

HOUSE BILL No. 2506

By Committee on Taxation

2-14

AN ACT concerning water; relating to the water marketing fund; amend-
ing K.S.A. 82a-1315c and repealing the existing section.

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

Section 1. K.S.A. 82a-1315c is hereby amended to read as follows:
82a-1315c. (a) There is hereby created in the state treasury the water
marketing fund. The director of the Kansas water office may accept or
receive moneys from any source, governmental or private, for the pur-
poses for which expenditures may be made from the water marketing
fund. The director shall remit all moneys so received to the state treasurer
at least monthly. Upon receipt of any such remittance the state treasurer
shall deposit the entire amount thereof in the state treasury and credit
such amount to the water marketing fund.

(b) Moneys credited to the water marketing fund shall be used for
the following purposes:

(1) Payment to the federal government of annual capital costs asso-
ciated with water supply storage space in reservoirs under the state water
plan storage act;

(2) repayment to the state general fund for moneys advanced to make
annual capital cost payments for water supply storage space in reservoirs
under the state water plan storage act;

(3) payment to the federal government of annual operation, mainte-
nance and repair costs associated with the water supply storage space
under the state water plan storage act;

(4) repayment to the state general fund for administration and en-
forcement costs of the state associated with the state water plan storage
act;

(5) an annual set-aside to a reserve account which is hereby created
as part of this fund of an amount specified by the director of the Kansas
water office but not more than \pm \$.01 per 1,000 gallons of water sold;
~~such reserve to be used to meet any shortfall in revenue or unusual ex-
penses relating to operation, maintenance and repair costs;~~ and

(6) deposit of receipts as required under K.S.A. 82a-1315b and
amendments thereto.

(c) *The reserve account created by subsection (b)(5) shall be used only*

1 *to meet any shortfall in revenue or unusual expenses relating to operation,*
2 *maintenance and repair costs and shall not be expended or transferred*
3 *for use for any other purpose.*

4 ~~(e)~~ (d) All expenditures from the water marketing fund shall be made
5 in accordance with appropriation acts upon warrants of the director of
6 accounts and reports issued pursuant to vouchers approved by the direc-
7 tor of the Kansas water office or by a person designated by the director.

8 New Sec. 2. (a) Subject to the limitations of this section, whenever
9 it appears that the resources in any fiscal year commencing after June 30,
10 2001, are insufficient to meet in full the estimated expenditures as they
11 become due to meet duties imposed by law on the water marketing fund
12 of the Kansas water office as a result of increases in water rates, fees or
13 charges imposed by the federal government, the pooled money invest-
14 ment board is authorized and directed to loan to the director of the Kan-
15 sas water office sufficient funds to reimburse the water marketing fund
16 for increases in water rates, fees or charges imposed by the federal gov-
17 ernment, and to allow the Kansas water office to spread such increases
18 to consumers over a longer period, except that no such loan shall be made
19 unless the terms thereof have been approved by the director of the
20 budget. The pooled money investment board is authorized and directed
21 to use any moneys in the operating accounts, investment accounts or other
22 investments of the state of Kansas to provide the funds for such loan.
23 Each such loan shall bear interest at a rate equal to the interest rate being
24 paid on state inactive account moneys at the time of the making of such
25 loan. Such loan shall not be deemed to be an indebtedness or debt of the
26 state of Kansas within the meaning of section 6 of article 11 of the con-
27 stitution of the state of Kansas.

28 (b) Upon certification by the pooled money investment board by the
29 director of the Kansas water office of the amount of each loan authorized
30 pursuant to subsection (a), the pooled money investment board shall
31 transfer each such amount certified by the director of the Kansas water
32 office from the state bank account or accounts prescribed in subsection
33 (a) to the water marketing fund of the Kansas water office.

34 (c) The principal and interest of each loan authorized pursuant to
35 subsection (a) shall be repaid in payments payable at least annually for a
36 period of not more than five years.

37 (d) The aggregate outstanding balance of all loans pursuant to this
38 section shall not exceed \$1,000,000 at any one time.

39 Sec. 3. K.S.A. 82a-1315c is hereby repealed.

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

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