

HOUSE BILL No. 2113

By Committee on Water

Requested by Representative Minnix

1-28

1 AN ACT concerning water; relating to conservation districts; transferring
2 \$5,000,000 each July 1 to match federal funding for conservation
3 districts; requiring conservation districts to provide water quality
4 sampling and the resulting aggregate data to the state geological
5 survey; relating to funding for the state water plan and water
6 infrastructure projects; making and concerning appropriations for fiscal
7 years 2026, 2027 and 2028 for the state treasurer; providing for the
8 enhanced transfer of moneys from the state general fund to the state
9 water plan fund; requiring the Kansas water office to transfer
10 appropriations for the water technical assistance fund, the water
11 projects grant fund and the Kansas matching grant fund; matching grant
12 funds to individuals and entities within water conservation areas and
13 local enhanced management areas for new water technology adoption;
14 amending K.S.A. 2024 Supp. 82a-955 and repealing the existing
15 section.

16
17 *Be it enacted by the Legislature of the State of Kansas:*

18 New Section 1. (a) (1) There is hereby established in the state
19 treasury the state conservation fund. All moneys credited to the state
20 conservation fund shall be expended or transferred only for the purposes
21 and in the manner provided by this section. All expenditures from the state
22 conservation fund shall be made in accordance with appropriation acts for
23 the financing of conservation programs.

24 (2) It is the intent of the legislature that the state conservation fund
25 shall remain intact and inviolate for the purposes set forth in this section,
26 and moneys in the fund shall not be subject to the provisions of K.S.A. 75-
27 3722, 75-3725a and 75-3726a, and amendments thereto.

28 (3) Moneys credited to the state conservation fund shall be used to
29 supplement existing appropriations and shall not be used to supplant state
30 general fund or special revenue fund appropriations to the Kansas
31 department of agriculture.

32 (b) On July 1, 2025, and each July 1 thereafter, or as soon thereafter
33 each such date as moneys are available, the director of accounts and
34 reports shall transfer \$5,000,000 from the state general fund to the state
35 conservation fund.

1 (c) Moneys transferred to the state conservation fund shall be used to:

2 (1) Provide a match of state moneys on the basis of \$2 of state
3 moneys to \$1 of nonstate or private moneys; and

4 (2) fund or otherwise provide domestic water quality sampling.

5 (d) The division shall provide to the state geological survey aggregate
6 data generated from any domestic water quality sampling that is carried
7 out pursuant to subsection (c).

8 (e) (1) The division shall adopt rules and regulations to administer the
9 expending of moneys from the state conservation fund.

10 (2) The division shall solicit input and facilitate public comment from
11 industry members and stakeholders in developing such rules and
12 regulations.

13 (f) For purposes of this section:

14 (1) "Division" means the division of conservation established within
15 the Kansas department of agriculture by K.S.A. 74-5,126, and
16 amendments thereto.

17 (2) "Secretary" means the secretary of agriculture.

18 Sec. 2. K.S.A. 2024 Supp. 82a-955 is hereby amended to read as
19 follows: 82a-955. (a) On July 1, 2024, the director of accounts and reports
20 shall transfer \$45,000,000 from the state general fund to the state water
21 plan fund ~~and. On July 1, 2025, July 1, 2026, and July 1, 2027, the director~~
22 ~~of accounts and reports shall transfer \$35,000,000 \$55,000,000 from the~~
23 ~~state general fund to the state water plan fund. It is the intent of the~~
24 ~~legislature to provide for the transfer of \$35,000,000 from the state general~~
25 ~~fund to the state water plan fund on July 1, 2026, and July 1, 2027.~~

26 (b) ~~(1) Except as provided in paragraph (2),~~ The state water plan
27 fund shall continue to be appropriated and expended for the purposes
28 prescribed in K.S.A. 82a-951, and amendments thereto, except that if an
29 appropriation is made for any fiscal year as intended in subsection (a), on
30 July 1 of such fiscal year, or as soon thereafter ~~on each such dates date~~ as
31 moneys are available:

32 ~~(A) \$5,000,000~~ (1) \$7,000,000 shall be transferred from the state
33 water plan fund to the water technical assistance fund established in
34 K.S.A. 2024 Supp. 82a-956, and amendments thereto; and

35 ~~(B) \$12,000,000~~ (2) \$18,000,000 shall be transferred from the state
36 water plan fund to the water projects grant fund established in K.S.A. 2024
37 Supp. 82a-957, and amendments thereto.

