

February 11, 2025

The Honorable Ken Rahjes, Chairperson
House Committee on Agriculture and Natural Resources
300 SW 10th Avenue, Room 112-N
Topeka, Kansas 66612

Dear Representative Rahjes:

SUBJECT: Fiscal Note for HB 2153 by House Committee on Water

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2153 is respectfully submitted to your committee.

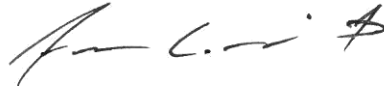
HB 2153 would amend current law in pertaining to the election of members of the board of directors of irrigation districts. Current law states that members of the board can serve a two-year or four-year term. The bill would amend the terms of office of board members to include a three-year term, if established by the board of directors by passage of a resolution. Additionally, the bill would allow boards to adopt a procedure listed in current law for election by mail ballot for boards of a district of more than 35,000 acres. The bill would prevent certain requirements regarding the election process from applying to elections at annual meetings and elections by mail ballot.

The bill would define “dam” for agriculture use as irrigation, livestock watering, commercial fish rearing and sale and the protection of agriculture land having a height of at least thirty feet or has a height of more than six feet with a storage volume at the top of the emergency spillway elevation of 125-acre feet or more. The bill would also define a structure as a water obstruction and not a dam if the primary purpose of the structure is to serve as a dry detention road fill for state, county, municipal government, or a low head dam with a maximum height below the lowest stream bank. The bill would assess a civil penalty of not less than \$100 but not more than \$500 per violation by the chief engineer to be deposited in the Water Structures Fund in the Department of Agriculture.

The Department of Agriculture and the Kansas Water Office indicate that the enactment of the bill would not have a fiscal effect on the agencies.

The Kansas Association of Counties indicates that the enactment of the bill could create some cost savings for counties from the utilization of mail ballots as opposed to in-person voting. However, a precise fiscal effect could not be estimated.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt" with a stylized flourish at the end.

Adam C. Proffitt
Director of the Budget

cc: Lita Biggs, Department of Agriculture
Debra Jones, Kansas Water Office
Jay Hall, Kansas Association of Counties