

## HOUSE BILL No. 2480

By Representative Sloan

12-12

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AN ACT concerning membership of the Kansas water authority; amending K.S.A. 2003 Supp. 74-2622 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 2003 Supp. 74-2622 is hereby amended to read as follows: 74-2622. (a) There is hereby established within and as a part of the Kansas water office the Kansas water authority. The authority shall be composed of ~~23~~ 24 members of whom 13 shall be appointed as follows: (1) One member shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. Except as provided by K.S.A. 46-2601, such person shall not exercise any power, duty or function as a member or chairperson of the water authority until confirmed by the senate. Such member shall serve at the pleasure of the governor and shall be the chairperson of the authority; (2) except as provided by subsection (b), 10 members shall be appointed by the governor for terms of four years. Of the members appointed under this provision one shall be a representative of large municipal water users, one shall be representative of small municipal water users, one shall be a board member of a western Kansas groundwater management district, one shall be a board member of a central Kansas groundwater management district, one shall be a member of the Kansas association of conservation districts, one shall be representative of industrial water users, one shall be a member of the state association of watershed districts, one shall have a demonstrated background and interest in water use conservation and environmental issues, and two shall be representative of the general public. The member who is representative of large municipal water users shall be appointed from three nominations submitted by the league of Kansas municipalities. The member who is representative of small municipal water users shall be appointed from three nominations submitted by the Kansas rural water district's association. The member who is representative of a western Kansas groundwater management district shall be appointed from three nominations submitted by the presidents of the groundwater management district boards No. 1, 3 and 4. The member who is representative of a central Kansas groundwater management district shall be appointed from three

1 nominations submitted by the presidents of the groundwater manage-  
2 ment district boards No. 2 and 5. The member who is representative of  
3 industrial water users shall be appointed from three nominations sub-  
4 mitted by the Kansas association of commerce and industry. The member  
5 who is representative of the state association of watershed districts shall  
6 be appointed from three nominations submitted by the state association  
7 of watershed districts. The member who is representative of the Kansas  
8 association of conservation districts shall be appointed from three nomi-  
9 nations submitted by the state association of conservation districts. If the  
10 governor cannot make an appointment from the original nominations, the  
11 nominating authority shall be so advised and, within 30 days thereafter,  
12 shall submit three new nominations. Members appointed by the governor  
13 shall be selected with special reference to training and experience with  
14 respect to the functions of the Kansas water authority, and no more than  
15 six of such members shall belong to the same political party; (3) one  
16 member shall be appointed by the president of the senate for a term of  
17 two years; and (4) one member shall be appointed by the speaker of the  
18 house of representatives for a term of two years. The state geologist, *the*  
19 *state biologist*, the chief engineer of the division of water resources of the  
20 state board of agriculture, the director of the division of environment of  
21 the department of health and environment, the chairperson of the state  
22 corporation commission, the secretary of commerce, the director of the  
23 Kansas water office, the secretary of wildlife and parks, the administrative  
24 officer of the state conservation commission, the secretary of the state  
25 board of agriculture and the director of the agricultural experiment sta-  
26 tions of Kansas state university of agriculture and applied science shall  
27 be nonvoting members ex officio of the authority. The director of the  
28 Kansas water office shall serve as the secretary of the authority.

29 (b) A member appointed pursuant to subsection (a)(2) shall be ap-  
30 pointed for a term expiring on January 15 of the fourth calendar year  
31 following appointment and until a successor is appointed and qualified.

32 (c) In the case of a vacancy in the appointed membership of the  
33 Kansas water authority, the vacancy shall be filled for the unexpired term  
34 by appointment in the same manner that the original appointment was  
35 made. Appointed members of the authority attending regular or special  
36 meetings thereof shall be paid compensation, subsistence allowances,  
37 mileage and other expenses as provided in K.S.A. 75-3223, and amend-  
38 ments thereto.

39 (d) The Kansas water authority shall:

40 (1) Consult with and be advisory to the governor, the legislature and  
41 the director of the Kansas water office.

42 (2) Review plans for the development, management and use of the  
43 water resources of the state by any state or local agency.

1 (3) Make a study of the laws of this state, other states and the federal  
2 government relating to conservation and development of water resources,  
3 appropriation of water for beneficial use, flood control, construction of  
4 levees, drainage, irrigation, soil conservation, watershed development,  
5 stream control, gauging of stream and stream pollution for the purpose  
6 of determining the necessity or advisability of the enactment of new or  
7 amendatory legislation in this state on such subjects.

8 (4) Make recommendations to other state agencies and political sub-  
9 divisions of the state for the coordination of their activities relating to  
10 flood control, construction of levees, drainage, irrigation, soil conserva-  
11 tion, watershed development, stream control, gauging of stream, stream  
12 pollution and groundwater studies.

13 (5) Make recommendations to each regular session of the legislature  
14 and to the governor at such times as the authority considers advisable  
15 concerning necessary or advisable legislation relating to any of the matters  
16 or subjects which it is required by this act to study for the purpose of  
17 making recommendations to the legislature. All such recommendations  
18 to the legislature shall be in drafted bill form together with such explan-  
19 atory information and data as the authority considers advisable.

20 (6) Approve, prior to submission to the legislature by the Kansas wa-  
21 ter office or its director, (A) any contract entered into pursuant to the  
22 state water plan storage act, (B) any amendments to the state water plan  
23 or the state water planning act and (C) any other legislation concerning  
24 water resources of the state.

25 (7) Approve, before they become effective, any policy changes pro-  
26 posed by the Kansas water office concerning the pricing of water for sale  
27 pursuant to the state water plan storage act.

28 (8) Approve, before it becomes effective, any agreement entered into  
29 with the federal government by the Kansas water office.

30 (9) Request any agency of the state, which shall have the duty upon  
31 that request, to submit its budget estimate pertaining to the state's water  
32 resources and any plans or programs related thereto and, upon the au-  
33 thority's receipt of such budget estimate, review and evaluate it and fur-  
34 nish recommendations relating thereto to the governor and the  
35 legislature.

36 (10) Approve, prior to adoption by the director of the Kansas water  
37 office, rules and regulations authorized by law to be adopted.

38 (11) Approve, prior to adoption by the director of the Kansas water  
39 office, guidelines for conservation plans and practices developed pursuant  
40 to subsection (c) of K.S.A. 74-2608, and amendments thereto.

41 (e) The Kansas water authority may appoint citizens' advisory com-  
42 mittees to study and advise on any subjects upon which the authority is  
43 required or authorized by this act to study or make recommendations.

1 (f) The provisions of the Kansas governmental operations accounta-  
2 bility law apply to the Kansas water authority, and the authority is subject  
3 to audit, review and evaluation under such law.

4 Sec. 2. K.S.A. 2003 Supp. 74-2622 is hereby repealed.

5 Sec. 3. This act shall take effect and be in force from and after its  
6 publication in the Kansas register.

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