

SENATE Substitute for HOUSE BILL No. 2172

AN ACT concerning water; establishing the water program task force to evaluate the state's water program and funding for such program; requiring the task force to establish a water planning work group and submit reports to certain legislative committees and the governor.

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

Section 1. (a) There is hereby established the water program task force. The task force shall consist of:

- (1) The following 13 voting members:
 - (A) The chair of the house of representatives committee on water or the chair's designee;
 - (B) the chair of the house of representatives committee on agriculture and natural resources or the chair's designee;
 - (C) the chair of the senate committee on agriculture and natural resources or the chair's designee;
 - (D) the ranking minority member of the house of representatives committee on water or the ranking member's designee;
 - (E) the ranking minority member of the senate agriculture and natural resources committee or the ranking member's designee;
 - (F) one member of the house of representatives who does not sit on the committee on water or the committee on agriculture and natural resources appointed by the speaker of the house of representatives;
 - (G) one member of the senate who does not sit on the committee on agriculture and natural resources appointed by the president of the senate;
 - (H) four Kansas residents jointly appointed by the speaker of the house of representatives and the president of the senate; and
 - (I) two Kansas residents jointly appointed by the minority leader of the house of representatives and the minority leader of the senate; and
 - (2) the following three nonvoting ex officio members:
 - (A) The director of the bureau of water of the department of health and environment;
 - (B) the director of the Kansas water office; and
 - (C) the chief engineer of the Kansas department of agriculture division of water resources.
- (b) Each voting member of the task force who is not a member of the legislature shall represent at least one of the following stakeholders:
- (1) A Kansas employer with a vested water right;
 - (2) a commercial user of a municipal or industrial water right;
 - (3) an agricultural producer;
 - (4) an economic development organization;
 - (5) a water utility;
 - (6) a resident Kansas Indian tribe, Potawatomi, Kickapoo, Iowa or Sac and Fox;
 - (7) a rural water district;
 - (8) a local conservation district;
 - (9) an organization that focuses on environmental or wildlife protection or conservation;
 - (10) a local water management district;
 - (11) the Kansas agricultural banking or appraisal industry;
 - (12) a student at a state educational institution engaged in a course of study related to water;
 - (13) a Kansas municipality;
 - (14) a provider of natural resources education;
 - (15) the Kansas agricultural commodity associations;
 - (16) the Kansas water authority or regional advisory committee;
 - (17) the Kansas livestock industry; or
 - (18) the Kansas grain and feed industry.

(c) (1) Members of the task force shall be residents of Kansas. The task force shall consist of at least one member from each of the five conservation regions of the state. Not more than two members of the task force who are not members of the legislature shall represent the same stakeholder enumerated in subsection (b).

- (2) The speaker of the house of representatives and the president

of the senate shall ensure that the requirements of paragraph (1) are met.

(d) Members of the task force shall be appointed by April 30, 2025. Any vacancy in the membership of the task force shall be filled by appointment in the same manner prescribed by this section for the original appointment.

(e) The speaker of the house of representatives shall select one member of the task force who is a member of the house of representatives to serve as co-chairperson of the task force. The president of the senate shall select one member of the task force who is a member of the senate to serve as co-chairperson of the task force.

(f) (1) The task force may meet at any time and at any place within the state upon the call of either co-chairperson.

(2) A majority of voting members shall constitute a quorum of the task force. All actions of the task force may be taken by a majority of members present when there is a quorum.

(3) If approved by the legislative coordinating council, members of the task force attending meetings authorized by the task force shall be paid amounts for expenses, mileage and subsistence as provided in K.S.A. 75-3223(e), and amendments thereto.

(4) The staff of the office of revisor of statutes, the legislative research department and the division of legislative administrative services shall provide such assistance as may be requested by the task force.

(g) The water program task force shall:

(1) Evaluate major risks to the quality and quantity of the state's water supply, including any impact on current and future economic growth and population stability;

(2) steps that the state must take to define and achieve a future supply of water for Kansans; and

(3) evaluate current funding for water in the state and determine whether such funding is sufficient to address the water issues included in the state water plan, including the state's current and future water infrastructure needs.

(h) The task force shall prepare and submit a preliminary report on or before January 31, 2026, and a final report on or before January 31, 2027, to the house of representatives committees on agriculture and natural resources and water and the senate committee on agriculture and natural resources or any successor committees and the governor. Such reports shall include recommendations on:

(1) The water program's long-term structure to address the state's current and future water needs, including, but not limited to:

(A) The roles and responsibilities of the state, municipalities and regional entities;

(B) how the program's investments and successes should be evaluated, including gathering any stakeholder input; and

(C) criteria to determine program investments, including geographic diversity of such investments; and

(2) funding for the water program, including, but not limited to:

(A) New dedicated moneys or investments for the state water plan fund;

(B) changes to any existing fees or moneys dedicated to the state water plan fund; and

(C) any additional funding sources or tools necessary to ensure that the financial resources are adequate to address the state's water issues.

(i) (1) On or before June 30, 2025, the co-chairs of the task force shall jointly appoint five individuals to a water planning work group. Such individuals may be members of the water program task force but are not required to be members of the task force. The individuals shall be attorneys, engineers, hydrologists, natural resource planners or others with relevant experience with Kansas water issues.

(2) The work group shall meet regularly as may be necessary to conduct a study of the state water resource planning act, K.S.A. 82a-

901 et seq., and amendments thereto, and develop draft legislation that proposes modernization of such act. The work group shall work under the direction of the task force and submit ongoing reports to the task force relating to:

- (A) How the state water plan is created;
- (B) what the state water plan should prioritize;
- (C) how the state water plan is implemented;
- (D) how recommendations for state water plan appropriations are made to the legislature;
- (E) any future studies that might be undertaken; and
- (F) any other related or relevant matters.

(3) If approved by the legislative coordinating council, members of the work group shall be paid amounts for expenses, mileage and subsistence as provided in K.S.A. 75-3223(e), and amendments thereto.

(4) The staff of the office of revisor of statutes, the legislative research department and the division of legislative administrative services shall provide such assistance as may be requested by the work group.

(5) Any state agency or entity that is involved in the management or study of water in Kansas shall provide information and support to the work group upon request.

(j) This section shall expire on July 1, 2027.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the HOUSE, and was adopted by that body

HOUSE adopted
Conference Committee Report_____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report_____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.