

Approved: February 24, 2010

Date

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 3:30 p.m. on February 15, 2010, in Room 783 of the Docking State Office Building.

All members were present except:

Representative Johnson - Excused

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes

Daniel Yoza, Office of the Revisor of Statutes

Corey Carnahan, Kansas Legislative Research Department - Excused.

Raney Gilliland, Kansas Legislative Research Department

Pat Matzek, Committee Assistant

Conferees appearing before the Committee:

N/A

Others attending:

See attached list.

Chairman Powell opened the meeting with distribution of a proposed balloon amendment on **HB 2565** (Attachment 1).

Action on HB 2565 - Conservation exception for nonuse of water rights.

After Committee members discussed the proposed balloon amendment, Daniel Yoza, Office of the Revisor of Statutes, stated the the bill would read as follows:

“Section 1(d) Notwithstanding the provisions of subsection (a), a groundwater right, which has as its local supply an aquifer area that has been closed to new appropriations by rule, regulation or order of the chief engineer, shall be deemed to have due and sufficient cause for nonuse and shall not be deemed abandoned.”

Representative Hineman made a motion to adopt the balloon amendment. Representative Fund seconded the motion. The motion carried.

Chairman Powell suggested to Committee members to gut **SB 316** and insert the contents of **HB 2565** as amended. Representative Fund made a motion to take the language out of SB 316 and insert the contents of HB 2565 as amended. Representative Schroeder seconded the motion. The motion carried.

Representative Fund made a motion to pass out SB 316 favorably. Representative Wetta seconded the motion. After discussion among Committee members, Representative Fund withdrew his motion, and Representative Wetta withdrew his second.

Representative Moxley made a motion to go back to the original balloon amendment and take the language out of SB 316 and insert the contents of HB 2565 as it was originally proposed to be amended (See Attachment 1), and to pass the bill favorably out of Committee. Representative Fund seconded the motion. The motion carried.

The original balloon amendment read as follows:

“Section 1(d) Notwithstanding the provisions of subsection (a), a groundwater right, which has as its local supply an aquifer area that has been closed to new appropriations by rule, regulation or order of the chief engineer, and where means of diversion are available to put water to a beneficial use within a reasonable time, shall be deemed to have due and sufficient cause for nonuse and shall not be deemed abandoned.”

Representative Schroeder will carry the bill.

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CONTINUATION SHEET

Minutes of the House Agriculture and Natural Resources Committee at 3:30 p.m. on February 15, 2010, in Room 783 of the Docking State Office Building.

Action on HB 2638 - Horse thief reservoir water district employees granted law enforcement powers; requiring trained at the law enforcement training center.

Daniel Yoza, Office of the Revisor of Statutes, explained the proposed balloon amendment on **HB 2638** to members of the Committee, explaining Sections 1 and 5 regarding law enforcement officers are replaced (Attachment 2).

Representative Tony Brown made a motion to adopt the balloon amendment. Representative Palmer seconded the motion. The motion carried.

Representative Prescott made a motion to pass the bill out favorably as amended. Representative Lukert seconded the motion. The motion carried.

Representative Pat George will carry the bill.

The next meeting is scheduled for February 16, 2010.

The meeting was adjourned at 4:45 p.m.