

LEGISLATIVE REPORT

APWA KC Metro

Kansas Legislative Report

February 23, 2024

The 2024 Legislative Session has officially reached its halfway point, known as Turnaround. The procedural legislative deadline is significant as it effectively stops legislative bills unless they have passed one chamber or have touched an exempt committee (budget, tax or federal and state affairs). This week the House and Senate debated and passed dozens of bills that now transition to the opposite chamber to restart the process. Bills subject to the Turnaround deadlines will not be able to receive consideration after February 23 unless they have been passed by one chamber.

The second half of session, beginning next week, will see less quantity of bills floating around but remaining bills generally have more momentum. March will see the process begin to pick up speed, with two weeks dedicated for committee work and the rest of the month reserved for debating bills and conference committees.

The development of the budget bills will occupy considerable time, along with consideration of tax policy. After a tax debate on the House floor, Governor Kelly's January veto of the comprehensive tax package (HB 2284 conference committee report) stands. It is unclear if another package will be put together.

Water Policy & Funding

This week, the House Committee on Water held a hearing on HB 2695, a bill allowing a majority of eligible voters in a groundwater management district or an area for a proposed extension or reduction of a district to petition the chief engineer to extend or reduce the territory in a groundwater management district. The bill saw opposition from all five groundwater management districts, as well as the Kansas Farm Bureau. The Kansas Department of Agriculture testified as neutral. However, since the bill was not passed by the House before Turnaround, HB 2695 was not advanced, the bill is

effectively dead. Additionally, the House Committee on Appropriations received a budget report on the Kansas Water Office.

The house debated and passed multiple water bills this week. HB 2634, a bill providing an additional corrective control provision for the chief engineer to consider when issuing orders of designations for local enhanced management areas and intensive groundwater use control areas, passed unanimously.

HB 2633 provides for additional sources of revenue for the water program management fund and requires water supply system and wastewater treatment facility operator certification examination fees to not exceed the costs for such exams. HB 2678 extends the period for how long a groundwater right can be deposited in a water bank and requires a water bank to authorize a withdrawal of water on or before December 1 of the calendar year in which the withdrawn water is to be used. Both bills passed the house 119-1.

HB 2587 also passed the house 116-4. This is a bill authorizing the board of directors for a drainage district to hold a meeting in executive session in accordance with the Open Meetings Act.

HB 2525 passed the house 87-24 earlier in the session and is awaiting a hearing in the Senate Committee on Agriculture and Natural Resources. This is a bill providing for additional sources of revenue for the water program management fund and creating additional fees for the regulation of underground injection control wells.

Next week on February 29, the Senate Committee on Local Government will have a hearing on SB 510. SB 510 specifies that any city that has previously provided sewer service to a property that was disconnected from the system would be required to reconnect the property to the sewer system within ten days of a request by the property owner. There would be no cost to the property owner if the disconnection was not from a failure to pay sewer fees.

Another new bill of interest is SB 524, a bill specifying when boards of directors for irrigation districts of 35,000 or more acres may conduct board member elections by mail ballot and establishing the terms for such members. The bill was introduced in the Senate Committee on Ways & Means and has no hearing date scheduled.

Bills that did not pass out of committee and effectively expired due to Turnaround deadlines include:

- SB 383 - Authorizing the board of directors for a drainage district to hold a meeting in executive session in accordance with the Open Meetings Act. The house version has passed.
- HB 2372 - Regulating the land application of swine manure and wastewater.

- HB 2486 - Removing the definition of lead-free and an exception for lead joints in the public water supply system law and updating terminology relating to hazardous waste generated by certain persons.
- HB 2695 - Allowing a majority of eligible voters in a groundwater management district or an area for a proposed extension or reduction of a district to petition the chief engineer to extend or reduce the territory in a groundwater management district.
- HB 2696 - Allowing a groundwater management district the opportunity to provide a written comment rather than a recommendation to the chief engineer for a proposed water conservation area and management plan.
- HB 2697 - Allowing groundwater management district boards to provide relevant information rather than advice and assistance regarding groundwater management and other appropriate matters of concern of a district.

