

HOUSE BILL No. 2126

By Representative Sloan

1-19

9 AN ACT concerning the Kansas water authority; relating to membership;
10 amending K.S.A. 2006 Supp. 74-2622 and repealing the existing
11 section.
12

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

14 Section 1. K.S.A. 2006 Supp. 74-2622 is hereby amended to read as
15 follows: 74-2622. (a) There is hereby established within and as a part of
16 the Kansas water office the Kansas water authority. The authority shall
17 be composed of ~~24~~ 25 members of whom ~~13~~ 14 shall be appointed as
18 follows: (1) One member shall be appointed by the governor, subject to
19 confirmation by the senate as provided in K.S.A. 75-4315b, and amend-
20 ments thereto. Except as provided by K.S.A. 46-2601, such person shall
21 not exercise any power, duty or function as a member or chairperson of
22 the water authority until confirmed by the senate. Such member shall
23 serve at the pleasure of the governor and shall be the chairperson of the
24 authority; (2) except as provided by subsection (b), ~~10~~ 11 members shall
25 be appointed by the governor for terms of four years. Of the members
26 appointed under this provision one shall be a representative of large mu-
27 nicipal water users, one shall be representative of small municipal water
28 users, one shall be a board member of a western Kansas groundwater
29 management district, one shall be a board member of a central Kansas
30 groundwater management district, one shall be a member of the Kansas
31 association of conservation districts, one shall be representative of indus-
32 trial water users, one shall be a member of the state association of wa-
33 tershed districts, one shall have a demonstrated background and interest
34 in water use conservation and environmental issues, *one shall be a mem-*
35 *ber of a state water assurance district* and two shall be representative of
36 the general public. The member who is representative of large municipal
37 water users shall be appointed from three nominations submitted by the
38 league of Kansas municipalities. The member who is representative of
39 small municipal water users shall be appointed from three nominations
40 submitted by the Kansas rural water district's association. The member
41 who is representative of a western Kansas groundwater management dis-
42 trict shall be appointed from three nominations submitted by the presi-
43 dents of the groundwater management district boards No. 1, 3 and 4.

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

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

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

43 (d) The Kansas water authority shall:

- 1 (1) Consult with and be advisory to the governor, the legislature and
2 the director of the Kansas water office.
- 3 (2) Review plans for the development, management and use of the
4 water resources of the state by any state or local agency.
- 5 (3) Make a study of the laws of this state, other states and the federal
6 government relating to conservation and development of water resources,
7 appropriation of water for beneficial use, flood control, construction of
8 levees, drainage, irrigation, soil conservation, watershed development,
9 stream control, gauging of stream and stream pollution for the purpose
10 of determining the necessity or advisability of the enactment of new or
11 amendatory legislation in this state on such subjects.
- 12 (4) Make recommendations to other state agencies and political sub-
13 divisions of the state for the coordination of their activities relating to
14 flood control, construction of levees, drainage, irrigation, soil conserva-
15 tion, watershed development, stream control, gauging of stream, stream
16 pollution and groundwater studies.
- 17 (5) Make recommendations to each regular session of the legislature
18 and to the governor at such times as the authority considers advisable
19 concerning necessary or advisable legislation relating to any of the matters
20 or subjects which it is required by this act to study for the purpose of
21 making recommendations to the legislature. All such recommendations
22 to the legislature shall be in drafted bill form together with such explan-
23 atory information and data as the authority considers advisable.
- 24 (6) Approve, prior to submission to the legislature by the Kansas wa-
25 ter office or its director, (A) any contract entered into pursuant to the
26 state water plan storage act, (B) any amendments to the state water plan
27 or the state water planning act and (C) any other legislation concerning
28 water resources of the state.
- 29 (7) Approve, before they become effective, any policy changes pro-
30 posed by the Kansas water office concerning the pricing of water for sale
31 pursuant to the state water plan storage act.
- 32 (8) Approve, before it becomes effective, any agreement entered into
33 with the federal government by the Kansas water office.
- 34 (9) Request any agency of the state, which shall have the duty upon
35 that request, to submit its budget estimate pertaining to the state's water
36 resources and any plans or programs related thereto and, upon the au-
37 thority's receipt of such budget estimate, review and evaluate it and fur-
38 nish recommendations relating thereto to the governor and the
39 legislature.
- 40 (10) Approve, prior to adoption by the director of the Kansas water
41 office, rules and regulations authorized by law to be adopted.
- 42 (11) Approve, prior to adoption by the director of the Kansas water
43 office, guidelines for conservation plans and practices developed pursuant

1 to subsection (c) of K.S.A. 74-2608, and amendments thereto.
2 (e) The Kansas water authority may appoint citizens' advisory com-
3 mittees to study and advise on any subjects upon which the authority is
4 required or authorized by this act to study or make recommendations.
5 (f) The provisions of the Kansas governmental operations accounta-
6 bility law apply to the Kansas water authority, and the authority is subject
7 to audit, review and evaluation under such law.
8 Sec. 2. K.S.A. 2006 Supp. 74-2622 is hereby repealed.
9 Sec. 3. This act shall take effect and be in force from and after its
10 publication in the statute book.