

MINUTES OF THE HOUSE COMMITTEE ON ENVIRONMENT.

The meeting was called to order by Chairperson Joann Freeborn at 3:30 p.m. on January 16, 2003 in Room 231-N of the Capitol.

All members were present except: Representative Ted Powers - excused
Representative Dan Thimesch - excused

Committee staff present: Raney Gilliland, Kansas Legislative Research Department
Mary Torrence, Revisor of Statute's Office
Mary Ann Graham, Secretary

Conferees appearing before the committee: David Pope, Chief Engineer, Division of Water Resources,
KS Dept. Agriculture, 109 SW 9th 2nd Floor, Topeka, KS
66612-1280

Others attending: See Attached Sheet

Chairperson Joann Freeborn called the meeting to order. She welcomed committee members and guests to the first Environment meeting of the 2003 session and reviewed the committee agenda for next week, Kent Lamb, Chairman, Kansas Water Authority and Clark Duffy, Director, Kansas Water Office, will be giving an overview on water issues on January 21. On January 23 an overview of the history of the Kansas Agricultural Remediation Board and annual report will be presented by the Remediation Board. Maurice Korphage, Director, Conservation Division, KCC, will present an overview and update on Well Plugging and Remediation Activities. Also, she called attention to the committee rules that had been distributed to each member.

The Chairperson announced that the committee has nine new members this session and asked if each member would introduce themselves and give a brief background.

Chairperson Freeborn asked if anyone had a bill request at this time.

Chad Luce, Public Information Officer, Kansas Department Wildlife and Parks, requested a bill that would increase the percentage of non-resident permits available, amend the rules for the use of transferable non-resident permits, amend the categories and statutory cap for the price of deer game tags, and increase the value of deer that are taken illegally for commercial purposes.

Rep. Vaughn Flora made a motion the bill requested by Chad Luce be introduced. Rep. Gary Hayzlett seconded the motion. Motion carried.

Raney Gilliland, Legislative Research Department, was recognized by the Chairperson. He briefed the committee on the Interstate Compacts and Agreements between the states of Colorado, Kansas, and Nebraska, and **HCR 5030** requiring the Attorney General to bring suit against the State of Nebraska to enforce the

CONTINUATION SHEET

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provisions of the Republican River Compact. (See attachment 1)

The Chairperson welcomed David Pope, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to the committee. He introduced Greg Foley, Acting Secretary of Agriculture and Dave Barfield, Civil Engineer, Division of Water Resources, Department of Agriculture, in attendance today. Mr. Pope briefed the committee on the Republican River Compact Litigation Settlement between Kansas, Nebraska and Colorado regarding the Republican River. (See attachment 2) After more than a year of intense negotiations, a comprehensive settlement has been reached effective December 15, 2002, which was approved by the governors and attorneys general of the three states. Last week, the states and Department of Justice presented the proposed settlement to the special master appointed to hear the case by the U.S. Supreme Court. During the hearing, the special master said he would recommend the settlement to the Supreme Court. However, it will not be final until it is approved by the Supreme Court, which is expected later this year. Also, much work remains to implement the settlement. The settlement fulfills Kansas' objectives in finding an acceptable resolution of the dispute without years of litigation. Those objectives include: (1) Compact compliance by each of the states, including recognizing the impact of groundwater wells on surface flows of the basin; (2) A moratorium on new well drilling; (3) Protecting and enhancing the water supply for downstream users, including the Kansas Bostwick Irrigation District, while providing flexibility for users in the upper portion of the basin in northwest Kansas. The settlement removes the uncertainty that is always present in litigation and it allows compliance with the compact sooner than if litigation continued. While additional resources are needed to implement the settlement and to ensure compliance by the other states, it will save millions of dollars compared to protracted litigation. Questions by the committee followed.

The Chairperson thanked Mr. Pope for his presentation and committee members and guests for their attention.

The meeting adjourned at 5:00 p.m. The next meeting is scheduled for Tuesday, January 21, 2003.