Exempt bills not advanced but still alive include:

- HB 2459 - Prohibiting the change of the point of diversion of a water right if such change causes the safe yield of the source of water supply to be exceeded.
- HB2526 - Authorizing the chief engineer to adopt rules and regulations concerning fees and inspections of dams.

Transportation Policy & Funding

The Senate debated and passed SB 272 by a 36-4 vote. Proposed by the Kansas Association of Airports, SB 272 aims to increase the annual Kansas Department of Transportation intra-agency transfer from the State Highway Fund to the Kansas Airport Improvement Program from \$5M to \$15M. The bill now heads to the House.

The Northern Flyer Alliance's SB 349, establishing an intercity passenger rail service program and making annual transfers into the Passenger Rail Service Revolving Fund, now resides in the House Committee on Transportation.

Next week both transportation committees will receive recently passed legislation from the opposite chamber and may plan for hearings next month.

Several transportation bills tracked have stalled due to Turnaround deadlines. These include:

- SB 90/HB 2418- bills to eliminate the \$4 Division of Vehicles Modernization Surcharge collected at the time of vehicle registration. This would reduce the State Highway Fund by over \$6M.
- SB 402- prohibiting crew size requirements for class II and class III railroads.
- HB 2004- establishing the EV energy equity road repair tax act.

- HB 2631- directing the Kansas turnpike authority to establish a toll exemption program for current members of the armed forces.

Several other transportation bills remain alive because they were introduced in exempt committees though they have not been formally considered.

Thank you and please let us know if you have any questions.

Travis Lowe

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
SB 90 Senate Transportation Committee	Increasing certain registration and title fees on vehicles for services provided by county treasurers and the division of vehicles, decreasing certain fees related to administrative costs and modifying the disposition of such fees and eliminating the division of vehicles modernization surcharge	In Senate Transportation	02/08/2023 - Senate Scheduled Hearing in Transportation: Thursday, 2/16, 8:30 AM, Rm 546-S
SB 153 Senate Ways and Means Committee	Making and concerning supplemental appropriations for fiscal years 2023 and 2024 for various state agencies	In Senate Ways and Means	03/01/2023 - Senate Scheduled Final Action in Ways and Means: Thursday, 3/9, 10:30 AM, Rm 548-S
Sub for SB 155 Senate Ways and Means Committee	Making and concerning appropriations for fiscal years 2023, 2024, 2025 and 2026 for various state agencies	In House Appropriations	01/17/2024 - House Scheduled Hearing in Appropriations: Tuesday, 1/23, 9:00 AM, Rm 112-N
SB 331 Dan Kerschen, R-26th	Removing the definition of lead-free and an exception for leaded joints in the public water supply systems law and updating terminology relating to hazardous waste generated by certain persons	In House Agriculture and Natural Resources	02/02/2024 - House Referred to Agriculture and Natural Resources

SB 510 Senate Federal and State Affairs Committee	Requiring cities to reconnect property to the city sewer system if the property owner requests such reconnection and the disconnection was not a result of failure to pay sewer fees	In Senate Local Government	02/21/2024 - Senate Scheduled Hearing in Local Government: Thursday, 2/29, 9:30 AM, Rm 144-S
SB 524 Senate Ways and Means Committee	Specifying when boards of directors for irrigation districts of 35,000 or more acres may conduct board member elections by mail ballot and establishing the terms for such members	In Senate Ways and Means	02/21/2024 - Senate Referred to Ways and Means
HB 2004 Bill Rhiley, R-80th	Establishing the EV energy equity road repair tax act and providing for a road repair tax on electricity distributed from a public charging station for electric vehicles	In House Transportation	01/25/2023 - House Scheduled Hearing in Transportation: Tuesday, 1/31, 1:30 PM, Rm 582-N
HB 2047 House Water Committee	Increasing the amortization period on loans from the Kansas water pollution control revolving fund	In Senate Agriculture and Natural Resources	03/02/2023 - Senate Referred to Agriculture and Natural Resources
HB 2142 House Education Committee	Creating the get the lead out of school drinking water act to require schools to comply with legal limits on lead content in school drinking water	In House Education	02/08/2023 - House Scheduled Hearing in Education: Tuesday, 2/14, 1:30 PM, Rm 218-N
HB 2148 House Transportation Committee	Increasing certain registration and title fees on vehicles for services provided by county treasurers and the division of vehicles, decreasing certain fees related to administrative costs and disposition of such fees and eliminating the division of vehicles modernization surcharge	In House Transportation	02/01/2023 - House Scheduled Hearing in Transportation: Tuesday, 2/7, 1:30 PM, Rm 582-N
HB 2159 House Agriculture and Natural Resources Committee	Providing for additional sources of revenue for the water program management fund and creating additional fees for the regulation of underground injection control wells	Stricken from Calendar in House	02/23/2023 - House Stricken from Calendar by Rule 1507

