

HOUSE BILL No. 2866

By Representatives Gordon, Bethell, Burroughs, Faust-Goudeau, Henry, Horst, Huntington, Kelsey, Lane, Menghini, Jim Morrison, Palmer, Sloan and Williams

2-13

11 AN ACT concerning the department on aging; relating to the senior serv-
12 ices fund; creating the health care for seniors fund; disposition of cer-
13 tain additional lottery proceeds; prescribing certain powers, duties and
14 functions for the secretary of aging; amending K.S.A. 2007 Supp. 74-
15 8768 and repealing the existing section.
16

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

18 New Section 1. (a) There is hereby established in the state treasury
19 the health care for seniors fund which shall be administered by the sec-
20 retary of aging as provided by law.

21 (b) All moneys credited to the health care for seniors fund shall be
22 used for additional funding for health care programs, assistance and serv-
23 ices for seniors. Moneys allocated or appropriated from the health care
24 for seniors fund shall not be used to replace or substitute for moneys
25 appropriated from the state general fund in the immediately preceding
26 fiscal year. All expenditures from the health care for seniors fund shall be
27 made in accordance with appropriation acts upon warrants of the director
28 of accounts and reports issued pursuant to vouchers approved by the
29 secretary of aging or the secretary's designee.

30 (c) On or before the 10th day of each month, the director of accounts
31 and reports shall transfer from the state general fund to the health care
32 for seniors fund interest earnings based on (1) the average daily balance
33 of moneys in the health care for seniors fund and (2) the net earnings
34 rate of the pooled money investment portfolio for the preceding month.

35 (d) As used in this section, "senior" means an individual who resides
36 in Kansas, who is 60 years of age or older and who is in need of health
37 care.

38 New Sec. 2. During the 2008 regular session and during each regular
39 session thereafter, the legislature shall specify by appropriation act an
40 amount or amounts of moneys to be transferred by the director of ac-
41 counts and reports from the expanded lottery act revenues fund to the
42 health care for seniors fund established by section 1, and amendments
43 thereto, or to the senior services fund established by subsection (g) of

1 K.S.A. 75-4265, and amendments thereto, or to both such funds, in ac-
2 cordance with this section. Notwithstanding the provisions of K.S.A. 2007
3 Supp. 74-8768, and amendments thereto, or any other statute, the direc-
4 tor of accounts and reports shall transfer the amount or amounts as spec-
5 ified or otherwise prescribed by appropriation act of the legislature, on
6 the date or dates specified therefor, from the expanded lottery act reve-
7 nues fund to the health care for seniors fund established by section 1,
8 and amendments thereto, or to the senior services fund established by
9 subsection (g) of K.S.A. 75-4265, and amendments thereto, or to both
10 such funds, all in accordance with the provisions of appropriation acts.

11 Sec. 3. K.S.A. 2007 Supp. 74-8768 is hereby amended to read as
12 follows: 74-8768. There is hereby created the expanded lottery act reve-
13 nues fund in the state treasury. All expenditures and transfers from such
14 fund shall be made in accordance with appropriation acts. All moneys
15 credited to such fund shall be expended or transferred only for the pur-
16 poses of reduction of state debt, state infrastructure improvements ~~and~~,
17 reduction of local ad valorem tax in the same manner as provided for
18 allocation of amounts in the local ad valorem tax reduction fund, *health*
19 *care programs, assistance and services for seniors for which expenditures*
20 *may be made from the health care for seniors fund established by section*
21 *1, and amendments thereto, and projects and purposes for which expend-*
22 *itures may be made from the senior services fund established by subsection*
23 *(g) of K.S.A. 75-4265, and amendments thereto.*

24 Sec. 4. K.S.A. 2007 Supp. 74-8768 is hereby repealed.

25 Sec. 5. This act shall take effect and be in force from and after its
26 publication in the statute book.