

## SENATE BILL No. 353

By Committee on Federal and State Affairs

2-15

---

9 AN ACT concerning the Eisenhower museum; relating to funding  
10 thereof; providing for the use of certain lottery revenues therefore;  
11 amending K.S.A. 2006 Supp. 74-8711 and repealing the existing  
12 section.

13

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

15 New Section 1. (a) The Kansas lottery commission shall designate  
16 lottery games the revenues from which shall be used for the purposes  
17 provided in this act. The commission shall designate such games so that  
18 at all times the proceeds of one, and only one, such game are used for  
19 such purposes.

20 (b) On or before the 15th day of each month, the executive director  
21 shall certify to the director of accounts and reports the amount of revenue  
22 collected from the sale of lottery tickets and shares during the preceding  
23 month from lottery games designated pursuant to subsection (a), less  
24 amounts described in subsections (c)(1), (c)(2) and (c)(3) of K.S.A. 74-  
25 8711, and amendments thereto, which are attributable to such games.  
26 Upon receipt of the certification, the director of accounts and reports  
27 shall transfer the amount so certified from the lottery operating fund to  
28 the Eisenhower museum fund established by section 2 and amendments  
29 thereto.

30 New Sec 2. (a) There is hereby established in the state treasury the  
31 Eisenhower museum lottery fund.

32 (b) On or before the 10th of each month, the director of accounts  
33 and reports shall transfer from the state general fund to the Eisenhower  
34 museum lottery fund interest earnings based on: (1) The average daily  
35 balance of moneys in the Eisenhower museum lottery fund for the pre-  
36 ceding month; and

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

39 (c) In accordance with the provisions of appropriation acts, moneys  
40 shall be transferred to the Eisenhower museum lottery fund from the  
41 state general fund or one or more special revenue funds in the state  
42 treasury as specified by appropriation acts. The secretary of commerce  
43 shall make grants from the Eisenhower museum lottery fund to the Ei-

1   Eisenhower foundation for the promotion and maintenance of the Eisen-  
2   hower library and the Eisenhower museum as determined by the Eisen-  
3   hower foundation. Each annual grant shall be based upon a budget and  
4   plan submitted by the Eisenhower foundation to the secretary of com-  
5   merce or the secretary's designee. Each annual grant shall be matched  
6   by moneys received by the Eisenhower foundation on the basis of 90%  
7   from the Eisenhower museum lottery fund and 10% from the Eisenhower  
8   foundation. All expenditures from the Eisenhower museum lottery fund  
9   shall be made in accordance with appropriation acts upon warrants of the  
10  director of accounts and reports issued pursuant to vouchers approved  
11  by the secretary of commerce or the secretary's designee.

12   Sec. 3. K.S.A. 2006 Supp. 74-8711 is hereby amended to read as  
13  follows: 74-8711. (a) There is hereby established in the state treasury the  
14  lottery operating fund.

15   (b) Except as provided by K.S.A. 2006 Supp. 74-8724, and amend-  
16  ments thereto, the executive director shall remit all moneys collected  
17  from the sale of lottery tickets and shares and any other moneys received  
18  by or on behalf of the Kansas lottery to the state treasurer in accordance  
19  with the provisions of K.S.A. 75-4215, and amendments thereto. Upon  
20  receipt of each such remittance, the state treasurer shall deposit the entire  
21  amount in the state treasury to the credit of the lottery operating fund.  
22  Moneys credited to the fund shall be expended or transferred only as  
23  provided by this act. Expenditures from such fund shall be made in ac-  
24  cordance with appropriations acts upon warrants of the director of ac-  
25  counts and reports issued pursuant to vouchers approved by the executive  
26  director or by a person designated by the executive director.

27   (c) Moneys in the lottery operating fund shall be used for:

28   (1) The payment of expenses of the lottery, which shall include all  
29  costs incurred in the operation and administration of the Kansas lottery;  
30  all costs resulting from contracts entered into for the purchase or lease  
31  of goods and services needed for operation of the lottery, including but  
32  not limited to supplies, materials, tickets, independent studies and sur-  
33  veys, data transmission, advertising, printing, promotion, incentives, pub-  
34  lic relations, communications and distribution of tickets and shares; and  
35  reimbursement of costs of facilities and services provided by other state  
36  agencies;

37   (2) the payment of compensation to lottery retailers;

38   (3) transfers of moneys to the lottery prize payment fund pursuant to  
39  K.S.A. 74-8712, and amendments thereto;

40   (4) transfers to the state general fund pursuant to K.S.A. 74-8713,  
41  and amendments thereto;

42   (5) *transfers to the Eisenhower museum lottery fund pursuant to sec-*  
43  *tion 1, and amendments thereto;*

1     ~~(5)~~ (6) transfers to the state gaming revenues fund pursuant to sub-  
2 section (d) of this section and as otherwise provided by law; and

3     ~~(6)~~ (7) transfers to the county reappraisal fund as prescribed by law.

4     (d) The director of accounts and reports shall transfer moneys in the  
5 lottery operating fund to the state gaming revenues fund created by  
6 K.S.A. 79-4801, and amendments thereto, on or before the 15th day of  
7 each month in an amount certified monthly by the executive director and  
8 determined as follows, whichever is greater:

9         (1) An amount equal to the moneys in the lottery operating fund in  
10 excess of those needed for the purposes described in subsections (c)(1)  
11 through (c)(4); or

12         (2) except for pull-tab lottery tickets and shares, an amount equal to  
13 not less than 30% of total monthly revenues from the sales of lottery  
14 tickets and shares less estimated returned tickets. In the case of pull-tab  
15 lottery tickets and shares, an amount equal to not less than 20% of the  
16 total monthly revenues from the sales of pull-tab lottery tickets and shares  
17 less estimated returned tickets.

18     New Sec. 4. In the event that the lottery establishes any new game  
19 to commemorate Dwight D. Eisenhower or in conjunction with any ac-  
20 tivities of the Eisenhower museum, the executive director of the lottery  
21 shall consult with the Eisenhower foundation regarding any ticket design.

22     Sec. 5. K.S.A. 2006 Supp. 74-8711 is hereby repealed.

23     Sec. 6. This act shall take effect and be in force from and after its  
24 publication in the statute book.