

## **Water Program Task Force; Senate Sub. for HB 2172**

**Senate Sub. for HB 2172** creates a 16-member Water Program Task Force (Task Force) and a 5-member Water Planning Work Group (Work Group) to study and make recommendations to the Legislature on water policy and funding.

### ***Task Force Membership***

The Task Force membership, which totals 16, includes the following voting members:

- The chairperson of the House Committee on Water or designee (1);
- The chairperson of the House Committee on Agriculture and Natural Resources or designee (1);
- The chairperson of the Senate Committee on Agriculture and Natural Resources or designee (1);
- The ranking minority member of the House Committee on Water or designee (1);
- The ranking minority member of the Senate Committee on Agriculture and Natural Resources or designee (1);
- One member of the House of Representatives (House) appointed by the Speaker of the House of Representatives (Speaker) who does not sit on the House Committee on Water or House Committee on Agriculture and Natural Resources (1);
- One member of the Senate appointed by the President of the Senate (President) who does not sit on the Senate Committee on Agriculture and Natural Resources (1);
- Four members jointly appointed by the Speaker and President (4); and
- Two Kansas residents jointly appointed by the Minority Leader of the House and the Minority Leader of the Senate (2).

The Task Force membership also includes the following non-voting ex officio members:

- The Director of the Bureau of Water, Division of Environment, Kansas Department of Health and Environment (1);
- The Director of the Kansas Water Office (1); and

- The Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture (1).

### ***Task Force Requirements***

#### *Stakeholder Representation*

The bill requires each non-legislative voting member of the Task Force to represent at least one of the following stakeholders:

- Kansas employer with a vested water right;
- Commercial user of a municipal or industrial water right;
- Agricultural producer;
- Economic development organization;
- Water utility;
- Resident Kansas Indian tribe: Potawatomi, Kickapoo, Iowa, or Sac and Fox;
- Rural water district;
- Local conservation district;
- Organization that focuses on environmental or wildlife protection or conservation;
- Local water management district;
- Kansas agricultural banking or appraisal industry;
- Student at a state educational institution engaged in a course of study related to water;
- Kansas municipality;
- Provider of natural resources education;
- Kansas agricultural commodity associations;
- Kansas Water Authority or regional advisory committee;
- Kansas livestock industry; or
- Kansas grain and feed industry.

#### *Membership Requirements*

The bill requires each Task Force member to be a Kansas resident and the Task Force to consist of at least one member from each of the five conservation regions of the state. No more than two members of the Task Force, who are not members of the Legislature, may represent the same stakeholder listed above.

The bill requires the Speaker and President to ensure these requirements are met.

### *Appointments; Vacancies*

The bill requires members of the Task Force to be appointed by April 30, 2025. Any vacancy in membership of the Task Force will be filled in the same manner as provided for in the original appointment.

### *Co-chairpersons*

The bill requires the Speaker to select one member of the House who is a member of the Task Force and the President to select one member of the Senate who is a member of the Task Force to serve as co-chairpersons of the Task Force.

### *Task Force Meetings; Actions*

The bill authorizes the Task Force to meet at any time and any place within the state upon call of either co-chairperson.

The bill defines a quorum of the Task Force to be the majority of voting members, and all actions of the Task Force may be taken by a majority of members present when there is a quorum.

### *Payment*

The bill authorizes Task Force members to be paid for expenses, mileage, and subsistence as provided in state law, if approved by the Legislative Coordinating Council.

### *Staffing*

The bill requires the Division of Legislative Administrative Services, Kansas Legislative Research Department, and the Office of Revisor of Statutes to provide assistance as requested by the Task Force.

### ***Task Force Charge***

The bill requires the Task Force to:

- 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;
- Determine steps the state must take to define and achieve a future supply of water for Kansans; and

- 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.

### ***Task Force Report to the Legislature***

The bill requires the Task Force to 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 Committee on Agriculture and Natural Resources;
- House Committee on Water;
- Senate Committee on Agriculture and Natural Resources; and
- The Governor.

The report must include:

- The water program's long-term structure to address the state's current and future water needs, including, but not limited to:
  - The roles and responsibilities of the state, municipalities, and regional entities;
  - How the program's investments and successes should be evaluated, including gathering any stakeholder input; and
  - Criteria to determine program investments, including geographic diversity of such investments; and
- Funding for the water program, including, but not limited to:
  - New dedicated moneys or investments for the State Water Plan Fund;
  - Changes to any existing fees or moneys dedicated to the State Water Plan Fund; and
  - Any additional funding sources or tools necessary to ensure that the financial resources are adequate to address the state's water issues.

### ***Water Planning Work Group***

#### ***Membership***

The bill requires, on or before June 30, 2025, the co-chairpersons of the Task Force to jointly appoint five individuals to the Work Group. The individuals may be members of the Task Force but are not required to be members of the Task Force. The bill requires the individuals to be attorneys, engineers, hydrologists, natural resource planners, or others with relevant experience with Kansas water issues.

### *Meetings; Purpose*

The bill requires the Work Group to meet regularly as necessary to conduct a study of the State Water Resources Planning Act (Act) and develop draft legislation that proposes modernization of the Act.

### *Work Group Charge*

The bill charges the Work Group to work under the direction of the Task Force and submit ongoing reports to the Task Force relating to:

- How the State Water Plan is created;
- What the State Water Plan should prioritize;
- How the State Water Plan is implemented;
- How recommendations for State Water Plan appropriations are made to the Legislature;
- Any future studies that might be undertaken; and
- Any other related or relevant matters.

### *Payment*

The bill authorizes members of the Work Group to be paid for expenses, mileage, and subsistence as provided in state law, if approved by the Legislative Coordinating Council.

### *Staffing*

The bill requires the Division of Legislative Services, Kansas Legislative Research Department, and Office of Revisor of Statutes to provide assistance as requested by the Work Group.

### *State Agencies*

The bill requires any state agency or entity that is involved in the management or study of water in Kansas to provide information and support to the Work Group upon request.

### ***Task Force and Work Group Sunset***

The provisions of the bill sunset on July 1, 2027.