

HOUSE BILL No. 2203

AN ACT concerning the Kansas asbestos control program; creating the asbestos remediation fund, fees and purposes; amending K.S.A. 65-5309 and repealing the existing section.

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

New Section 1. (a) There is hereby established in the state treasury the asbestos remediation fund.

(1) The secretary of health and environment shall remit to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, all moneys collected or received by the secretary from the following sources:

(A) Permit and approval fees collected under K.S.A. 65-5309, and amendments thereto;

(B) any moneys recovered by the state under the provisions of this act, including administrative expenses and moneys paid under any agreement, stipulation or settlement; and

(C) interest attributable to investment of moneys in the fund.

(2) Upon receipt of each remittance pursuant to paragraph (1), the state treasurer shall deposit the entire amount in the state treasury to the credit of the asbestos remediation fund.

(b) Moneys deposited in the fund shall be expended only for the purpose of administering the Kansas asbestos control act, including funding of a technical and environmental compliance assistance program, and for no other governmental purposes.

(c) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the asbestos remediation fund interest earnings based on the:

(1) Average daily balance of moneys in the asbestos remediation fund for the preceding month; and

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

(d) All expenditures from the asbestos remediation 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.

Sec. 2. K.S.A. 65-5309 is hereby amended to read as follows: 65-5309. (a) The secretary shall establish by rules and regulations a reasonable schedule of fees for licensure and for project evaluations under this act. The fee schedule shall be established on the basis of determination by the secretary of the amount of revenue required for administration of the provisions of this act.

(b) The secretary shall remit all moneys received from the fees established pursuant to 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 ~~state general~~ asbestos remediation fund.

Sec. 3. K.S.A. 65-5309 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the House, and passed that body

HOUSE concurred in
SENATE amendments _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.