

## 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 January 23, 2008, in Room 783 of the DSOB.

All members were present.

## Committee staff present:

Raney Gilliland, Kansas Legislative Research Department  
Emalene Correll, Kansas Legislative Research Department  
Hank Avila, Kansas Legislative Research Department  
Gordon Self, Revisor of Statutes  
Kristen Kellems, Revisor of Statutes  
Florence Deeter, Committee Assistant

## Conferees appearing before the committee:

Raney Gilliland, Kansas Legislative Research Department  
Kerry Wedel, Kansas Water Office

## Others attending:

See attached list.

Vice Chairman, Knox called the meeting to order and recognized Representative Grange, who introduced his intern, John Witt, from Kansas State University.

Staff Raney Gilliland, Kansas Legislative Research Department, briefed the committee on the historical background of **SB 89 - Republican River; disposition of litigation moneys**. He said that Legislative action in 1996 outlined how the money from any settlement with Colorado regarding the Arkansas River would be distributed. Mr. Gilliland indicated that long before the settlement occurred, the Legislature determined by statute that moneys would not become part of the State General Fund, but would be designated to rehabilitation of property impacted by the breaking of the Compact.

Mr. Gilliland further explained that the original Compact also spoke to the issue of the Republican River Compact, an agreement Kansas has with three other states. At issue is the manner in which water resources are to be allocated; Kansas is both an upstream and downstream state determined by the way the Republican River flows in the Northwest corner of the state. It is a major source of water flowing eventually to the Kansas River near Junction City.

Mr. Gilliland explained that any funds received from a settlement with Nebraska in terms of litigation on the Republican River would be credited to the Interstate Water Litigation Fund. This fund was created by legislation in 1996 to provide moneys for litigation on the Arkansas River with Colorado. Following this dispersion, the next five percent of remaining funds is allocated to the Republican River Compact Compliance and Enforcement Fund, which is used to ensure Nebraska remains in compliance with the provisions of the Compact.

Mr. Gilliland distributed information concerning the issue of allocations different from the process used involving Colorado (Attachment 1). The explanation contains data regarding the disposition of money recovered by Kansas from Colorado as the result of water litigation.

Clarifying his answers, Mr. Gilliland stated that money received from Colorado is allocated as one-third to the State Water Plan Fund for water conservation projects, and two-thirds distributed to the Water Conservation Projects Fund for projects in the Upper Arkansas River Basin.

Kerry Wedel, Kansas Water Office, gave a briefing regarding the Kansas Watershed Restoration and Protection Strategy (KS-WRAPS), outlining the vision of the organization (Attachment 2). KS-WRAPS is an outreach program involving citizens and stakeholders collaborating together to identify watershed restoration and protection needs. Various agencies in Kansas as well as Federal agencies share in this vision. Mr. Wedel explained the structure of KS-WRAPS and commented on the priorities of the organization. He said that twenty of the twenty-four reservoirs in Kansas are used for public water supply. Mr. Wedel commented on a map showing the status of the WRAPS projects, saying that over fifty percent of state

## CONTINUATION SHEET

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reservoirs are involved in the program. He said that nineteen of the twenty Federal watersheds have active WRAPS projects in place. He commented further that Kansas is engaged with Oklahoma and other states in the restoration and protection of watersheds in Kansas.

Mr. Wedel said the Kansas Department of Health and Environment and the State Conservation Commission are both involved in administering the funds allocated to the WRAPS project. He said the implementation phase of WRAPS relies on utilizing existing state and federal resources. He said supplemental funds are available to fill in when needed. Funds requested by the Kansas Water Authority for 2009, and not included in the Governor's budget have yet to be acquired.

Representative Palmer requested a bill be introduced to further extend the sales tax exemption included in **HB 2540** and passed during *Sine Die* of the 2006 Legislature to repair flood damage in Southeast Kansas. There being no objection, the bill will be introduced.

At at constituent's request, Representative Palmer proposed a bill be introduced to provide sales tax exemption for the Resource Conservation and Development Projects, a 501(c)3 non-profit charitable organization located in eleven counties in Southeast Kansas. The organization specializes in natural resources, conservation projects, and community development. There being no objection, the bill will be introduced.

The meeting was adjourned at 4:10 p.m. The next meeting will be held on January 24, 2008 at 3:30 p.m.