

Approved: 2/07/07
Date

MINUTES OF THE SENATE AGRICULTURE

The meeting was called to order by Chairman Mark Taddiken at 8:30 a.m. on January 24, 2007 in Room 423-S of the Capitol.

All members were present except:
Derek Schmidt- excused

Committee staff present:
Raney Gilliland, Kansas Legislative Research
Art Griggs, Office of Revisor of Statutes
Judy Seitz, Committee Assistant

Conferees appearing before the committee:
Tracy Streeter, Director, Kansas Water Office
David Pope, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture
Jerry Mayo, Chairman, Clay County Commissioners
Thayne Larson, Farmer, Republic County
Kent Weatherby, General Counsel, Kansas River Water Assurance District (KRWAD) No. 1
Mary Jane Stankiewicz, Vice President & General Counsel, Kansas Grain & Feed and Kansas Agribusiness Retailers Association
Brad Harrelson, State Policy Director - Governmental Relations, Kansas Farm Bureau
Leslie Kaufman, Executive Director, Kansas Cooperative Council

Others attending:
See attached list.

Chairman Taddiken opened the hearing on **SB 89 - Republican river water conservation projects fund.**

Tracy Streeter, Director, Kansas Water Office, appeared in support of **SB 89 (Attachment 1)**. He said the first priority is the delivery of specified quantities of water. 33 1/3% of the financial settlement would go to the State Water Plan Fund. The Republican River Water Conservation Projects Fund (RRWCPF) would receive 66 2/3% of the settlement.

Mr. Streeter stood for questions.

David Pope, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, offered testimony in support of **SB 89 (Attachment 2)**. He said it appears that Nebraska, and possibly Colorado, may not achieve compliance by the deadlines, therefore, it is appropriate that preparations be made to receive damages that may be recovered.

Mr. Pope stood for questions.

Jerry Mayo, President, Clay County Commission spoke in favor of **SB 89 (Attachment 3)**. A proposed usage of these funds would be to ensure that all county residents and surrounding residents would have a source of water for their household use. Other suggested projects are to help local producers become more efficient with their current irrigation practices and bank stabilization of the Republican River.

Mr. Mayo took questions from the Committee.

Chairman Taddiken noted that the Committee had copies of testimony from James Koch, President, Peoples Exchange Bank, in support of **SB 89 (Attachment 4)**.

Thayne Larson, Farmer, Republic County, presented testimony in favor of **SB 89 (Attachment 5)**. He stated that the entire region has suffered economically due to water availability. Mr. Larson said that this bill would be the start of a process to return to the basin the financial resources that could be used for water efficiency projects that will allow individual farmers, businesses and communities to stretch their water allotments through water conservation projects.

Mr. Larson offered to stand for questions.

CONTINUATION SHEET

MINUTES OF THE Senate Agriculture at 8:30 a.m. on January 24, 2007 in Room 423-S of the Capitol.

Keith Weatherby, General Counsel, Kansas River Water Assurance District (KRWAD) No. 1 testified in favor of **SB 89** (Attachment 6). He suggested the addition of “reservoir maintenance” as a type of project that may be funded.

Mr. Weatherby stood for questions.

Mary Jane Stankiewicz, Vice President and General Counsel, Kansas Grain and Feed Association and the Kansas Agribusiness Retailers Association, spoke in support of **SB 89** (Attachment 7). She suggested that a provision for a litigation fund be established. Ms. Stankiewicz also said it is not necessary have a distinction between state or federal conservation programs in the section regarding the purchase, lease or other acquisition of water rights.

Ms. Stankiewicz offered to stand for questions.

Brad Harrelson, State Policy Director - Governmental Relations, Kansas Farm Bureau, appeared in support of **SB 89** (Attachment 8). He expressed concerns with the funds paying for administration and the types of projects that can be funded. He also stated that perhaps the first priority for projects should go to those water rights holders who were directly affected because Nebraska did not fulfill the terms of the agreement.

Leslie Kaufman, Executive Director, Kansas Cooperative Council (KCC), gave testimony in favor of **SB 89** (Attachment 9). The KCC has concerns with the provision in the bill that allows a portion of any proceeds from a Republican River settlement to be used for “cost share for state or federal conservation programs that save water” because certain federal cost-share programs currently prohibit dryland farming.

No opponents appeared on **SB 89**.

Mr. Harrelson and Ms. Kaufman stood for questions.

Hearings were closed on **SB 89**.

Senator Ostmeyer moved the approval of the minutes for the January 10, 16 and 17 minutes. Senator Pine seconded. Motion passed.

Meeting adjourned at 9:30 a.m.

The next meeting will be held January 30 in Room 423-S.