

SENATE BILL No. 144

By Senators Barone, Downey, Feleciano, Gilstrap, Gooch, Goodwin,
Haley, Hensley, Lee, and Steineger

1-26

10 AN ACT concerning home energy assistance programs; establishing the
11 Kanhelp home energy assistance program and the Kanhelp home
12 weatherization assistance program; providing for the funding thereof;
13 amending K.S.A. 79-4227 and repealing the existing section.
14

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

16 New Section 1. (a) The secretary of social and rehabilitation services
17 is hereby directed to establish a program to assist low income Kansans in
18 paying their home energy costs. The program shall be known as the Kan-
19 help home energy assistance program.

20 (b) The Kanhelp home energy assistance program shall be subject to
21 applicable federal guidelines and regulations of the federal low income
22 energy assistance program, except that such program shall serve Kansans
23 whose gross household income does not exceed 180% of the poverty level
24 established under the most recent poverty guidelines issued by the federal
25 department of health and human resources.

26 (c) The Kanhelp home energy assistance program shall be adminis-
27 tered in the same manner as the federal low income energy assistance
28 program. Applicants may not participate in the Kanhelp home energy
29 assistance program and the federal low income energy assistance program
30 during the same year.

31 (d) The Kanhelp home energy assistance program fund is hereby es-
32 tablished in the state treasury which shall be for the purpose of assisting
33 in the payment of home energy costs in accordance with the provisions
34 of this section. The secretary of social and rehabilitation services shall
35 administer the Kanhelp home energy assistance program fund. All ex-
36 penditures from the Kanhelp home energy assistance program fund shall
37 be made in accordance with appropriation acts upon warrants of the di-
38 rector of accounts and reports issued pursuant to vouchers approved by
39 the secretary of social and rehabilitation services or by a person or persons
40 designated by the secretary.

41 (e) On or before the 10th of each month, the director of accounts
42 and reports shall transfer from the state general fund to the Kanhelp
43 home energy assistance program fund interest earnings based on:

1 (1) The average daily balance of moneys in the Kanhelp home energy
2 assistance program fund for the preceding month; and

3 (2) the net earnings rate of the pooled money investment portfolio
4 for the preceding month.

5 New Sec. 2. (a) The secretary of commerce and housing is hereby
6 directed to establish a program to assist low income Kansans in paying
7 for home repair costs to help lower home energy costs. The program shall
8 be known as the Kanhelp home weatherization assistance program.

9 (b) The Kanhelp home weatherization assistance program shall be
10 subject to applicable federal guidelines and regulations used for the Kan-
11 sas weatherization assistance program.

12 (c) The Kanhelp home weatherization assistance program shall be
13 administered in the same manner as the Kansas weatherization assistance
14 program. Applicants may not participate in the Kanhelp home weather-
15 ization assistance program and the Kansas weatherization assistance pro-
16 gram during the same year.

17 (d) The Kanhelp home weatherization assistance program fund is
18 hereby established in the state treasury which shall be for the purpose of
19 assisting in the payment of home repair costs in accordance with the
20 provisions of this section. The secretary of commerce and housing shall
21 administer the Kanhelp home weatherization assistance program fund.
22 All expenditures from the Kanhelp home weatherization assistance pro-
23 gram fund shall be made in accordance with appropriation acts upon
24 warrants of the director of accounts and reports issued pursuant to vouch-
25 ers approved by the secretary of commerce and housing or by a person
26 or persons designated by the secretary.

27 (e) On or before the 10th of each month, the director of accounts
28 and reports shall transfer from the state general fund to the Kanhelp
29 home weatherization assistance program fund interest earnings based on:

30 (1) The average daily balance of moneys in the Kanhelp home weath-
31 erization assistance program fund for the preceding month; and

32 (2) the net earnings rate of the pooled money investment portfolio
33 for the preceding month.

34 Sec. 3. K.S.A. 79-4227 is hereby amended to read as follows: 79-
35 4227. (a) All revenue collected or received by the director from the tax
36 imposed by this act shall be remitted daily to the state treasurer. Upon
37 receipt of each such remittance, the state treasurer shall deposit the entire
38 amount thereof in the state treasury. The state treasurer shall first credit
39 such amount thereof as the director shall order to the mineral production
40 tax refund fund created under subsection (b) of this section. The state
41 treasurer shall credit the remainder of such amounts as follows:

42 (1) Seven percent to the special county mineral production tax fund
43 created under subsection (c) of this section; and

1 (2) the remainder shall be credited to the state general fund, *except*
2 *that when the aggregate moneys credited under this paragraph for fiscal*
3 *year 2001 and each fiscal year thereafter, equals \$53,000,000, then 50%*
4 *of the moneys in excess of such \$53,000,000, shall be credited to the Kan-*
5 *help home energy assistance program fund and 50% of the moneys in*
6 *excess of such \$53,000,000, shall be credited to the Kanhelp home weath-*
7 *erization assistance program fund.*

8 (b) A refund fund designated as “mineral production tax refund fund”
9 not to exceed \$50,000 is hereby created for the prompt payment of all
10 tax refunds. The mineral production tax refund fund shall be in such
11 amount, within the limit set by this section, as the director shall determine
12 is necessary to meet current refunding requirements under this act.

13 (c) There is hereby created a special county mineral production tax
14 fund. On December 1, 1983, and quarterly thereafter, the director of
15 taxation shall distribute all moneys credited to such fund to the county
16 treasurers of all counties in which taxes were levied under K.S.A. 79-
17 4217, *and amendments thereto*, for the severing and producing of coal,
18 oil or gas from property within the county, in the proportion that the taxes
19 levied upon production in each county bears to the total of all of such
20 taxes levied in all of such counties. Such distribution shall be based on
21 returns filed, with any adjustments or corrections thereto made by the
22 director of taxation.

23 (d) The secretary of revenue shall make provision for the determi-
24 nation of the counties within which taxes are levied under K.S.A. 79-4217,
25 *and amendments thereto*, for the severance of coal, oil or gas and shall
26 certify the same to the director of accounts and reports.

27 (e) The director of accounts and reports shall draw warrants on the
28 state treasurer payable to the county treasurer of each county entitled to
29 payment from the special county mineral production tax fund upon
30 vouchers approved by the director of taxation. Upon receipt of such war-
31 rant, each county treasurer shall credit 50% of the amount thereof to the
32 county general fund and shall distribute the remaining 50% thereof to
33 the treasurer of each school district all or any portion of which is located
34 within the county in the proportion that the assessed value of coal, oil
35 and gas properties within each district bears to the total of the assessed
36 value of all coal, oil and gas properties within the county. Such assessed
37 valuation shall be determined upon the basis of the most recent Novem-
38 ber 1 tax roll. The treasurer of each school district shall credit the entire
39 amount of the moneys so received to the general fund of the school
40 district.

41 Sec. 4. K.S.A. 79-4227 is hereby repealed.

42 Sec. 5. This act shall take effect and be in force from and after its
43 publication in the Kansas register.