

# KRWA and the Legislature

**K**RWA sometimes contacts members and asks them in turn to contact their legislator about a particular bill. As a board of directors and key staff, we are always gratified by the number of systems that respond to any “urgent” request and are encouraged by the legislative response. KRWA does not randomly call for such help... it’s only asked when necessary.

KRWA’s board of directors holds an annual fall retreat where everything from staff employment policies and performances to the fiscal health of the organization is examined. During that very intense two or three-day period, a legislative and regulatory agenda is established for the coming year. Your KRWA Board of Directors

considers member system needs (leak detection, emergency operator service, financial planning assistance) as evidenced by calls to KRWA staff, forthcoming EPA regulations, and conversations between board members and member system operators. State

agencies, like KDHE and the Kansas Water Office, provide funding through contracts for many on-site technical assistance programs that are delivered by KRWA’s staff. KDHE and Kansas Water Office managers or Directors have attended these KRWA sessions in recent years.

KRWA board members evaluate what programs are likely



*Kansas State Conservation Commission Executive Director Greg Foley, KRWA President Dennis Schwartz, Kansas Water Office Director Tracy Streeter and Lawrence Representative Tom Sloan meet under the John Steuart Curry John Brown mural in the Kansas State Capitol Building.*



*Dennis Schwartz  
KRWA President*

to have the highest demands, what resources KRWA has to address those needs, and what demands/resources need additional support. That need for support can take the form of asking the legislature to

successfully secure funding and administrative policies to help KRWA members necessitates many hours of meetings with key legislators, agency staff, **AND** KRWA members each week.

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change a law or increase funding; or for a regulatory agency to reassess its rules and regulations, programming practices, or policy emphasis.

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## **Legislative Process**

If the board members agree that a legislative initiative is necessary to better serve KRWA members, a rough outline of the bill’s objective and key components is drafted. That draft

is either provided to KRWA's staff attorney for refining and drafting into "legal" language or provided to a legislator who understands water system operations for formal drafting by the Legislature's attorneys in the



Kansas State Capitol building, south elevation, in Topeka.

Revisor of Statutes office. As bills may only be requested and introduced by a legislator or legislative committee, KRWA's board and staff identify one or more legislators to officially "sponsor" our bill.

You may remember from your days in high school the civics text that described the way ideas (bills) become laws. A bill is introduced, assigned to a committee, discussed, sent to the full chamber (House or Senate), discussed and passed, and the process is repeated in the second chamber before the Governor signs the measure. Something kind of like that is what may happen, but there are many pitfalls and possible failure points along the way. Less than one third of the bills introduced each year in the Kansas Legislature become law – and many of them bear relatively little resemblance to what was originally introduced.

KRWA tracks each bill introduced at the Association's (and your) request. We either work

with an individual legislator or directly approach the Committee Chairperson and ask for a hearing date so that we can provide testimony as to why the bill is necessary for our members and your patrons/customers. When that hearing is held, we testify – frequently bringing member system representatives into the Capitol to provide first-hand information to legislators about the bill's importance.

Votes on bills are not "automatic." The Chairperson generally wants to know that enough committee members are interested in the bill before scheduling debate and a vote. Thus, KRWA must talk with committee members to determine if they support the bill, have amendments they wish to offer before supporting it, or just do not agree with KRWA and our member systems as to the need for the bill. When we have sufficient support, we encourage the committee Chairperson to bring the bill up for debate and a vote.

