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MEMORANDUM

To: House Committee on Agriculture
From: Kyle Hamilton, Assistant Revisor of Statutes
Date: March 5, 2018
Subject: Bill Brief on SB 194

SB 194 would amend groundwater management district water user charges.

In order to finance groundwater management district operations, K.S.A. 82a-1030 allows the board of each groundwater management district (or GMD) to assess an annual water user charge against every person who withdraws groundwater from within the boundaries of that board's district. Subsection (a), line 12, would increase the cap of that annual charge from \$1.00 to \$2.00 for each acre-foot of groundwater withdrawn within the district or allocated by the water right.

Current law also allows a GMD to assess an annual charge of \$1.50 for groundwater withdrawn within the district if more than 50% of the authorized place of use for the water is outside the district. The language referring to this higher out-of-district charge would be stricken in lines 14 through 17 and thus removed from law.

Under current law, when an individual with a permit or water right uses less water each year than they have been allocated and has sent a verified claim of their water usage, the board of a GMD has to adjust the annual assessment accordingly. In line 22, the introduced version of the bill changed "shall" to "may" in order to make that adjustment discretionary, and, starting in line 25, added that by December 31 of each year, the GMD board would have to determine whether verified claims will be accepted at all for the ensuing year's water use. The Senate committee on Agriculture and Natural Resources reverted the language to the original "shall" and struck that related new language that had been added in lines 25 through 27.

A GMD board may also make an annual assessment against each landowner for each acre of land owned within the boundaries of the district. The original introduced version of the bill increased the cap for that charge to \$.10 in line 28. The Senate reverted the amount back to the current \$.05 amount.

SB 194 would become effective upon publication in the statute book.