

**HOUSE BILL No. 2302**

By Committee on Water

2-6

1 AN ACT concerning water; relating to funding for the state water plan and  
2 water infrastructure projects; creating the water technical assistance  
3 fund and water projects grant fund; authorizing the Kansas water office  
4 to provide grants from such funds and adopt rules and regulations to  
5 establish the criteria for grants from such funds; distributing a portion  
6 of the revenue from the sales and compensating use tax to the state  
7 water plan fund; amending K.S.A. 82a-951 and K.S.A. 2022 Supp. 79-  
8 3620, 79-3710, 79-4804 and 82a-953a and repealing the existing  
9 sections.  
10

11 *Be it enacted by the Legislature of the State of Kansas:*  
12 *New Section 1. (a) On July 1, 2023, and each July 1 thereafter*  
13 *through July 1, 2028, no transfers to the state water plan fund pursuant to*  
14 *K.S.A. 79-4804 and 82a-953a, and amendments thereto, shall be made if*  
15 *the full amount of sales tax revenue authorized for distribution by K.S.A.*  
16 *79-3620 and 79-3710, and amendments thereto, is transferred to the state*  
17 *water plan fund.*  
18

19 (b) (1) The state water plan fund shall continue to be appropriated and  
20 expended for the purposes prescribed in K.S.A. 82a-951, and amendments  
21 thereto, except that:

22 (A) On July 1, 2023, and each July 1 thereafter through July 1, 2028,  
23 or as soon thereafter on such dates as moneys are available:  
24 (i) \$5,000,000 shall be transferred from the state water plan fund to  
25 the water technical assistance fund established in section 2, and  
26 amendments thereto; and

27 (ii) \$15,000,000 shall be transferred from the state water plan fund to  
28 the water projects grant fund established in section 3, and amendments  
29 thereto; and

30 (B) for the fiscal years ending June 30, 2024, June 30, 2025, and June  
31 fund shall be applied toward the retirement of any water supply storage  
32 debt for Milford and Perry Lake reservoirs until such debt is retired.  
33 (2) The appropriation acts required by paragraph (1) shall only be  
34 made if the full amount of sales tax revenue authorized for distribution by  
35 K.S.A. 79-3620 and 79-3710, and amendments thereto, is transferred to  
36 the state water plan fund.

Proposed Amendments to HB 2302  
For Senate Committee on Agriculture and  
Natural Resources  
March 17, 2023  
Prepared by: Office of Revisor of Statutes

1 (3) The provisions of this section shall expire on July 1, 2028. On  
 2 July 1, 2028, the director of accounts and reports shall transfer all moneys  
 3 in the water technical assistance fund and the water projects grant fund to  
 4 the state water plan fund and all liabilities of the water technical assistance  
 5 fund and the water projects grant fund shall be imposed upon the state  
 6 water plan fund. On July 1, 2028, the water technical assistance fund and  
 7 the water projects grant fund shall be abolished.

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

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

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

26 (d) All reporting requirements established in K.S.A. 82a-951, and  
 27 amendments thereto, shall continue and such reporting requirements shall  
 28 apply to the water technical assistance fund established in section 2, and  
 29 amendments thereto, and the water projects grant fund established in  
 30 section 3, and amendments thereto.

31 New Sec. 2. (a) (1) There is hereby established in the state treasury  
 32 the water technical assistance fund. The fund shall be administered by the  
 33 Kansas water office. Expenditures from such fund shall be used for the  
 34 purposes described in subsection (b). All expenditures shall be made in  
 35 accordance with appropriation acts upon warrants of the director of  
 36 accounts and reports issued pursuant to vouchers approved by the director  
 37 of the Kansas water office, or such director's designee.

38 (2) Whenever the unencumbered balance of the water technical  
 39 assistance fund exceeds \$15,000,000, such excess moneys may be  
 40 recommended for appropriation by the Kansas water authority for the  
 41 same purposes as any other moneys in the state water plan fund are  
 42 appropriated.

43 (b) (1) The water technical assistance fund shall be used by the

the director of the Kansas water office shall certify such excess amount to the director of accounts and reports. Upon receipt of such certification, the director of accounts and reports shall transfer such certified excess amount from the water technical assistance fund to the state general fund