

HOUSE BILL No. 2272

By Committee on Appropriations

2-4

10 AN ACT concerning intensive groundwater use control areas; amending
11 K.S.A. 82a-1036 and repealing the existing section.
12

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

14 Section 1. K.S.A. 82a-1036 is hereby amended to read as follows:
15 82a-1036. ~~Whenever~~ *In a groundwater use area which is located within*
16 *the boundaries of an existing groundwater management district or dis-*
17 *tricts, only when* a groundwater management district recommends the
18 same or whenever a petition signed by not less than ~~three hundred (300)~~
19 ~~300~~ or by not less than ~~five percent (5%)~~ 5% of the eligible voters of a
20 groundwater management district, whichever is less, is submitted to the
21 chief engineer, the chief engineer shall initiate, as soon as practicable
22 thereafter, proceedings for the designation of a specifically defined area
23 within such district *or districts* as an intensive groundwater use control
24 area. The chief engineer upon ~~his or her~~ *such chief engineer's* own in-
25 vestigation ~~shall cooperate and coordinate with the board or boards of~~
26 ~~county commissioners, or such board or boards of county commissioners~~
27 ~~designee or designees, as the case may be, who shall be a person who has~~
28 ~~a demonstrated background in water policy and water use issues, of the~~
29 ~~specifically defined area or areas before the chief engineer~~ may initiate
30 such proceedings whenever ~~said~~ *such* chief engineer has reason to believe
31 that any one or more of the following conditions exist in a groundwater
32 use area which is located outside the boundaries of an existing ground-
33 water management district: (a) Groundwater levels in the area in question
34 are declining or have declined excessively; or (b) the rate of withdrawal
35 of groundwater within the area in question equals or exceeds the rate of
36 recharge in such area; or (c) preventable waste of water is occurring or
37 may occur within the area in question; (d) unreasonable deterioration of
38 the quality of water is occurring or may occur within the area in question;
39 or (e) other conditions exist within the area in question which require
40 regulation in the public interest.

41 Sec. 2. K.S.A. 82a-1036 is hereby repealed.

42 Sec. 3. This act shall take effect and be in force from and after its
43 publication in the statute book.