AN ACT concerning the adjutant general; relating to the charging of fees; vulnerability assessments; hazardous materials; creating the Kansas emergency management and homeland security fund.

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

Section 1. (a) The adjutant general may fix, charge and collect fees for conducting vulnerability assessments of critical infrastructure conducted by the adjutant general. The fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such assessments.

(b) The adjutant general may fix, charge and collect a fee on any hazardous material possessed, sold, distributed or manufactured in Kansas. The fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for emergency management and homeland security by the adjutant general.

(c) The adjutant general shall remit all moneys received by or for the adjutant general from fees imposed and collected under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the Kansas emergency management and homeland security fund of the adjutant general which is hereby established in the state treasury. Moneys deposited in the Kansas emergency management and homeland security fund may be expended for operating expenditures of the adjutant general related to emergency management and homeland security, including, but not limited to, direct and indirect operating expenses. Expenditures from the Kansas emergency management and homeland security fund shall be made upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the adjutant general or by a person or persons designated by the adjutant general.

(d) The adjutant general is hereby authorized to adopt rules and regulations as may be necessary to implement the provisions of this section.

(e) As used in this section, "hazardous material" means any substance or material in a quantity or form which may be harmful or injurious to the health and safety of humans, animals, crops or property when released into
the environment. Hazardous material includes, but is not limited to, explosives, radioactive materials, disease-causing agents, flammable liquids, solids or gases, combustible liquids, poisons, poisonous gases, oxidizing materials, corrosive materials, irritants, nonflammable gases, cryogenics and blasting agents.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.