligible entities for funding would include public entities and nonprofit organizations that promote or practice the listed conservation practices.

- Applications that provide an opportunity to capture matching funds from federal, private or other nonstate sources would be prioritized.
- On or before December 1 of each year, the division would be required to submit a report concerning the fund to the governor and the legislature. The report would need to be published on the division's website.

Wildlife Conservation Fund

- The wildlife conservation fund would be administered by the secretary of wildlife and parks.
- A grant program would be established, with guidance provided by the Kansas department of wildlife and parks commission.
- The eligible entities, prioritization of captured matching funds and reporting requirements would be the same in Section 2.
- Any resulting fee simple land acquisitions would be determined under the department's current eminent domain statute. (The attached amendment would prohibit any of the funds from being used for land acquisitions)

Kansas Outdoors Fund

- The Kansas outdoors fund would be administered by the secretary of wildlife and parks under the department's parks division.
- A grant program would be established and the parks division would receive guidance from the statewide local recreation advisory board.
- Eligible projects would be required to promote outdoor access, environmental education and recreation or utilize practices established in the state comprehensive outdoor recreation plan.
- The eligible entities, prioritization of captured matching funds and the reporting requirements would be the same as in the previous sections.

H.B. 2063 would become effective upon publication in the statute book.

HOUSE BILL No. 2063

By Committee on Agriculture and Natural Resources Budget

Requested by Justin Cobb on behalf of Kansans for Conservation

1-22

PROPOSED AMENDMENT

House Committee on Agriculture and
Natural Resources

Office of Revisor of Statutes

1 AN ACT concerning natural resources; relating to state moneys for
2 conservation; establishing the state conservation fund, the working
3 lands conservation fund, the wildlife conservation fund and the Kansas
4 outdoors fund; providing for the use of moneys in such funds by the
5 Kansas department of agriculture and the Kansas department of wildlife
6 and parks; requiring that certain reports regarding such funds be made
7 to the governor and the legislature; authorizing a transfer from the state
8 general fund to the state conservation fund; authorizing transfers from
9 the state conservation fund to the working lands conservation fund,
10 wildlife conservation fund and the Kansas outdoors fund.
11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) (1) There is hereby established in the state treasury the
14 state conservation fund. All moneys credited to the state conservation fund
15 shall be expended or transferred only for the purposes and in the manner
16 provided by this section. All expenditures from the state conservation fund
17 shall be made in accordance with appropriation acts for the financing of
18 conservation programs. It is the intent of the legislature that the fund shall
19 remain intact and inviolate for the purposes set forth in this section, and
20 moneys in the fund shall not be subject to the provisions of K.S.A. 75-
21 3722, 75-3725a and 75-3726a, and amendments thereto. Moneys credited
22 to the state conservation fund shall be used to supplement existing
23 appropriations and shall not be used to supplant state general fund or
24 special revenue fund appropriations to the Kansas department of
25 agriculture or the Kansas department of wildlife and parks.

26 (2) Moneys transferred to and received from the state conservation
27 fund shall not be used to fund any fee simple acquisition of land by the
28 federal or state government.

29 (b) On July 1, 2025, and each July 1 thereafter, the director of
30 accounts and reports shall transfer \$60,000,000 from the state general fund
31 to the state conservation fund.

32 (c) On July 15, 2025, and each July 15 thereafter, the director of
33 accounts and reports shall transfer an amount equal to 50% of the balance
34 in the state conservation fund to the working lands conservation fund
35 established in section 2, and amendments thereto.

; prohibiting moneys transferred to and received
from such funds from being used to fund any fee
simple acquisition of land by the federal or state
government

1 (d) On July 15, 2025, and each July 15 thereafter, the director of
2 accounts and reports shall transfer an amount equal to 25% of the balance
3 in the state conservation fund to the wildlife conservation fund established
4 in section 3, and amendments thereto.

5 (e) On July 15, 2025, and each July 15 thereafter, after making the
6 transfers prescribed by subsections (c) and (d), the director of accounts and
7 reports shall transfer the remaining balance in the state conservation fund
8 to the Kansas outdoors fund established in section 4, and amendments
9 thereto.

10 Sec. 2. (a) There is hereby established in the state treasury the
11 working lands conservation fund. The working lands conservation fund
12 shall be administered by the director of the division of conservation
13 established within the Kansas department of agriculture by K.S.A. 74-
14 5,126, and amendments thereto. All expenditures from such fund shall be
15 made in accordance with appropriation acts upon warrants of the director
16 of accounts and reports issued pursuant to vouchers approved by the
17 director or the director's designee.

