

HOUSE BILL No. 2156

By Committee on Agriculture and Natural Resources

1-28

1 AN ACT concerning public water supply storage; amending K.S.A. 2014
2 Supp. 82a-1604 and repealing the existing section.

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

5 Section 1. K.S.A. 2014 Supp. 82a-1604 is hereby amended to read as
6 follows: 82a-1604. (a) The state may participate with a sponsor in the
7 development, construction or renovation of a class I multipurpose small
8 lake project if the sponsor has a general plan which has been submitted to
9 and approved by the chief engineer in the manner provided by K.S.A. 24-
10 1213 and 24-1214, and amendments thereto. If the Kansas water office
11 determines that additional public water supply storage shall be needed in
12 that area of the state within 20 years from the time such project is to be
13 completed and a water user is not available to finance public water supply
14 storage, the state may include future use public water supply storage in the
15 project. The Kansas water office shall apply for a water appropriation right
16 sufficient to insure a dependable yield from the public water supply
17 storage. The Kansas water office shall be exempt from all applicable fees
18 imposed pursuant to K.S.A. 82a-701 et seq., and amendments thereto, for
19 such applications. The Kansas water office shall have authority to adopt
20 rules and regulations relative to the inclusion of public water supply
21 storage in proposed projects under this act and the disposition of state-
22 owned water rights and associated public water supply storage space in
23 such projects.

24 (b) The sponsor of such class I project shall be responsible for
25 acquiring land rights and for the costs of operation and maintenance of
26 such project. The state may provide up to 50% of the engineering and
27 construction costs and up to 50% of the costs of land rights associated with
28 recreation features. Subject to the provisions of subsections (a) and (c), the
29 state may pay up to 100% of the engineering and construction costs of
30 flood control and public water supply storage. All other costs of such
31 project, including land, construction, operation and maintenance shall be
32 paid by the sponsor.

33 (c) The state shall not participate in the costs of public water supply
34 storage in a renovation project unless the Kansas water office determines
35 that renovation is the most cost effective alternative for such storage. The
36 state shall be authorized to pay only up to 50% of the engineering and

1 construction costs of public water supply storage in such a renovation
2 project.

3 (d) The Kansas water office may recover the state's costs incurred in
4 providing public water supply storage in such class I project, and interest
5 on such costs, by selling such storage and the associated water rights.
6 Interest on such costs shall be computed ~~at a rate per annum which is equal~~
7 ~~to the greater of: (1) The average rate of interest earned the past calendar~~
8 ~~year on repurchase agreements of less than 30 days' duration entered into~~
9 ~~by the pooled money investment board, less 5%; or (2) four percent as~~
10 ~~provided in K.S.A. 82a-1308a, and amendments thereto.~~

11 Sec. 2. K.S.A. 2014 Supp. 82a-1604 is hereby repealed.

12 Sec. 3. This act shall take effect and be in force from and after its
13 publication in the statute book.