

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman John Faber at 3:30 P.M. on February 20, 2007, in Room 241-N of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department
Emalene Correll, Kansas Legislative Research Department
Jason Thompson, Revisor of Statutes Office
Florence Deeter, Committee Assistant

Conferees appearing before the committee:

Woody Moses, Managing Director, Kansas Aggregate Producers' Association and Kansas Ready Mixed Concrete Association
Paul Graves, Kansas Division of Water Resources

Others attending:

See attached list.

The Chairman introduced Woody Moses, Managing Director, Kansas Aggregate Producers' Association and Kansas Ready Mixed Concrete Association, who presented a report on **HB 2353** - exempting unconsolidated material storage stockpiles or safety berms from regulatory oversight. An agreement between the Kansas Division of Water Resources and the Kansas Department of Agriculture was reached in order to be in compliance with federal regulations (Attachment 1).

Paul Graves, Kansas Department of Water Resources offered comments affirming the agreement reached between the Aggregate Producers Association and Division of Water Resources with respect to certain levees and fills.

Representative Knox motioned for the Chairman of the Agriculture and Natural Resources Committee to send a letter to the Department of Agriculture in reference to the stated agreement. Representative Moxley seconded the motion. The motion passed.

The Chairman opened discussion on **HB 2437** - nonresident deer permits, extending the current sunset provision. Representative Powell motioned, Representative Aurand seconded to amend **HB 2437** adding the balloon (page 4) to read "a landowner or tenant may be issued one permit per each 640 acre section of land owned or controlled" (Attachment 2). Following discussion for clarification of the acreage amount, the motion to second the amendment was withdrawn. Representative Powell restated the motion to read, "the landowner or tenant may be issued one permit for 80 acres up to 640 acres; one permit for each 640 acres thereafter." Representative Aurand seconded the motion. The motion failed.

Representative Aurand moved, Representative Svaty seconded to pass favorably **HB 2437**. Representative Grange made a substitute motion to amend the bill by changing the sunset to 2008. Representative Moxley seconded the motion. The amendment passed. Representative Knox moved to pass favorably, as amended, **HB 2437**. Representative Palmer seconded the motion. The motion carried.

The Chairman opened discussion on **HB 2391** - amending grain commodity commission provisions concerning assessments and refunds. Representative Powell motioned to amend **HB 2391** to allow another member to be appointed to the commission, Representative Grange seconded the motion (Attachment 3). Following discussion and comments by several members, a substitute motion was made by Representative Knox, seconded by Representative Williams to table the bill. The vote was made to table the bill.

The Chairman opened discussion on **HB 2487** - regulation of ammonium nitrate dealers. Jason Thompson, Revisor of Statutes Office, submitted a technical amendment (Attachment 4), to add a new section, "(g) the provisions of this section are part of and supplemental to article 12 of chapter 2 of the Kansas Statutes Annotated, and amendments thereto." Representative Powell moved the amendment, Representative Gatewood seconded the motion. The motion carried. Representative Powell moved **HB 2487** be passed favorably as amended, second, Representative Moxley. The motion carried.

CONTINUATION SHEET

MINUTES OF THE House Agriculture and Natural Resources Committee at 3:30 P.M. on February 20, 2007, in Room 241-N of the Capitol.

The Chairman opened discussion on **HB 2438** - amending food service establishment licensure exception for occasional sale of food. Representative Powell moved, Representative Wolf seconded the bill. Following committee discussion and comments, the motion failed.

The Chairman opened discussion on **HB 2147** - farm and ranch land protection program and voluntary emissions compensation program. Representative Knox motioned to amend **HB 2147**, Representative Svaty seconded the motion to “limit the bill to property in close proximity to a federal or state military facility of more than 100 acres.” (see Section 2.) Additional changes in the bill deletes “property subject to unfilled contracts for development of wind energy”; deletes “fiscal years 2008 and 2009 from the commission’s involvement in issuing applications”; (see Section 5), adds the words, “ except for utility or roadway purposes”, (see Section 7), regarding a city’s use of eminent domain for acquisition of land placed in a conservation easement program (Attachment 5).

Representative Aurand requested the issues be divided. Chairman Faber agreed and clarified for the committee the divisions to be considered: part “a” includes Section 9; part “b” includes Section 8; part “c” includes the remainder of ballooned wording in the amendment. After discussion, part “a” of the motion to adopt carried; part “b” of the motion to adopt failed; part “c” of the motion to adopt failed.

Jason Thompson, Revisor of Statutes Office, brought a technical amendment to **HB 2147** (Attachment 6). Representative Svaty motioned to amend; Representative Moxley seconded the motion. The motion carried.

Representative Moxley made a motion to insert “owner of land at the time of conversion.” Representative Flora seconded the motion.

Representative Knox made a substitute motion to table **HB 2147**, Representative Svaty seconded the substitute motion. The motion to table the bill carried.

The meeting adjourned at 4:55 p.m. The next meeting is scheduled for February 28, 2007.