

**75-5671. Remediation trust fund.** (a) As used in this section:

(1) "Consent decree agreement" means any consent decree agreement entered into pursuant to K.S.A. 74-8922, and amendments thereto, between the department and the oz entertainment company associated with the remediation of environmental contamination at the sunflower army ammunition plant located at De Soto, Kansas.

(2) "Department" means the department of health and environment.

(3) "Qualified expenses" means costs of remediation which are determined to be qualified expenses pursuant to a consent decree agreement.

(4) "Secretary" means the secretary of health and environment.

(b) There is hereby established in the state treasury the sunflower army ammunition plant remediation trust fund, to be administered by the secretary.

(c) The department shall remit to the state treasurer any proceeds received by the department from the payment obligation surety bond furnished by the oz entertainment company to the department pursuant to a consent decree agreement. Upon receipt of such proceeds, the state treasurer shall deposit the entire amount in the state treasury and credit it to the sunflower army ammunition plant remediation trust fund.

(d) Moneys in the sunflower army ammunition plant remediation trust fund shall be expended only for payment of qualified expenses of remediation of environmental contamination at the sunflower army ammunition plant for which the oz entertainment company has accepted responsibility for payment. Moneys in the fund shall be expended for no other governmental purpose.

(e) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the sunflower army ammunition plant remediation trust fund interest earnings based on:

(1) The average daily balance of moneys in the sunflower army ammunition plant remediation trust fund for the preceding month; and

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

(f) All expenditures from the sunflower army ammunition plant remediation trust fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary for the purposes set forth in this section.

**History:** L. 2000, ch. 129, § 1; Apr. 27.