

MINUTES OF THE HOUSE AGRICULTURE & NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 9:00 a.m. on March 15, 2011, in Room 783 in the Docking State Office Building.

All members were present except:

Representative Bob Brookens – Excused
Representative Rocky Fund – Excused
Representative Bob Grant – Excused
Representative Michael Peterson - Excused

Committee staff present:

Sean Ostrow, Office of the Revisor of Statutes
Raney Gilliland, Kansas Legislative Research Department
Michael Wales, Kansas Legislative Research Department
Kay Scarlett, Committee Assistant

Conferees appearing before the Committee:

Senator Ruth Teichman
Mark Rude, President, Kansas Groundwater Management District Association (written only)

Others attending:

See attached list.

Hearing on SB 214 – Redefining “person” in the groundwater management district act.

Chairman Powell opened the hearing on **SB 214**. Sean Ostrow, Office of the Revisor of Statutes, explained that this bill, as amended by the Senate, would change the existing definition of “person” for the purposes of the Groundwater Management District Act to mean any natural person, public or private corporation, municipality, or any other legal commercial entity. The existing definition of “person” does not include the term “or any other legal commercial entity.”

Senator Ruth Teichman stated that she had requested introduction of **SB 214** at the suggestion of Groundwater Management District No. 5. The purpose of the bill is to clarify the definition of “person” to ensure that all land and water right owner entities within the boundaries of a Groundwater Management District may be recognized as a voting member and participate in the activities of the District.

Mark Rude, Executive Director of GMD3 and currently serving as President of the Kansas Groundwater Management District Association, provided written testimony on behalf of all five GMD's in support of **SB 214** that would update the definition of a “person” in the Kansas Groundwater Management Act. The interest of the GMD's is to ensure that landowners and groundwater users within a GMD can participate in the local groundwater management and program financing decisions of their district. They believe **SB 214**, as amended, represents a simple updating of the existing definition to recognize the different forms of a “person” landowner/water user that can be found within a district to continue, as intended, the purposes of the Kansas Groundwater Management District Act. ([Attachment 1](#))

Sean Miller, representing Groundwater Management District Nos. 3 and 5, answered committee questions concerning **SB 214**.

As there were no other conferees, Chairman Powell closed the hearing on **SB 214**.

Subcommittee Report on HB 2295 – Amending state hunting laws and regulations relating to hunting seasons, permits and the use of bows.

Representative Willie Prescott, Chairman of the Subcommittee on **HB 2295**, reported that the subcommittee had met and discussed the major issues contained in this bill dealing with various aspects of big game hunting. After discussion and deliberation with representatives of the Kansas Department of Wildlife and Parks, including the Secretary, the subcommittee recommends giving the new Secretary of KDWP a year to implement some of his ideas in an attempt to address the issues contained in the bill. The subcommittee recommends that this bill be retained as a vehicle for future legislative action during the 2012 Legislative Session. ([Attachment 2](#))

CONTINUATION SHEET

The minutes of the House Agriculture & Natural Resources Committee at 9:00 a.m. on March 15, 2011, in Room 783 of the Docking State Office Building.

Subcommittee Report on HB 2272 – Exempting certain minor construction projects from state and federal water regulations.

Representative Dan Kerschen, Chairman of the Subcommittee on **HB 2272**, distributed copies of a proposed alternative to **HB 2272** submitted by David Barfield, Chief Engineer, Kansas Department of Agriculture, Division of Water Resources, dated February 23, 2011. Mr Barfield believes this alternative approach would make it unnecessary to define stream obstruction in statute and is straightforward enough to make the permit determination process previously drafted unnecessary. The Department still plans to move forward in rules and regulations with a simpler permitting process for minor projects which would require permitting. (Attachment 3)

Following discussion with Senator Dennis Pyle, sponsor of **HB 2272**, and Mr. Barfield, the subcommittee recommends:

- Eliminating (2) *The water obstruction does not permanently impound water*, and
- Lowering the distance requirement from 500 to 300 feet in (4) *The water obstruction is completely located in excess of 300 feet from any property boundary*. Mr. Barfield has agreed that a culvert could possibly be located under 300 feet from a property boundary with permission of the Department.

Chairman Powell asked that the revisor prepare the compromise reached on **HB 2272** as an amendment that could be added to **SB 214**.

The meeting adjourned at 9:25 a.m. The next meeting of the House Agriculture & Natural Resources Committee is scheduled for March 16, 2011.