

SESSION OF 2024

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2633

As Recommended by House Committee on
Water

Brief*

HB 2633 would make changes regarding the certification exams for operators of water supply systems and wastewater treatment facilities in the state.

Water Program Management Fund

The bill would authorize the Secretary of Health and Environment (Secretary) to deposit certification exam fees for operators of water supply systems and wastewater treatment facilities into the Water Program Management Fund (Fund) of the Kansas Department of Health and Environment (KDHE) instead of the State General Fund (SGF).

The bill would authorize the Secretary to deposit the fees under the provisions of this act and through adopted rules and regulations. [*Note:* The Secretary may promulgate rules and regulations for this purpose under existing authority through KSA 65-4512.]

Exam Fee Cap

The bill would remove the \$25 cap on individual operator certification exam fees and allow the Secretary to charge an exam fee that does not exceed the cost of an individual operator certification exam. [*Note:* Continuing law requires

*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 Secretary to establish a reasonable schedule of fees for this purpose.]

Repeal of Statute

The bill would repeal KSA 65-4506, which allows for a correspondence course to attain certification for operators of water supply systems and wastewater treatment facilities rather than classroom instruction and its fee.

Background

The bill was introduced by the House Committee on Water at the request of Representative Pickert.

House Committee on Water

In the House Committee hearing, representatives of the City of Garden City, KDHE, Kansas Municipal Utilities, and League of Kansas Municipalities provided **proponent** testimony. The proponents stated the laws regarding these exams were passed in 1975 and have largely not been updated since that time. The bill would allow KDHE to use an up-to-date national exam. Fees paid to take the exam would then be used to administer the exam.

Written-only proponent testimony was provided by a representative of the City of Valley Falls.

Opponent testimony was provided by a representative of the Kansas Rural Water Association (Association), stating the Association has been dissatisfied with the exam questions and certification process through KDHE for many years and asked for consideration of creating an advisory committee in statute.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, KDHE states the agency would only increase the fees for the water supply systems exams to \$125 (third party cost of the exam), and the wastewater treatment facilities exams would remain at \$25. Certification renewal fees would also be charged at \$25. While there are currently no SGF expenditures for operator certifications, the bill would allow for these costs to be paid from the Water Program Management Fund revenues. KDHE estimates these expenditures would be \$72,250 in FY 2025 and FY 2026, based on the number of exams in FY 2023, which included approximately 490 water supply systems exams and 440 wastewater treatment facilities exams. The agency notes that local governments and water utilities would see an increase in fees for water operator exams in the future, but the redirection of the fees should improve service and reliability in handling the needs of local utilities and their operators. Any fiscal effect associated with the bill is not reflected in *The FY 2025 Governor's Budget Report*.

Water; water supply systems; wastewater treatment facilities; Water Program Management Fund; certification; examinations