

STATE OF KANSAS



DIVISION OF THE BUDGET
LONDON STATE OFFICE BUILDING
900 SW JACKSON STREET, ROOM 504
TOPEKA, KS 66612

PHONE: (785) 296-2436
FAX: (785) 296-0231
LARRY.CAMPBELL@KS.GOV

GOVERNOR JEFF COLYER, M.D.
LARRY L. CAMPBELL, CHIEF BUDGET OFFICER

February 21, 2018

REVISED

The Honorable Dan Kerschen, Chairperson
Senate Committee on Agriculture and Natural Resources
Statehouse, Room 225-E
Topeka, Kansas 66612

Dear Senator Kerschen:

SUBJECT: Revised Fiscal Note for SB 379 by Special Committee on Natural Resources

In accordance with KSA 75-3715a, the following revised fiscal note concerning SB 379 is respectfully submitted to your committee.

SB 379 would establish a Kansas Water Law Study Commission which would consist of three principal investigators who would conduct a comprehensive study of Kansas water law. The bill would require the investigators to be licensed Kansas attorneys with extensive scholarly and practical experience in Kansas water law, including transactional law and litigation. The investigators must be independent consultants with no lawyer-client relationship between the investigators and the State of Kansas or any agency of the State of Kansas. They would receive compensation for serving on the Commission, as well as subsistence allowances, mileage and other expenses.

The findings of the study would be submitted to the Kansas Water Authority and the Director of the Kansas Water Office for review, and a report on the findings and recommendations must be submitted to the House standing committees on Agriculture, Water and Environment and the Senate standing committee on Agriculture and Natural Resources on or before the last day of the 2020 Legislative Session.

According to the Kansas Water Office, enactment of SB 379 would result in additional expenditures for the agency of \$300,000. Of that amount, \$100,000 would be for staff support for the Commission and would come from existing FY 2019 State General Fund appropriations. A contract with the investigators is expected to cost approximately \$200,000, which would be from dedicated State Water Plan Fund monies. The agency will reduce other operating expenditures to accommodate the costs associated with this study.

The Honorable Dan Kerschen, Chairperson

February 21, 2018

Page 2—SB 379

Since the original fiscal effect statement was issued, the Kansas Department of Agriculture (KDA) has provided information on the fiscal effect of this bill. The KDA indicates that although enactment of SB 379 would not have a direct fiscal effect, there would be opportunity costs associated with the bill as staff members of the KDA Legal Division and the Division of Water Resources would be spending time assisting the Kansas Water Office and the Study Commission members by providing applicable research, data, and answers. There could also be possible costs for travel to attend commission meetings. The agency estimates that these costs in FY 2019 would be \$50,000 from existing resources. Any fiscal effect associated with SB 379 is not reflected in *The FY 2019 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Campbell", written in a cursive style.

Larry L. Campbell
Chief Budget Officer

cc: Justin Law, Agriculture
Katie Mitchell, Kansas Water Office