

Local Government Committee

January 28, 2026

Thank you, Mr. Chair for this opportunity to testify on HB 2433.

11 years. \$11 million dollars. The City of Hays and Russell have been dragged through courts by Edwards County and the WaterPak for 11 years at a cost of \$11 million dollars. Each challenge that they have brought up has been defeated but has drained the taxpayers hard saved money.

Prior to coming into the Kansas Legislature, I was a Hays City Commissioner and then an Ellis County Commissioner. I understand local politics and stand with our local elected leaders as they are the ones who really connect State Elected officials with our local areas.

House bill 2433 amends KSA 2025 Supp.19-101 which lays out home rule powers for the Counties in Kansas. Basically, it gives guardrails for Counties to follow.

This statute already states that counties may not regulate any oil or gas well because the Kansas Corporation Commission (KCC) and the Kansas Department of Environment (KDHE) are the official bodies to oversee oil and gas in Kansas.

2433 does the same thing for water – that counties shall not regulate the control, regulation, enforcement or oversight the transfer or appropriation of water by the chief engineer or the water transfer hearing panel. It also states that this does not apply to zoning or sanitary codes regulating domestic water wells.

Simply, counties may not interfere with the work of State agencies that have already ruled on issues.

This does not limit local control. Because the decisions have been already made by the State Water Office only makes sense.

The City of Hays uses less water today than it did in the 1970's – with over 5,000 more citizens. We are the State poster child for water conservation and have offered years ago to not take all the 8,000 acre feet of water it owns. There were 44 irrigation pivots that have been retired that used far more water than the Cities will ever use.

This needs to be done for every dairy, feedlot, data center or farm in order to keep a county from doing exactly what Edwards county has done to us. Please support House Bill 2433 and I will stand for questions before I head to Appropriations to report out my budgets.