18 (b) The division shall adopt rules and regulations to administer a
19 grant program expending moneys from the working lands conservation
20 fund.

21 (c) The state conservation commission shall provide guidance to the
22 division on priority criteria for applications, the final selection of awardees
23 and the annual budget for the administration of the grant program. The
24 secretary shall consider both the guidance of the commission and the
25 recommendations of the division in making final approvals of awardees
26 and the annual administrative budget.

27 (d) Public entities, including, but not limited to, state agencies,
28 municipalities, counties, state or federally recognized tribal nations,
29 conservation districts, special park and recreation districts, recreation
30 commissions and nonprofit entities shall be eligible to receive funding
31 from the grant program.

32 (e) Eligible grant applications shall benefit the natural resources of
33 the state by promoting conservation on working lands or utilizing
34 practices, including, but not limited to:

- 35 (1) Irrigation efficiency;
- 36 (2) grazing land management;
- 37 (3) voluntary conservation agreements;
- 38 (4) soil health practices;
- 39 (5) practices that promote or regenerate soil ecosystems, biodiversity
40 and native grasslands;
- 41 (6) management of woody encroachment;
- 42 (7) sustainable and regenerative timber management;
- 43 (8) ecological restoration of lands;

(9) enhanced water quality or quantity; and
(10) relevant educational programs, resources and services for adults and youth.

(g) Applications providing an opportunity to capture federal, private or other nonstate matching moneys through a state or local match shall be prioritized. Matching moneys shall include cash contributions, noncash contributions, including land value donations, and in-kind contributions.

(h) It is the intent of the legislature that all moneys allocated to the working lands conservation fund shall be:

(1) Fully obligated to approved projects within 12 months of allocation to the fund; and

(2) in addition to, and not supplant, existing appropriations.

(i) On or before December 1 of each year, the division shall submit a report to the governor and the legislature, which shall be published on the division's website. Such report shall include:

(1) An accounting of all moneys expended from the working lands conservation fund in the immediately preceding fiscal year and the current fiscal year to date; and

(2) a brief description of all funding applications received with an explanation of why such applications were or were not funded.

(j) The division may use a portion of moneys allocated to the working lands conservation fund to pay for relevant and necessary expenses of administering the grant program.

(k) As used in this section:

(1) "Director" means the executive director of the division.

(2) "Division" means the division of conservation established within the Kansas department of agriculture by K.S.A. 74-5,126, and amendments thereto.

(3) "Secretary" means the secretary of agriculture.

(4) "Working lands" means lands used for farming, grazing or production of forest products.

Sec. 3. (a) There is hereby established in the state treasury the wildlife conservation fund. The wildlife conservation fund shall be administered by the secretary of wildlife and parks. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of wildlife and parks or the secretary's designee.

(b) The secretary of wildlife and parks shall adopt rules and regulations to administer a grant program expending moneys from the wildlife conservation fund.

(c) The Kansas department of wildlife and parks commission shall provide guidance to the division on priority criteria for applications, the

Moneys transferred to and received from the working lands conservation fund shall not be used to fund any fee simple acquisition of land by the federal or state government.

(l)

1 final selection of awardees and the annual budget for the administration of
2 the grant program. The secretary of wildlife and parks shall consider both
3 the guidance of the commission and the recommendations of the division
4 in making final approvals of awardees and the annual administrative
5 budget.

6 (d) Public entities, including, but not limited to, state agencies,
7 municipalities, counties, state or federally recognized tribal nations,
8 conservation districts, special park and recreation districts, recreation
9 commissions and nonprofit entities shall be eligible to receive funding
10 from the grant program.

11 (e) Eligible grant applications shall benefit the natural resources of
12 the state by promoting biodiversity or utilizing practices established in the
13 state wildlife action plan, including, but not limited to:

14 (1) Establishing quality habitat;

15 (2) increasing access to diverse high-quality privately owned native
16 grassland habitat for hunting through the expansion of walk-in hunting
17 access;

18 (3) increasing access to diverse high-quality native grassland habitat
19 through the expansion and creation of wildlife management areas;

20 (4) establishing diverse high-quality native grasslands for the benefit
21 of upland birds in a manner that prioritizes science-based habitat
22 investments to create the most significant outcomes for these species;

23 (5) engaging in voluntary conservation agreements;

24 (6) restoring habitat for threatened or endangered species or those
25 species in need of conservation;

26 (7) conserving or restoring native landscapes, such as forests,
27 grasslands or state wetlands and streams;

28 (8) improving fisheries, angler access and invasive species
29 management; and

30 (9) providing relevant educational programs, resources and services
31 for adults and youth.