38 ~~(2) On July 1, 2024, the director of accounts and reports shall transfer~~
39 ~~\$7,500,000 from the state water plan fund to the water technical assistance~~
40 ~~fund and \$19,500,000 from the state water plan fund to the water projects~~
41 ~~grant fund.~~

42 ~~(3)(c)~~ The provisions of this section shall expire on July 1, 2028. On
43 July 1, 2028, the director of accounts and reports shall transfer all moneys

1 in the water technical assistance fund and the water projects grant fund to
2 the state water plan fund and all liabilities of the water technical assistance
3 fund and the water projects grant fund shall be imposed upon the state
4 water plan fund. On July 1, 2028, the water technical assistance fund and
5 the water projects grant fund shall be abolished.

6 ~~(e)~~(d) (1) (A) Notwithstanding any restrictions in K.S.A. 82a-951,
7 and amendments thereto, the Kansas water authority may recommend to
8 the legislature the appropriation of up to 10% of the unencumbered
9 balance of the state water plan fund to be used to supplement salaries of
10 existing state agency full-time equivalent employees and for funding new
11 full-time equivalent positions created to implement the state water plan.
12 Moneys from such appropriation may be used to supplement existing
13 positions, ~~but~~ *except that* such moneys shall not be used to replace state
14 general fund moneys, any fee fund moneys or other funding for positions
15 existing on July 1, 2023.

16 (B) Eligible full-time equivalent positions that moneys may be used
17 for pursuant to this paragraph include engineers, geologists, hydrologists,
18 environmental scientists, attorneys, resource planners, grant specialists and
19 any other similar positions.

20 (2) If at least two conservation districts present a joint proposal to the
21 Kansas water authority for a position or positions to provide shared
22 services to all districts involved in such proposal, the Kansas water
23 authority may recommend that moneys be used to supplement the salary or
24 salaries of such position or positions pursuant to paragraph (1).

25 (3) The Kansas water authority shall encourage funding requests from
26 state and local entities that cooperate with qualified nonprofit entities on
27 projects that provide a direct benefit to water quantity and quality,
28 including water infrastructures that are both natural and constructed, and
29 include matching funds from non-state sources.

30 (4) The Kansas water authority may direct the Kansas water office to
31 provide funding pursuant to K.S.A. 2024 Supp. 82a-956 or 82a-957, and
32 amendments thereto, for the improvement of water infrastructure in an
33 unincorporated area related to or serving a national park site or state
34 historic site if the request for funding is made by a nonprofit organization
35 or state agency that is willing to administer the moneys and oversee the
36 project; and the Kansas water authority deems such applicant capable of
37 successfully managing the project. Upon receipt of such a request, the
38 Kansas water office may award moneys in any fiscal year prior to July 1,
39 2028, with such awarding of moneys to be made at the discretion of the
40 Kansas water office.

41 (5) The Kansas water authority shall encourage the creation of grant
42 programs for stockwatering conservation projects. Such grant programs
43 shall prioritize the use of fees collected pursuant to K.S.A. 82a-954(a)(3),

1 and amendments thereto.

2 ~~(d)~~(e) All reporting requirements established in K.S.A. 82a-951, and
3 amendments thereto, shall continue and such reporting requirements shall
4 apply to the water technical assistance fund established in K.S.A. 2024
5 Supp. 82a-956, and amendments thereto, and the water projects grant fund
6 established in K.S.A. 2024 Supp. 82a-957, and amendments thereto.

7 Sec. 3. K.S.A. 2024 Supp. 82a-955 is hereby repealed.

8 Sec. 4. This act shall take effect and be in force from and after its
9 publication in the Kansas register.