

SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2691

As Amended by House Committee on Water
and Environment

Brief*

HB 2691, as amended, would change the deadline to file an application for a multi-year flex account (MYFA) with the Chief Engineer from on or before October 1 to on or before December 31, of the first year of the MYFA term for which the application would be made.

Background

The bill was introduced by the House Committee on Water and Environment at the request of a representative of the Kansas Department of Agriculture (KDA).

In the House Committee hearing, a Deputy Secretary of the KDA provided testimony in favor of the bill, providing background on MYFAs, legislative history, and the current MYFA process, along with information about notification requirements for when water right owners want to change their water right's point of diversion. Written-only proponent testimony was provided by representatives of the Kansas Corn Growers Association and Kansas Farm Bureau.

The Executive Director of Groundwater Management District (GMD) No. 3 provided opponent testimony. The Executive Director stated proper notification of changes is very important in areas affected by a depleting aquifer, as what was once tolerable may no longer be tolerable. The Executive Director stated the time to be notified and review

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

the concerns of water right owners in the area should be made when administrative action is being discussed and not after the decision of the KDA is made.

No neutral testimony was provided.

The House Committee amended the bill by removing Section 2 of the bill, which would have modified notification requirements for when an applicant is requesting to move the point of diversion of the water right.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KDA states enactment of the bill could result in a slight reduction to agency expenditures for printing, office supplies, postage, and staff time, but the fiscal effect on the agency's budget is unknown. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2019 Governor's Budget Report*.