

HOUSE BILL No. 2956

By Committee on Appropriations

2-17

9 AN ACT concerning the Kansas water pollution control revolving fund;
10 relating to allocations from such fund; amending K.S.A. 65-3322 and
11 repealing the existing section.
12

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

14 Section 1. K.S.A. 65-3322 is hereby amended to read as follows: 65-
15 3322. (a) There is hereby established in the state treasury a fund to be
16 maintained in perpetuity and to be known as the Kansas water pollution
17 control revolving fund. The fund shall consist of:

18 (1) Amounts awarded or otherwise made available to this state under
19 the federal act for the purposes of the fund;

20 (2) amounts appropriated or otherwise made available by the legis-
21 lature for the purposes of the fund;

22 (3) the proceeds, if any, derived from the sale of bonds issued by the
23 Kansas development finance authority for the purposes of the fund to the
24 extent provided in any agreement entered into by the secretary and the
25 authority;

26 (4) amounts of repayments made by municipalities of loans received
27 under K.S.A. 65-3321 through 65-3329, and amendments thereto, to-
28 gether with payments of interest thereon, in accordance with agreements
29 entered into by such municipalities and the secretary;

30 (5) amounts earned on moneys in the fund; and

31 (6) amounts contributed or otherwise made available by any public
32 or private entity for use in effectuating the purposes of the fund.

33 (b) Subject to the conditions and in accordance with requirements of
34 the federal act and the provisions of K.S.A. 65-3321 through 65-3329, and
35 amendments thereto, the fund may be used only:

36 (1) To make loans to municipalities for payment of all or a part of
37 project costs;

38 (2) to carry out planning for wastewater treatments works;

39 (3) for implementation of nonpoint source pollution control
40 programs;

41 (4) as a source of revenue or security for the payment of principal
42 and interest on bonds issued by the Kansas development finance authority
43 if, and to the extent that, the proceeds of the sale of such bonds are

1 deposited in the fund;

2 *(5) as a source of revenue or security for the payment of principal*
3 *and interest on bonds issued by the Kansas development finance authority*
4 *pursuant to the provisions of K.S.A. 65-163d through 65-163u, and*
5 *amendments thereto;*

6 ~~(5)~~ (6) to earn interest on moneys in the fund;

7 ~~(6)~~ (7) to make grants to qualifying projects as authorized by the fed-
8 eral appropriation act of 1996 (P.L. 104-134), in accordance with the rural
9 communities hardship grants program implementation guidelines (Fed-
10 eral Register, March 20, 1997);

11 ~~(7)~~ (8) to make grants to qualifying projects as authorized by the con-
12 solidated appropriations act of 2001 (P.L. 106-554), in accordance with
13 the wet weather water quality act of 2000; and

14 ~~(8)~~ (9) for the reasonable costs, in amounts not to exceed 4% of all
15 amounts awarded to the state for the fund under title VI of the federal
16 act, of administering the fund and conducting activities under K.S.A. 65-
17 3321 through 65-3329, and amendments thereto, and for reasonable costs
18 after amounts cease to be awarded by the federal government under title
19 VI of the federal act, as determined by the secretary, of administering
20 the fund and conducting activities under K.S.A. 65-3321 through 65-3329,
21 and amendments thereto. Such costs shall be identified annually in de-
22 velopment of the intended use plan as described in K.S.A. 65-3325, and
23 amendments thereto.

24 (c) On or before the 10th of each month, the director of accounts
25 and reports shall transfer from the state general fund to the Kansas water
26 pollution control revolving fund interest earnings based on:

27 (1) The average daily balance of moneys in the Kansas water pollution
28 control revolving fund for the preceding month; and

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

31 (d) All payments and disbursements from the fund shall be made
32 upon warrants of the director of accounts and reports issued pursuant to
33 vouchers approved by the secretary or by a person or persons designated
34 by the secretary. All payments and disbursements from the fund, and
35 beginning and ending balances thereof, shall be subject each year to post
36 audit in accordance with article 11 of chapter 46 of the Kansas Statutes
37 Annotated.

38 Sec. 2. K.S.A. 65-3322 is hereby repealed.

39 Sec. 3. This act shall take effect and be in force from and after its
40 publication in the statute book.