

Approved: 02/14/12
Date

MINUTES OF THE SENATE AGRICULTURE COMMITTEE

The meeting was called to order by Chairman Taddiken at 8:30 a.m. on January 18, 2012, in Room 159-S of the Capitol.

All members were present except:
Senator Jeff King – excused

Committee staff present:

David Wiese, Office of the Revisor of Statutes
Jason Thompson, Office of the Revisor of Statutes
Heather O'Hara, Kansas Legislative Research Department
Abigail Boudewyns, Kansas Legislative Research Department
Judy Seitz, Committee Assistant

Conferees appearing before the Committee:

David Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture
Mike Beam, Kansas Livestock Association
Kent Askren, Assistant Director of Natural Resources, Kansas Farm Bureau
Gary Harshberger, Kansas Water Authority

Others attending:
See attached list.

Chairman Taddiken opened the hearing on **SB 272–Water rights; multi-year flex accounts; application for division of water right; fee.**

David Wiese, Office of the Revisor of Statutes, said that **SB 272** would amend existing law in the Kansas Water Appropriations Act that authorizes and governs multi-year flex accounts.

David Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, (KDA) appeared in support of **SB 272**. (Attachment 1) He said the bill would increase the amount of groundwater that can be pumped under a flex account, without increasing overall water use. He also said the bill provides three different potential options for water users to compute the amount of water that they can place into a flex account. Mr. Barfield testified that this statute is drafted so that it can be implemented as quickly as possible. He noted that the multi-flex year accounts would be voluntary. Mr. Barfield took questions from the Committee.

Mike Beam, Kansas Livestock Association, testified in support of **SB 272** (Attachment 2) and suggested that the effective date would be upon publication in the *Kansas Register* rather than the Statutes. Mr. Beam offered to take questions.

CONTINUATION SHEET

MINUTES OF THE Senate Agriculture Committee at 8:30 a.m. on January 18, 2012 in Room 159-S of the Capitol

Kent Askren, Assistant Director, Kansas Farm Bureau, spoke in support of **SB 272** (Attachment 3). Mr. Askren stated that the 2 year drought emergency term permit initiated by the KDA was a good stopgap effort but a more long term carefully planned water management strategy is needed for the future.

Mr. Barfield took further questions.

Gary Harshberger, Chairman, Kansas Water Authority, offered testimony in favor of **SB 272**. (Attachment 4) He said that the proposed changes to the multi-year flex account program provides increased flexibility for farmers to manage crop water over a five year period. He also said this bill is born of necessity and opportunity. Mr. Harshberger said that the Kansas Water Authority is trying to change from a culture of consumption to a culture of conservation. He further stated that to do nothing will cause a crisis next year. Mr. Harshberger took questions from the Committee.

Written testimony in support of **SB 272** was submitted by:

Ron Seeber and Leslie Kaufman, Kansas Agribusiness Retailers Association, Kansas Grain and Feed Association and Kansas Cooperative Council (Attachment 5)

Southwest Kansas Irrigation Association (Attachment 6)

Kansas Corn Growers Association (Attachment 7)

Wayne Bossert, Kansas Groundwater Management Districts (GMD's) (Attachment 8)

The hearing on **SB 272** will be held open.

The next Senate Agriculture Committee meeting is scheduled for Tuesday, January 24, 2012. The meeting adjourned at 9:30 a.m.