32 (f) Applications providing an opportunity to capture federal, private
33 or other nonstate matching moneys through a state or local match shall be
34 prioritized. Matching moneys may include cash contributions, noncash
35 contributions, including land value donations, and in-kind contributions.

36 ~~(g) Fee simple land acquisitions by a state agency shall be subject to~~
37 ~~the requirements in K.S.A. 32-833, and amendments thereto, at the time of~~
38 ~~acquisition and not the grant application.~~

39 (h) It is the intent of the legislature that all moneys allocated to the
40 wildlife conservation fund shall be:

41 (1) Fully obligated to approved projects within 12 months of
42 allocation to the fund; and

43 (2) in addition to, and not supplant, existing appropriations.

Strikes in lines 36-38

Moneys transferred to and received from the wildlife conservation
fund shall not be used to fund any fee simple acquisition of land
by the federal or state government

(i) On or before December 1 of each year, the Kansas department of wildlife and parks shall submit a report to the governor and the legislature, which shall be published on the department's website. Such report shall include:

(1) An accounting of all moneys expended from the wildlife conservation fund in the immediately preceding fiscal year and the current fiscal year to date; and

(2) a brief description of all funding applications received with an explanation of why such applications were or were not funded.

(j) The Kansas department of wildlife and parks may use a portion of moneys allocated to the wildlife conservation fund to pay for relevant and necessary expenses of administering the grant program.

Sec. 4. (a) There is hereby established in the state treasury the Kansas outdoors fund. The Kansas outdoors fund shall be administered by the secretary of wildlife and parks as part of the parks division of the Kansas department of wildlife and parks. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of wildlife and parks or the secretary's designee.

(b) The secretary, in consultation with the division, shall adopt rules and regulations to administer a grant program expending moneys from the Kansas outdoors fund.

(c) The advisory board shall provide guidance to the division on priority criteria for applications, the final selection of awardees and the annual budget for the administration of the grant program. The secretary shall consider both the guidance of the advisory board and the recommendations of the division in making final approvals of awardees and the annual administrative budget.

(d) Public entities, including, but not limited to, state agencies, municipalities, counties, state or federally recognized tribal nations, conservation districts, special park and recreation districts, recreation commissions and nonprofit entities shall be eligible to receive funding from the grant program.

(e) Eligible grant applications shall benefit the natural resources of the state by promoting outdoor access, environmental education and recreation or utilizing practices established in the state comprehensive outdoor recreation plan, including, but not limited to:

(1) Increasing access to and numbers of natural areas for nature appreciation, camping, hiking, trail use, boating, kayaking, canoeing and other outdoor recreational pursuits;

(2) engaging in voluntary conservation agreements;

(3) improving local, county and state recreational facilities and parks;

(4) enhancing outdoor tourism opportunities; and

(5) providing relevant educational programs, resources and services for adults and youth.

(f) Applications providing an opportunity to capture federal, private or other nonstate matching moneys through a state or local match shall be prioritized. Matching moneys may include cash contributions, noncash contributions, including land value donations, and in-kind contributions.

(g) It is the intent of the legislature that all moneys allocated to the Kansas outdoors fund shall be:

(1) Fully obligated to approved projects within 12 months of allocation to the fund; and

(2) in addition to, and not supplant, existing appropriations.

(h) On or before December 1 of each year, the division shall submit a report to the governor and the legislature, which shall be published on the division's website. Such report shall include:

(1) An accounting of all moneys expended from the Kansas outdoors fund in the immediately preceding fiscal year and the current fiscal year to date; and

(2) a brief description of all funding applications received with an explanation of why such applications were or were not funded.

(i) The division may use a portion of moneys allocated to the Kansas outdoors fund to pay for relevant and necessary expenses of administering the grant program.

(j) As used in this section:

(1) "Division" means the parks division established within the Kansas department of wildlife and parks.

(2) "Advisory board" means the statewide local recreation advisory board established by the parks division within the Kansas department of wildlife and parks pursuant to K.S.A. 32-825, and amendments thereto.

(3) "Secretary" means the secretary of wildlife and parks.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

Moneys transferred to and received from the Kansas outdoors fund shall not be used to fund any fee simple acquisition of land by the federal or state government.

(k)