

65-34,146. Trust fund; establishment; credits; expenditures. (a) There is hereby established in the state treasury the drycleaning facility release trust fund. The fund shall be administered by the secretary. Moneys from the following sources shall be remitted 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 fund:

- (1) Any proceeds from the taxes and fees imposed by this act;
- (2) any interest attributable to investment of moneys in the drycleaning facility release trust fund;
- (3) moneys recovered by the state under the provisions of this act, including any moneys paid under an agreement with the secretary or as civil penalties; and
- (4) moneys received by the secretary in the form of gifts, grants, reimbursements or appropriations from any source intended to be used for the purposes of this act.

(b) Moneys in the fund may be expended for only the following purposes and for no other governmental purpose:

- (1) The direct costs of administration and enforcement of this act; and
 - (2) the costs of corrective action as provided in K.S.A. 65-34,148, and amendments thereto.
- (c) It is the intent of the legislature that the fund shall remain intact and inviolate for the purposes set forth in this act, and moneys in the fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.
- (d) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the drycleaning facility release trust fund interest earnings based on: (1) The average daily balance of moneys in the drycleaning facility release trust fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(e) All expenditures from the drycleaning facility release trust fund shall be made in accordance with appropriation acts upon warrants of the director of the accounts and reports issued pursuant to vouchers approved by the secretary for the purposes set forth in this section.

History: L. 1995, ch. 162, § 7; L. 1998, ch. 123, § 2; L. 1999, ch. 102, § 2; L. 2001, ch. 5, § 251; July 1.