

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 March 8, 2007, in Room 241-N of the Capitol.

All members were present except:

- Representative Holmes - excused
- Representative Flora - excused
- Representative Gatewood - excused
- Representative Powell - excused

Committee staff present:

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

Conferees appearing before the committee:

- Dr. Fred Cholick, Dean of Agriculture, Director of Cooperative Extension, Kansas State University Research and Extension
- Senator Mark Taddiken, District 21
- David Pope, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture
- Earl Lewis, Kansas Water Office
- Tom Meek, District Manager and Water Quality Coordinator, Clay County Conservation District
- Steve Swaffar, Kansas Farm Bureau
- Mary Jane Stankeiwicz, Vice President and General Counsel, Kansas Feed and Grain Association, and Kansas Agribusiness Retailers Association
- Leslie Kaufman, Executive Director, Kansas Cooperative Council

Others attending:

See attached list.

The Chairman welcomed Judy Willingham, coordinator of the Kansas State Leadership in Local Communities Environmental Issues, who introduced a group of individuals in attendance from across Kansas.

Dr. Fred Cholick, Dean of Agriculture, Director of Cooperative Extension, Kansas State University, brought the annual agricultural report to committee members (Attachment 1). His presentation included an informal report of K-State Research and Extension activities and accomplishments of the various programs (Annual Report Booklet on file in Kansas Legislative Research Department). With the combined partnership of federal, state and local government entities for funding and programs, the research and extension divisions are able to provide pertinent information to farmers and ranchers. Participation in the Water Restoration and Protection Strategies program addresses issues in watershed areas that affect not only individual farmers and ranchers, but also communities. Once assessments are made, the local government sets priorities for the usage of water resources. Dr. Cholick said that when the individual watershed groups have their goals established, then a plan of implementation is constructed. He gave examples of the accomplishments of two areas in Kansas, one at Cheney Lake and the second among the agricultural producers along the Little Arkansas River.

Hearing on Sub SB 89 - Republican River disposition of litigation moneys

Raney Gilliland, Kansas Legislative Research Department, briefed members on the components of **Sub SB 89**, giving background and history of the agreements with other states regarding water usage. He said that the State has entered into compacts in relation to the Arkansas and Republican Rivers. Litigation with the state of Colorado in conjunction with contracts on the Arkansas River have resulted in money being paid to the State. Mr. Gilliland said that Nebraska has not come into compliance with the prescribed terms.

Senator Mark Taddiken, District #21, speaking on the amended **Sub SB 89**, affirmed the benefits of the supplemental note (Attachment 2). There are moneys available in the Attorney General's office for the purpose of funding water conservation projects. Distribution of funds will be based on pre-determined percentages.

CONTINUATION SHEET

MINUTES OF THE House Agriculture and Natural Resources Committee at 3:30 P.M. on March 8, 2007, in Room 241-N of the Capitol.

David Pope, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, spoke in support of **Sub SB 89**, stating that the bill is similar to the legislation passed in 1996 (Attachment 3). He said that passage of the bill would give credence to supporting the compact surrounding the Republican River.

Earl Lewis, Kansas Water Office, speaking as a proponent of **Sub SB 89**, reiterated the same points as Mr. Pope, giving explanation of the percentage of funds designated to be paid to the Republican River Basin project and the State Water Plan Fund (Attachment 4).

Tom Meek, District Manager and Water Quality Coordinator, Clay County Conservation District, spoke as a proponent of **Sub SB 89** (Attachment 5). He said that in addition to various organizations in support of the bill, a concerned number of stakeholders have issues with the flow of water in the Republican River and want to be assured of the equitable distribution of the money available.

Steve Swaffar, Kansas Farm Bureau (KFB), stated that the members of the KFB who hold water rights in the Upper Republican have been in compliance with water regulation in their agricultural areas (Attachment 6). Members following the guidelines have enabled Nebraska to receive the amount of water required by the compact. He stated that those members in the Lower Republican valley have not been compensated because of Nebraska's non-compliance with the compact agreement. Mr. Swaffar said that passage of **Sub SB 89** could alleviate some of the losses members of KFB have experienced.

Mary Jane Stankeiwicz, Vice President and General Counsel, Kansas Feed and Grain Association, and Kansas Agribusiness Retailers Association, speaking as a proponent of **Sub SB 89**, said that maintaining a fund for future litigation costs is important to adequately defend the industry of farming (Attachment 7).

She said it is wise to anticipate and plan for an equitable distribution of moneys such as was outlined in the dispute settlement with Colorado.

Leslie Kaufman, Executive Director, Kansas Cooperative Council, said that **Sub SB 89**, as it is amended, gives parameters for protecting water interests in the rural areas (Attachment 8). She said that allotment of moneys from a Republican River settlement with Nebraska could benefit members by including a provision for dryland farming.

The Chairman closed the hearing on **Sub SB 89**. He announced a meeting of those members involved in the discussion of waste tire management.

The meeting adjourned at 4:55 p.m. The next meeting is scheduled for March 12, 2007.