HB 2273 House Appropriations Committee	Appropriations for FY 2024, FY 2025 and FY 2026 for various state agencies	In House Appropriations	03/01/2023 - House Scheduled Hearing in Appropriations: Wednesday, 3/8, 9:00 AM, Rm 112-N
HB 2274 House Appropriations Committee	Making and concerning supplemental appropriations for fiscal years 2023 and 2024 for various state agencies	In House Appropriations	03/01/2023 - House Scheduled Hearing in Appropriations: Wednesday, 3/8, 9:00 AM, Rm 112-N
HB 2372 House Agriculture and Natural Resources Committee	Regulating the land application of swine manure and wastewater	In House Agriculture and Natural Resources	02/09/2023 - House Referred to Agriculture and Natural Resources
HB 2486 Jim Minnix, R-118th	Removing the definition of lead-free and an exception for leaded joints in the public water supply system law and updating terminology relating to hazardous waste generated by certain persons	In House Water	01/08/2024 - House Introduced; referred to Water
HB 2525 House Agriculture and Natural Resources Committee	Providing for additional sources of revenue for the water program management fund and creating additional fees for the regulation of underground injection control wells	In Senate Agriculture and Natural Resources	02/15/2024 - Senate Referred to Agriculture and Natural Resources
HB 2631 Nate Butler, R-68th	Directing the Kansas turnpike authority to establish a toll exemption program for current members of the armed forces whose orders direct a permanent place of duty within Kansas	In House Transportation	01/31/2024 - House Referred to Transportation
HB 2633 House Water Committee	Providing for additional sources of revenue for the water program management fund and requiring water supply system and wastewater treatment facility operator	In Senate Agriculture and Natural Resources	02/28/2024 - Senate Referred to Agriculture and Natural Resources

	certification examination fees to not exceed the costs for such exams		
HB 2674 House Welfare Reform Committee	Prohibiting the secretary for children and families from participating in the summer electronic benefits transfer for children program	In House Welfare Reform	02/02/2024 - House Referred to Welfare Reform
HB 2678 House Water Committee	Extending the period for how long a groundwater right can be deposited in a water bank and requiring a water bank to authorize a withdrawal of water on or before December 1 of the calendar year in which the withdrawn water is to be used	Passed in House	02/22/2024 - House Final Action: Passed as amended; Yeas 119, Nays 1
HB 2695 House Water Committee	Allowing a majority of eligible voters in a groundwater management district or an area for a proposed extension or reduction of a district to petition the chief engineer to extend or reduce the territory in a groundwater management district	In House Water	02/13/2024 - House Scheduled Hearing in Water: Tuesday, 2/20, 9:00 AM, Rm 218-N
HB 2696 House Water Committee	Allowing a groundwater management district the opportunity to provide a written comment rather than a recommendation to the chief engineer for a proposed water conservation area and management plan	In House Water	02/07/2024 - House Scheduled Hearing in Water: Tuesday, 2/13, 9:00 AM, Rm 218-N
HB 2697 House Water Committee	Allowing groundwater management districts boards to provide relevant information rather than advice and assistance regarding groundwater management and other appropriate matters of concern of a district	In House Water	02/07/2024 - House Scheduled Hearing in Water: Tuesday, 2/13, 9:00 AM, Rm 218-N