

MINUTES OF THE AGRICULTURE COMMITTEE

The meeting was called to order by Chairman Mark Taddiken at 8:30 a.m. on February 16, 2011, in Room 159-S of the Capitol.

All members were present except:  
Steve Morris - excused

Committee staff present:

Tamera Lawrence, Office of the Revisor of Statutes  
Jason Thompson, Office of the Revisor of Statutes  
Heather O'Hara, Kansas Legislative Research Department  
Laura Younker, Kansas Legislative Research Department  
Judy Seitz, Committee Assistant

Conferees appearing before the Committee:

Tracy Streeter, Director, Kansas Water Office (KWO)  
Paul Graves, Assistant Chief Engineer, Kansas Department of Agriculture (KDA),  
Division of Water Resources  
Steve Swaffar, Director of Natural Resources, Kansas Farm Bureau (KFB)  
Leslie Kaufman, President/CEO, Kansas Cooperative Council (KCC) presenting joint testimony  
for the KCC, Kansas Grain and Feed Association (KGFA) and the Kansas Agribusiness Retailers  
Association (KARA)

Others attending:  
See attached list.

Vice Chair Teichman introduced Bronwyn McNaughton, Merriam who is shadowing her as part of the Gifted and Talented Students' Shadow Day at the Legislature. Senator Emler's shadow, Bethany Wiles, Shawnee was also introduced.

Tamera Lawrence, Office of the Revisor of Statutes, reviewed **SB 147 – Interstate water litigation fund**. She said currently that K.S.A. 2010 Supp. 82a-1804 states that 100% of all monies received from any dispute or litigation from Colorado and Nebraska regarding the Republican river compact goes into the interstate water litigation fund until that fund reaches \$20 million. Once the \$20 million is reached, the money received is used for conservation projects along the Republican River. **SB 147** would eliminate the cap.

Tracy Streeter, Director, Kansas Water Office (KWO) testified in support of **SB 147 (Attachment 1)**. He said that this bill would enhance the state's ability to request funding from the Legislature for conservation projects which would enhance water use efficiency or improve the overall management of water in these basins.

Mr. Streeter took questions from the Committee.

Paul Graves, Assistant Chief Engineer, Kansas Department of Agriculture (KDA), Division of Water Resources, appeared in support of **SB 147 (Attachment 2)**. He stated that this bill reflects a pragmatic approach to maintaining a potent interstate water litigation fund without the restriction of a specified cap and shows other states that Kansas is serious and ready to defend its interests in interstate waters.

Mr. Graves took questions from the Committee.

Heather O'Hara, Kansas Legislative Research, distributed a chart showing the Republican River damages' disposition as of January 17 (**Attachment 3**).

Steve Swaffar, Director of Natural Resources, Kansas Farm Bureau (KFB), presented testimony in support of **SB 147 (Attachment 4)**. Mr. Swaffar said members of the KFB have suffered the damages due to non-compliance and their interests should not be jeopardized by the fund transfer. These crop producers have never been compensated for their losses and many still live with the threat of water right administration.

## CONTINUATION SHEET

The minutes of the Senate Agriculture Committee at 8:30 a.m. on February 16, 2011, in Room 159-S of the Capitol.

Mr. Swaffar offered to stand for questions.

Leslie Kaufman, President/CEO, Kansas Cooperative Council (KCC) appeared in support of **SB 147** on behalf of the KCC, the Kansas Grain and Feed Association (KGFA) and the Kansas Agribusiness Retailers Association (KARA) (Attachment 5). She said that the money is in the fund to be used to protect and defend the water rights of their members. Ms. Kaufman stated that the monetary resources set aside to protect their members' compact rights must also be protected.

Ms. Kaufman offered to take questions.

There was discussion on **SB 147**.

The hearings were closed on **SB 147**.

The next meeting is scheduled for February 22, 2011.

The meeting was adjourned at 9:10 a.m.