

HOUSE BILL No. 2044

By Committee on Environment

1-16

AN ACT concerning the multipurpose small lakes program; amending
K.S.A. 82a-1602 and 82a-1603 and repealing the existing sections.

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

Section 1. K.S.A. 82a-1602 is hereby amended to read as follows:
82a-1602. (a) In order to provide public water supply storage and water
related recreational facilities in the state there is hereby established a
multipurpose small lakes program. The program shall be administered by
the state conservation commission.

(b) *Except as provided by subsection (c), the state conservation com-
mission shall adopt all rules and regulations necessary to implement the
provisions of this act.*

(c) *The Kansas water office shall adopt all rules and regulations gov-
erning recovery of the state's costs, including interest, incurred in provid-
ing public water supply storage in multipurpose small lake projects and
in increasing or restoring public water supply storage in such projects.*

Sec. 2. K.S.A. 82a-1603 is hereby amended to read as follows: 82a-
1603. When used in this act:

(a) "Chief engineer" means the chief engineer of the division of water
resources of the state ~~board~~ department of agriculture.

(b) "Class I funded project" means a proposed new project or ren-
ovation of an existing project located within the boundaries of an organ-
ized watershed district which is receiving or is eligible to receive financial
participation from the state conservation commission for the flood control
storage portion of the project.

(c) "Class II funded project" means a proposed new project or ren-
ovation of an existing project which is receiving or is eligible to receive
financial participation from the federal government.

(d) "Class III funded project" means a proposed new project or ren-
ovation of an existing project located outside the boundaries of an organ-
ized watershed district which is not receiving or is not eligible to receive
financial participation from the state conservation commission or the fed-
eral government except as provided in K.S.A. 82a-1606, and amendments
thereto.

(e) "Flood control storage" means storage space in reservoirs to hold

1 flood waters.

2 (f) "General plan" means a preliminary engineering report describing
3 the characteristics of the project area, the nature and methods of dealing
4 with the soil and water problems within the project area, and the projects
5 proposed to be undertaken by the sponsor within the project area. Such
6 plan shall include maps, descriptions and other data as may be necessary
7 for the location, identification and establishment of the character of the
8 work to be undertaken; a cost-benefit analysis of alternatives to the pro-
9 ject, including but not limited to, nonstructural flood control options and
10 water conservation and reuse to reduce need for new water supply stor-
11 age; and any other data and information as the chief engineer may require.

12 (g) "Land right" means real property as that term is defined by the
13 laws of the state of Kansas and all rights thereto and interest therein and
14 shall include any road, highway, bridge, street, easement or other right-
15 of-way thereon.

16 (h) "Multipurpose small lake project" means:

17 (1) A dam and lake containing ~~(1)~~: (A) Flood control storage; and ~~(2)~~
18 (B) either public water supply storage or recreation features, or both; or

19 (2) *renovation or reconstruction of an existing dam or lake to provide*
20 *the following: (A) Increase or restoration of flood control storage; (B)*
21 *increase or restoration of public water supply storage; or (C) both (A)*
22 *and (B).*

23 (i) "Public water supply" means a water supply for municipal, indus-
24 trial or domestic use.

25 (j) "Public water supply storage" means storage of water for munic-
26 ipal, industrial or domestic use.

27 (k) "Recreation feature" means water storage and related facilities
28 for activities such as swimming, fishing, boating, camping or other related
29 activities.

30 (l) "Sponsor" means: (1) Any political subdivision of the state which
31 has the power of taxation and the right of eminent domain; (2) any public
32 wholesale water supply district; or (3) any rural water district.

33 (m) "Water user" means any city, rural water district, wholesale water
34 district or any other political subdivision of the state which is in the busi-
35 ness of furnishing municipal or industrial water to the public.

36 Sec. 3. K.S.A. 82a-1602 and 82a-1603 are hereby repealed.

37 Sec. 4. This act shall take effect and be in force from and after its
38 publication in the statute book.

39

40

41

42

43