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February 1, 2012

Chairman Carl Holmes  
House Committee on Energy and Utilities

**RE: House Bill No. 2472**

Dear Chairman Holmes and Members of the Committee:

I am an attorney representing the Kansas Rural Water Association. KRWA supports House Bill No. 2472.

This Bill would eliminate the requirement in K.S.A. 82a-612 that in order to be a "participating member" of a rural water district that the member must own land located within the district. KRWA considers this element of the definition of participating member to be unduly restrictive. There are a number of examples across the State in which someone other than a landowner would have reason to purchase a "benefit unit" (a meter with the right to connect to the district's water system). These include ranchers desiring to connect for livestock watering, an operator under an oil and gas lease, or a business located in an industrial park.

Under existing law, and standard rural water district by-laws, it is possible for non-landowners to purchase benefit units in a rural water district. However, because of the requirement that in order to be a "participating member" one must own land located within the district, could with the provisions in K.S.A. 82a-626 and standard by-laws, such non-landowners are prohibited from voting in district elections or serving on the Board of Directors. KRWA believes this discrimination between landowning and non-landowning customers of a district serves no useful purpose. This Bill would eliminate that source of discrimination.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Gary H. Hanson", is written over a horizontal line.

GARY H. HANSON,  
Attorney for Kansas Rural Water Association

GHH/rsh  
Enclosure