## Nitrates Got You Blue?



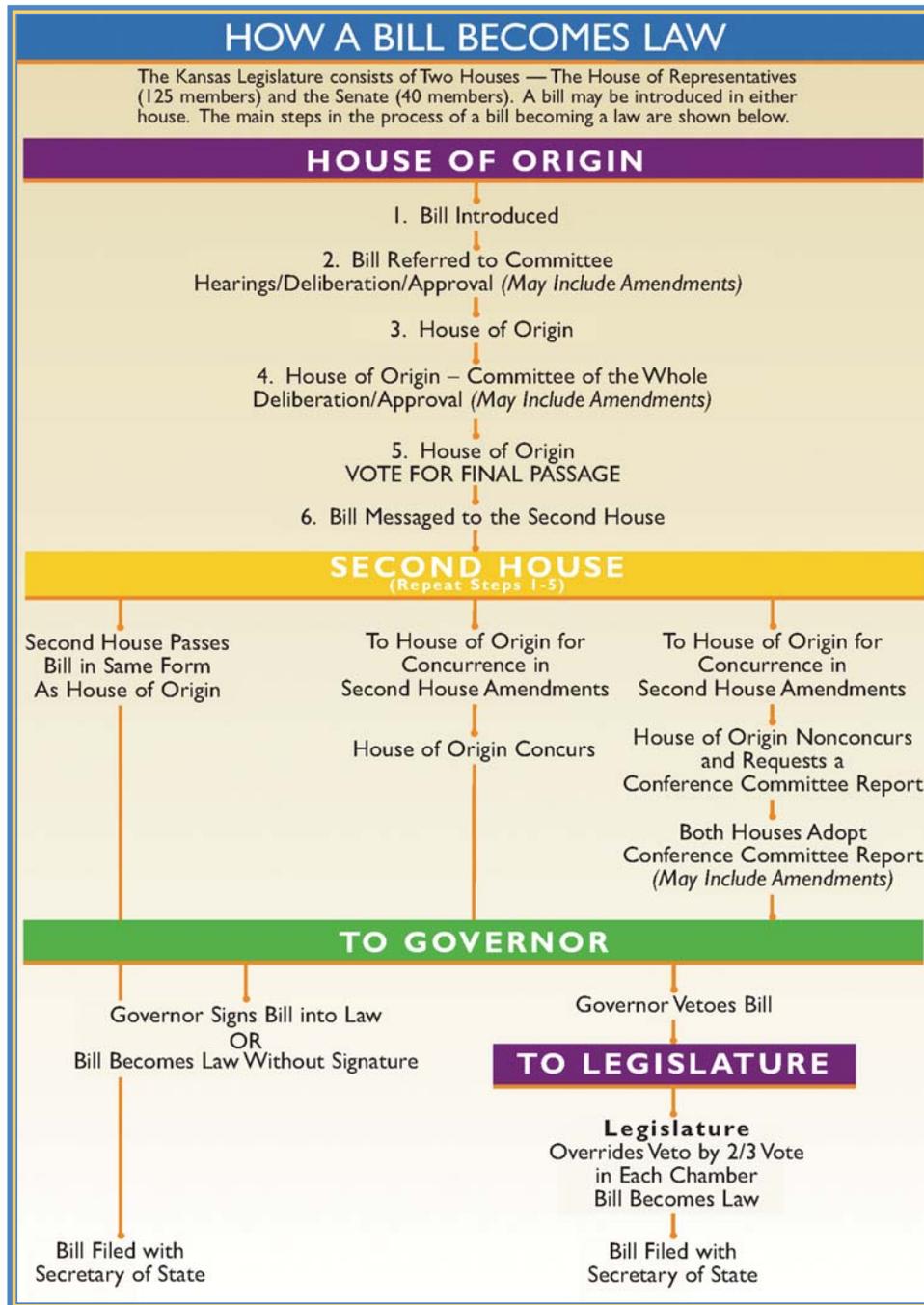
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the bill to final action.” This is a procedural vote and is generally not recorded (a written record of who votes aye and nay). The next day “final action” votes are taken and each legislator votes on the record. If our bill secures enough votes to pass that chamber (63 in the House and 21 in the Senate), the bill is sent to the second chamber and the process is repeated.

It is easier to prevent a bill from moving forward than it is to pass one. The committee chairperson does not schedule a hearing because there are too many other bills to hear; if a committee hearing is held, the chairperson may not call that bill for debate and action; if passed out of committee, the Majority Leader may not schedule it for debate by the full chamber; and at each step amendments could alter the bill sufficiently that KRWA’s members no longer benefit from

If/when the bill passes from Committee, KRWA or a key legislative sponsor must talk with the Majority Leader of that chamber to make sure it is scheduled for debate on the floor. We or a legislative sponsor will make sure that the person “carrying” the bill (explaining why it is requested and needed) on the floor has all necessary

information to respond to questions. We also try to make sure that key bill sponsors are prepared to speak in favor of the measure if the bill carrier has late-breaking questions or if there is unexpected opposition.

There are at least two votes taken on each bill in each chamber. The first is immediately after the debate and is to “move

the measure or it can be defeated. It is also possible that the Governor will veto the bill even after both houses have passed it.

**KRWA’s Role**

In addition to the role and actions discussed above, KRWA is monitoring every bill introduced each day (more than 4,000 bills per 90-day legislative session) to

make sure that no bills affecting water and wastewater systems move through the process without our members being aware and influencing the legislators voting. Traditionally, all of the bill monitoring, coordination of testimony, contacting of legislators, and all of the other many steps were done by KRWA staff and board members.

This past year, KRWA hired a lobbyist knowledgeable in water issues to assist us with the daily bill introduction monitoring, conversations with legislators, and vote counting prior to committee and floor action. That person, Pat Lehman, provides the daily on-site technical assistance that KRWA needs. He does not testify on behalf of KRWA and our members. That role is reserved for KRWA board members, KRWA staff, KRWA legal counsel or system representatives. However, by physically being at the Capitol and personally knowing each of the 165 legislators, KRWA's lobbyist is able to talk with them

about our members' issues. This allows KRWA's staff to continue to focus on KRWA on-going operations – delivering on-site technical assistance and dealing with regulatory agency staffs.

without unreasonable burdens or costs, consumes an inordinate amount of thought, time, and effort. The federal and state legislative and agency speakers at the annual KRWA Conference are

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#### **Conclusion**

This article discusses how KRWA's board and staff interact with Kansas legislators on your behalf. We also interact with the Governor and her/his staff, the Kansas Congressional delegation, and with state agency staff members every day. Making sure the state's and nation's laws and regulation enforcement protect water users and water and wastewater system operators,

among our key supporters, so the Conference is also an opportunity for KRWA members to both thank these supporters and encourage them to continue supporting water and wastewater systems and users.

Your willingness to make telephone calls, send emails, and talk with state and federal elected officials and candidates before sessions begin is vital to our collective successes!



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